



MINUTES OF THE CITY OF MIRAMAR REGULAR COMMISSION MEETING

February 7, 2024

7:00 P.M.

A regular meeting of the Miramar City Commission was called to order by Mayor Messam at 7:11 p.m. in the Commission Chambers, Miramar City Hall, 2300 Civic Center Place, Miramar, Florida.

MAYOR MESSAM: The meeting of the Miramar City Commission is now called to order. An opportunity was given to the public to participate, or email the City Clerk 24 hours prior to the Commission meeting with any questions, comments, concerns on items we will hear on this evening's agenda. Any person may be heard by the City Commission, through the chair, and upon registering, pursuant to the published notice not for more than three minutes on any proposition before the Commission unless modified by the chair. This meeting is being streamed live at miramarfl.gov/commissionmeetings, and televised on Comcast channel 78, and AT&T U-verse channel 99 for all subscribers. As of February 7th, 2024, at 4:00 p.m., no members from the public have registered to participate virtually in this meeting. If anyone who is viewing virtually that wish to speak, they can raise their hand, and, at the appropriate time our IT staff will unmute their mic to allow them to speak. Please be sure to mention your name and address for the record prior to addressing the Commission. All comments submitted will be included as part of the record for this meeting, and will be considered by the City Commission before any has action taken.

ROLL CALL/ANNOUNCEMENTS

MAYOR MESSAM: At this time, Madam Clerk, please call the roll.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Here.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Here.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Here.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Here.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Here.

CITY CLERK GIBBS: City Manager Dr. Virgin.

CITY MANAGER VIRGIN: Here.

CITY CLERK GIBBS: City Attorney Gary.

CITY ATTORNEY GARY: Here.

CITY CLERK GIBBS: City Attorney Powell.

CITY ATTORNEY POWELL: Here.

Upon call of the roll, the following members of the City Commission were present:

Mayor Wayne M. Messam
Vice Mayor Alexandra P. Davis
Commissioner Winston F. Barnes
Commissioner Maxwell B. Chambers (Left at 11:09 p.m.)
Commissioner Yvette Colbourne

The following members of staff were present:

City Manager Roy Virgin
City Attorney Norman Powell
City Attorney Jordan Gary
City Clerk Denise A. Gibbs

PLEDGE OF ALLEGIANCE

MAYOR MESSAM: Let us all rise for the Pledge of Allegiance.

The Pledge of Allegiance was recited.

A MOMENT OF SILENCE

MAYOR MESSAM: For our moment of silence, we do have some observations, and recognitions of -- a commemoration list of City of Miramar staff members who are bereaved: Lesley-Ann E. Wright, Office of the City Manager lost cousin; Loraine Palmer, Financial Services, mother and brother; Tiffany Davis, Parks & Recreation, aunt; Jackson Fontaine, Public Work, uncle. Let's keep our colleagues in our thoughts and prayers, as they deal with the loss of family members, and, maybe, also keep in our thoughts and prayers members of our community that may be bereaved as well. And, at this time, we'll pause for a moment of silence. Thank you.

PRESENTATIONS

MAYOR MESSAM: On to presentations. We do have some proclamations to present.

Proclamation: United Negro College Fund (UNCF) Day (Commissioner Yvette Colbourne)

MAYOR MESSAM: Our first proclamation is in observance of United Negro College Fund Day requested by Commissioner Yvette Colbourne, if you want to come forward, and we invited Roxanna Blisset of United Negro College Fund to come forward to the dais. And colleagues, and members of the Commission, if you can join us. All set? Good. Okay.
Proclamation: United Negro College Fund Day, February 7th, 2024:

Whereas, for more than seven decades, United Negro College Fund, Inc., also known as UNCF, has raised more than \$5 billion, and helped more than 500,000 students to attend college, graduate, and become leaders; and, Whereas, United Negro College Fund was founded by Dr. Frederick D. Patterson, Mary McLeod Bethune, John D. Rockefeller, and other legendary American educators, business, and social leaders in New York City, and was incorporated on April 25th, 1944; and, Whereas, United Negro College Fund's mission is to build a rebirth -- a robust, and nationally recognized pipeline of underrepresented students, who, because of UNCF's support, become highly qualified college graduates, and to ensure that our network of member institutions is a respected model of best practices in moving students to and through college; and, Whereas, the employees of the City of Miramar stand firmly committed to promoting education as the catalyst for our students' future academic success, their preparations for America's jobs of the future, and their ability to compete in a global economy; and, Whereas, the City of Miramar enthusiastically endorses United Negro College Fund, and recommits our community to engage in programs and activities to provide students of the City of Miramar

the best opportunity to attend college. So, in other words, give a lot of your money. Now, therefore, I, Mayor Wayne Messam, on behalf of Yvette Colbourne, and the City Commission do hereby proclaim February 7th, 2024, as United Negro College Fund Day.

MAYOR MESSAM: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Thank you very much. We're good? So I would certainly want to say that I was really happy when Roxanne came, and we had so many discussions about the City of Miramar engaging with United Negro College Fund. But I was really amazed at the enthusiasm that we received from our employees. The City has committed to raise, I want to say, about \$20,000.00, so that we can give scholarships to our high schools here in the City of Miramar, and these funds are being collected throughout employee, from our giveback program, and they have donated, so far, between donations from their annual and sick time, and just events that they've done here, food sales, about \$16,000.00 already. So they deserve a nice round of applause. So it is an honor for us to have you here today, and to help us go ahead, and have these scholarship programs for the City of Miramar, employees, and for City of Miramar residents, students right here in our city. So thank you so much; thank you for accepting -- excuse me. Thank you for accepting this proclamation. Would you like to say a few words?

MS. BLISSETT: Thank you, Miramar. Thank you for investing, and providing assistance for our next generation. Thank you for believing that a mind is a terrible thing to waste, but a wonderful thing to invest in. Your investment will go a very long way for the students coming out of the -- out of Miramar, especially out of Everglades High School, Miramar High Schools, and all the high schools here, so thank you again.

UNCF STAFF MEMBER: Thank you, Miramar. I've been here a couple of times now, and I really just want to take the time to really express my deep gratitude to the City of Miramar, Commissioner Colbourne, we've worked so long, Mayor, Vice Mayor, to all the staff. People think of UNCF a lot of times, and they think this big, humungous company that's putting kids through school. We do a lot of the work that we do with short staffs, great amazing people, but also the work that we do, and help that we receive comes from regular, everyday people, such as the people of Miramar, such as the wonderful that's up here. We can't do this work without your help. Everything that we do, every kid we send to school, every parent that we take the burden off of their backs by making sure their kids can go to school, and go to school for free, we do this work, because of each and every one of you that's out here, because of the donations, the time the energy, the volunteerism. Everything that comes from the regular, everyday person assisting UNCF; this is why we've been successful for almost 80 years. So, again, thank you so much for your time, your energy, your enthusiasm, the financial help that we're going to get. Because, at the end of the day, this all affects our kids; they're all our babies, whether we gave birth to them or not, these are all our babies. And once they're safe, and they're good, it takes that burden off mom, or off dad, off aunties, of uncles, and grandparents,

that we can kind of take a little bit of a breather. So, again, thank you for your time, your energy, your financial support, and like my colleague Roxanna said, a mind is a terrible thing to waste, but it's a hell of a thing to invest in, so thank you to the people of Miramar; we really appreciate it.

MAYOR MESSAM: Thank our employees for their support. I thought -- people also should find a way to see how we can invite the community at large who desires to help with the contributions, so we can make the pot even larger. No, what I was saying is that -- that I would like to thank our city employees who've supported in this effort, and to -- for us to work together to see how we can open it up for the community at large that would like to support the effort to make the pot even larger for the contributions to the UNF -- U -- UNCF.

COMMISSIONER COLBOURNE: Absolutely. And we -- some of that is donations as well, from the community, so we have to continue pursue that. Thank you.

Proclamation: American Heart Month (Mayor Wayne M. Messam)

MAYOR MESSAM: Moving the agenda, while we sit down, we have one more -- we have two more proclamations. Our next proclamation is the American Heart Month, and I'll ask our HR -- our HR and Fire Rescue team to come forward to the dais. Trying to see who has the largest group. Proclamation: American Heart Month:

Whereas, American Heart Month was established by President Lyndon B. Johnson in December 1963 as -- and is observed to raise awareness on the importance of a healthy heart, and to encourage healthy habits that help reduce the risk of heart disease; and, Whereas, heart disease is the leading cause of death for men, women, and people of most racial, and ethnic groups in the United States. About 697,000 people in the United States died from heart disease in 2020; that's one in every five deaths; and, Whereas, heart disease affects all ages, genders, and ethnicities. Risk factors include: high cholesterol, high blood pressure, smoking, diabetes, and excessive alcohol use; and, Whereas, 83 percent of Americans believe that heart attacks can be prevented, but aren't motivated to do anything, while 72 percent of Americans don't consider themselves at risk for heart disease, and 58 percent put no effort into improving their heart health; and, Whereas, the good news is, in most cases, heart disease is preventable when people adopt a healthy lifestyle, which includes not smoking, maintaining a healthy weight, controlling blood pressure, and cholesterol, and treating high blood pressure, getting at least 150 minutes of moderate intensity physical activity a week, and getting regular checkups; and, Whereas, American Health -- Heart Month is observed to raise awareness on the importance of a healthy heart, and to encourage healthy habits that help reduce the risk of heart disease. The warning signs of heart disease have been known to appear when people are as young as 18 years old.

Red flags, such as high blood pressure, should be taken seriously, and healthy habits should be adopted, like getting 30 minutes of exercise every day; that's only 30 minutes every day. Say it with me: 30 minutes every day. Great. And talking with your doctor to develop healthy eating habits that promote health. And, Whereas, the month of February is American Heart Health Month, a time when all people can focus on their cardiovascular health, and the first Friday of February was National Wear Red in the United States. However, feel free to wear red any day in February to raise awareness by staying active, eating healthy, and watching your weight, all while wearing your favorite red outfit. Now, therefore, I, Wayne Messam, Mayor of the City of Miramar, and on behalf of the City Commission, support and encourage all to take an active role in their heart health during the entire month of February 2024, and do hereby proclaim the Month of February 2024 in the City of Miramar as American Heart Month.

MAYOR MESSAM: So we'd like to ask you to heed the whereas clauses of this resolution; our Fire Rescue Department has great tips, and because of either lack of heart attention, they're the first line of response to the events that result from that. So we want to kind of delay their response by doing what we can. Our HR Department, they lead our wellness program with our employees, and are on the frontline of ensuring that our staff has all the resources to ensure that they have a healthy heart. So we thank both our HR Department, and our Fire Rescue Department for all that you do for the community, and for our staff. Thank you all so much.

Proclamation: Black History Month (Mayor Wayne M. Messam)

MAYOR MESSAM: All right. And our final proclamation for this evening, I invite the Parks & Rec team to come forward to receive our next proclamation in observance of Black History Month. Proclamation: Black History Month, February 2024:

Whereas, African American History Month grew out of the Negro History Week, which was initiated in 1926 by historian, Dr. Carter G. Woodson, and other prominent African Americans, and to recognize the heritage and achievements of African Americans, and to enhance knowledge about African American history; and, Whereas, the national theme for 2024 is "African Americans and the Arts". This year's theme examines the varied histories, and life of African American art, and artisans, and celebrate African American art, which is infused with African, Caribbean, and the Black American lived experiences; and, Whereas, in the field of visual and performing arts, literature, fashion, folklore, language, film, music, architecture, culinary, and other forms of cultural expression, the African American influence has been paramount; and, Whereas, in recognition of this year's theme, we acknowledge African American artists, poets, writers, visual artists, and dancers who have served as change agents through their

crafts, who uplift the race, speak truth to power, and inspire a nation. And now, therefore, in recognition of African Americans, past and present, I, Wayne Messam, Mayor of the City -- City of Miramar, on behalf of the City Commission, do hereby proclaim February 2024 to be Black History Month in the City of Miramar.

MAYOR MESSAM: And we invite everyone to take a look and note of all the activities that are scheduled throughout the month of February that are culturally inspired, educationally inspired; there's some virtual events, there's concerts, we have an excellent exhibition on redlining in the art gallery, so definitely invite you all to partake in all of the activities presented during Black History Month.

Presentation: Youth Advisory Council Presentation (Mayor Wayne M. Messam)

MAYOR MESSAM: Our next item will be a presentation by none other than the Youth Advisor Council, and I invite our Youth Advisor Council forward to begin their presentation. Let's give them a round of applause.

MR. MANSURI: Good evening, Mayor, Vice Mayor, Commissioners, City Manager, City Attorneys, City Clerk, and the general public. My name is Ammar Mansuri, and I'm the president of the Youth Advisory Council. On the screen above, which should show up now is what we will be talking about today, which is our members' initiatives, experience, and our thank yous. Who are we? The Youth Advisory Council of Miramar is composed of high school students that represent the youth voices in our city. We strive to learn about our local government, while volunteering right here in Miramar. We work with the Mayor, the Chief of Police, and our wonderful chaperones, Ms. Maylling and Ms. Edna. And now I'm 'moving onto introductions. My name is Ammar Mansuri, and I attend Everglades High School.

MS. EUBANKS: Good evening, I'm Sudan Eubanks; I attend Cushman High School, and I am the vice president of the Youth Advisory Council.

MS. SATIZABAL: Good evening. My name is Valerie Satizabal; I am from Everglades High School, and I serve as the historian on the Youth Advisory Council.

MR. NARANJO: Good evening, my name is Alan Naranjo; I am the secretary of the Youth Advisory Council, and I attend Everglades High School.

MS. CHARLES: Good evening, my name is Rachel Charles; I'm from Miramar High School, and serve as the parliamentarian of the Miramar Youth Advisory Council.

MS. TASSY: Good evening, my name is Samarah Tassy; I am a member of the Youth Advisory Council, and I attend Somerset Academy.

MS. CORA: Good evening, my name is Claudia Cora; I am member of the Youth Advisory Council, and I attend Cypress Bay High School.

MS. GRAHAM: Good evening, my name is Khori Graham; I'm a member of the Youth Advisory Council, and I attend Everglades High School.

MS. RUES: Good evening, my name is Maya Rues; I'm a member of the Youth Advisory Council, and I attend Pembroke Pines Charter High School.

MR. THOMAS: Good evening, my name is Jovane Thomas; I am a member of the Youth Advisory Council, and I attend Miramar High School.

MR. CODNER: Good evening, my name is Tavin Codner; I am a member of the Youth Advisory Council, and I attend Miramar High School.

MS. GRAHAM: Our 2024 initiatives for the upcoming months: College readiness. The College readiness program is meant for students who are juniors in high school and below to learn about the college application process, so when it's time for them to apply to college, they are knowledgeable about it. Here in Miramar, we have a lot of children from immigrant families who lack resources to learn about the American education process; therefore, our job as the Youth Advisory Council is to organize several workshops that give a crash course to students and parents about the details regarding college readiness.

MS. TASSY: With the longstanding battle against global climate change, we, as the Youth Advisory Council, want to contribute to our city's mission of sustainable living. The tree-planting initiative aims to plant trees and plants in our Miramar parks, and recreation centers to produce oxygen, and filter carbon dioxide. This environmentally changing initiative not only serves to create a better environment for us, but also for the future of Miramar.

MS. CHARLES: Mentorship. As youth leaders in our community, we understand the importance that having a guiding presence can have on young people. Many of us have our own mentors in the form of teachers and adults, and even the chaperones here at the City of Miramar. However, we also understand that we can form meaningful relationships from our peers. That is why, we, as the Youth Advisory Council, intend to create a mentorship program that will pair one of ourselves with an at-risk middle schooler, as a way to guide them towards future success.

MR. MANSURI: Our Youth Advisory Council had the honor of attending the Mayor's Address, gaining valuable insights into the City's visions and goals. We were able to take this knowledge, and share it with our families and friends, and, in fact, one of the things I was able to share was that there's a technical school that's literally minutes away from my house. Additionally, I wanted to thank you for giving me the opportunity for being interviewed, and to be part of the Mayor's Address. Before I hand it over to talk more about our involvement, and participation in the National League of Cities, I wanted to

highlight that Rachel, and I have been part of the Youth Delegate Planning Committee of the National League of Cities for almost three years. So now Alan is going to talk more about the workshops that we actually planned for this.

MR. NARANJO: Our first workshop was one about city initiatives, where the youth delegates were all split up into groups, and they were each assigned a topic, and with that topic, they can create an in -- their own initiative that they can bring back to their own cities, and then they would present it to a panel of judges based on the achievability, and the creativity of the initiative. After that was the red tape initiative, where we talked about -- where they taught us about how the unnecessary paperwork, and procedures are making it -- are making civic engagement harder for people, especially marginalized groups. And, after that, we had the UNICEF initiative, where we had delegates from UNICEF come and present what UNICEF does for the world, and about the CRC, which is the Convention for the Rights of the Child, how that protects children worldwide. And it also showed us the UNICEF Unite Clubs Program, where every high school can start their own UNICEF club, and they can make a local impact; they can help children, and that inspired myself and Ammar to start out own UNICEF Club at Everglades High School. And we also had the social media workshop where -- where we had social media experts come to coach us on how to run a social media account, how to get more -- gain more followers.

MS. RUES: On the second day of the Atlanta trip for the National League of Cities Conference, we went to the Georgia Aquarium, where we -- where we enjoyed all the beautiful exhibits in a group. We learned that the aquarium has more than ten million gallons of water, and when it was first opened in 2005, it was the largest aquarium in the world. On the third day of the Atlanta trip, we went to Tyler Perry Studios, thanks to Mayor Messam, who invited us, and we were driven around some of the 330 acres of land. We saw some of the houses, and other buildings used in famous movies and shows, including The Oval. We also went inside the largest stage, where were told how it was divided, and used for different scenes. We're thankful for Mayor Messam for giving us the opportunity to see Tyler Perry Studios in person. Later that day, we went to the -- the -- the World of Coca-Cola. We did many exhibits, including the smelling exhibits, the secret vault, and even tried flavors from all over the world. We all had a shocking experience with Beverly from Italy, as how strong it was. Coca-Cola was a very fun experience we wouldn't have been able to do without our trip to Atlanta for the National League of Cities Conference.

MS. SATIZABAL: On December 1st, we ignited the holiday season at the City of Miramar's tree lighting event. The night was alive, as we enjoyed entertainment from our own community members. I had the pleasure of singing at the event with my own choir from Everglades High School, and we made connections with the other talent youth that were also in attendance.

MS. CORA: At the Mayor's Sixth Annual Aviation Expo, our president, Ammar Manusri, helped vendors set up for the event, volunteered at various tables, and stayed at the

Mayor's table to inform the community about the Youth Advisory Council, and it's plans for our city.

MS. EUBANKS: The MLK Day Parade was a blast. By sponsoring events like the Martin Luther King Day Parade, our city is united, fostering a sense of community, and celebrating our cultural diversity. The community, young and wise, joined to commemorate MLK's legacy; these events contribute significantly to the social fabric of Miramar, creating a shared space where residents can come together in harmony. The event was lively, bursting with music, dancing, and gratitude, all in the name of MLK.

MR. CODNER: In November last year, Miramar Youth Advisory Council entered the Florida League of -- the Florida League of Cities Video Competition, where we created a video that showcased the beauty of our city, and the amazing opportunities we have to offer here. The competition aimed to provide a way -- a way of Florida's youth advisory councils to showcase their ideas, creativity, and commitment to their communities.

MR. THOMAS: Last year's competition asked councils: What makes your city, town, or village great? Us as coun -- a council came together to brainstorm ideas for our video. We chose to show our amazing city, and the different offers and events our city offers. We talked about the multicultural diversity Miramar has to offer to individuals, and also how Miramar offers many activities and events. As the Youth Advisory Council of Miramar, we help make Miramar great, as we constantly in -- involved in the community, and strive to make it a better place.

MR. CODNER: Within the video we created, we interviewed teams that attended schools within the City of Miramar, and asked them what they think about the wonderful city they live in. We are proud to announce that we are one of the statewide winners of the Municipal Youth Advisory Council Video Competition by the Florida League of National Cities.

MR. THOMAS: This amazing accomplishment wouldn't have been possible without the help of our videographer and editor, Andy. Thank you for your magic touch into creating this video with us. We would also like to thank the Commission for the events you guys make for us to -- the youth to enter.

MS. EUBANKS: Ladies and gentlemen, we stand before you with immense gratitude for those who have played a pivotal role in the chaperoning, as well as the maintenance of our Youth Advisory Council. To Ms. Edna, Ms. Maylling, Police Chief Moss, and, of course, Mayor Messam. Your dedication has been the bedrock of our success. Chaperones, your tireless efforts in guiding and supporting us have not gone unnoticed. Your commitment to the development and wellbeing of us has been truly inspiring. Maintaining the youth Advisory Council is no easy feat, and your unwavering dedication ensures its continuation. Your hard work has actively allowed us to thrive, further shaping us into the leaders of tomorrow. On behalf of the entire Youth Advisory Council, I extend a heartfelt thanks for your time, energy, as well as your passion. Your contributions are

the driving force behind the success of our council, and we're incredibly fortunate to have such dedicated individuals leading us this way, so thank you for your commitment to the youth of Miramar, and making a lasting impact on all of our lives.

MAYOR MESSAM: Let's give -- they deserve a bigger round of applause than -- let's give them a Miramar round of applause. It goes without saying, we're very proud of each and every one of you, and how you present the City of Miramar. It's no surprise while -- that you are the gold standard for the nation for all youth advisory councils. I don't think that we -- that they're any youth advisory councils that have two national delegates that's leading all of the -- the students that attend the National League of Cities Conference, and that's just a testament of who you are, your families, and -- and you represent us. And as we look at you right now, you reflect -- or you're really a true reflection of the City of Miramar. So continue to strive to make our city better for yourselves, your peers, and you are our future leaders. And one of you may, perhaps, even be president of the United States one day, if you really desire to do that; you're just that talented, so we thank you all for your involvement, and contributions to our community. Thank you all so much for a wonderful presentation.

Presentation: MCC Artscape Public Artists 2024 – 2026 (Cultural Affairs Director Camasha Cevieux)

MAYOR MESSAM: Our next presentation will be the Miramar Cultural Center Artscape Public Artists for the year 2024 to 2026, and invite Cultural Affairs Director Camasha Cevieux for a presentation. I think the mic is off. Is the green light on?

MS. CEVIEUX: Got it.

MAYOR MESSAM: There you go.

MS. CEVIEUX: Good evening, Mayor, Madam Vice Mayor, members of the Commission, City Manager, City Clerk, and City Attorney. My name is Camasha Cevieux; I am the director of Cultural Affairs for the City. The Miramar Artscape was established in January of 2023; upon its development, it furthered mission-driven goals of the department to promote growth, and connectivity to the art community for the City. Public art, by definition, is art in any media whose form, function, and meaning are created for the general public through a public process. It is specific art genre, with its own professional and critical discourse. Public art is visually, and physically accessible, installed in spaces that maintain outdoor or indoor settings, all of which MCC Artscape proudly embodies. In addition to being a great curbside identifier for this prized city facility, the Cultural Center Artspark, public artists who participate in this rotational program are on current display for two years. The second rotation of this art has taken its rightful place around the lake. In doing so, it will offer the ability to stimulate learning and thought, interconnect our lives, and remain uniquely accessible, so that community and youth can experience art in the course of their daily life outside of museums. In order of placement, from the entrance of Miramar Boulevard and Red Road, all the way around to our botanical garden, Stop and

Smell the Roses by Keyani Watkins; Big Red Glover -- Clover by Luis KAIULANI; Dolphins Game by Gus and Lina Ocamposilva, pardon me; and Liberty by Rafael Montilla. Welcome to the beautifully vibrant, and rev -- relevant City of Miramar. Now, for the years 2024 through 2026, please help me to welcome our new artists with this video showcasing the installation of their work, and then after to stage with a -- a picture with our Commission (video shown). So I want to thank Marketing for that amazing video, because it showcases us very well, and I also want to say, hey, MCC back, right there. All of -- a -- a good portion of the MCC staff, while they work those events, they're right here supporting the product that -- at this time, I'd like to bring each, individual artist on stage, if -- if you will, Commission, I'd like to oblige them with a photo. First one is Keyani Watkins; is he here? He made it? Okay. Luis KAIULANI; he's responsible for the Big Red Clover. So Dolphins Game by Gus and Lin Ocamposilva did not make it, right, so we're going to move on to Liberty by Rafael Montilla. Yes. Congratulations to you all. We have one more presentation, but, yes, you'll be asked to come back, and -- yeah, we're done, I'm sorry. No, I was talking to the Mayor and Commission. My apologies. Yeah, we --yeah, we were done. Zakiya's going to carry on with the next presentation.

Presentation: Cultural Affairs Collaborative Project Acknowledgment: RAIN SHOWERS by Michelle Drummond (Cultural Affairs Director Camasha Cevieux)

MAYOR MESSAM: Good evening.

MS. KELLEY: Good evening. Okay. So I'll be presenting the Cultural Affairs Collaboration Project Acknowledgement of Rain Showers. So, good evening, Mayor, Vice Mayor, Commissioners, City Manager, City Attorney, and City Clerk. I'm Zakiya Kelley, the Assistant Director of Cultural Affairs, and today I have the wonderful opportunity to inform you on our newest Art in Public Places partnership. The Cultural Affairs Department, along with Public Works, and Utilities have partnered with a stellar artist by the name of Michelle Drummond to exhibit her art piece, Rain Showers, right here in Miramar's City Hall lobby. Drummond's art expresses a distinctive interest in water lifecycles as a predominant design element; her installations have been showcased nationally in Essence magazine, and locally in other county and municipal facilities throughout Palm Beach County, and the City of Pembroke Pines, just to name a few. Now we will preview a short video to exhibit the installation process, and the meaning of this partnership (video shown). Next, I would like to call forth our Public -- Public Works Director, Mr. Anthony Collins, our Utilities Director, Mr. Francois Domond, and artist, Michelle Drummond to present them with an award to acknowledge the establishment of this partnership. And, lastly, I would -- I would like to allow Michelle Drummond to say a few words at this time.

MS. DRUMMOND: Good evening -- good evening everyone. How much time do I have? I have so much to say. I just want to say, Mayor Messam, Vice Mayor Davis, City Commissioners, City Manager, thank you for having me, and thank you for welcoming me with open arms. Camasha, you're a champion. Thank you -- thank you for understanding my vision, thank you for understanding what my work is about. It's not -- it's on -- it's not

only a vehicle to entertain, but also a vehicle to inform, educate, and als -- and to bring awareness to vital issues. I'd also like to thank the -- Mr. Domond, Utilities Director, and Mr. Collins, Public Works Director, for supporting my vision, and seeing the value of my work to their departments. This piece, Rain Showers, as I said in the video, it is inspired by my series, The Flow of Water, and the Flow of Water investigates the environmental, and societal impact on communities, as it relates to accessibility, conservation, and quality, and it speaks volumes about the services that the City of Miramar provides to the community through their Utilities, and Public Works Department, because these department provide the -- facilitate the infrastructure, and the access to safe/pos -- potable water to the communities, and not every community, or individual has that privilege. So I'd like to really give kudos to these departments. The piece, Rain Showers, emulates a outdoor rain -- actually, an outdoor shower. It's -- what's inside -- is installed in the lobby represents just phase one of a two-part phase, and this -- phase two is actually going -- the installation, external installation, permanent installation unit identified -- well, to be identified location. This piece represent a juxtaposition of luxury and strife; luxury is represented by the large, grand showerhead with water emulating from the showerhead with the galvanized tub; and anyone who is from the Caribbean, or from a third world country recognize this huge bathtub that's used predominantly for domestic purposes, and that represent strife of families having to go out, and fetch water for domestic consumption. In closing, I'd like to provide some real time statistics courtesy of water.org; this is a global organization that my company has partnered with, and to provide access to safe -- safe water and sanitation. This is with the hope that these numbers resonate with you, and the reason I advocate for this cause. So here we go: 771 million people, that's one in ten, lack access to safe water; 1.7 billion people, that's one in four, lack -- lack access to a toilet; women and girls are burdened with the responsibility to fetch water for daily consumption, they spend 266 million hours every day finding a place to go to the bathroom; every two minutes, that is every two minutes a child dies from water-related disease; one in three schools lacks access to basic water and sanitation; diarrhea is the third leading cause of death; and \$260 billion is lost globally each year due to lack of basic water and sanitation; and by 2025, and, mind you, we're in 2024, 50 percent of the world's population is projected to live in water stressed areas, as a result of climate change, with low income families bearing the greatest brunt of this crisis. With that said, again, I thank you for having me, and it's an honor to have my work installed in your City Hall lobby.

MAYOR MESSAM: I'd like to thank the Miramar Cultural Center for the two presentations recognizing amazing artists right here in our community for our public enjoyment, so thank each of you for your contributions to arts in our city.

CONSENT AGENDA

MAYOR MESSAM: Moving on to Consent Agenda. Items listed on the Consent Agenda are viewed to be routine, and the recommendation will be enacted by one motion in the form listed below. If discussion is desired, the items will be removed from the Consent

Agenda, and will be considered separately. The Clerk received no requests to speak from the public on the Consent Agenda. Are there any members from the public present in the Miramar City Commission Chambers that wish to speak on any items on the Consent Agenda? Are there any members in the public present in the City Chambers -- City Hall Chambers that wish to speak on any item on the Consent Agenda? Seeing none, back to the dais. Are there any items by the Commission that wish to be pulled on Consent Agenda? Excuse me?

COMMISSIONER CHAMBERS: Number four, please.

MAYOR MESSAM: All right. Number four. Hearing no others, may I have a motion on the balance of the Consent Agenda.

COMMISSIONER COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Madam Clerk, record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Colbourne, seconded by Commissioner Chambers, to approve Consent Agenda Items 1, 2, 3, 5, 6 and 7, the Commission voted:

Commissioner Barnes	Yes
Commissioner Chambers	Yes
Commissioner Colbourne	Yes

Vice Mayor Davis
Mayor Messam

Yes
Yes

1. Minutes from the Regular Commission Meeting of January 24, 2024.

Approved

2. Temp. Reso. #R8066 authorizing the **purchase of fuel card services**, utilizing the Wex Bank Fuel Purchase Program through the State of Florida Contract No. 78181701-21-NASPO-ACS, in the amount of \$103,700.00 during **Fiscal Year 2024**. (*Fire-Rescue Division Chief Cliff Ricketts*)

Resolution No. 24-61

3. Temp. Reso. #R8067 approving the **purchase of Firefighting Protective Ensembles and Ensemble Elements** from Bennett Fire Products Company, Inc., through the utilization of the Lake County Contract No. 22-730B, in the amount of \$170,000.00 in **Fiscal Year 2024**. (*Fire-Rescue Division Chief Cliff Ricketts*)

Resolution No. 24-62

MAYOR MESSAM: Item number four, please.

4. Temp. Reso. #R8065 approving the purchase of **technical stage personnel services** from AV Technician Inc., in the amount of \$286,000.00 during **Fiscal Year 2024**. (*Cultural Affairs Assistant Director Zakiya Kelley*)

CITY ATTORNEY POWELL: A resolution of the City Commission of the City of Miramar, Florida, approving the purchase of technical stage personnel services from AV Technician Inc., in the amount of \$286,000.00 during Fiscal Year 2024; and providing for an effective date.

MAYOR MESSAM: Commissioner Chambers, do you have a question for staff, or are you requesting a presentation?

COMMISSIONER CHAMBERS: Presentation.

MS. KELLEY: Good evening again.

MAYOR MESSAM: Before you -- can we ask those in the lobby just to hold it down.

MS. KELLEY: Good evening again, Mayor, Vice Mayor, Commissioners, City Manager, City Attorneys, and City Clerk. I am Zakiya Kelley, Assistant Director of Cultural Affairs. Okay, so the item we have before us is funding approval for contracted -- contracted technical stage personnel for the Miramar Cultural Center. The Cultural Affairs

Department competitively solicited proposals for contractual technical stage personnel for the Cultural Center. AVT was awarded a three-year continuing service agreement for technical stage personnel services as needed. The negotiated consumer rates with AVT have successfully serviced the facility, and our clients to date. This agreement expires on June of 2024, which is -- which is inclusive of a 90-day extension. More background: Approval of this item provides the ability to continue funding these critical facility services, and the planning required for the facility. Cultural Affairs and Procurement are currently working to finalize the solicitation to better service the increased usage, and demand of the Cultural Center. Issue: the Department of Cultural Affairs requires the uses of production services, inclusive of technical staff to operate the Cultural Center as a state-of-the-art facility. Such services are required both in the theater and banquet hall. At the start of this agreement, the \$75,000.00-threshold was a reasonable -- reasonable budget. Since that time, production services have increased, specifically, in the banquet hall. As of February 2024, the department will meet or exceed the City Manager's threshold of \$75,000.00 to offer these services. In anticipation of exceeding this threshold, the department is seeking permission to continue already negotiated services with AVT at the current rates. The Cultural Affairs Department has budgeted for production services, and funding is available within our budget. And City Manager recommends approval.

MAYOR MESSAM: Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you. I do have a statement. I pulled the item because I want to recognize the folks that work in our AV room, and they work as -- as needed; they're not full-time employees. And they are very capable of doing certain work for the City of Miramar. And how talented these young men and women are, and we want to make sure we keep them in mind when we're doing, you know, certain jobs around the City, or needed certain equipments that they're -- we have capable personnel here that can assist us. So I just want the City Manager and staff to just take note of those folks in our AV room upstairs, that do qualify to do a lot of stuff; just keep them in mind, all right. Thank you so much for the presentation. It's good. Have a good evening. Thank you.

MS. KELLEY: Thank you.

MAYOR MESSAM: Vice Mayor Davis.

VICE MAYOR DAVIS: Thank you. Just to understand a little bit. The AV techs are the ones that are -- that we use in the banquet hall that project stuff on the screen, those?

MS. KELLEY: It could be screen -- it could be screen, sound; any production staff, any technical staff needed with -- throughout the facility requires this service.

VICE MAYOR DAVIS: This service.

MS. KELLEY: So we -- so pretty much every event there are someone from the AV technicians there.

VICE MAYOR DAVIS: So -- so you already have a contract, and they are paid out of your budget?

MS. KELLEY: Correct. So this is --

VICE MAYOR DAVIS: So we don't have to pay again when we use it? I'm just clarifying, so I don't see it on my budget item.

MAYOR MESSAM: I don't --

VICE MAYOR DAVIS: Is that the case, or --

MS. KELLEY: Could you repeat the question?

VICE MAYOR DAVIS: Are we paying, or -- I'm just trying to figure it out. But maybe we could take this out of the Commission meeting.

MS. KELLEY: Okay.

VICE MAYOR DAVIS: Just to make sure, because I'm almost certain I see it as a line item -- line item, but maybe I don't. But if it's already paid for under your budget, then it shouldn't be coming, again, out of my budget. I just want to make sure.

MAYOR MESSAM: No, I think we should have that conversation -- I mean is -- is -- is this -- is -- the presentation is addressing the challenge that for additional services that goes beyond the City Manager's threshold of \$75,000.00, am I correct?

MS. KELLEY: Correct, correct.

MAYOR MESSAM: So based off your anticipated need for rentals at, and use of the facility, it would allow or allocate the appropriate budget to pay the vendor, correct?

MS. KELLEY: Correct.

MAYOR MESSAM: Now the question, if I understand correctly, by the Vice Mayor is that with this additional allocation for events that are booked by City Commission members, is this budget covering those activities, or will Commission members be charged as normal, as it relates to technical staff, or support for events rented out by the Commission? Is that your question, Vice Mayor?

VICE MAYOR DAVIS: Yeah. Because I'm sure when outside entities rent the facility, they are paying for the AV tech.

MS. KELLEY: Correct.

VICE MAYOR DAVIS: So I'm talking about internally, if it's already budgeted, then are we also paying again.

MS. KELLEY: So this budget covers external -- this budget is for external rentals, and MCC presents; that's what the budget, within the Cultural Affairs Department. The -- the -- most of those events that you're referring to are budgeted within the Parks Department, Parks & Recreation. We don't -- we don't manage -- we don't hold that budget; we do assist with getting the events facilitated, but we do not hold the budget currently for those events.

VICE MAYOR DAVIS: Yeah. I guess I'll better understand it -- I can't go through the details now, because it's going to be a little bit more intricate, because I would need to look at your budget, and my budget to see how it differs when you're -- if you've already budgeted for this person to be here, what is it -- is it just covering --

MS. KELLEY: But we are charged per event, so our budget is, pretty much, an estimate of what we predict for the fiscal year for, like I say, MCC Presents, and rentals. Anything additional, we -- I mean we don't have -- unless we know prior to, maybe we could budget, and we can get with the Manager's Office to see how they would like to facilitate that, but the current budget we have does not include any Commission events.

VICE MAYOR DAVIS: I -- I'm not sure that that is correct, but, again, I will look at it after to see how that flushes out, because I -- I -- unless I know how many events you are now doing that warrants this extra money --

MS. KELLEY: And this not -- this is not a request for additional funding. This request is just to allow us to utilize this vendor past \$75,000.00. So this -- this request is not to ask for an additional \$268,000.00; this request is to utilize this vendor beyond the \$75,000.00.

VICE MAYOR DAVIS: Right. But you're asking because you may use it. Is that it? I'm - I'm making sure I understand, because you're asking for more than 75, because now you only have 75, and you don't have to come before the Commission.

MS. KELLEY: We have -- within our budget, we have two --

VICE MAYOR DAVIS: Seventy-five --

MS. KELLEY: We have over \$200,000.00.

VICE MAYOR DAVIS: That you're going to use?

MS. KELLEY: Yes. That's budgeted for AVT.

VICE MAYOR DAVIS: Oh, I think -- okay. I get it now. So you only -- you need to utilize that amount, and you're going to use it, --

MS. KELLEY: Correct.

VICE MAYOR DAVIS: -- is basically -- okay. Perfect. I -- a better understanding now.

MAYOR MESSAM: How we're in this case is because how the vendor was procured?

MS. KELLEY: Correct.

MAYOR MESSAM: Okay. All right.

MS. KELLEY: So right now we're -- we're -- this agreement expires in June 2024, so it's almost up; we are -- have another solicitation that should be going out -- if it didn't go out yesterday, it will be going out soon.

MAYOR MESSAM: Okay. Because they were -- they were secured under the purview of the Manager's authority, so because they are in place right now, we anticipate their services exceeding the Manager's authority for any procurement, so that's why you're here, asking for authority to utilize your budgeted allowance of 200 plus thousand for the vendor, because it'll cross over into City Commission authority for approval. Okay. Thank you.

MS. KELLEY: And once that solicitation is done, --

MAYOR MESSAM: Then it will be --

MS. KELLEY: -- at the end, May.

MAYOR MESSAM: You're good? All right. May I have a motion on item four, please.

COMMISSIONER COLBOURNE: Motion.

VICE MAYOR DAVIS: Second.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Coulbourne, seconded by Commissioner Davis, to approve Resolution #R8065 as presented, the Commission voted:

Commissioner Barnes	Yes
Commissioner Chambers	Yes
Commissioner Colbourne	Yes
Vice Mayor Davis	Yes
Mayor Messam	Yes

Resolution No. 24-63

- 5. Temp. Reso. #R8040 authorizing the purchase of services for **replacement of flooring at Miramar Town Center Building “A” third-floor Executive Offices, Lobby Area, second floor Finance Department and Building “W”** from Mannington Commercial, a business unit of Mannington Mills Inc., in the amount of \$531,313.00, utilizing Sourcewell Contract No. 080819 during **Fiscal Year 2024**. *(Public Works Deputy Director Kirk Hobson-Garcia and Procurement Director Alicia Ayum)*

Resolution No. 24-64

- 6. Temp. Reso. #R8068 approving the award of Invitation For Bids No. 23-034, entitled **“Wastewater Reclamation Facility Building “N” Parking Lot Renovation,”** to Cacique Utilities, L.L.C., in a not-to-exceed amount of \$105,000.00, to renovate the existing parking lot. *(Utilities Assistant Director Ronnie Navarro and Procurement Director Alicia Ayum)*

Resolution No. 24-65

7. Temp. Reso. #R8043 approving the purchase of **playground equipment and soft surface covering** for **Fairway Childcare Academy** from Playcore Wisconsin, Inc., GameTime, through the utilization of Omnia Partners Contract No. 2017001134 in an amount of \$108,872.00, and allocating a contingency allowance of \$10,000.00, for a total cost of \$118,872.00. (*Chief C.I.P. Officer Elizabeth Valera and Procurement Director Alicia Ayum*)

Resolution No. 24-66

End of Consent

RESOLUTIONS

MAYOR MESSAM: Onto resolutions. Item number eight, please.

8. Temp. Reso. #R8052 approving a **Sister Cities Agreement** with **Belize City, Belize**. (*Economic Development & Housing Director Anita Fain-Taylor*)

CITY ATTORNEY POWELL: A resolution of the City Commission of the City of Miramar, Florida, approving a Sister Cities Agreement with Belize City, Belize; and providing for an effective date.

MAYOR MESSAM: Good evening.

MS. TAYLOR: Good evening. Good evening, Mayor, Vice Mayor, Commissioners, City Manager, City Attorneys, and City Clerk. I'm Anita Fain-Taylor, Director of Economic Development & Housing Department, here too present -- something going on here. That's it; thank you. Here to present Temporary Resolution 8052, which is the Sister Cities agreement with Belize City, Belize. The Miramar Sister Cities Board finds that Belize City, Belize, is a strong candidate to be a sister city, and City Commission approval is required to formalize a sister city relationship. At the November 1st, 2023, City Commission workshop, staff and members of the Sister Cities Board presented a progress report on the sisters -- City's Sister Cities Program. The presentation highlighted that connections have been made with several countries, and that the board has developed a workable process for engaging countries to move the program forward. In the case of the country of Belize, the City has ongoing interactions that are creating the basis for a long-term relationship, and gives the City a path to follow for developing additional partnerships. Based on the exchange of friendly delegations, and the development of other means of cooperation in areas of education, arts, and trade, and best practices, we are proposing this agreement. The agreement is effective upon signing of all parties, and remains in effect until the parties agree to terminate. If approved, staff will schedule a time for a ceremonial signing by officials of both cities. The Sister Cities Board will continue exploring Accra, Ghana; Colón, Republic of Panama; and Kingston,

Jamaica. City Manager recommends approval, and I'd like to acknowledge that the Honorable Mrs. Sandhya Murphy, Ambassador for the Diaspora of Relations for Belize is here this evening. Also present are members of the Belize American Chamber of Commerce, the Belize Association of Florida, the Belizean community, the Sister Cities Board members, our staff liaison, and members of the Economic Development & Housing Department.

MAYOR MESSAM: At this time, can we please have the members of the Belizean community, and the delegation to -- just to please stand to be acknowledged formally. Let's give them a Miramar round of applause. The City Clerk received no request from the public to speak on this item. Are there any members in the Chambers that wish to speak on this item before us? Are there any members from the public that wish to speak on this item? Seeing none, back to the dais for any comments, or questions. Well, just a couple of comments. I just would like to thank our staff, and the Sister Cities Board of -- Board for your work in working with the various diasporas for great relationships. I can -- I can say without a doubt that it's been very evident of the -- not only the motivation, but the collaborative spirit that the Belizean community has had with the City of Miramar, in terms of their active involvement, and engagement with the community to seek mutual benefiting relationships, and interactions with our community. So I think this is a perfect example of candidates to twin with as a city, and just like to thank the -- all stakeholders that have been involved, and we look forward to a continued relationship upon passage of this item. We have two speakers. Commissioner Barnes, followed by Commissioner Colbourne.

COMMISSIONER BARNES: Mr. Mayor, I just want to acknowledge the Belizeans in the house. We have to have consultations. You all might be cousins of my wife; we need to talk. Thank you.

MAYOR MESSAM: Commissioner Colbourne, you're recognized.

COMMISSIONER COLBOURNE: Thank you very much. I just want to say congratulations. This is awesome. City of Miramar has been looking for a sister city for a long time, and we have looked long, and far, but we have worked over the years with representative from Belize, Michael Young, and we've done so many activities. And, you know, although it has taken some time, I am really happy that we are finally at a point where we are formalizing that relationship, and we can move forward to continue this relationship that we have had for so long with Belize, so thank you so much, Ms. Fain, for all the things that you do to make this possible.

MAYOR MESSAM: Vice Mayor Davis, followed by Commissioner Chambers.

VICE MAYOR DAVIS: Thank you, Mr. Mayor, and, of course, thank you to our director, Ms. Taylor, and her staff, along with the -- the board. Of course the Belizean community, I haven't seen a community work so hard to be a sister city. There's nobody else knocking down our doors, you know, involved in activities in order to be seen and heard. And to

be -- I have to call you the first -- I hear there's another sister city that was done many, many moons ago, I believe it was with Honduras, but in our time, we're glad to see that this has finally come to fruition, and hopefully it will be the start of many more sister city collaborations. So thank you again, and thank you for your work.

MAYOR MESSAM: Commissioner Chambers.

COMMISSIONER CHAMBERS: Thank you. I just want to thank you guys for being here tonight. You guys should be resting from the three days of events here at the City Hall, but you guys decide to show up tonight and be here, so that speak volume. And, like I said, it was fantastic having all of you this weekend, all the different product that you guys brought to -- to us here, and display, and I just had a great time. And I just want to thank staff, Economic Development's Taylor, and all this -- your staff, Paul; everything was just -- Clint; I see Clint hiding over there. I -- I saw when they ask all the Belizeans to stand up, I saw even the HR Director standing up. Just playing. But, you know, you guys are awesome, and I just want to thank you guys so much for just being awesome, awesome folks. Bless.

MAYOR MESSAM: May I have a motion on item number eight, please.

COMMISSIONER COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second. Second.

MAYOR MESSAM: Record the votes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Colbourne, seconded by Commissioner Chambers, to approve Resolution #R8052 as presented, the Commission voted:

Commissioner Barnes	Yes
Commissioner Chambers	Yes
Commissioner Colbourne	Yes
Vice Mayor Davis	Yes
Mayor Messam	Yes

Resolution No. 24-67

MAYOR MESSAM: Congratulations. Item number nine, please.

9. Temp. Reso. #R8075 approving the award of Request for Proposals No. 23-08-49, entitled **Building Permitting and Inspection Services**, to C.A.P. Government, Inc., on an as-needed basis. (*Building, Planning, and Zoning Director Nixon Lebrun and Procurement Director Alicia Ayum*)

CITY ATTORNEY POWELL: A resolution of the City Commission of the City of Miramar, Florida, approving the award of Request for Proposals No. 23-08-49, entitled Building Permitting and Inspection Services, to C.A.P. Government, Inc., on an as-needed basis; authorizing the City Manager to execute the agreement; and providing for an effective date.

MAYOR MESSAM: Good evening, sir. I think your mic's not on; the green light.

MR. LEBRUN: Oh. Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners, City Manager, City Attorneys, City Clerk, members of the city staff, and members of the general audience. My name is Nixon Lebrun, and I'm the Building, and Planning & Zoning Director. Tonight I'll be presenting an item dealing with the approval for the award of RFP No. 230849, Building Permitting, and Inspection Services. The issue: The City desires to retain a consultant to provide permitting and inspection services with the Building, Planning & Zoning Department on an as-needed, and a project-by-project basis. Per City Code Section 2-41 -- 412 is -- one, City Commission approval is required, as payment for this contracted services is anticipate to -- anticipated -- anticipated to exceed \$75,000.00 in a single fiscal year. Why we're here tonight. Really, in recent years, over the last 25 years, I would say, the City has experienced unprecedented -- unprecedented growth, demographic growth, which really push the westward boundary of the City. And then these development pressures have really reach a peak in the last five years, as evidenced by the number of building permits that we have processed during that time. Added to that, the aging of the housing stock in the eastern part of the City, where we have the older -- the City's neighborhoods, there has been a uptick of permit application, and

inspections from these areas, as more and more residents are coming, really, to undertake energy, and related improvement to their properties, such as, you know, roofing, windows, and doors. So in an effort to really -- to keep up with the high level of service of building permitting services, and -- and inspections, so the City now -- and wants to enter into -- in the agreement with C.A.P. to provide that service. And as -- as I mentioned before, there has been an uptick in permit application and inspections due to developing pressures in the western part of the City, as well as in the eastern part of the City due to the aging of the housing stock. Also the continuing crisis in homeowner insurances, where now more, and more residents are forced to change their roof to comply to be able to get insurance for their properties. The scope of work, you know, contemplated under this contract is really to provide on an as-needed, project-by-project basis, personal services to supplement building, planning, staff to enforce the Florida building codes. And I want to reiterate that this is to supplement, not to supplant the existing -- the current staff that we have right now. Responsibilities, you know, would include, among other things, the reviews of plans, and the performance of inspections in compliance with all authorities having jurisdictions over building activities in the City. The -- the procurement process starts on -- started on August 21st -- 31st, 2023, where the RFP 23-08-49 was advertised. Two proposal were received, one from C.A.P. Government, Inc., and the other one from Calvin Jordano & Associates. On November 2nd, the evaluation committee convened, and determined that C.A.P. proposal was the highest scoring, responsive, and responsible proposer, whose proposal was the most advantageous to the City. The part -- the -- the current -- the C.A.P. price proposal would -- for the -- for this contract would -- the compensation, really, would be for development project that is based on a 75-25 percentage of -- split of the revenues derived strictly from building permits fees. As well, that would also depend on the type of projects, so at times if they -- the City may find, you know, more advantageous to really retain their service on an hourly basis. As such, you know, their fee proposal also include hours rates for other positions, so that plan reviewers, and inspectors on an as-needed basis. And I mentioned earlier that the revenues derived strictly from building permit fees. That means the City's surcharge, administrative surcharge, as well as fire review fees, and all the pass through fees from the State, and the County, as listed in the next slides will not be included in those building per -- per -- permit fees, as required by State. This shows an example of our -- of permit fees for a project where all those fees are pass through fees from BORA, Board of Rulings -- Board Rule & Appeals, and building education. Florida Statue, you know, pass through fees, and as well as the surcharge for -- by the City; those are all those fees that would be excluded from the permit fees that would be collected, and then that would not be applied for the percentage split. City Manager recommends approval. And I'm here -- members of C.A.P. Government is also -- are also here to answer any questions that you may have. Thank you.

MAYOR MESSAM: Thank you for the presentation. Thank you for the presentation. The Clerk received no requests to speak on item number nine from members from the public. Are there any members present in the Chambers that wish to speak on this item? Are there any members from the public present in the Commission Chambers that wish to

Speak on this item? Seeing none, back to the dais. Commissioner Colbourne, you're recognized.

COMMISSIONER COLBOURNE: Thank you. I just have one question, and I'm not sure, maybe you addressed it in the presentation, and I missed it. What is the impact on -- on employees? In term --

MR. LEBRUN: This --

COMMISSIONER COLBOURNE: In terms of their jobs.

MR. LEBRUN: Thank you, Commissioner Colbourne. This would have no impact really on employees, because this is just on an as-needed, and project-by-project basis, so this would just give city staff yet another opportunity to keep that level of inspection, and building services that we currently have, so -- and then this would allow us, you know, if staff may be overwhelmed, and busy with other projects. Then we can use the services of C.A.P. to help them, you know, I mean review some plans, or do the inspections, so we can expedite, you know, some of those permits, so -- to avoid any unnecessary, you know, delays in backlog.

COMMISSIONER COLBOURNE: This -- this would only assist them when needed.

MR. LEBRUN: Yeah, when needed.

COMMISSIONER COLBOURNE: This --

MR. LEBRUN: This is just to supplement them, not to replace them, or supplant them.

COMMISSIONER COLBOURNE: No need to worry about their jobs?

MR. LEBRUN: No need to worry about it.

COMMISSIONER COLBOURNE: Thank you.

MR. LEBRUN: And I can speak on behalf of the city leadership on that.

COMMISSIONER COLBOURNE: Appreciate it.

MAYOR MESSAM: Commissioner Barnes, followed by Vice Mayor Davis.

COMMISSIONER BARNES: You probably answered it implicitly, but are we talking about having this company on a retainer, when you say as-needed basis?

MR. LEBRUN: Yeah. It would be on an as-needed basis, on a project-by-project basis, and -- and the reason why --

COMMISSIONER BARNES: And on -- and only when staff is unable to provide the specific service or function?

MR. LEBRUN: I mean -- it -- it varies. I mean it can be -- from a project, it can be like you would get through full cycle. They can do the -- and we've used an inspection. Depends on what we need at that point, or it can be just for inspections, or it just can be for plan review. So -- so -- so we -- we have options. We -- we decide what we want to give to them, based on our staffing needs.

COMMISSIONER BARNES: Okay. Thanks.

MAYOR MESSAM: Commissioner Davis -- I mean Vice Mayor Davis.

VICE MAYOR DAVIS: Thank you. So -- so, basically, what it is it's -- it's supposed to enhance what we're doing. Because I can just imagine we've had complaints over the years about the backlog, and getting permits done, and, you know, it -- it has a negative effect on our residents when we are not timely in getting these inspections done, and -- and, quite frankly, you know, I think I'm told there's only one certain type of inspector out there that we hire that's on board. Is it the building? Is -- is -- is any of the staff -- just one member of your staff; is there just one person who's, say, a building inspector, or there's just one person who's the -- do you have enough staff, is what I'm saying.

MR. LEBRUN: I mean, currently, we have filled most of our vacancies, but we still advertising for electrical inspectors. But, again, as we anti -- we got some major projects coming, but we still have to prepare for -- for those needs, because to really make good on our promises of providing a high level of building and inspection services, and avoid, you know, unnecessary, you know, --

VICE MAYOR DAVIS: Delays.

MR. LEBRUN: -- service delivery -- interruption in service delivery, so we -- we -- we're going to use that, but we have -- currently, we have staff -- staff, but as more and more projects -- larger projects come in, we're going to need additional staff, and then that -- that's one of the things we discuss with -- with the City Manager, then may -- maybe even this fiscal -- for the next fiscal budget, we probably come ask for above base, you know, additional staff in anticipation of -- yes, we're going to have CAP, you know, to supplement our services, but also internally we have to be ready to assume full responsibility of what we have, and continue to deliver, you know, stellar building serv -- and inspection services to our community, both the residents, and the development community at large.

VICE MAYOR DAVIS: And then this way if, you know, we come to buildout, and we don't need their services in the future, it's not like you have to downsize, or furlough anybody, because you really didn't hire over and above, so you would just not renew a contract, or whatever. So it's less disruptive when this kind of need slows down, so it's kind of

advantageous that you hired them on as-needed; when you don't need them, you don't need them, and nobody -- no employees are affected.

MR. LEBRUN: Yeah, you are correct. And then it's also being proactive. I mean because we may still be full -- fully staffed, then life happens, and then we go, you know, prolonged absence from a staff employee, or multiple staff. And then what do we do? So -- and then especially right now with rising energy price constru -- costs are soaring, so we cannot put that burden on the developers, because we still have to process in an timely manner their permits application, and then C.A.P. would give us, you know, that opportunity.

VICE MAYOR DAVIS: Thank you for -- for the explanation. Thank you.

MAYOR MESSAM: Commissioner Chambers.

COMMISSIONER CHAMBERS: Thank you. I -- I think the goal here is to move things along, in terms of our residents remodeling service, you know, the -- some of our residents are applying for permits, and contractors are applying, and then we have quite a few development going on in the City. And every day we hear about how long it taking the City of Miramar to process permits, and so forth, inspection; all of the things that goes along with construction has been slow up, so I hope this is something that would come online that would help that to move things along faster, especially with, you know, a couple of the big development that we have coming up, and also with the homeowners that are trying to get things move along. Because the longer the job takes to get done, is the more expensive it is. It's -- it's just too much time getting through the process, and if we can make the process much faster, I'm all for that. I want to make sure people can get their - their permit turn around quickly, and get their project on the way, and get it done. Sometime it's just to get started it taking more than a year just to get through the permit process, and then comes inspection, and keep coming back, and coming back. We want to make sure we are more efficient. If this is going to solves a problem, I'm all for it.

MR. LEBRUN: You are correct, you know, Commissioner Chambers. And then this agreement will do just that. And -- and especially they currently have a technology that we do not have right now. Yes, we're working on EnerGov, but they -- they have an -- an electronic plan review system, where they can review those plans, you know, concurrently, simultaneously, so this would also shorten, you know, the -- the -- the permit review cycle.

COMMISSIONER CHAMBERS: Right.

MR. LEBRUN: Because as multiple reviewers can review the -- the plans at the same time, as opposed to right now when we do our review, because we don't have EnerGov set up yet, so the plans have to be physically moved from one station to another. So one reviewer has to finish reviewing the plans, then move it to the next, as opposed now this would give us, you know, that added benefit --

COMMISSIONER CHAMBERS: Right.

MR. LEBRUN: -- as we -- before start implementing our own electronic plan review system.

COMMISSIONER CHAMBERS: And then it's -- it's not like we laying off staff or anything like that, we are adding staff.

MR. LEBRUN: Yeah. Yes.

COMMISSIONER CHAMBERS: So -- so -- and -- and given the fact that all the funds that comes in from the permits and building that we have, we have to spend that money, we can't use it for any other project.

MR. LEBRUN: Correct.

COMMISSIONER CHAMBERS: So we -- we have money sitting there that we don't want to give back, so let's --

MR. LEBRUN: And I -- I would add that whenever you see a municipality try to go and outsource those services, it's for cost saving. I mean we're not -- we're not there yet. Because we -- we -- we have money in our budget, you know, on that -- the building services fund --

COMMISSIONER CHAMBERS: Right.

MR. LEBRUN: -- that we have to spend for the enforcement of the Florida Building Code. So -- so I want to dispel any notion that, you know, we're doing this, you know, try to get rid of our staff, so -- because we're not to trying to save cost, because we have money that we can spend on staff right now. And then as those larger projects coming in, and those funds going to be -- that's going to even increase, you know, those funds.

COMMISSIONER CHAMBERS: Going to -- going to add to the existing funds that we have.

MR. LEBRUN: To the existing funds, so --

COMMISSIONER CHAMBERS: And just explain how can we spend that fund; the only way we can spend that fund?

MR. LEBRUN: And the local enforcements of the Florida Building Code, when it -- when it comes to plans review, plans inspections, permit processing, you know, education, building code violations, those are the specific qualifying expenses that we can use that money for.

COMMISSIONER CHAMBERS: Right. And -- and hiring this team, whether it's this team, or another team, that's the funds that we're going to use for that.

MR. LEBRUN: Essentially, the fund -- building permits fee that would be collected would -- it would pay for itself.

COMMISSIONER CHAMBERS: Pay for itself.

MR. LEBRUN: It would pay for itself.

COMMISSIONER CHAMBERS: Okay, great.

MR. LEBRUN: And that -- tho -- those funds would be put -- put in our liability account basically as a cost recovery, because we're not going to pay them if there's no -- they're not doing any work for us, and then the -- the developer going to be paying for the services anyway.

COMMISSIONER CHAMBERS: Right.

MR. LEBRUN: So -- so --

COMMISSIONER CHAMBERS: So, pretty much, we can't have it both ways. We want to expedite the process on both sides, whether it's the permit process or the inspection process, we want to make sure that residents and businesses can get their job done more efficiently. So --

MR. LEBRUN: Yes. The most efficient and timely services that they deserve.

COMMISSIONER CHAMBERS: Thank you.

MAYOR MESSAM: Thank you. I'd like to thank staff for the presentation, bringing forward to enhance our building permitting, and -- and inspection services. The utilization of third party providers is not new to municipal or institutional entities to help with the permitting and inspection services. And the City Manager, and -- and staff has presented to us an option to address permitting in the City because of the amount of development that's going on in our city. I interpret this as an effort to be able to meet the demands of the development of the City. We had a meeting yesterday regarding this; the spirit of -- of this item I understand; I had some questions more on the operational side. Unlike some situations where a building permitting and inspections services firm would be replacing, let's say, a legacy department, and everything goes to that company, we're in a situation where -- that this vendor would be augmenting, and supplementing our -- our staff, which brings a -- a lot of questions in regards to the -- basically, the marriage, or partnership with our building official, our plan reviewers, our inspectors, and -- and how that relationship is going to work in ensuring that those expectations, and those ideals are

reflected in the agreement that we're being asked to approve. And then our meeting, I brought up four specific areas that I wanted addressed. I thought the presentation would cover most of them, but I wasn't sure how the -- the presentation would be presented, so -- you know, so I have a couple of questions in regards to -- as follow up to our meeting. And those areas were: One: What is the fee split arrangement, in terms of when we do use the vendor, what does that look like under what scenario? Second: What would the integration with our staff look like? How would that -- you know, how -- how would that work, the assignment of projects, who's making those assignments, and -- as well as what would be the impact on our employees? Because whenever there is a third part being introduced to a city, quite naturally it's going to cause concerns; and depending on the level of involvement in communication with staff, the -- if there's been a lot of communication, and involvement, and input, then it tends to work as best as it can. If it hasn't been a lot of communication, and input from staff, then there's going to, naturally, raise questions. So, as I communicated yesterday, at the end of the day, all stakeholders needed to be all in in the boat, and they have to have an incentive for success, and that can only happen with transparency, and trust, period. If there's not transparency, and if there's not trust, if our staff feels iffy, they have no incentive to -- to work as collaboratively as needed, that's just human nature, right. Not to say anyone is going to sabotage anything, and I don't think our staff does that, but being in the dark you don't know, right. So -- so to address that, you know, that I urge the clear communication with our staff, and I think that came across clear yesterday. Now following up on a couple of questions, in terms of the fee split, if we're utilizing the services when needed, I see three scenarios: we would use C.A.P. either for plan review, and inspections for an assigned project is one potential scenario; or we may just use them to do plan review, and permitting only; or we may say we'll use C.A.P. for inspections, while our plan reviewers -- am I correct? Those are the three --

MR. LEBRUN: Yes.

MAYOR MESSAM: Have I left any scenarios out? All right, so for each scenario, what would be the -- the split?

MR. LEBRUN: Great question, Mr. Mayor. Remember, that RFP give us full control; we decide what we -- what type of job project we assign to them. The first scenario, let's say, you know, they do the full cycle, they do from inspec -- we've used an inspection. And I think, you know, that would be the ideal situation to use that percentage split, so -- we all -- because they -- they did all the work, so then we can do the 75/25, that would -- that would be the best -- the ideal situation to apply that. But as -- like I mentioned before -- can you pull up the presentation, yeah. They -- they also provided us, you know, with the hourly rates. If we decide to go through the work that they just do, plans review, then we use the hourly rates. So -- that's the -- the price sheet, the price proposal sheet. So we -- we -- again, we control what we give them, and then, you know, we had that conversation with Mark, and we're all on the same page. If we going to use a full -- the full cycle, they're going to do the permits, reviews, and inspections, we would use that --

that would be best suitable for that type of contract. But if we decide they either do the plans review, or the inspection, then we apply the hourly rates for that.

MAYOR MESSAM: So it would appear, though, that if from a -- if -- if -- if just a single service is done, let's say plan review, or inspections for the hourly rate, what is -- what is -- where is the govern, right? Like who puts the timeframe on how long a plan review takes? If we just have an hourly rate, it's kind of like a -- I'm not saying that's it's an open checkbook, but based off what's the response to the answer is, is who's to say a plan review does not take five months, right? I'm must -- I'm just -- that may be far, but I'm saying what is the govern on that?

MR. LEBRUN: I -- I mean there -- there's a turnaround time, but I'll let you know. Carlos --

MAYOR MESSAM: Yeah.

MR. LEBRUN: -- from C.A.P., you know, speak on that.

MR. PENIN: Good evening, Mayor.

MAYOR MESSAM: Good evening, sir. Welcome.

MR. PENIN: How are you? Good to see you. Vice Mayor, Commissioners, City Attorney, City Manager, City Clerk. My name is Carlos Penin; I have offices in -- here in Broward County at 100 NW 12th Street; I'm president, sometimes I say founder, because it makes me older. I started my company 35 years ago coming in April. And our business is to provide assistance to building departments across the State of Florida; in fact we work six -- 85 cities across the State, and we're happy that we currently have a contract here with Miramar. Let me go straight to your question. The -- the -- there are three options that are available through this contract, one of them is a percent of revenue; we think that that's the most efficient. We also think that that is the one that provides the City the least risk, because a percent is based on the actual building department fees that are going to be collected by the City. We work directly through the Building Department; in fact, our services are provided through the building official, and, therefore, there is that communication that you referenced. We -- we are integrated into the building department. We, in fact, work with a electronic plan review that allows all stakeholders complete access to the plan review process, and you can see real time from your cell phone at any given point in time where that review process is. We -- we provide that, so that the re -- reviews can be done simultaneously, and, therefore, those reviews become more efficient, because there are a number of disciplines looking at it at the same time. So I think that this five months is certainly not -- not going to happen, and I think that what we will all see is a benefit from reviewing plans electronically, paperless, and that the review process will go a lot faster, more efficient, completely transparent, and that you will see the results within a few months of -- of our involvement. To reiterate, it is on a as-needed basis. It is on a per-project basis, and all of that is determined by the City.

MAYOR MESSAM: Yes, so --

MR. PENIN: Does that answer your question?

MAYOR MESSAM: Yeah. So I would say that one of the -- one of the benefits of your platform is because of the electronic review process, and the simultaneous inspections. But, specifically, saying like contractually, though, based off what we are agreeing, what governs the amount of time for a plan review, because it's just a rate, right. So -- and -- and you -- I know you can't answer that specifically, but I would think, in terms of -- because I have to represent the City, right. So --

MR. PENIN: Of course.

MAYOR MESSAM: -- in other words, we want to allow adequate, professional time for whenever you're assigned to do the plan review to be able to properly do a complete review.

MR. PENIN: Thorough review.

MAYOR MESSAM: However, it's not an open checkbook.

MR. PENIN: No, sir.

MAYOR MESSAM: And if there -- but if, contractually, there's no mechanism to govern what that is -- so this is just a suggestion.

MR. PENIN: Yes, sir.

MAYOR MESSAM: Perhaps, when a project is assigned, C.A.P. takes a look at the drawings, --

MR. PENIN: Yes, sir.

MAYOR MESSAM: -- you can pretty quickly determine the scope and the scale of the project, present a proposal based on your rates, right.

MR. PENIN: It would be like a purchase --

MAYOR MESSAM: Yeah, yeah, --

MR. PENIN: -- order, or work order.

MAYOR MESSAM: -- based -- yeah, based on your rates -- so, in other words, based off a-- a cursory view of the -- of the construction documents, and specifications, this would

-- should take us about two weeks, or this should take us a month. So our -- the build -- our Building -- our Building Department has at least a budget, or -- or -- or a framework, all right. So then if it begins to go beyond that, that we can then be able to manage that process. But I feel a little concerned that there's no gov -- based off of the contract -- I know what we're saying; we can say things, but if there's something in the contract that - that says how that is working, staff has not communicated that, and that's what I've been inquiring.

MR. LEBRUN: Yeah. If I may add, Mr. Mayor, it's not mentioned in the agreement, but it's in the -- in the proposal that is submitted. It -- it's in -- in the RFP. Contractually, it's ten business days for -- for -- for reviews. And special permits, it's five business days; and then mi -- minor commercial or residential it's one business day, and also inspection is one business day, contractually, yeah.

MR. PENIN: Yeah, that's -- that's the time -- that's the timeframe --

MR. LEBRUN: Yeah.

MR. PENIN: -- that is allowed to deliver the services, but I think your question specifically is the number of manhours, and -- and I think that -- well, first of all, it's on an as-needed basis. Number two, it's on a per-project basis. You can apply it either way, one or the other. If it's on a per project basis, then we will have that project -- we'll be able to see it, as you mentioned, and we will be able to determine, based on the quality of the plans -- I mean, you know, sometimes you get something that you should be able to reject right away, because the quality is so -- so terrible that, you know, we -- we don't want to spend or waste any time reviewing something that doesn't come close to meeting the Florida Building Code. So in -- in that case, we could --

MAYOR MESSAM: Would --

MR. PENIN: -- if --

MAYOR MESSAM: Yeah. Would you agree -- would -- let's say, would you agree to -- to send a proposal on -- esp -- these are for more so the complicated projects, right, the ones that will be an enormous amount of time, in terms of the complexity to review, so I was just -- I'm just making -- I'm not going to belabor the point. I'm saying that we should have a mechanism in place to receive at least a time -- our manhour estimate in terms of what you think it should be, so that our Building Department can be in the position to -- to -- to mon -- to monitor that, as opposed to us getting a bill, and it's like, "Oh, my goodness, where did this -- this come from." So -- so if you're saying that -- I mean -- because there are going to be some projects going to take more than ten days, I know, to review, right. So --

MR. LEBRUN: But -- but an -- another mechanism would be have them -- if we know we're going to assign a project to C.A.P., have them be part of the preapplication meeting

that we have with the developer anyway, so at least they know, there's surprise, they know what to expect, and what to submit. And then I think that would help, you know, streamline that process as well.

MAYOR MESSAM: Okay. Also, as I brought out earlier is that -- now for the utilization of your system, right, let's say if our -- if -- if the City decides that we're going to do the plan review, and the permitting, are we allowed to use your electronic permitting process, even though our team is doing the plan review, and let's say you're doing the inspection?

MR. PENIN: The -- the answer is yes. We -- we have -- have established a, pretty much, open licensing, where we provide ser -- software as a service, and -- and that software is provided at no cost whatsoever to the City.

MAYOR MESSAM: Okay. So I just wanted to make sure that -- because if we're going to that route, then it just makes sense to have access -- acc -- access to it.

MR. PENIN: Yes, sir.

MAYOR MESSAM: And --

MR. PENIN: The inspections are -- are called using the same software, where the -- the contractor -- I'm preaching to the choir, I think. But the contractor --

MAYOR MESSAM: Yeah.

MR. PENIN: -- calls the inspections, using the same software.

MAYOR MESSAM: Yeah.

MR. PENIN: It becomes very efficient.

MAYOR MESSAM: Yes. And -- and I'll just surmise with this, at least on this first round, is that -- in terms of the employees, and with the outlook of our community, right, we have a few more major parcels to be developed, which item that will be coming before us that are going to be major. These are going to be many permits, you know; there will be residential units, office, all right; we've hired new inspectors, and -- and we are working on our own electronic process, so I want to ensure that our inspectors have the ability to participate in these project, in concert with C.A.P. that is assisting us on these projects, because it's a lot of work that will be coming forward, and there will be scenarios where C.A.P. will be, perhaps, plan review, and inspections, or one or the other, where we have our city -- I even talked about, okay, I know there may be some redundancies with your electronic process, but Murphy's Law, whatever happened, the City of Miramar, we need to have our process in place where our team can continue to receive permits while C.A.P. gets back online, you know. I'm not saying it -- it's happened; I'm sure you have a very robust system, there are backups, and all of that, but, at the end of the day, we still have

to keep things moving, so a contingency. All of these types of things, because when you're talking about the amount of work that's coming forward, and this marriage, I want to make sure that from vendor's standpoint, and being in your shoes in private life, I understand that it has to be a situation that makes sense for you as a vendor. And on our side, as a city staff, we need to make sure that the interest of the City is -- is protected, our -- our -- our Building Department, and personnel are motivated, and are -- clearly understands where everything is, and how it goes, so that it can be successful. Because, at the end of the day, we're beholden to our property owners, and our customers that are coming into -- to the City. I'm confident that this collaboration can work, and I just want to make sure that our contract facilitates that being, and that there's communication across the board with -- with our -- our city. So I don't want to come across like I'm a -- a -- against this; I just want to be out front, and on the record, in terms of what some of my questions are, so that they're out front. And I know I have a commitment from the Manager, as well as yourself, Mr. Nixon, and from our building official, who -- who was here, who definitely -- they need to know how this works, and that -- and what I'm hearing is that the City assigns as needed, so I would imagine our building official would be doing the assignments, working hand on hand with your project exec, who's assigned to the City of Miramar in this process. So -- so I'd just like to thank everybody for the efforts on this.

MR. PENIN: I would be remiss not to introduce Marc LaFerrier, who's our Director of Operations in Broward County; Marc; and Gedel Merzius, who's going to be our point of contact here for Miramar. Thank you.

MAYOR MESSAM: Good. Commissioner Chambers, followed by Commissioner Colbourne.

COMMISSIONER CHAMBERS: I just want to ask, given the system that the contractor going to be using, and supposed it's a more electronic sophisticated system, so is -- is this going to be cutting down on the number of man time, and manpower that we're going to use to review a plan, or does this shorten the hourly time?

MR. PENIN: Absolutely, yeah.

COMMISSIONER CHAMBERS: Okay. So -- so let's say -- we don't have that system here at the City yet, right? So let's say a big project going to takes, you know, 60 days to review, and here comes this more electronic system that would help with the review, that would, maybe, save 30 days, maybe save 45 days. Is it seem that's what I'm saying?

MR. LEBRUN: And that is very reason why we are spending so much money to get EnerGov.

COMMISSIONER CHAMBERS: Okay.

MR. LEBRUN: Because that's will shorten that time.

COMMISSIONER CHAMBERS: Right. So it's kind of balance out itself, you know, with the manpower, you know. You -- you might be -- even if you pay a little more, but you're using less time to review the plan, right, a lot less. So it --

MR. LEBRUN: You save money.

COMMISSIONER CHAMBERS: You save money. So it's a win/win -- and you save the aggravation with the contractor, or with the resident, or with the business owner who's trying to get their business up and running.

MR. LEBRUN: Yeah.

COMMISSIONER CHAMBERS: Am I correct?

MR. LEBRUN: And -- and -- and then -- yeah. And then the sooner we issue those permits, and then we -- we issue those Cos, the sooner we start collecting on the property taxes, and all the recurring revenues.

COMMISSIONER CHAMBERS: All right. Thank you. Rest my case.

MAYOR MESSAM: Commissioner Colbourne, you're re -- recognized.

COMMISSIONER COLBOURNE: Thank you. First of all I want to say thank you for addressing the backlog issue, and -- and the shortening the waiting time, and I certainly hope that this will, because this is one of the complaints that we do get from our residents, that permitting process takes too long. So I'm looking forward to see some success on that. I did want to get one clarification. When -- it is on as needed, and when this company is assigned a project, they will know up front what they will be paid for that project, is that correct? There will be an agreement on that?

MR. LEBRUN: No. If it's -- let's say they do both the plans review, and the inspection, it's on a percentage split; that would be 75/25, so that will be whatever amount of building permit fees that we collect, then we do the --

MAYOR MESSAM: The split, yes.

MR. LEBRUN: Excluding, you know, those -- those pass through fees. But if it's just on a hourly basis that, you know, they're doing the inspection, or either they're doing the plans review, so we use the hourly rates.

COMMISSIONER COLBOURNE: And that would be known up front? So that would --

MR. LEBRUN: That would be --

COMMISSIONER COLBOURNE: That would be established up --

MAYOR MESSAM: Well, the hourly rate --

COMMISSIONER COLBOURNE: I'm -- so the amount of hours.

MAYOR MESSAM: -- would be known up front for the time.

COMMISSIONER COLBOURNE: So the amount --

MR. LEBRUN: Yeah.

COMMISSIONER COLBOURNE: Up front there will be --

MR. LEBRUN: Yes.

COMMISSIONER COLBOURNE: -- an estimated number of hours --

MR. LEBRUN: Exactly.

COMMISSIONER COLBOURNE: -- that's established? Okay. So you'll --

MAYOR MESSAM: That's not in the contract. That's not in the contract. I'm -- I'm not cutting you off. That's --

COMMISSIONER COLBOURNE: You are.

MAYOR MESSAM: I'm saying but that's not in the contract, because everyone is saying yes. I'm saying only thing that's listed in the contract, if there is permit review services only, there is only hourly rates assigned to every professional that will be involved in the plan review process. That is why I asked that if they are willing to take a cursory review, and provide an estimate manhours, so at least there's a -- there's a ballpark, there's a goal, there's a budget that's placed on there, so if it goes beyond that, there's -- at least there's some discussion, except for us getting an invoice after the fact, after the services have been rendered when we could have had a conversation about it. So the contract that we know up front what that amount will be. What the contract does say is what the hourly rates are for those who are involved in the process.

COMMISSIONER COLBOURNE: Okay. I have the floor again?

MAYOR MESSAM: Yes.

COMMISSIONER COLBOURNE: Thank you.

MAYOR MESSAM: Yes, you do.

COMMISSIONER COLBOURNE: All right. So -- but this can be determined up front, okay.

MR. LEBRUN: Yeah.

COMMISSIONER COLBOURNE: I -- I -- I do believe, and I really do believe that when we have a contract, there have to be procedures that there's -- there is -- maybe everything is not in the contract, but there is a procedure, and there's a process that will be followed afterwards.

MR. LEBRUN: Yes, definitely.

COMMISSIONER COLBOURNE: And I -- I -- I would think that that process would include some sort of upfront estimate that this is what it's going to take, this is the process that we'll -- we'll -- we'll have for -- for every assignment. If we had -- if we were hiring a temporary employee, you would know up front what you're going to pay that employee, or whatever; the employee may end up working two years, may end up six months, but there is some upfront expectation, so that was my only question. And if I understand correctly, you're telling me that there will be some upfront expectation, there will be something written down that this is what's going to happen.

MR. LEBRUN: Yeah. Again --

COMMISSIONER COLBOURNE: That's a yes or no?

MR. LEBRUN: Yes. If we use the percentage, it -- it's split, so we know, typically, how much money we expect, you know, from our -- our projects based on the construction value. It's -- it's not a -- it's not perfect science, it's -- it's a ballpark number. So we can use that for the percentage split.

COMMISSIONER COLBOURNE: Right.

MR. LEBRUN: I mean -- but, also, as part of that, you got re-inspections, you got revision; depends on the amount of time, you know, it -- it takes for the contractors or developer to submit, you know, all their revisions, so, I mean, there -- there's some wiggle room --

COMMISSIONER COLBOURNE: I'm -- I'm -- I'm good. I just --

MR. LEBRUN: But -- but we do -- we do have a ballpark when it come -- if you're using the percentage, the 75/25.

COMMISSIONER COLBOURNE: I -- I just want -- I just wanted some assurance that there will be -- this conversation with them before you sign the project, or during this

process, will be documented as to what the expectation are -- what the expectation is for each project.

MR. LEBRUN: All right. And -- and then --

COMMISSIONER COLBOURNE: And then my next question is --

MR. LEBRUN: Yes, ma'am.

COMMISSIONER COLBOURNE: Who's the project manager? You all have a project manager that deals with this? So who's -- who's that?

MR. LEBRUN: I mean this would be in concert with the building official, because the building official is really the one, statutorily, that is overseeing, you know, our -- all of our building, Florida Building Code --

COMMISSIONER COLBOURNE: Who's the project manager for this contract?

MR. LEBRUN: I -- I will be the project manager for this contract, yeah.

COMMISSIONER COLBOURNE: Okay.

MR. LEBRUN: Yeah.

COMMISSIONER COLBOURNE: Thank you very much.

MR. LEBRUN: Yeah.

COMMISSIONER COLBOURNE: Appreciate it.

MR. LEBRUN: You're welcome.

MAYOR MESSAM: As a -- the director, you're the project manager?

MR. LEBRUN: Yeah. I mean we -- we can assign that. You know, for now, I can be the project manager, and then that can be assigned to anybody afterward.

MAYOR MESSAM: I just want to make a clarification.

MR. LEBRUN: Yes.

MAYOR MESSAM: All right. I was -- I was not -- I just want to make a clarification.

MR. LEBRUN: Yes.

MAYOR MESSAM: Okay. In terms of the three scenarios, --

MR. LEBRUN: Yes.

MAYOR MESSAM: -- C.A.P. -- we would know the cost for services when C.A.P. is assigned both permitting, and inspections.

MR. LEBRUN: Inspections, yes.

MAYOR MESSAM: Planning and inspections, okay. However, if it's only permitting only, or inspections only, which I would gather would be most of the assignments, right, there is no upfront knowledge of what the cost is. So, recognizing the complexities of when these construction documents would be received, and when C.A.P. is performing the services as the plan reviewer, it's almost impossible for them to say it's going to be \$13,000.00 to do this plan review. So recognizing that, what I'm asking specifically, because I know the contract does not state this, so if we want assurance, what we're publicly asking now, giving deference to the complexity of being able to review the documents, and providing a cost, what I'm saying is that can we have a commitment from C.A.P. to say, "When we're performing plan review services, we will give a cursory review of the documents, and give you an estimate, in terms of number of manhours it will take based off of the drawings," so that we can establish a budget. So that everyone has at least a goal post to focus on; that's not in the contract; that is what I'm asking for. And I'm asking is that a reasonable request that does not compromise your ability to perform the services that we are asked to agree on?

MR. PENIN: Thank you, Mayor. I commit to doing a best effort to provide a lumpsum, which would mean the hourly rates are -- already in the contract; what we are actually negotiating is our estimate of the number of hours that it will take on a per-project basis, to go ahead and make sure that there's some sort of a purchase order, which would be within the actual contract. There would be a purchase order for that specific project. And I'm confident that we will be able to do that.

MAYOR MESSAM: Yeah.

MR. PENIN: And provide that to the City for approval.

MAYOR MESSAM: Thank you. Because we don't want to be a situation where a developer has paid their permit fees, and the review blows that budget out of -- out of -- I'm not saying that will happen, but there's nothing, contractually, that protects that.

MR. PENIN: Yeah, that is -- that is correct. I mean, certainly, the percent of revenue is the one has less risk, because, I mean, we would take the risk, but if -- if -- if the department wishes to do that on any particular project, where we would be doing the plans review only, we commit to be -- to -- to doing that.

MAYOR MESSAM: Okay.

MR. PENIN: Yes, sir.

MR. LEBRUN: And -- and then to add to this, Mr. Mayor, we can even add that in the agreement, if you so please. Add that language into the agreement.

MAYOR MESSAM: Yeah, yeah. Well if not in writing, then it's aspirational, right?

MR. LEBRUN: Well, that -- that's why it is before you for approval.

MAYOR MESSAM: Thanks. Okay. If there are no other comments, or questions -- gentlemen, thank -- thank you so much for -- for being available for addressing, and answering -- and answering our questions, yeah. At this time, there -- seeing no other questions or comments, may I have a motion on this item, please.

COMMISSIONER COLBOURNE: Motion to approve.

COMMISSIONER BARNES: Second.

MAYOR MESSAM: Record the votes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Colbourne, seconded by Commissioner Barnes, to approve Resolution #R8075 as presented, the Commission voted:

Commissioner Barnes	Yes
Commissioner Chambers	Yes
Commissioner Colbourne	Yes
Vice Mayor Davis	Yes
Mayor Messam	Yes

Resolution No. 24-68

ORDINANCE

MAYOR MESSAM: Item number ten, please.

MR. LEBRUN: Thank you.

MR. PENIN: Thank you very much. Look forward to working with you.

- 10. FIRST READING** of Temp. Ord. #O1824 **amending** the **Land Development Code** of the City of Miramar, pursuant to Section 302 thereof as well as Section 166.041(3)(C)(2), Florida Statutes; more specifically by amending Chapter 8, “Development Standards of General Applicability”, to repeal Section 815, “Minimum Criteria for All Signs in City” to remove conflicting requirements, and also by amending Chapter 10, “Signs,” at Section 1002, “Definitions,” to update the definition of Master Sign Plan and at Section 1004, “Sign Permit Process” to repeal and replace Subsection 1004.3, “Master Sign Plan Approval” with a new section to be entitled “Master Sign Program,” to provide large-scale developments in excess of 10 acres an alternative to the minimum sign standards of the Land Development Code to better capture their unique design, special use, and needs; making findings; providing for adoption; providing for repeal; providing for severability; providing for interpretation; providing for correction of scrivener’s errors; providing for codification; and providing for an effective date. (*Building, Planning & Zoning Director Nixon Lebrun*)

CITY ATTORNEY POWELL: Item number ten. An ordinance of the City Commission of the City of Miramar, Florida, amending the Land Development Code of the City of Miramar, pursuant to Section 302 thereof, as well as Section 166.041(3)(C)(2), Florida Statutes; more specifically, by amending Chapter 8, “Development Standards of General Applicability”, to repeal Section 815, “Minimum Criteria for All Signs in City” to remove conflicting requirements, and also by amending Chapter 10, “Signs,” at Section 1002, “Definitions,” to update the definition of Master Sign Plan, and at Section 1004, “Sign Permit Process” to repeal and replace Subsection 1004.3, “Master Sign Plan Approval” with a new section to be entitled “Master Sign Program,” to provide large-scale

developments in excess of 10 acres an alternative to the minimum sign standards of the Land Development Code to better capture their unique design, special use, and needs; making findings; providing for adoption; providing for repeal; providing for severability; providing for interpretation; providing for correction of scrivener's errors; providing for codification; and providing for an effective date.

MAYOR MESSAM: Good evening, sir.

MR. LEBRUN: Good evening, again, Mr. Mayor, Madam Vice Mayor, Commissioners, City Manager, City Attorneys, City Clerk, City staff, members of the public. Again, Nixon Lebrun, Building, Planning, & Zone Director. I'm here to present an ordinance, you know, enacting an amendment to the sign regulations of the City Land Development Code. Per Section 302 of the City's Land Development Code, all amendments to the Land Development Code shall be done by ordinance of the City Commission, and this is why this item is here before you tonight. Background: The authority for cities to regulate a sign stems from the Florida Constitution which specifically states that it shall be the policy of the State to conserve, and protect its natural resources, and scenic beauty. The Florida Statute, as well, by requiring city to adopt a comprehensive plan, as well land development regulations to implement the comprehensive plan also compel cities to regulate sign -- signate within their jurisdiction. Why we're really here tonight, it's really because of the Town Center, and -- and then for years, I know our Cultural Arts Director, Ms. Tamasha -- Camasha Cevieux has been wanting to po -- post new signage, you know, to better showcase, you know, the Cultural Ars Center, as well as other activities, you know, happening with -- within the Town Center. But because of the restrictive nature of our current sign regulations, it has been an impossibility. So -- and then we -- right here we have a town center that is one of the few exceptions, you know, to the prevailing, sprawling, part of development in the City. This is really a mixed use development that has so many benefits. And -- and it is pedestrian oriented; it -- it's really reminiscent of the best historic towns of Florida. We have a city hall, we have police department, we have restaurants, we have, you know, retail, and we have residential, and then in the nice, you know, public realm where, you know, a lot of time, you know, great city events, you know, take place there. However, despite all of this, you know, this Town Center still has some challenges, face some challenges, and due to the lack of visibility, the lack of signage. Driving along, you know, Red Road, people don't really know what's -- before - - I mean personally, before I start working here, I used to drive along that -- that street, I didn't even know the Town Center was here. So -- and then this is because of the restrictive nature of our Land Development Code who doesn't allow sign any bigger than 200 square feet, for example. And then, again, the City has long recognized, you know, the need for better signage around the Town Center to really enable its full evolution as the City's modern downtown. But, again, internal reluctance, unfortunately, to amend the Land Development Code, accordingly, kept preventing until the recent approval by this Commission of a CIP project to develop four large signs around the Town Center. In talking about the restrictive nature of the City, based on that shot, you'll see, really, for a city public information sign, the greatest sign, which is detached monument sign, is 200 square feet. And then if you look at other signs, like, you know, for a shopping center,

when you go to that section, that is noted, that's 10006.4 it's really 216,000 -- it's 216 square feet; that's it. So what that amendment will do; that amendment will do, first of all, do some cleanup, because there's one section not in Chapter Ten where -- that regulate signage in the City, but in section H-15, that has some conflicting standards. Through this amendment, we would remove that -- that section. And then, also, this amendment will update the definition of master sign plan, what is a master sign plan; that is in section 10002. And, really, and specifically, this amendment will repeal and -- and then replace section 10004.3 to ensure there's all new -- revised master sign program that offers large projects, like the Town Center, an alternative to the current sign regulations of the Land Development Code, subject, of course, to meeting, you know, certain flexibility criteria. And -- and the intent, really, of that master sign program is to provide large-scale developments, like the Town Center the flexibility to develop size-appropriate signage that better captures, you know, their unique design, special use, and needs. And also provides fair, and reasonable opportunity for the identification without, you know, compromising, you know, the community character, and scenic beauties of the City. We propose the applicability of this amendment of this master sign program would apply to development of ten acres or larger. Again, this amendment will accommodate the large development projects without compromising the safety of motorists, and the aesthetic environment, and community character of the City. This revamped master sign program will allow signs to deviate from the current standards in terms of types, location, numbers, area, and height, subject, of course, submitting certain flexibility criteria, such as architecture, the landscape as well. City Manager recommends approval.

MAYOR MESSAM: Thank you for the presentation. The Clerk did not receive any requests to speak on this item. Are there any members in the Commission Chambers that wish to speak on item number ten? Hearing and seeing none, back to the dais. I do have a speaker. Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Thank you. While I support the need for improved signage for our city center, as I indicated very clearly in a meeting with staff this past year, I am not going to support any kind of code amendments that is going to overly expand a light, and illumination pollution of our city. If only because on all four sides we have residential buildings, people in homes, basically, surrounding the City Center. In addition, I express very strong opposition to anything that is going to change the way we currently maintain a tree canopy. I think it is extremely unfair, and I'm repeating what I said in that meeting months ago. I think it's unfair to demand of our residents, especially through homeowners' associations, and the like that we maintain a tree canopy, and then we're preparing to move trees, so we can put up -- put up a big, loud light sign. I'm just making these observations, so we have an understanding of what kind of support I'm going to offer this kind of change, what I'm not going to offer. I remain convinced that we are not a 24/7 city; we are, essentially, a bedroom community. And, yes, we can bring better signage, so people, as you in -- ind -- indicated, you don't want us to drive past this incredible place, and not know what -- what you're looking at, yes, but I beg don't -- don't go too far. This is not New York City. Thanks.

MAYOR MESSAM: What type of flexible criteria is contemplated, in terms of -- that would allow any deviation, and how would that be applied, uniformly, for anyone seeking some form of variance?

MR. LEBRUN: For -- for large projects, you know, like, you know, the Town Center, like the park, you know, that is coming down the street -- I mean we -- we have, you know -- if you look at page 14 of your report, there -- there are some architectural theme that they have to provide. The signs have to be part of the architectural theme of the projects. Lighting is one consideration. The height area, and location of signs. And, for example, we kind of -- for lar -- for those large centers, we -- we -- we allow them to deviate, because -- from those strict, minimum requirements of the current code, by allowing them to provide signs, wall signs up to 300 square feet in an -- a detached monument signs up to 1,000 square feet respectively. Because even we look at that project for city -- for -- for - - for this campus -- because we already retain the services of design to form -- all the standard that being proposed, they far exceed those minimum requirements. So it's either we -- for every project that comes, we're going to have to provide variances --

MAYOR MESSAM: Yes, so is this --

MR. LEBRUN: -- or we amend the code.

MAYOR MESSAM: -- administratively approved, or does it come to us?

MR. LEBRUN: Oh, this -- this one would be going to the CAB, the DRC; it would be done administratively. But if it's the will of the Commission to have that approved, you know, by -- through a resolution by the City Commission, that can be done as well.

MAYOR MESSAM: Yeah. I think if something -- I mean if it's something that's small should remain at the administrative level, but if it's something transformative, and clearly outside of what is the norm, I think that this Commission would want some input, in terms of what that is. So it's a matter of determining what that trigger would be. I don't know how -- what -- where's that line of demarcation between de minimis changes beyond, or if someone's trying to put a billboard down the street, right. So -- so I just want to make sure that -- that flexible criteria does not become license to, obviously, violate our ordinance.

MR. LEBRUN: Yes, absolutely, Mayor.

MAYOR MESSAM: Are there any other comments or questions on this item, item number ten? May I have a motion on item ten, please.

COMMISSIONER COLBOURNE: Motion to approve.

COMMISSIONER BARNES: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Colbourne, seconded by Commissioner Barnes, to approve Ordinance #O1824 as presented,; the Commission voted:

Commissioner Barnes	Yes
Commissioner Chambers	Yes
Commissioner Colbourne	Yes
Vice Mayor Davis	Yes
Mayor Messam	Yes

Passed 1st Reading

SECOND READING SCHEDULED for March 6, 2024

OTHER BUSINESS

Reports and Comments:

City Commission Reports:

MAYOR MESSAM: On to Commission Reports. Item number 11, please.

11. (a) Temp. Reso. #R8082 authorizing the City Manager to engage the professional services of the Goldstein Environmental Law Firm, and the total expenditure of three hundred thousand dollars to **oppose Miami-Dade County's siting, permitting, construction, and operation of a Solid Waste-to-Energy Campus at the Opa-Locka West Airport Site** that is located adjacent to the City of Miramar's border. *(Mayor Wayne M. Messam)*
- (b) Temp. Reso. #R8093 opposing Miami-Dade County's siting, permitting, construction, and operation of a solid waste-to-energy campus at the Opa-Locka West Airport site that is located adjacent to the City of Miramar's border; **urging Broward County and the Broward County Solid Waste Disposal & Recyclable Materials Processing Authority to oppose the Waste-to-Energy Campus**; directing the City Manager to seek funding for the city's opposition. *(Commissioner Colbourne)*

CITY ATTORNEY POWELL: A resolution of the City Commission of the City of Miramar, Florida, authorizing the City Manager to engage the professional services of the Goldstein Environmental Law Firm, and the total expenditure of three hundred thousand dollars to a po -- to oppose Miami-Dade County's siting, permitting, construction, and operation of a Solid Waste-to-Energy Campus at the Opa-Locka West Airport Site that is located adjacent to the City of Miramar's border; and providing for an effective date.

MAYOR MESSAM: There is no presentation for item number 11; it's basically a carryover from the workshop we had last week regarding putting the City in position to retain the environmental consultants to oppose the site -- a city -- siting of the mass -- mass-burn facility at the Opa-Locka West Airport, as it was presented to the Commission on the workshop. Are there any questions or comments? I see Commissioner Colbourne, you're reaching for your -- Commissioner Colbourne, you're recognized.

COMMISSIONER COLBOURNE: Yes, thank you. Appreciate you bringing this back to us. After the workshop, I -- I thought staff was going to meet with each of us, and -- and sort of go over some strategy, or something before something comes back to us, so I -- I was a bit taken back that something was placed on here. But I'm glad to see that you -- you're -- you're still, you know, advocating, and moving forward for this, because we -- we definitely oppose -- I know I definitely opposed, and I do believe the rest of this Commission, as well, does oppose the building of a waste to energy plant at that Opa-Locka location close to us. I would like to -- to amend this item to -- to seek funding from Broward County, and to have -- also seek funding from Broward County's Waste Authority that was recently established. I do believe that -- that those two agencies would be a great source for us moving forward on this. We do have a representative on that board; Vice Mayor Davis is representing us on that board, and, perhaps, she can champion an item on that board in support for funding. We do have a county commissioner, as well, who is also our mayor, our Broward County mayor, who could also sponsor an item on the County Commission, so that we can seek funding to -- to assist on this effort. While I think it's something that the City of Miramar truly has to move forward with, and we have

to pursue it, and we certainly have to pursue it aggressively, I don't think we should pursue it on our own. So I would like to amend this item to -- to first seek funding from these two agencies before the City of Miramar engages -- commits \$300,000.00 to this. I would like to know that Broward County is willing to commit, and -- and also Broward County Waste Authority is aware, and -- and is willing to commit as well; I think we need allies here. We need some -- we need some -- some big allies. I mean Miami-Dade County has billion - - bill -- multibillion-dollar budget; Broward County does; City of Miramar does not, you know. So I think we're fighting; we're -- we're fighting -- you know, it's not David and Goliath; let's -- let's come fully armed, you know. So I -- I'm really comfortable with us seeking support from these individuals before -- before we continue to just sort of walk alone on this.

MAYOR MESSAM: Commissioner Colbourne, I appreciate the concern, in terms of going at this alone, which this does not contemplate us going it alone, and what I would urge this Commission to do in regards to the passage of this item is that, 1), what you desire is not mutually exclusive, as it relates to positioning the City of Miramar to protect itself; we can still financial support from the County. We have in place a interlocal agreement that provides funding support from our neighboring cities that are impacted as well, which they would have to agree to, but so would the -- Broward County. Now, in terms of Broward County, Broward County has its own issue to deal with; Broward County is, potentially, contemplating a mass burn facility less than five miles away from here. I don't know what -- I don't even know if the organizational structure of the Solid Waste Authority's charter -- we'd have to get some opinion on that to fight a neighboring -- county's waste disposal; there charge is to build their own to dispose Broward County's trash. So the question would be is: Could funds from Broward Solid Waste Authority be used to oppose another? I don't know. It probably could, but by the time that answer, or any funding would even come from the Solid Waste Authority, which, by the way, has even fully adopted it's own budget; hasn't fully received ad valorem to fund its operation, much less to help us on ours. And by the time we would get an answer from that, not only would Miami-Dade County would have selected a site, permits would have been applied, while we're sitting here not protecting our residents, and our property. So what I'm suggesting is that we pass this item to at least put us in the position, so that we can have our consultants begin to work on this to position us, because the route to get funding from the County may move much slower than Miami-Dade County, which, by the way, has to give a disposition report to the Florida Department of Environmental Protection on how they're going to close out the Covanta site. In order for them to produce that report, they have to either have the Covanta site as a part of their solution, or not a part of their solution, and if it's not a part of their solution, which will be determined probably within the next 30 to 45 days, potentially, it must means that either old Op -- west on Opa-Locka Airport site, or Medley is going to be selected. So we just don't have the time to predicate us moving forward on this item in hopes of possibly receiving some funding from Broward County, while we could pass this item to empower us, and to position us -- because we're already behind the eight ball, and then we can continue to pursue those funding opportunities from Broward County, from the Solid Waste Authority that is still formulating, and -- and completing its budget, and situating itself to determine Broward County's. But I don't

know if Broward County has the authority, or the more authority to tell Mi -- Miami-Dade County what to do, when Broward County only has one site it owns that's just five miles away from us that could, potentially be the same fight that we'll be fighting against Broward County if they decide that they want -- or the Authority decides that that is the best recommendation. So I urge us -- and I understand sometimes on this Commission that we try to accommodate our colleague that wants to slow down things, but it will be in peril. A "no" vote, a "delay" vote on this, we would have to look at our residents' face to say that when we had an opportunity to position ourselves to fight this, we predicated getting other funding sources when we could still be getting the funding sources, and putting our consultants at work, while we're also working with our neighboring cities help fund this as well. So this is not for us just to go it alone, this is us to move forward to engage our consultants. We have interlocal agreements prepared that now it allow us to speak with Pembroke Pines, speak with Southwest Ranches, speak with Cooper City, speak with the City of Weston to seek additional funding to help support us. So I just hope we don't get into a quagmire about having to make an amendment, when we have to look at our residents, and tell them that we had an action tonight to protect them tonight, but we delayed it, because no one on here can tell me with certainty that we're going to have funding from Broward County, or that Solid Waste Authority by the next 30 to 45 days, in which Miami-Dade County may be making their decisions, because their air quality studies tests are wrapping up, and the mayor down there is getting ready to make a recommendation to their county commission. So I am saying this with the conviction, and urgency to compel this Commission to do the right thing to position this city to protect itself; and if we have to go it alone, hell, we're about to spend more than \$300,000.00, potentially, regardless of the funding sources, on a concert. And we're going to hold this up, because we're, hopefully, trying to get some money for Miami-Dade County? They elected us to -- our residents repre -- elected us to protect them, and if we have to go it alone, we need to go it alone, because it's \$300,000.00 is the set budget. That's just how important this is. So I urge this Commission to adopt this resolution, as it was presented in the workshop, as well as as presented tonight for our adoption. Three speakers. Vice Mayor Davis, followed by Commissioner Chambers, then Commissioner Barnes.

VICE MAYOR DAVIS: Thank you. So my -- my thoughts on this -- this item. First of all, since hearing about this incinerator that is proposed, and there are three locations, staff has done their best as well to gather information, and kind of inform us on what's going on. I, myself, have set up meetings, and spoken to at least one commissioner in Miami-Dade already. Visited the site, and there are still plans afoot to speaking to as many of the Miami-Dade commissioners as I -- I can. We are there to, essentially, lobby the commissioners in Miami-Dade County, and, hopefully, they get to see our point of view. And not just us, because we have to rally the residents, especially those who are close to the facility, to show up, and speak up at these commission meetings. There's work that we must do; it's not all on this potential attorney. But, at the same time, we have our own attorneys. Our own attorneys can do the basic stuff of looking at working with these other cities, engaging them; that's not environmental. Reaching out to whoever we need them to reach out to before it gets to the environmental aspect that you want this law firm, this Goldstein environmental law firm. It seems to me that we should do our due diligence,

and this fight is going to a fight that we cannot take on alone. We have no jurisdiction over Miami-Dade, and their governance; we can only be at their mercy, and try to do what we can to -- to -- to, hopefully, delay, or persuade them to -- to not do what they're going to do. But, again, it's going to take this community to stand up, you know, you got to show up, you got to do petitions, you got to go and speak to them, write letters, do what you have to do. We are going to do our due diligence, as this Commission. There are, from what I understand, some moves in Tallahassee to actually prevent any kind of structure this close to the Everglades; that's moving through. We don't want to have to put an effort in futility when it comes to, as my colleague said, David and Goliath; it's -- it's going to take a lot more than this hiring this environmental law firm in order to -- to dissuade what they plan on doing. In fact, what I have been told the best way to do this, because this law firm is, pretty much, I would say, after the fact once a decision is made; now you're going to have to figure out, as far as this environmental law firm, to fight them. This law firm is not going to go up in front of the commission when they're making the decisions, and make a case for the City of Miramar. It is going to be the people of Miramar going in front of that commission, making the case for themselves; it's going to be use going to make a case; and not even us, it's mainly the residents. We know how it is when we pack a commission room full of people who are irate; that's what moves the needle. An attorney doesn't do that. So I suggest that we put our effort into filling the commission chambers; if we have to bus people to Miami-Dade, we do that; make sure everybody gets there early; you sign up to speak; because I'm convinced that that is the way we're going to turn the tide, trust me. The folks that don't want it in their neighborhood, they pack the commission meeting; they don't send a whole bunch of attorneys in there. So this is not the first of -- this not the -- this is like, basically, you're saying you -- you've lost already; you're getting an attorney. So these are the factors I think we need to put a lot of our attention, and time; going and speaking to -- to the commission, the chair, the vice chair, meetings with the mayor, Miami-Dade County, involving our own mayor, or vice mayor of Broward County to speak to the mayor of Miami-Dade County; we need all the help we can get; neighboring cities who are going to be affected. There are cities in Miami-Dade, maybe Miami Lakes, and others who don't necessarily want it in their backyard. So I believe that right now we should be focusing on those areas, and -- and do the best that we can to mobilize folk to go in front of the commission and speak against this item. Thanks.

MAYOR MESSAM: Okay. A couple of responses. There are -- based on what I've just heard in terms of the concerns or the position that was just communicated, if there's a clear understanding of what the -- the process is for the siting of this mass burn facility. It's really two steps: the first step is for Miami-Dade County to choose a site; that is within their -- that is within their jurisdiction, their authority, okay. Sending residents, Miramar residents, Broward County residents, yes, they can pack the place up, sign up to speak, protest, and be eloquent, and articulate in why they're concerned about it. A packed commission chambers in here of our residents telling us that they don't want something means something, because we are accountable to them, because they vote for us. Not one Miramar resident has placed any Miami-Dade County commissioner on that dais; they do not have to honor or listen to -- in fact, of those 13 commissioners, 12 of them are

glad that the three options are not in their district; not put it down there. Because I know, I've talked to a great majority of them myself; all of those sites are in Commissioner Bermudez's district, because he knew he could not convince any of his colleagues to pick, or make available a potential site in their district. That site is the most politically expedient, and convenient site for Miami-Dade County. As long as it's not in my backyard; it's the furthest away from any of their residents. So we can go in there and jump off the rafters; why would they change their minds at the expense of their constituents who -- they're going to be there too. Doral packed up the place, because they don't want it back in their site -- in their city. Are they going to listen to our residents over Doral? I'm just being reasonable, okay. I'm just being reasonable. The first step is the picking of the site, which they have the choice to do; we can't control that; and that's why I'm saying we need a thorough understanding of what's being presented here. It's not just a law firm. And, yes, our attorneys have been involved every step of the way, and will remain involved in the process, but I think our attorneys, ourselves, would say that they are not environmental specialists, and that they would, perhaps, seek outside counsel to bring that level of expertise to assist in the process. And where it's mostly needed is not in the site selection, but in the application once the site has been selected; that is why we need environmental specialists, so that they can usher us through the application process, the regulatory process, the EPA process, the Department of Interior process, the South Florida Water Management District process. That is why we need their services. It's not just to have an attorney; it's an environmental attorney that knows the regulations, and administrative procedures of what has to take place in the permitting process, so that we can be involved, and so that we can object at every turn. That is why we need -- not in -- not in what's going to happen downtown Miami; it's the application that's going to follow. And I'll say it again, we can let whatever dynamics on this Commission, what they may be, but at some point, rational decisions have to be made, and we have to be able to say that now with this information, we need to take the course to position ourselves. This is not saying Miramar is going at it alone. We have environmental organizations that are assisting us that we've met with; we have what is being presented here, we have neighbors that's going to be here. And I'll say this again, Broward County is not in the position to tell Miami-Dade County what to do, when we have our own solid waste issues to deal with. Why are they going to listen to Broward County? How Broward County is going to go to Miami-Dade County and say, "You can't build your -- your -- your -- your mass burn facility. That you just lost the main one you had that was processing 50 percent of your trash; you have a backlog of development projects for your sustained growth that you have to manage trash. They have to get that built. The mayor has already said that's where she wants the site; the mayor has already told Doral that she's not going to build it back in Doral. So what does it leave? They're already saying they're barking at Medley. So all things are pointing to that site being selected, so we have to be ready. And, like I said, again, we change this, we delay this, you're telling every Miramar resident that you're not willing to put this city in the best position to protect itself. So when I say if we have to go it alone, we have a budget of \$300,000.00. Hell, you take all of our special events, you're not trying to delay those; and I'm not making this personal, but this is too important; this is too serious. We can pass this item, and still do what each of you said to do, so I'm still trying to understand the rationale on why we would delay this, because

we had this workshop over a week ago. Have any of you met with Broward County Mayor to ask them for money? Was it brought up at the South Wat -- South -- the -- the So -- Solid Waste Authority meeting? We've been knowing about this? Have we asked them for money there? So why are we putting all these roadblocks now? I'm just saying, I -- I urge you all. It's two steps: site selection, which they control; our residents are not going to impact that process, because they're not beholden to our residents, none of them voted for them, they're not their voters. They'll say: Thank you; glad you came, but my residents come first. Because that's what I would say if Miami-Dade residents came here, and our residents are telling us to do something otherwise. I'm not going to listen to Miami-Dade residents over my own residents, and they're not going to listen to Miramar residents over their own residents about a mass burn facility. Commissioner Chambers, followed by Commissioner Barnes, Vice Mayor Davis, then Commissioner Colbourne.

COMMISSIONER CHAMBERS: At the last Commission meeting, I ask how many of these plants are in Florida, this burn facility, and I believe the answer was ten, and I did request a tour, one in Palm Beach, which I did this past Tuesday, and it was quite interesting. I believe they have 80 of their -- those facility here in the United States, and maybe about 500 in Europe. You know, it's -- what's quite amazing is how this country create so much trash, so much garbage. We bought into this industrial, I guess, revolution, or whatever, and we buy stuff that we want to use for a month, a year, and we create so much disposal of trash. When you look and see the amount of trash that coming into that one facility -- and, by the way, from what they're saying, this is the best one in the world. This country got to change something, because people are generating so much trash, and put it out at the curb side, and expect it to just disappear. We have construction, construction, construction debris, people are remodeling, people are building, roofs, everything, and it's just -- it's -- it's got to go somewhere, you know. I've never brought up like this, the trash we generate back home in the countryside from the food that feed the pigs, that go back into the landfill, you know, but it's -- you know, you selling -- you selling stuff that really no good. You selling furniture that only good for, you know, a six months, and then you got to dispose of it. You selling beds, mattresses, you selling all kind of stuff that not good. Where is the education to teach people about the environment, about disposal? Water bottles, different kind of bottles. We are move -- we never used to have water bottles; there's so much plastic, so much, so much, so much, it's sickening. And, you know, landfill, we -- it -- it got to go somewhere. It got to go somewhere, but not next door; put it in my neighbor's yard, not in my yard, you know. You know, and it's -- it's just got to stop somewhere. And there -- you know, there got to be some kind of solution. What is the solution? Are we going to keep creating landfill where we just dumping it, or we going to use a burn site that burns 90 percent of the trash, only landfill that ten percent? I don't know, but we got to stop. We got to stop. Government got to come up with something. It's like guns. They keep selling guns, and guns keep killing people, and they say it's not the guns. No. They keep mass shooting in schools, keep killing children, school have to making adjustment. Teacher can't teach because of guns, they afraid; kids can't go to school. They don't do fire drills anymore, they do shooting drills. It's stupid. It be -- be getting crazy, and it's the same thing with the garbage, the same thing. So all I'm saying is we need to be reasonable with this garbage situation. Okay. From

what I understand, just to get permit to build one of these plants takes about four years, give and take. To build the plant take at least ten years. It's not something that could be built overnight; it's a very, very sophisticated plan. I wish that everyone could see it for them self, so they could understand what is happening, and then you would have a different mindset with garbage, and how we put out garbage, and how we generate garbage. It's very, very sickening. We need to stop.

MAYOR MESSAM: Commissioner Barnes.

COMMISSIONER BARNES: Just some observations here. With age comes a certain level of clarity, a certain level of perspective. I work in a medium that time is actually money, so my comments, as usual, are finite. I have very little problem in supporting the Mayor's position on this item. It is unrealistic, in my considered opinion, to expect one county to join a fight against another county; for me that's crystal clear. I have no problem making representations to Miami-Dade County. But none of us vote in Miami-Dade County; that's just the reality of the situation. They could be courteous to us, if we choose, and -- I -- I do believe in agitation. What is the point? They have -- they are beholden to no one that lives in the City of Miramar. It doesn't get any plainer or simpler than that. I beg, please.

MAYOR MESSAM: Yes, Commissioner Davis, you're recog -- I mean, Vice Mayor Davis, you're recognized.

VICE MAYOR DAVIS: Okay. All right. So I don't give up that easily, and -- and that's why I am -- and I know the Mayor has spoken to several commissioners, the mayor, and all those people. You going around speaking to them for a reason, or as you would just throw up your hands and not talk to anybody. So what's the point of going, and speaking to our colleagues in Miami-Dade County if it don't make no sense? So I don't buy that argument at all.

MAYOR MESSAM: To hold up the item.

VICE MAYOR DAVIS: So I am speaking, and I've gotten feedback. Not everybody is for that site near to residents in Miramar; they're just not. They're human beings too. Just because we're from another county don't mean they're not going to listen to you. First of all, they're not trying to put the burn site back in Doral. That is -- that is off the table, so that is not -- that's not even one of the three locations. So why talk about Doral; that's a done deal, it's not going back there. But there are still two others, apart from the one that's next door to us, and I don't believe we should just ignore the fact that we can talk to this commission, we can get folks in front of them, speak to them, because they are human beings. It's a out the health and safety of people. And once there is a glare of the media, and folks that show up in front of them saying, "Well, you're trying to move it from this community to this community with no consideration for this community." I think there is something to be said for fighting for them not to choose this site. It seems like you've given up, Mr. Mayor. There's no fight in you to say, well, let's fight so it doesn't get located

there. I can't read the minds of people. I know if it was me, and this place was full of people from the neighboring city complaining about us putting a site near to them, I would take that into consideration. I really would. It's not just about because somebody votes for you. I'm not doing this job just because I'm going to get a vote. People that don't vote for me, I still look out for them; not everybody voted for me here in this city; doesn't mean I turn my back on them; doesn't mean I don't answer their complaint. There's people that I know that didn't vote for me that I still answer their calls, and help them, so I don't think it's a straight of: Oh, they don't vote for me, so I'm not going to listen to a word they're saying. If that was the case, if ever governmental entity was like that, we would have such a divide in this country. You have somebody who's a republican not caring about somebody who's a democrat, but that's not the society that we want; we're not encouraging that kind of behavior. So I do feel that we should look at ensuring that folks show up, turn up, making sure that we, as a commission, continue to lobby our colleagues in -- in Miami-Dade, and not just throw up our hands and say it's a done deal. Now I'm not against having an attorney for a specialized situation, such as environmental law; clearly, our attorneys don't do that. But I don't think we're here yet. I don't think we're here yet. We still have time. And so I think we should go about, you know, making sure that we try to ensure that this site is not the site that's used, instead of just throwing up our arms and saying, well, it's going to happen anyway, and look to do that first before engaging an attorney about permitting. It's like putting the horse before the cart.

MAYOR MESSAM: I'm going to try to be clear.

COMMISSIONER COLBOURNE: Thanks.

MAYOR MESSAM: This is my item. I'm the presenter. This is my item. Okay. And I'm the chair. First of all, I've been the one fighting. I've been the one going to meetings. Had I not been to that commission meeting, the site would have already been selected, and permitting would have already gone through. That's a fact. You can lobby; I encourage you to lobby; you should have been lobbying, okay. Continue to lobby. What I'm saying is that you can do everything that you just said without delaying this item. This is just getting the City Manager the permission to engage them, and with a proposed budget, so that we can get started. We don't have the time to wait. The train has already left the station. No one is saying that you can't send our residents over to Miami-Dade County; send everyone that you can get to go there. What I'm saying though is that if a Miami-Dade elected official has to choose between their own constituent, and a constituent that is not theirs on opposing sides of a specific issue, they're choosing Miami-Dade County. And I would hope you would choose Miramar over a neighboring city, or a neighboring county. That is what I'm saying. So I'm not saying you're doing things votes. I'm just speaking a reality. So I'm going to be crystal clear; there's two steps: a site selection. They can choose that site; they have the prerogative to choose that site with all of our lobbying efforts, with bringing residents there, so continue to call, to continue to visit, continue to rally residents. If you want to pack up five, ten buses, let's get them there. But, at the end of the day, Miami-Dade County has to build a facility. I been mentioned that the mayor said that she's not -- does not want to rebuild it in Doral. They

own the own the Old Opa-Locka -- Opa-Locka West Airport site. They don't own the third site. They control the site closest to us. There's no guarantee that they could purchase the other site. I'm just trying to state the realities. So whether we don't want to accept it, okay, at some point it cannot always be about me, the mayor. At some point we got to start looking at the residents, and doing what's right for the residents. It doesn't have to be my item. Hell, anyone of you can be the sponsor; I don't care. We just need to put this city in the position, so that our staff can be in the position to have the technical, and legal expertise in place to start getting ready for the application process that imminent, and coming within a couple of months. So we can sit here, and debate back and forth. Go ahead, delay this. The blood is on your hands, okay. We need to protect ourselves, put ourselves in position. If the lobbying efforts work, fine. We don't have to move forward. But don't have your house, and don't have hazard insurance, and think you're going to be able to get it once the storm is in the cone; no one's underwriting, or writing that policy. It'll be too late. You get the insurance when the storm is outside of the cone, in this case, while we know a site selection is going to be made. If they don't choose the site, then we don't need to use the coverage. So don't mince my words, don't mischaracterize what I'm saying what are the options. I did not say don't go and lobby. So I take exception when you say about -- oh -- oh, the mayor, you're -- you're giving up. I've been pressing this from day one, and still pressing it, even against fighting my own to protect us. No, it's not -- it's that -- it's that serious. It's that serious. It's that serious. I just want to be clear. So I'm not -- I -- I think it's clear on what we have to do. We can make the motion. If you want to delay it, the blood is on your hands. I want to put Miramar in the position to protect ourselves. I'm encouraging us to continue to lobby. You can go downtown Fort Lauderdale, go downtown Miami, get our residents, get ready for a meeting, do all of that, but don't hold this item up, and don't put us in a position where we can't protect ourselves. Because doing so, doing otherwise than what's on this item right here does not protect ourselves. And, Mr. Manager, staff cannot sit back here, and just hear us debate. There needs to be an administrative recommendation on what we need to do to move forward. The time must end where you let political pressure circumvent the right decisions from happening in this city. This is too important. There's been plenty times where I change my mind because of discourse on this Commission; I don't have too much pride to say that, you know what, I've reconsidered this, and we should go this direction. But it's not about pride. It's about doing the right thing, so I'm leaving no lane for anyone to mince my words, mischaracterize my intent. My intent is to have our community go up against this, and our residents have. And I'll continue to fight. I've never stopped fighting, like I'm fighting right now in this moment. Now, Mr. Manager, I need to hear from you, and your staff, what is your recommendation. Do we have time to delay this. You all have been in every meeting; you all know the stakes; and this is not the time for silence. Mr. Attorney, is your firm positioned to represent us alone? Have you not been involved? What is your recommendation? Starting with the Manager.

CITY MANAGER VIRGIN: Thank you, Mr. Mayor. And, of course, we have been in all the meetings from the early inception of the discussion. We have been to the County, we've been to the County Commission meetings, and we have made presentations. We took the stand earlier on that the need an environmental consultant is of utmost importance,

because, as you stated earlier, to build a site like this, from a scientific point, requires most importantly the permitting process. In that permitting process, there are a number of -- number of hurdles to which we have to get through. And the EPA, the Water Management District, and all those other areas are -- is one of those -- one those areas in which we figured, since Dade County didn't want it in the existing site, and they want to move it into an area which is less than a mile from the City of Miramar, so clearly they understand that there is some environmental hazard, clearly. That's why they're doing an air quality study. We also of the -- of the opinion that we have to also have some baseline air quality study in Miramar to see what our air quality is. And so -- we have engaged this consultant, who have done some early work, and real good work, presented us with some cases that we have looked at, some of the areas that we can use to oppose, not necessarily the site, but the permitting process, because that is where we think we'll have the best chance to delay the process, push back on the process, or even to have them change the process. So we have done that with -- with numerous other projects, especially as it relates to the water, and the wastewater side of it. So this -- this consultant has given us tremendous insight, and we, therefore, have recommended then -- that's why we brought the -- the workshop as to what this is to give us some latitude, because we have expended the City Manager's amount of \$75,000.00, because for the amount of work that has been done. And so we know that in order to get a -- get in front of this, we need additional funding to help us to provide the resource, the information to get this out. So, yes, I understand the political ramblings, but from a professional standpoint, as a city manager standing here, or sitting here, we administrators looked at it, and said the best approach to defer this, or to stop this is at the permitting process; this is where we'll get the best bang for our buck. And so that is why our recommendation was to have these dollars, and we'll be partnering with other municipalities. As a matter of fact, we met with some other environmental agencies; we met with the Miccosukee Tribe last week, engaging them, their support to have this project not being built. So we have been doing a lot of things behind the scene, and so, yes, we need the funding to get to the next stage of the -- of -- of the -- of the process through the -- through the consultant. So that's why we brought the -- the -- the workshop, and that was part of the discussion in the workshop for the -- for the -- for the funding.

MAYOR MESSAM: Mr. Attorney.

CITY ATTORNEY POWELL: The answer to your question is, certainly, we're not environmental -- an environmental expert firm, and the firm that's been identified was done in consultation with the administration. I prepared this resolution based upon the workshop, and I believe the resolution was prepared to provide flexibility. My concern in dealing with this process centers around creating a record. And -- and since we've begun this process, that's what I see that what we've been doing. The record was created with the communications to the County, and, certainly, a record will need to be created when they consider the final location. What's being discussed here is -- is not based upon my legal opinion, it's basically an approach. It's -- it's if you go left, which is let's just wait to see whether or not the lobbying, the external political pressure works prior to engaging the law firm. What that would necessarily mean is that they will not be on board

to assist, or continue to assist, as they've been doing with the assistance of staff, and, obviously, I've been a part of that process, and our law firm would continue to be a part of that process. What's drafted here is not exclusive of continuing both processes: creating the record; going to other jurisdictions to gauge support. The interlocal agreement is a mechanism to do that. At the end of the day, we, as the City, that's going to be most affected, obviously, is going to be at the forefront this opposition, and so that's why this is drafted the way it's drafted. The attorney, the specialist would be in an attorney/client relationship with our city; our city would take the lead in that opposition, which still does not prevent us from going to any municipality, any agency, any authority to seek support, or otherwise funding. So I hope that answers your question.

MAYOR MESSAM: Thank you both. Commissioner Colbourne, followed by Commissioner Barnes.

COMMISSIONER COLBOURNE: Thank you. So much has been said tonight, but, Mr. Mayor, I do want to say to you that your fight is not with this Commission. Us sitting here, and -- and making it seem that -- that you're fighting against this Commission; you're not. This Commission has a fight ahead of us, and that's with Miami-Dade County. I am very disappointed that Miami-Dade County would consider building a waste-to-energy facility within a half a mile of the City of Miramar, especially knowing that it was opposed by residents of Doral. If it's not good for the residents in Doral, it's not good for the City of Miramar residents. If it's not good for Miami-Dade County residents, then it's not good for Broward County residents. It's incomprehensible why Miami-Dade County would want to -- to solve their residents' issue by building this so close to us to create a residents issue for another county. That's just not good governance. This is a City of Miramar issue; it is City of Miramar residents that's affected; it is also Broward County residents that's affected; it is also Broward County responsibility. Broward County has a part in this. First to sign on to a solid waste authority, have a representative on that board, and then we have a solid waste issue, and we say: Oh, we don't need -- we don't -- we -- we're not going in that direction; we're just going at this by our self.

MAYOR MESSAM: I did not say that.

COMMISSIONER COLBOURNE: The City of Miramar, this Commission, the city staff held a workshop here, what was it, two weeks ago, to get thoughts and ideas from us. This is what we want to do, and this is how we're going to go for -- Kumbaya; Kumbaya is about gone right now. But where are the things that came out of there, Mr. Baker. When you did that presentation, we -- I asked for a resolution. I said, "Are we going to prepare a resolution, so that we can gain support from all the other cities?" "Yes, we're going to do that. That's coming up next." No, I haven't seen that resolution. But the first side of that resolution is when, again, I met with the -- with the co -- with the -- with -- with our city attorney this week, and said, "I want a resolution. I want a resolution that says that the City of Miramar Commission opposes the building of this facility." That hasn't been done. At the workshop, we said we want -- I specifically asked: Make sure we educate our residents. Marketing material. And, yes, I've seen a lot of marketing material, but I have

not seen that. So did we just do the workshop to say: Okay, well, the workshop is done, but we're really not doing any of those things. We're going to continue on this one path, where the Mayor is going to do this, and -- and -- and, God forbid, we have any thoughts or -- or ideas, and -- and -- and actually say that we want to propose an amendment to something that was -- that was -- that was proposed. God forbid. I mean do we have a voice? Do we have a say? Is somebody going to carry out what's promised? Does the Commission -- can the Commission come together, and work together on this? Yes, Mr. Manager. It's really great to hear you sit here tonight, and tell me that you require funds. This company was hired immediately. This Commission has -- this Commission saw it fit that we get an environmental person on board, and they have been working on this to the tune of \$75,000.00, which you tell me tonight that it's \$75,000.00 has been expended -- I asked you this two days ago, and I still -- tonight's the first time that I hear how much we've paid them so far. Tonight is the first time you said that. So am I going to be treated as a member of this Commission, as a person, and the rest of us as well, are we going to come together, and deal with this issue, because if we don't come together, we can't fight anyone. We can't sit here, and fight ourself. You can't sit here and make it seem like Mr. -- Mr. Mayor, as if this Commission is doing something to you. The City Manager is doing this, or they're not doing that, and nobody is doing anything, and what -- and you going to make Miami-Dade County stop this. And somehow we are slowing you down, okay. No, that's not the case. It's not in our hands. But what's in our hands is for us to come together, come with a plan together, and get this done. And we need allies. We need -- we need Broward County; we need other cities, and city staff needs to follow through on what's promised, on -- on whatever it is that we decide to go. And it's -- there's no need for -- for everybody to go in a different direction. I had a resolution -- another resolution prepared -- prepared tonight for this, because city staff did not -- because the City Attorney, nor the city staff did not follow through. Instead, this is the resolution -- this is what's come before us. So now I ask to amend this, because, yes, I've had some thoughts since then, other people have, there've been discussions. And -- and we're going to be beat up, because we had some thoughts on this. God forbid. That is unreasonable. That is simply unreasonable. We have -- we have work to do, and we need to do it. I want to see a resolution that this City Commission opposes what's going on in Miami-Dade County. So I want that resolution to come forward; I want us to vote on that, and make sure that that resolution is passed on to other cities, not just the cities that we think that's affected, and we think that they may put in some money for it, but all the cities in Broward County. You know, because we are a county, and what's -- an -- a city next to us may have another issue tomorrow that they will want our support on. So, yes, I think it's reasonable for us to make sure that everybody is aware of what's going on, and that we work together on that. Mr. Manager, Mr. Baker, can I get a response? Can I know where -- where are we with the marketing piece? Where are we with -- what are we doing to inform our residents, because they have been no follow up on anything. Nothing has come to me, any follow up since the workshop. So, please, give me a update what happened since the workshop.

MAYOR MESSAM: Before you respond, Mr. Baker. Because -- besides, this is my item, and I am the chair.

COMMISSIONER COLBOURNE: Oh, but I am --

MAYOR MESSAM: No, no, no --

COMMISSIONER COLBOURNE: -- a member of this Commission --

MAYOR MESSAM: I'm the -- I'm -- I'm going --

COMMISSIONER COLBOURNE: And I have the floor.

MAYOR MESSAM:-- to answer your question. All right. Madam -- Madam --

COMMISSIONER COLBOURNE: You've called on everybody --

MAYOR MESSAM: -- Madam Clerk, when are -- when are --

COMMISSIONER COLBOURNE: -- that you wanted to call.

MAYOR MESSAM: -- agendas sent out, Madam Clerk?

COMMISSIONER COLBOURNE: This is the second time for the night I get cut off, Mr. --

MAYOR MESSAM: No, no, no, you asked --

COMMISSIONER COLBOURNE: -- Mr. Mayor.

MAYOR MESSAM: First of all, I acknowledge every speaker in the meeting. I am the chair of this Commission. I recognize that you don't call a speaker, and have them speak. I am the chair.

COMMISSIONER COLBOURNE: Well, would you --

MAYOR MESSAM: But within in my --

COMMISSIONER COLBOURNE: -- would you --

MAYOR MESSAM: -- authority, --

COMMISSIONER COLBOURNE: Mr. Chair, --

MAYOR MESSAM: -- I said --

COMMISSIONER COLBOURNE: Mr. Chair, would you please call --

MAYOR MESSAM: -- before Mr. Baker, --

COMMISSIONER COLBOURNE: -- the speaker?

MAYOR MESSAM: No, no. Before he speaks, okay, -- trust me, my response is directly to your inquiry. Madam Clerk, when are agendas sent out?

CITY CLERK GIBBS: My office publishes the agenda on a Thursday, so it's typically the Thursday before the Wednesday Commission meeting.

MAYOR MESSAM: And before that agenda is set, is there a preliminary agenda sent?

CITY CLERK GIBBS: A draft is sent --

MAYOR MESSAM: A draft, right.

CITY CLERK GIBBS: -- to the Commission on a Monday.

MAYOR MESSAM: But the official is sent out that Thursday, right? Okay.

CITY CLERK GIBBS: The official one is published on the Thursday; a draft is sent to the Commission Monday.

MAYOR MESSAM: Okay. So the honorable Commissioner has stated that she requested a resolution to be drafted stating the opposition of a construction of a waste-to-energy mass burn facility to be presented. Okay. Mr. Attorney, can you tell me the title of exhibit to -- Exhibit "G" on item 11? Could you please read that title?

CITY ATTORNEY POWELL: The -- the -- the main resolution to item number 11.

MAYOR MESSAM: No, the -- the -- the exhibit --

CITY ATTORNEY POWELL: Right. No, I'm saying the resolution includes --

MAYOR MESSAM: Yes.

CITY ATTORNEY POWELL: -- an exhibit, which is a --

MAYOR MESSAM: Correct. Could you read that, please.

CITY ATTORNEY POWELL: -- which is a form resolution that's designed to go to every agency or municipality in Broward County.

MAYOR MESSAM: So the exhibit I'm rea -- I'm seeing here: Interlocal agreement to opposed Miami-Dade County siting construction, and operation of a solid waste-to-energy campus at the Opa-Locka West Airport site located --

CITY ATTORNEY POWELL: Excuse me, Mr. Mayor. That's not -- that's not what you're asking.

MAYOR MESSAM: What I'm saying is is there an exhibit --

CITY ATTORNEY POWELL: What you are requesting--

MAYOR MESSAM: -- that has that interlocal agreement.

CITY ATTORNEY POWELL: Correct. With the way it's designed is that the first thing is to get the municipality to oppose --

MAYOR MESSAM: Correct.

CITY ATTORNEY POWELL: the siting of the waste-to-energy facility, that's Exhibit "G".

MAYOR MESSAM: Yes.

CITY ATTORNEY POWELL: Included in that resolution is if the municipality wishes to go a step further, and to contribute, they can also then complete the interlocal agreement between the City of Miramar and that city.

MAYOR MESSAM: And does it al -- affords or allows the ability for any municipality in Broward County to complete this, because it's -- it's -- it's --

CITY ATTORNEY POWELL: The -- this is --

MAYOR MESSAM: -- not specific to any --

CITY ATTORNEY POWELL: Yeah, but this is a form resolution that's designed to go to any Broward -- actually, it can go to any -- any municipality in Broward County, or any agency in Broward County.

MAYOR MESSAM: So there is an instrument that is a part of this agenda item, if only one takes the time to read, would see that this item not only positions the City of Miramar to put in position the appropriate consultants to help us in this matter, it also facilitates the opposition statements of anyone who should choose to denounce, or to oppose this item. That's in the item. I'm not making this personal. I'm speaking specific to the item. I'm saying that I'm fighting to keep the item to move forward as is.

COMMISSIONER COLBOURNE: May I?

MAYOR MESSAM: Okay. So --

COMMISSIONER COLBOURNE: Do I still have the floor?

MAYOR MESSAM: So I'm just responding that you said it --

COMMISSIONER COLBOURNE: Okay. But --

MAYOR MESSAM: -- didn't exist.

COMMISSIONER COLBOURNE: I didn't --

MAYOR MESSAM: It exists.

COMMISSIONER COLBOURNE: I never finished. And you -- you -- you -- you get your opportunity to speak. I would like a opportunity to speak.

MAYOR MESSAM: You're recognized, Commissioner.

COMMISSIONER COLBOURNE: Thank you very much. Again, you're not fighting against me, so sending insults such as: If you only read the item. I read this item. I have back of my item, even though this written is not written the way I would have wanted -- wanted to present it. I held back on -- on presenting my item. I did not say that I wouldn't approve this part of your item. I -- I said I wanted an amendment. This portion of the item --

MAYOR MESSAM: You said there was no **(unintelligible 3:18:35)** item.

COMMISSIONER COLBOURNE: I asked for an amendment. And the amendment does not impact this portion of the item. And this -- this portion of the item, the way it's written, it's written to request funds for -- for the nearby cities that are affected. Okay.

MAYOR MESSAM: It's whoever --

COMMISSIONER COLBOURNE: But this is not here or there.

MAYOR MESSAM: That's not --

COMMISSIONER COLBOURNE: I'm okay -- I -- I would go with this part of the i -- of the -- of the item. That's not my problem, has never been discussed. Now I would like to speak to city -- I would like an update on what has been done, so you can call Mr. -- you can -- Mr. Baker could stand up, or you're going to ask him to stand up.

MAYOR MESSAM: I -- I will -- I will -- I will recognize Mr. Baker to speak, but I responded to your comment that says that there was no resolution that opposes this, and have a city's opposing this mass burn facility, and I was just, for the record, letting the public know that such document is included in this item. Mr. Baker, you're recognized.

MR. BAKER: Good evening, Mr. Mayor, Vice Mayor, Commissioners, City Managers, City Attorney, and City Clerk. Just want to highlight many of the things that we have done since the last workshop. One item in -- in particular, we agreed to -- we needed to form numerous of alliances, and we have done that. We have met with a couple of environmental groups: Miccosukee Indians, Florida -- Florida Rising. We have begin the process of putting together whole advocacy marketing -- marketing plan; I just saw the draft the other day. The hope is once the plan is pulled together, hopefully, toward the end of this week, we'll be able to sit down with each of you, get your input to make sure you're in agreement with our course of action, and then -- then move forward from there. We have had the opportunity to visit -- do some visiting, specifically in Miami-Dade County with the county commissioner, as well as look at a facility in -- in -- in West Palm Beach. Those were -- those were some of the items that we were instructed to work toward. I -- I promise you we are moving as fast as we can. We do want this -- this draft -- I call an advocacy product, marketing plan to be as comprehensive, and -- and -- and as complete as you would hope that we would provide it, but we're getting -- we're getting close, and I would venture to say as early as next week, we will be on your calendar just to show you what we have, and with -- with hope that we get the green light to move forward with it. Again, we will continue to pursue more alliance with other groups. We have about eight other groups that we have reached out to, with the hope of getting meetings with them, and -- and trusting that they will partner with us in this -- this overall effort. Again, many of the comments that each of you have mentioned is all, in my opinion, steps in the right direction to help us to get to, hopefully, where we want to be. This train has left the station. The County is scheduled to bring back, sometime in the month of March, their -- their air quality report, and we really need to be in a position from an environmental standpoint to be able to react to that, and to avoid us being too -- too reactive in this -- in this process. So that's what we -- that's what we've done up to his point, Madam. Again, I promise you we are working as fast as we can to put together what we think you'll be pleased with when we meet with you.

COMMISSIONER COLBOURNE: Can I get a date on the marketing information that's going to be made available to the public, so that they will be educated on what's going on?

MR. BAKER: Yes, Madam.

COMMISSIONER COLBOURNE: When?

MR. BAKER: I would like to share it with you all first. I would say immediately after we finish meeting with you all, we'll be in a position to publish.

COMMISSIONER COLBOURNE: No tonight, but tomorrow morning?

MR. BAKER: We'll -- we'll get on your calendar, and let you see what we have.

COMMISSIONER COLBOURNE: Okay.

MR. BAKER: It's such a -- it's such a sensitive matter that we do want to make sure we're on the same page with each of you.

COMMISSIONER COLBOURNE: Well, two weeks ago you say you were -- you were going to sit with us; it's been two weeks. And, while my calendar, and I know others are busy, and my calendar has not prevented that, so I would like to know exactly when do you plan to sit with us, when do you plan to -- to meet with me, and let me know what's going on, and show me the marketing piece that's going -- that's you're planning to -- to share with the community.

MR. BAKER: Yes, Ma'am -- Madam. Early next week.

COMMISSIONER COLBOURNE: Tuesday good for you?

MR. BAKER: Tuesday will work.

COMMISSIONER COLBOURNE: Okay. Very good. Mr. Manager, you know, whenever the City needs funds, what I'm used to seeing is an item with a recommendation from the city manager from those funds that comes before this Commission as an item, as a management item, and it shows where the funds are coming from, it states the justification, it gives the background; that's what I'm used to. And, generally, it has a procurement process, and it states what that procurement process is, or what it isn't. So, Mr. Manager, I would like to see an item of such requesting -- re -- requesting these funds. If that's what's needed, I want to see an item from management requesting this. So at our next Commission meeting, can you bring an -- such an item?

CITY MANAGER VIRGIN: Yes, Madam, if the will of the Commission after tonight is to --

COMMISSIONER COLBOURNE: I'm sorry.

CITY MANAGER VIRGIN: -- do that -- if the will of the Commission tonight is not to move on this item, or if it is to move on this item, then there's no -- we don't need to do that.

COMMISSIONER COLBOURNE: Well it's --

CITY MANAGER VIRGIN: But if there --

COMMISSIONER COLBOURNE: No, no. No. I didn't ask that. I asked can you do that? Are you able to do that?

CITY MANAGER VIRGIN: We -- we can do that.

COMMISSIONER COLBOURNE: You're able to do that? Okay. Thank you. Now, in terms of this item, I would like to make a motion --

MAYOR MESSAM: We have another speaker. If you could just hold on the motion. If you --

COMMISSIONER COLBOURNE: Well.

MAYOR MESSAM: -- allow the speak before you make the motion. So you can make your motion. I'm saying we have another speaker, so I'm asking --

COMMISSIONER COLBOURNE: Got you.

MAYOR MESSAM: -- to hold --

COMMISSIONER COLBOURNE: Got you. You don't have to say it twice. I would like to make a motion at the appropriate time to amend this. There are -- there are portions of this that -- that's -- that I would like to move forward on, but I do want an amendment to it, so that -- directing staff to seek funds from Broward County, and for Broward County Solid Waste Authority, and next week -- next Commission meeting, we can get an items for funds.

MAYOR MESSAM: Is that predicated to us putting a defense on this? I'm just trying to qualify, because the Solid Waste Authority doesn't even have an executive director yet, I don't think. The Solid Waste Authority doesn't have a budget yet. That could take months. So what I'm saying is what is it's hard to understand. The Solid Waste Authority cannot be used as a predicate.

COMMISSIONER COLBOURNE: Mr. Mayor, I already --

MAYOR MESSAM: I'm saying --

COMMISSIONER COLBOURNE: -- told you my position on this. I mean are you -- you don't have drill me --

MAYOR MESSAM: Okay. I'm just clarifying. Because they already know --

COMMISSIONER COLBOURNE: I already -- I told you my posi --

MAYOR MESSAM: -- that you're -- you're -- you're --

COMMISSIONER COLBOURNE: I told you my position on this.

MAYOR MESSAM: Okay. You're putting that position --

COMMISSIONER COLBOURNE: My position is clear.

MAYOR MESSAM: Okay. All right. You've stated it.

COMMISSIONER COLBOURNE: I've asked the City Manager for next Commission meeting --

MAYOR MESSAM: That's fine. You've stated it.

COMMISSIONER COLBOURNE: But I've also -- I'm also asking to amend this to direct them to -- to seek funding from other sources as well.

MAYOR MESSAM: All right. I would urge the Commission to pass this item without these barriers that will take months before we get a decision. Why are we putting the fate of our protection on the hopes of Broward County?

COMMISSIONER COLBOURNE: We are not. We -- we're not.

MAYOR MESSAM: That -- that's what it's saying.

COMMISSIONER COLBOURNE: Stop mis -- stop trying to --

MAYOR MESSAM: A decision is going to be made --

COMMISSIONER COLBOURNE: -- mislead the residents. Stop trying to put something out there that's not true.

MAYOR MESSAM: No. No, no, no. This is -- I'm saying this is the -- the -- the bottom line is this. You just stated that you want it amended to get funding from the Solid Waste Authority. Your words, not mine.

COMMISSIONER COLBOURNE: That -- that's -- I -- I do want an amendment to it, and - - are you ready for me to make that amendment.

MAYOR MESSAM: Okay.

COMMISSIONER COLBOURNE: Are you ready? Can I make it now?

MAYOR MESSAM: No, I'm just -- I -- no, I'm -- you -- you -- you made a statement --

COMMISSIONER COLBOURNE: Because we're discussing an amendment. We are discussing the amendment.

MAYOR MESSAM: No, I'm -- I'm just state -- I'm just saying --

COMMISSIONER COLBOURNE: Okay. Should I go ahead and make it official?

MAYOR MESSAM: Commission -- Commissioner Barnes --

COMMISSIONER COLBOURNE: You said there was another speaker.

MAYOR MESSAM: Commissioner Barnes, you're recognized. Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Considering that what we're doing here in this vigorous, emotional, and loud debate is really a part of what is sometimes considered a democratic process. If that is the case, I'm humbly submitting that the next step of our deliberations here this evening is to vote on the agenda item, and let the chips, and even the blood fall where they may.

MAYOR MESSAM: No other speakers, is there a motion.

COMMISSIONER COLBOURNE: MAYOR MESSAM: Yes, I would like to make an amendment to this item by directing the City Manager to seek funds from Broward County, and the Broward County Solid Waste Authority to engage an environmental law firm, instead of taking funds directly out of the City.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Question. You're saying that our defense should be funded solely by Broward County, and not to use city dollars for our defense? I just want to be clear. I don't want to put words or interpretation in your mouth.

COMMISSIONER COLBOURNE: Right.

MAYOR MESSAM: That is what I heard.

COMMISSIONER COLBOURNE: Appreciate the question. I would like to amend this item, by directing the City Manager to seek funds from Broward County, and the Broward County Solid Waste Authority board to engage an environmental law firm. We want -- we want funds from -- we want to request funds from these two agencies towards this effort.

MAYOR MESSAM: So this amendment, if passed, if passed, given the fact that next month, in a matter of weeks, a site is going to be selected, applications are, perhaps, already being completed for permitting, which will begin -- which -- it's imminent, and because the Solid Waste Authority, we already know, is not in the position to even take up this item for even consideration. And even when it becomes structurally in the position, to take up this item, which can take months. This item, perhaps, may not be priority to getting organized as a solid waste authority to do its mission, to, perhaps, build its own mass-burn facility, and the County giving -- so we would be putting our fate on the hopes

of Broward County to fund our defense, basically, with this time period. That's what the motion is saying with the -- the site selection taking place in a matter of weeks.

COMMISSIONER COLBOURNE: Clear -- clearly, that's your opinion.

MAYOR MESSAM: That's a fact.

COMMISSIONER COLBOURNE: And -- and clearly -- no, it's -- it -- no, it's -- no, it's not a fact

MAYOR MESSAM: The reason why it's a fact, Commissioner

COMMISSIONER COLBOURNE: . No -- no it's not.

MAYOR MESSAM: Let me clar -- the reason why it's a fact --

COMMISSIONER COLBOURNE: We have --

MAYOR MESSAM: is because --

COMMISSIONER COLBOURNE: -- We have --

MAYOR MESSAM: -- the county has a mandate -- the county has a mandate to submit the site closure for Doral's portion of the burn facility that caught on fire. That plan is going to incorporate what is going to happen to the site that's not being used. It's either they're going to completely close it, and mitigate the rest of the site for other purposes, or they're going to completely close the old facility, while using other components for solid waste management. That's due March; that's due in a matter of weeks. Which means for them to make that determination, they have to select a site; they have to make the site. So what I'm saying is the reality of us getting a check, or an agreement from Broward County by next month is not happening. I think we all can reasonably assume that. So when I say that we're putting the fate of hopeful funding from Broward County, which is going to take after -- take place after this -- after the decision has been made in Miami-Dade County, and applications are moving forward puts us now in the position of trying to play catch up for whenever we would, hopefully, get money. I'm saying it's irresponsible for us. Our responsibility is to our residents. I think that if we put ourselves in the position to be able to fund our defense, fund our protection, you can still seek those funding sources. That's all I've been saying from day one. You still can seek those funding sources, and help, and support without holding or putting us in the position to protect ourselves, knowing the timetable we're facing. So that is it. You can move forward with your amendment. I'm just saying, moving forward with it -- so I'm speaking to the Vice Mayor, I'm speaking to Commissioner Maxwell, I'm speaking to Commissioner Barnes. A vote for this amendment does not put the City of Miramar in our fiduciary place of protecting -- and protecting the interest of our community; it attenuates it. We can still do everything the Commissioner is asking to do by passing this amendment as is. So there

is a vote; there was a motion by the -- by Commissioner Colbourne; there was a second by Commissioner Chambers. If there's no other discussion, we can call the roll for the vote. I have two speakers, Commissioner Chambers, followed by Vice Mayor Davis.

COMMISSIONER CHAMBERS: My question is are we stopping them from choosing that site half a mile away from Miramar? Are we going to be trying stop them during the permitting phase due to environmental process, like the City Manager explained? Which one are we trying to do?

MAYOR MESSAM: Good question, Commissioner. The environmental consultants' main charge would be to put in place an oversight process of the regulatory permitted -- permits that would re -- that would be needed to build this site. This would be, perhaps -- this would be after site selection. There's nothing the environmental consultant can do when the item comes forward to Miami-Dade County to stop Miami-Dade County from selecting that site. You understand. So -- but we do know when the site is selected, that they're going to now start their permitting process; their design process, their permitting process to build on the site selected. So the environmental consultant is there to oversee the permitting process. When it comes to environmental issues, there's always public input, public position. The City -- we need to make sure that our data is captured in the process. Miami-Dade County has no interest in measuring our air, measuring what ha -- what's best for us in that process. They're going to put in what's best for them to move forward with their construction. So we need to make sure that -- we could cry foul, and say, look, this is our data, this is what we have, that data -- it conflicts with that data. So then there can be true inspection. The fur -- the more we delay -- it takes time to put that stuff in process. So while we're sitting here bickering about getting funding from Miami-Dade -- from Broward County, and Solid Waste Authority, our consultants can begin the process of being -- of preparing for this application process, which is imminent, which is going to come before we get any funding. We can't even get much funding for affordable housing from Broward County, much less trying to fight this.

COMMISSIONER CHAMBERS: So my clear understanding is we're not trying to stop them from choosing the site, or we can't stop them from choosing the site that they choose one to select. And the permitting, they got to do bird studies, they got to do raccoon studies, bobcats, all the different animals; they got to do all those studies.

MAYOR MESSAM: Well, they already know what's on the site; that's been done already.

COMMISSIONER CHAMBERS: Yeah, but based on their regulation, the government, the State, the federal, the EPA, they have to do all these studies.

MAYOR MESSAM: Yes, Commissioner. I'm saying they've already done that. That was in the Mayor's report. There's endangered bonnet bats; there are -- they know the species that are out there. They've already surveyed the site. They already know. This is already -- that's what I'm saying. This information is known. There is a wealth of information known about that site, which shortens the time period, which increases the urgency.

COMMISSIONER CHAMBERS: Yes, but knowing what's there is different from the required study, especially the bird study. They take a long time to do the bird study, a very long time. And I guess water study, air quality, the distance with the residents; you know, it's a lot of study. It takes at least four years just for that process to get done. At least four years to go through all the studies, from my understanding.

MAYOR MESSAM: Okay. So.

COMMISSIONER CHAMBERS: Could be wrong. So, you know, like the City Manager said, where we have a chance of stopping them is through the -- those process -- permitting process, so we still in the game, as far as I'm concerned. Whether it's tonight, next week, next month, maybe a year from now. It's -- it takes a long time to get this thing off the ground. So we have a long time to fight, fight, fight, and get some stop, or maybe no stop because it's not in Broward County, it's in Miami-Dade. And if we can't go there and protest; we don't think that protest going to stop them, we can't vote over there to stop them -- you see what I'm saying. So, you know, it's -- at this point, at this time, tonight it's kind of a moot point right now, as far as I'm concerned. Whether I'm vote on it tonight, vote on it at the next meeting, next month. I mean the City Manager said they already spent what, \$75,000.00, I think, so it's not like we really doing nothing. We're doing something. We're debating it tonight, so it's a lot that already been done. So, you know, we don't want that thing there; nobody wants it there; our residents don't want it there, so it's -- it's -- it's not like they're going to build it next week; they're going to build it December. It takes them four years to permit, and ten years, at least, to build this thing, so, you know, Mr. Mayor, I got to go home and take my medicine.

MAYOR MESSAM: Co -- Commiss -- Commissioner Chambers, here -- here's -- here's - - here's additional perspective, okay. The environmental -- the environmental -- the environmental consultant, because of their effective work, is even why we're even in the position where we are right now, because the site was selected. Because of their consult, and their intervention put Miramar in a position to have the three sites be assessed independently without the preference for the Opa-Locka website. We know what the political preference is, but their insight has put us in this position. Also, by putting a plan in place, could very well put forward enough information in front -- in the public view that it could, potentially, reverse a selection, because of revelations, additional revelations we make. Our job is to make the process transparent. Once this becomes an application, it's no longer a political process, it's a technical review by agencies, and regulators at that point. That's why this is important. So, Vice Mayor Davis, you're recognized, and -- and I'm ready to call the question after your comments.

VICE MAYOR DAVIS: Thank you. I do believe there's more work that needs to be done by staff to bring this Commission up to speed. It seems like there's some things that Commissioner Colbourne mentioned she needed, she had asked questions, she wasn't get the full responses. Some people are ahead, because they're getting more information than others, and I think it's only fair that everybody be brought up to speed. At some

point, there was only the Mayor getting information. We have to make sure everybody is up to speed by staff, okay. I have been able to speak just to one commissioner; I'd like to be able to speak to others to gauge them; I've been given some advice by that particular commissioner. There is a -- another meeting coming up in two weeks; this particular item is not coming before the commission until -- Miami-Dade until March. We have some time, and I think if we just allow for everybody to be caught up to the same level as others have been by staff. I believe that the amendment that Commissioner Colbourne has been asking for is not -- is not a lot. Just -- just get something -- just get information to Miami-Dade -- to Broward County, the mayor, and the vice mayor, which I don't think we've engaged yet, get information, sound the alarm to the rest of the 30 municipalities about what is going on. And the next Commission meeting, which is on the 21st, I'm sure we'll have some stuff back. I mean we -- we still got some time, and we don't have to be, again, as was mentioned, fighting each other here, because somebody is not getting their point across. We're all, pretty much, very intelligent people. Nobody is dumb up here, okay. We're intelligent. We don't have to be talking down people, or making it seem people don't understand; calling out people's events, like they don't have a bunch of their own. You know, all that is just so childish. We're adults here. You don't get your way this time; okay. Just -- at a Commission meeting in two weeks. So, you know, I'm ready to - to vote on the amended item, if that's still in play here.

MAYOR MESSAM: The amended item does not facilitate any decision to act in two weeks. The amendment that is before us will take months. It's saying we do nothing until we get funding, period. I'm just letting -- I'm just -- we're going to be clear. That is what happens, that we're depending on the County. We're not using city dollars, we're using county dollars; that's going to take months, at the earliest. So we can come here, as intelligent as we are, as we state, but no decision can be made in two weeks, three weeks, or four weeks. I'm just stating what the amendment means based off how it was presented. Perhaps another amendment. Now if the amendment is we table this to get information to get funding, or whatever the case may be, just don't tie it to the County. It still means we can go get money from the County, if they're willing to get it to us. All I've been saying from the beginning don't tie action to getting money from the County. Commissioner Maxwell Chambers, the last comment, and then you all can vote as you choose. Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes. I just want to be clear. I do not operate under threat from resident voters, or any one of my colleagues, or any staff. I just don't. I vote my mind. I vote what I think is right for my community, and that's it. I don't take threat. And that's me.

MAYOR MESSAM: Need a motion to extend the meeting, so we can take this vote and move on.

COMMISSIONER COLBOURNE: Motion to extend.

VICE MAYOR DAVIS: Second.

MAYOR MESSAM: Extend the meeting, say, for 15 or ten minutes, so we can get through this. We have to be time specific.

COMMISSIONER COLBOURNE: Ten minutes.

MAYOR MESSAM: Restate the motion, please.

COMMISSIONER COLBOURNE: Motion -- motion to extend ten minutes.

VICE MAYOR DAVIS: Second.

MAYOR MESSAM: Record the votes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: No.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Can -- can we clarify what we're voting on?

MAYOR MESSAM: Extension of the meeting, which is about to take place in a --

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Colbourne, seconded by Vice Mayor Davis, to approve extending the Commission meeting by ten minutes, the Commission voted:

Commissioner Barnes	Yes
Commissioner Chambers	No

Commissioner Colbourne	Yes
Vice Mayor Davis	Yes
Mayor Messam	Yes

Approved

MAYOR MESSAM: It's been moved, and then seconded. I don't see any other questions. The motion is to amend the item to seek funding from the County, Broward County, and the Solid Waste Authority, and not to use city funds. That's -- that's -- our restate your motion.

COMMISSIONER COLBOURNE: If I can --

MAYOR MESSAM: Restate -- restate your motion.

COMMISSIONER COLBOURNE: If I can get the attorney to help me make sure that we were clear on -- on this motion. If I can get the attorney to help me to -- to put this into the correct words. Mr. Attorney, what I would like is for us to amend this item to include that we're directing the City Manager to seek funds from Broward County, and Solid Waste -- And Broward County Solid Waste Authority to engage an environmental firm. To exclude the portion of -- of this item that has to do with the funding.

CITY ATTORNEY POWELL: Okay, so --

COMMISSIONER COLBOURNE: Can you help me to phrase that.

CITY ATTORNEY POWELL: I've -- I've been trying to mark it up, so the resolution would be a resolution of this Commission, first in opposition to the locating of Miami-Dade County's Solid Waste-to-Energy Campus at the Opa-Locka West Airport site, that is adjacent to the City of Miramar's border, and directing the City Manager to seek funding from Broward County, and the Broward County Solid Waste Disposal, and Recyclable Materials Processing Authority for the purposes of retaining a environmental law firm to oppose the waste-to-energy facility at the Opa-Locka West Airport site.

COMMISSIONER COLBOURNE: So that would also stop the -- the current funding request in this?

CITY ATTORNEY POWELL: Basically, that's what I understand you to be --

COMMISSIONER COLBOURNE: Yes.

CITY ATTORNEY POWELL: -- requesting. So the original resolution that's being amended has an authorization to procure, or to retain the environmental law firm. Your amendment is, essentially, taking it out, and conditioning the retaining of the

environmental law firm upon receiving funds from Broward County, and/or the Broward County Waste Disposal, and Recyclable Materials Processing Authority.

COMMISSIONER COLBOURNE: Okay.

MAYOR MESSAM: So that means that --

COMMISSIONER COLBOURNE: That is --

MAYOR MESSAM: So just so I'm clear.

COMMISSIONER COLBOURNE: That --

MAYOR MESSAM: That means that no city dollars can go towards the effort to -- to retain any environmental consultant to fight this issue until we get this funding from either Broward County, or the Solid Waste Authority, or both? Am I clear on that?

COMMISSIONER COLBOURNE: No, no it doesn't, because we already -- we're -- we already expending funds on -- on --

MAYOR MESSAM: Moving forward. We're --

COMMISSIONER COLBOURNE: -- on this environmental law firm.

MAYOR MESSAM: -- saying to procure. I just want to make sure.

COMMISSIONER COLBOURNE: We're already extending funds, and it's already doing work, at least currently doing work for us.

MAYOR MESSAM: No, additional funds, because he --

COMMISSIONER COLBOURNE: So that is not going to stop him from doing that.

MAYOR MESSAM: It does, because the City --

COMMISSIONER COLBOURNE: You just said not --

MAYOR MESSAM: The City --

COMMISSIONER COLBOURNE: -- no city money can be expended -- no, that's not true.

MAYOR MESSAM: Okay. Let me clarify --

COMMISSIONER COLBOURNE: Right now we --

MAYOR MESSAM: Let me -- let me clarify my question. I'm asking the question. The environmental consultant has been retained by the City Manager. All work up to this point has exhausted the City Manager's authority to retain their services. So move to do any additional work on behalf of the City, on behalf of the residents to defend our interest will require the approval of this Commission. The item seeks for authority to procure said services. The amendment strips the funding ability of the City to fund it with its additional funds to continue the services. The amendment would only render procurement and funding authority through the contributions from Broward County or -- and/or the Solid Waste Authority, but no additional City of Miramar funds can be used as amended. Is that what we're voting on?

CITY ATTORNEY POWELL: Right. Let me -- essentially, what the amendment does is condition further funds being paid to the consultant that is not derived from either the Authority or from Broward County.

COMMISSIONER COLBOURNE: That is just on this item. That does not preclude the City Manager, which I am requesting that he brings back an item, a proper procurement item for -- for requesting funds separate from this. At the same time, if we're going -- going out there and asking for funds, we need to go ahead and ask for funds; we don't need to go ahead and -- and put out money out there for them to come back and say, "Oh, you don't need funds; you already paid for it." So it doesn't make any sense to do it after the fact.

MAYOR MESSAM: No, we're not spending money. We're not -- that's not spending money.

COMMISSIONER COLBOURNE: But we -- I did -- I did ask --

MAYOR MESSAM: It's making the money available --

COMMISSIONER COLBOURNE: I did ask to extend this meeting, so we can vote on this; that was your request, and I did. So, Mr. -- Mr. Attorney, if you can restate -- if you can restate the amendment for me, and so that we can call -- we can go ahead and vote on this.

CITY ATTORNEY POWELL: Once again, it -- this would be a resolution of the City Commission opposing Miami-Dade County's siting, permitting, construction, operation of a solid waste-energy campus at the Opa-Locka West Airport site that is located adjacent to the City of Miramar's border, and authorizing, and directing the City Manager to seek funding from the Broward County Solid Waste Disposal and Recyclable Materials Processing Authority, and Broward County for the purpose of engaging the environmental law firm to oppose the waste-to-energy facility.

MAYOR MESSAM: All right. You all have heard the -- the definition. Madam Clerk, please call the votes -- record the votes.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: No.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes, if it get me home.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Absolutely not.

On a motion by Commissioner Chambers, seconded by Commissioner Colbourne, to approve Resolution #R8082 and #R8093 as amended, the Commission voted:

Commissioner Barnes	No
Commissioner Chambers	Yes
Commissioner Colbourne	Yes
Vice Mayor Davis	Yes
Mayor Messam	No

Resolution No. 24-69

MAYOR MESSAM: It is 11:0 -- are there any pertinent items from anybody. If not, I'll take --

City Attorney Reports:

MAYOR MESSAM: You have an announcement Mr. Attorney?

CITY ATTORNEY POWELL: Just a point of clarification. This motion that was just passed amended the motion which was -- which is authorizing the Manager to seek funding from the Authority, and also Broward County. My understanding is that the other item should be coming back with the requisite information that Ms. -- Commissioner Colbourne

requested, memo with the justification for the procurement, and in addition, I would imagine further information concerning the marketing plan, as to how this opposition is going to be rolled out throughout Broward County, and the like. Is that my understanding of what's happened tonight?

COMMISSIONER COLBOURNE: Yes.

CITY ATTORNEY POWELL: Did I --

COMMISSIONER COLBOURNE: Yes.

CITY ATTORNEY POWELL: Because -- because I have to prepare the agenda for next -- for the next meeting, and I want to make sure that, you know, we're all on the same page as to where we are with what was presented tonight, which --

COMMISSIONER COLBOURNE: Well the fir -- the first clarification, yes, I do want the Manager -- the Manager can prepare an item to come back. The Manager needs to go ahead -- based on what was passed, the Manager needs to go ahead, and -- and -- and go ahead and contact Broward County, and Solid Waste Authority and seek funding. Now, aside from -- aside from that, does the Manager -- does the Mayor want to move forward with a vote on his item as amended.

MAYOR MESSAM: So --

COMMISSIONER COLBOURNE: So if he -- if he does --

MAYOR MESSAM: Well, I have a question.

COMMISSIONER COLBOURNE: If he does, the rest -- the rest of the item -- the rest of the item -- the rest of his item can -- can be approved. If he's not moving forward with that, then I do want a resolution to come back for opposing --

MAYOR MESSAM: So if Broward County says we're not -- or we got to think about it, then -- then what?

CITY ATTORNEY POWELL: Well, that's -- that's -- I mean -- I --

MAYOR MESSAM: Okay. We come back with a procurement item, right.

CITY ATTORNEY POWELL: That's -- that's --

MAYOR MESSAM: We ask the County, and they say, "Well, we --

CITY ATTORNEY POWELL: That's why I'm trying to --

MAYOR MESSAM: -- can't answer that question now."

CITY ATTORNEY POWELL: Mr. Mayor, if I may. That's what I'm trying to clarify here. What -- what I understood that -- that's happened, painstakingly, for the last 45 minutes is where we're at right now. Where we're at is that we've -- the -- the Commission has passed a resolution directing the Manager to seek funding from those two sources. The -- the other discussion was this item, as presented, should be brought back, or can be brought back at the next meeting with additional information concerning the funding source, and --

COMMISSIONER COLBOURNE: Mis -- Mis -- Mister Attorney.

CITY ATTORNEY POWELL: Am I missing -- am I understanding this?

COMMISSIONER COLBOURNE: Mr. Attorney, if I can, please. This item was just amended.

CITY ATTORNEY POWELL: Right.

COMMISSIONER COLBOURNE: So the next step would be to vote on the amended item, or -- or are you tabling it. I -- I mean you still --

CITY ATTORNEY POWELL: The amendment already --

COMMISSIONER COLBOURNE: -- have an item on the floor that has not been voted on.

CITY ATTORNEY POWELL: The amended item -- the amendment was just approved. The amended item was just approved three to two. So what my question was, because there was also discussion about additional information concerning the original resolution, and it's lack of a memo, and funding sources are -- is that item also to be brought back at the next meeting with the additional information that was requested for the Commission to reconsider that item. That's what I'm trying to understand.

VICE MAYOR DAVIS: I'm trying to understand also.

MAYOR MESSAM: We passed the item. We passed the item. We passed the item amended on the funding portion of it. All the other components -- because we voted --

VICE MAYOR DAVIS: I think what was said is that -- and, Mr. City Manager, you can chime in as to direction that Commissioner Colbourne gave you, to bring back an item under you, not under the Mayor with the proper procurement procedures, with the background, and all the things that you normally do, and present it to the Commission for a vote. I think that's what was said. What did -- how -- I'm not asking the Mayor, I'm asking the Manager. I asked the Manager a question. What did you understand? And if

you need clarifications, maybe you need to ask back Commissioner Colbourne for the clarification, because she gave you something to do.

CITY MANAGER VIRGIN: That's my understanding, Vice Mayor. That's my -- that's my understanding.

MAYOR MESSAM: So the Manager brings back procurement with the funding sources, then we're good to go. So none of the other items we spent the last 45, 50 minutes talking about matters then? So if that's all it takes, bring it back in two weeks, and we passed it. We could have finished that a long time ago.

VICE MAYOR DAVIS: Well, they --

MAYOR MESSAM: But all these other excuses --

VICE MAYOR DAVIS: That was already said.

MAYOR MESSAM: -- about why we should be packing up Miami-Dade County meetings, and all this kind of stuff, so --

VICE MAYOR DAVIS: What are you talking about?

MAYOR MESSAM: -- we'll see the -- we'll see -- we'll see the -- we'll see the item in -- in two weeks. As long as it gets passed. We just need to defend ourselves, and not rely on Broward County, is what the amendment is saying, until we get another item.

City Manager Reports: NONE

FUTURE WORKSHOPS: NONE

ADJOURNMENT

14. VOTE TO ADJOURN

MAYOR MESSAM: So if there's no other discussions, can we have a motion to adjourn.

VICE MAYOR DAVIS: Motion to adjourn.

MAYOR MESSAM: Thank you.

The meeting was adjourned at 11:13 p.m.

Denise A. Gibbs, CMC
City Clerk
DG/cp