

City of Miramar, FL

2300 Civic Center Place, Miramar, FL 33025



Meeting Agenda

Monday, November 16, 2020

7:00 PM

REVISED

Commission Chambers/Virtual

CITY COMMISSION REGULAR MEETING

Mayor Wayne M. Messam
Vice Mayor Maxwell B. Chambers
Commissioner Winston F. Barnes
Commissioner Yvette Colbourne
Commissioner Alexandra P. Davis

City of Miramar

WELCOME TO YOUR CITY COMMISSION MEETING

We are pleased that you have demonstrated an interest in the City of Miramar by attending a City Commission Meeting. We hope you will attend more of these meetings in the future.

GENERAL INFORMATION: The City of Miramar is a municipality chartered by the State of Florida operating under the "City Council - City Manager Plan." The City Commission is comprised of four members and the Mayor selected by the residents of Miramar to serve as the City's governing body. It is responsible for adopting policies of the City, passing ordinances, adopting resolutions and approving budgets. A City Manager is appointed by the City Commission to serve as the administrative head of the municipal government and provides recommendations to the City Commission on policy issues.

The City Commission Meeting is a formal meeting of the members of the Commission to transact City business. This business is conducted in a manner prescribed by resolution, laws and regulations which require certain formal actions and the following of specific procedures.

The AGENDA is a printed document that lists the order of business for the Commission Meeting. The public is encouraged to contact the Mayor or any City Commissioner prior to a Commission Meeting to express their views on items appearing on the Agenda.

* All cell phones and other electronic devices must be turned off prior to entering the Commission Chambers.

The City Commission may consider and act upon such other business as may come before it in the event this agenda must be revised, such revised copies will be available to the public at the City Commission Meeting.

GENERAL RULES AND PROCEDURES FOR PUBLIC PARTICIPATION AT CITY COMMISSION MEETINGS:

Who May Speak - Any individual who wishes to address the City Commission may do so providing it is accomplished in an orderly manner and in accordance with the procedures outlined below.

1. **Speaking on items on the Agenda** - Individuals wishing to speak on matters that appear on the Agenda need only to raise their hand to be recognized by the Mayor. Discussion at Special Meetings is limited to the items referred to on the Agenda for such Special Meetings.
2. **Other Business Items** - These are items placed on the Agenda by the Mayor or a Commissioner and either are requests for the preparation of future legislation or are requests for possible direction to the Administration.
3. **Speaking on items not on the Agenda** - **Public Participation** - Any individual may speak on any subject pertinent to the City at the second regularly scheduled meeting of each month. Individuals must sign in with the City Clerk prior to the meeting. The Mayor will recognize those persons who signed in, under the agenda item "Public Participation".
4. **Addressing Commission, Manner & Time** - Public discussion during all items is limited to three minutes maximum per person, however, the Mayor at his/her discretion may allow more time. Each person who addresses the Commission shall step up to the speaker's podium and shall give his/her name and address.
5. **No untested external audio/visual presentations** (i.e. jump/thumb drives) will be accepted. All a/v presentations must be emailed or delivered to the Clerk's Office 30 days in advance of the requested Commission Meeting date. The City reserves the right to modify or deny any presentation request.

The above represents a summarization of the Commission Procedures Resolution. Copies of this resolution are available from the City Clerk's Office. Any person requiring auxiliary aids and services at this meeting may call the City Clerk's Office at 954-602-3011 at least two calendar days prior to the meeting.

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and for such purpose may need to insure that a verbatim recording of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER

ROLL CALL/ANNOUNCEMENTS

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

PRESENTATIONS

Proclamation: 2020 Small Business Saturday. (Mayor Wayne M. Messam)

Presentation: Coceano Community Leadership Award to Commissioner Alexandra P. Davis. (Miramar Pembroke Pines Regional Chamber of Commerce President/CEO Robert L. Goltz)

Presentation: Volunteer Recognition - Food Distribution. (Assistant City Manager Shaun Gayle)

Presentation: Broward MPO Municipal Transportation Improvement Program (TIP) Projects in Miramar for FY 2021-2025. (Broward MPO Systems Planning Manager Peter Gies)

Presentation: COVID 19 and Emergency Management Update. (Fire Rescue Emergency Management Planner Josh Green)

CONSENT AGENDA

Items listed under 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 item(s) will be removed from the Consent Agenda and will be considered separately. Anyone wishing to comment on any item on the consent agenda should approach the podium now.

1. Minutes from the Commission Workshop Meeting of October 14, 2020 and Regular Commission Meeting of September 16, 2020 will be placed on the January 27, 2021 Meeting Agenda.

2. Temp. Reso. #R7295 approving the purchase of **fire-rescue supplies and equipment** from the Broward Sheriff's Office in an amount not-to-exceed \$142,750 for Fiscal Year 2021. *(Fire-Rescue Chief Robert E. Palmer)*

Attachments: [R7295 Purchase of Fire-Rescue Supplies and Equipment](#)

3. Temp. Reso. #R7309 approving the award of Invitation for Bids No. 21-002, entitled **"Buffer Wall Along Pembroke Road Adjacent To University Park Plat"**, to the lowest responsive and responsible bidder, Coastal Concrete Products, LLC. ; authorizing the City Manager to execute the Proposed Agreement with Coastal Concrete Products, LLC in an amount not-to-exceed \$393,500, and allocating a contingency in the amount of \$50,000, for a total project cost of \$443,500. *(Senior Project Engineer Leah deRiel)*

Attachments: [R7309 Award of IFB No.21-002 Pembroke Road Buffer Wall with backup](#)

4. Temp. Reso. #R7303 approving the Fiscal Year 2020 Interlocal Agreement between Broward County and the City of Miramar for the disbursement of \$233,194 in **HOME Investment Partnership Program Funds** for expenditures on eligible purchase assistance activities. *(Community Development Assistant Director Deborah Stevens)*

Attachments: [TR7303 FY2020 HOME Interlocal Agreement with backup](#)

End of Consent

RESOLUTIONS

5. Temp. Reso. #R7297 awarding Invitation for Bid No. 20-016 entitled **"Installation of Bleachers for Ansin Sports Complex"** to Waypoint Contracting, Inc., in an amount not-to-exceed \$1,178,432. *(Parks & Recreation Assistant Director Billy D. Neal and Procurement Director Alicia Ayum)*

Attachments: [R7297 Installation of Bleachers for Ansin SPorts Complex with backup](#)

6. Temp. Reso. #R7310 amending the current Collective Bargaining between the City of Miramar and the Broward County Police Benevolent Association, Inc. to **increase the starting salary of police officers** to the current step 5, increasing the salary of officers currently in steps 5, 6 and 7 by 2.185%. *(Human Resources Director Randy Cross)*

Attachments: [R7310 - PBA CBA Amendment with backup](#)

7. Temp. Reso. #R7311 declaring emergency regulations limited to certain public meetings during the COVID-19 State of Emergency as declared by the State of Florida; authorizing the City Manager to arrange for **public meetings by use of communication media technology** and Advisory Board attendance. *(City Attorney Burnadette Norris-Weeks)*

Attachments: [R7311 Authorizing Electronic Public Participation with backup](#)

PUBLIC PARTICIPATION (7:30 – 8:00 P.M.)

ORDINANCES

8. **FIRST READING** of Temp. Ord. #O1754 amending the Code of the City of Miramar, Florida, pursuant to Section 166.041(3)(A), Florida Statutes; more specifically at Chapter 2, entitled "Administration," Article VI, entitled "Finance and Miscellaneous Fees" by amending Division 2.1 entitled "Impact Fees for New Development," Section 2-225.2, entitled "Definitions" to provide a definition for affordable housing and Section 2-225.4 entitled "Exemptions" to exempt affordable housing from the required payment of impact fees; and by adding a new Division 5, to be entitled "**Affordable Housing**," providing definitions; establishing an Affordable Housing Trust Fund; providing for the use of funds; making findings; providing for repeal; providing for severability and interpretation; providing for correction of scrivener's errors; providing for codification; and providing for an effective date. *(Requested by Commissioner Yvette Colbourne) (Community Development Director Eric Silva)*

SECOND READING SCHEDULED for January 27, 2021

Attachments: [O1754 1st Reading Affordable Housing Impact Fee Waiver and Trust Fund with](#)

9. **FIRST READING** of Temp. Ord. #O1767 amending Chapter 20, Article I of the City of Miramar Code of Ordinances to establish new Section 20-2; to create a designation of "**No-Thru-Truck Zones**"; providing for authority and purpose; providing for definitions; providing for establishment of zones; providing for considerations and guidelines; providing for signing; providing for prohibitions; providing for penalty; providing for adoption of representations; providing for a severability clause; providing for inclusion in the Code; and providing for an effective date. *(Assistant City Engineer Salvador Zuniga)*

SECOND READING SCHEDULED for January 27, 2021

Attachments: [O1767 1st Reading No Thru Trucks](#)

PUBLIC HEARING

10. **SECOND READING** of Temp. Ord. #O1766 amending the Land Development Code of the City of Miramar, pursuant to Section 302 of the Land Development Code and Section 166.041(3)(a), Florida Statutes, more specifically at Chapter 8, entitled "Development Standards of General Applicability" by amending Section 816, entitled "**Storm Drainage, Water Management Design and Floodplain Management Standards**," to provide for a definition, as well as methods of construction and requirements for critical facilities; to extend the one-foot freeboard requirement that currently applies to new and substantially improved residential buildings located throughout the City's flood zones or Special Flood Hazard Areas, to new and substantially improved manufactured homes, and to mechanical equipment and utility items, also located in the City's flood zones, in compliance with the new Community Rating System Class 8 Prerequisite; and to clarify and strengthen the requirements for elevated buildings with fully enclosed areas; making findings; providing for repeal; providing for severability and interpretation; providing for correction of scrivener's errors; providing for codification; and providing for an effective date. **(Passed 1st Reading on 10/28/20)** (Community Development Director Eric Silva)

Attachments: [O1766 2nd Reading New CRS Class 8 Freeboard Prerequisite LDC Amendmer](#)
[O1766 1st Reading CRS Class 8 Freeboard Prereq LDC Amend with backup](#)

11. **SECOND READING** of Temp. Ord. #O1765 approving the end-of-year amendment of the **Fiscal Year 2020 Operating and Capital Improvement Program Budget**; and providing for an effective date. **(Passed 1st Reading on 11/04/20)** (Management & Budget Director Rafael SanMiguel)

Attachments: [O1765 2nd Reading FY20 Third Budget Amendment with backup](#)
[O1765 First Reading FY20 Third Budget Amendment with backup](#)

12. **SECOND READING** of Temp. Ord. #O1756 authorizing the creation of the **2020 Five Year Workforce Reduction / Early Retirement Incentive Program (“ERIP”)** for the explicit purposes of reducing the City’s full time workforce through a combination of pension and medical insurance incentives, permanent elimination of the budgeted full time equivalent position of each employee that makes the irrevocable election to participate in the ERIP, requiring coordination in the FY2021, FY2022, FY2023, FY2024 and FY2025 adopted budgets, the reduction of positions, as a result of this Program, and funding for the medical benefits and lump-sum distribution options offered to participants in the ERIP, and budgeting the cost savings provided as a result of the ERIP; providing for severability and interpretation; providing for inclusion in the Code; providing that officials are authorized to take action; and providing for an effective date. ***(Passed 1st Reading on 11/04/20) (Human Resources Director Randy Cross)***

Attachments: [O1756 - 2nd Reading- 2020 Five Year Workforce Reduction Early Out Program](#)
[O1756 - 2020 Five Year Workforce Reduction Early Out Program with backup](#)

13. **SECOND READING** of Temp. Ord. #O1760 amending Chapter 15, Article V, of the City Code of the City of Miramar related to the **General Employee Pension Plan**; amending Section 15-312(e) to create an Early Retirement Incentive Plan for members within five years of normal retirement eligibility; amending Chapter 15, Article VI, of the City Code of the City of Miramar related to the **Management Pension Plan**; creating Section 15-355(i) to create an Early Retirement Incentive Plan for management employees within five years of normal retirement eligibility; providing for severability; providing for codification; and providing for an effective date. ***(Passed 1st Reading on 11/04/20) (Human Resources Director Randy Cross)***

Attachments: [O1760 - 2nd Reading GE Mgmt Plan Ordinance with Memo \(Updated\)](#)
[O1760 - 1st Reading GE Mgmt Plan ERIP Ordinance](#)

14. **SECOND READING** of Temp. Ord. #O1761 amending Chapter 15, Article IV, of the City Code of the City of Miramar governing the **Miramar Police Officers' Retirement Plan and Trust Fund**; creating Section 15-175 to establish an Early Retirement Incentive Plan for members with at least fifteen (15) years of service and providing for a lump sum incentive for DROP participants; providing for severability; providing for codification; providing for an effective date. **(Passed 1st Reading on 11/04/20)**
(Human Resources Director Randy Cross)

Attachments: [O1761 - 2nd Reading Police Plan Ordinance with Memo \(Updated\)](#)
[O1761 - 1st Reading Police Plan ERIP Ordinance](#)

QUASI-JUDICIAL PUBLIC HEARING

All who wish to speak shall be collectively sworn in. City Attorney will then read the title of the item to be considered. Staff shall present a brief synopsis of the application and make a recommendation. Next will be a presentation by the applicant. The Commission will then hear from participants in favor of and in opposition to the application. The applicant, staff and or any Commissioner may cross-examine the witnesses, and a participant may request that the board ask questions of a witness. The public hearing will conclude with final remarks by staff and the applicant. No further presentations or testimony shall be permitted. All decisions of the Commission must be based upon competent substantial evidence presented to it at the hearing. All backup materials provided to the City Commission, as a part of the agenda will automatically be made a part of the record of the hearing. All approvals will be subject to staff recommended conditions unless otherwise stated in the motion for approval.

15. **SECOND READING** of Temp. Ord. #O1764 considering **Application No. 2002604, rezoning** a 2.10-acre parcel from B2, Community Business, to B3, heavy business, generally located approximately 379 feet west of University Drive and 810 feet south of Miramar Parkway; and providing for an effective date. **(Passed 1st Reading on 10/28/20)**
(Community Development Director Eric Silva)

Attachments: [O1764 2nd Reading Rezoning Miramar Storage with backup](#)
[O1764 1st Reading Rezoning Miramar Storage with backup](#)
[ExParte](#)

16. Temp. Reso. #R7306 approving **Conditional Use Application No. 2002605**; approving **Variance Application No. 2006693** from the side setback requirement per Land Development Code (“LDC”) Section 403, Table 403-2; approving **Variance Application No. 2008876** from the off-street parking requirement, LDC Section 808.3.2; and approving **Site Plan Application No. 2002606**, and **Community Appearance Board Application No. 2002607**; for a proposed three-story, 122,237 square-foot self-storage facility and one-story, 8,313 square-foot retail development generally located approximately 379 feet west of University Drive and 810 feet south of Miramar Parkway. *(Community Development Director Eric Silva)*

Attachments: [R7306 - Miramar Storage Site Plan with backup](#)
[ExParte](#)

OTHER BUSINESS

Reports and Comments:

Commission Reports:

17. Temp. Reso. #R7308 urging the United States Congress to enact the **Energy Innovation and Carbon Dividend Act of 2019**. *(Mayor Wayne M. Messam)*

Attachments: [R7308 Urging Congress to enact the energy innovation and carbon dividend act](#)

18. Temp. Reso. #R7307 approving **appointments** to the **Justice Ruth Bader Ginsburg Commission on the Status of Women** Advisory Board. *(Commissioner Yvette Colbourne)*

Attachments: [R7307 Commission on Women Advisory Board Appointments with backup](#)

19. Temp. Reso. #R7312 supporting the Broward Metropolitan Planning Organization to urge the Florida Department of Transportation to **fully fund projects** administered under the **Local Agency Program** and other grant funded programs. *(Commissioner Yvette Colbourne)*

Attachments: [R7312 Supporting Broward MPO with backup](#)

20. Discussion: **City Manager's Evaluation Procedure.** *(Requested by Commissioner Yvette Colbourne)*

City Attorney Reports:

City Manager Reports:

FUTURE WORKSHOPS

12/01/20 - 3:00 p.m. - 2013 Bond Refunding/Refinancing Workshop - Commission Chambers/Virtual

12/08/20 - 2:00 p.m. - Ethics Training - Commission Chambers/Virtual

ADJOURNMENT

THE NEXT REGULARLY SCHEDULED CITY COMMISSION MEETING IS:

Wednesday, January 27, 2021 at 7:00 P.M.