

# City of Miramar, FL

*2300 Civic Center Place, Miramar, FL 33025*



## Annotated Meeting Agenda

*From the Meeting of Wednesday, January 27, 2021*

**7:00 PM**

**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*

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**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**

Presentation: Legislative Update. (State Representative Marie Woodson) (***Rescheduled to 02/24/21***)

Presentation: Habitat for Humanity of Broward County. (CEO and Executive Director Nancy L. Robin)

Presentation: Reopen Miramar Taskforce Update. (Assistant City Manager Shaun Gayle)

**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.

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|-----------------|---|
| <b>Approved</b> | 1. Minutes from the Regular Commission Meetings of September 16, 2020, October 7, 2020, and October 28, 2020.   |
| <b>21-29</b>    | 2. Temp. Reso. #R7342 approving an agreement with the Supervisor of Elections of Broward County to conduct the <b>Municipal Election</b> to be held by the City of Miramar on March 9, 2021. ( <i>City Clerk Denise A. Gibbs</i> )  |
| <b>21-30</b>    | 3. Temp. Reso. #R7314 approving the purchase of <b>firefighting protective ensembles and ensemble elements</b> from Bennett Fire Products Company, Inc. through the utilization of the Lake County Contract No. 17-0606B, in an amount not-to-exceed \$500,000 for Fiscal Year 2021. ( <i>Fire-Rescue Chief Robert Palmer</i> ) |

- 21-31**                    4. Temp. Reso. #R7322 authorizing the purchase of **Fire Rescue Station Alerting Systems**, including all necessary hardware, software, installation and product support from Keylite Power and Lighting Corp., utilizing Broward County Master Agreement No. R1426611P1, for a total amount not-to-exceed \$158,595 for Fiscal Year 2021. *(Fire-Rescue Chief Robert E. Palmer)*
- 21-32**                    5. Temp. Reso. #R7315 approving and accepting a **Hazard Mitigation Grant Program** ("HMGP") sub-award and grant agreement between the Florida Division of Emergency Management ("FDEM") and the City of Miramar in the amount of \$397,770 for the replacement of bay doors and installation of a manual generator transfer switch for **Fire Station 70**. *(Public Works Director Anthony Collins)*
- 21-33**                    6. Temp. Reso. #R7318 approving and authorizing the City Manager to execute a Traffic Signalization Agreement between the City of Miramar and Lennar Homes, L.L.C., CCB Miramar, L.L.C. and CCB Miramar TIC, L.L.C., for the **design and installation** of a **traffic signal** at the 150' access opening on Bass Creek Road for the **Tuscan Isles Plat**. *(City Engineer Salvador Zuniga)*
- 21-34**                    7. Temp. Reso. #R7319 authorizing the purchase and installation of **video equipment and professional services** to upgrade the **Cultural Center Banquet Hall**; from Audio Visual Innovation Inc. by utilizing the Interlocal Purchasing System Contract No. 171001 with an amount not-to-exceed \$249,431. *(Information Technology Director Clayton D. Jenkins, Cultural Affairs Director Camasha Cevieux, and Procurement Director Alicia Ayum)*
- 21-35**                    8. Temp. Reso. #R7323 approving the award of Invitation For Bids No's. 20-011, 20-012, and 20-013, entitled "**Lift Station C, Lift Station 6 and Lift Station 7 - Generator**", to the lowest responsive and responsible bidder, All Florida Contracting Services, L.L.C.; authorizing the City Manager to execute the proposed agreement with All Florida Contracting Services, L.L.C., in an amount not-to-exceed \$315,998. *(Utilities Director Roy Virgin and Procurement Director Alicia Ayum)*

- 21-36                    9. Temp. Reso. #R7341 approving the first one-year renewal agreement of the **Benefit Consulting Services Agreement** with Gelin Benefits Group, Inc., for the period beginning January 26, 2021 and expiring on January 25, 2022 in an annual amount of \$165,000. (*Human Resources Director Randy Cross*)

**End of Consent**

**RESOLUTIONS**

- 21-37                    10. Temp. Reso. #R7344 approving appointments to the **Affordable Housing Advisory Committee**. (*City Clerk Denise A. Gibbs*)
- 21-38                    11. Temp. Reso. #R7329 authorizing the City Attorney to take any legal action necessary, including initiating litigation, to **recover cost of a canine** from Custom Canine Unlimited, L.L.C., and or any other necessary or indispensable party. (*City Attorney Burnadette Norris-Weeks*)
- 21-39                    12. Temp. Reso. #R7316 relating to the State Revolving Fund Program; authorizing submission of the State Revolving Fund Loan Application for a construction loan in an amount not-to-exceed \$12,500,000 for the **Historic Miramar Infrastructure Improvement Phase IV Project**; establishing pledged revenues; designating the City Manager as the authorized representative to sign and file the application; providing assurances; authorizing execution of a negotiated loan agreement; and authorizing the Manager to carry out all additional responsibilities. (*Public Works Director Anthony Collins*)

21-40

13. Temp. Reso. #R7317 approving the award of Invitation For Bids No. 20-015 (Re-Bid), entitled "**West Water Treatment Plant Lab & Office Space**", to the lowest responsive, responsible bidder, Primus Construction Services, Inc.; authorizing the City Manager to execute the proposed agreement with Primus Construction Services, Inc., in an amount not-to-exceed \$1,335,000, and allocating a contingency allowance of \$50,000, for a total project cost of \$1,385,000. *(Support Services Director Daryll Johnson and Procurement Director Alicia Ayum)*

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

**PUBLIC HEARING**

21-08

14. **SECOND 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. ***(Passed 1st Reading on 11/16/20) (Requested by Commissioner Yvette Colbourne)*** *(Community Development Director Eric Silva)*

21-09

15. **SECOND 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. ***(Passed 1st Reading on 11/16/20) (City Engineer Salvador Zuniga)***

21-10

**16. SECOND READING** of Temp. Ord. #O1749 relating to comprehensive planning; considering an **Expedited State Review School-Related Element Amendment** to Part 1: Goals, Objectives and Policies of the City of Miramar Adopted Comprehensive Plan, pursuant to Sections 163.3174, 163.3177, 163.3180, and 163.3184(3) & (11), Florida Statutes, and Section 303 of the City of Miramar Adopted Land Development Code; more specifically by amending the texts of the Capital Improvements Element and the Public School Facilities Element thereof, in furtherance of the **new countywide level of service standards for bounded public schools of the same type** set forth in the third amended and restated Interlocal Agreement for public school facility planning between the Broward County School Board, Broward County and the non-exempt municipalities, including the City of Miramar; providing definitions; making findings; providing for adoption; providing for transmittal; providing for severability; providing for interpretation; providing for correction of scrivener's errors; and providing for an effective date. **(Passed 1st Reading on 08/19/20)**  
*(Community Development Director Eric Silva)*

### **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.

21-41

**17.** Temp. Reso. #R7335 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; 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. **(Continued from the Meeting of 11/16/20)**  
*(Community Development Director Eric Silva)*

**OTHER BUSINESS**

**Reports and Comments:**

**Commission Reports:**

- 21-42**            18. Temp. Reso. #R7308 urging the United States Congress to enact the **Energy Innovation and Carbon Dividend Act of 2019. (Continued from the Meeting of 11/16/20)** (Mayor Wayne M. Messam)
- 21-43**            19. Temp. Reso. #R7307 approving **appointments** to the **Justice Ruth Bader Ginsburg Commission on the Status of Women** Advisory Board. **(Continued from the Meeting of 11/16/20)** (Commissioner Yvette Colbourne)
- 21-44**            20. Temp. Reso. #R7346 requesting that Governor Ron Desantis, or other designated governmental officials, **identify multiple vaccination sites** within the City of Miramar; further requesting that the Governor's Executive Order #20-315 be clarified to include **Home Health Care Agencies and workers as a priority group** during the first phase of Novel Coronavirus Disease vaccination administration. (Commissioner Alexandra P. Davis)
- 21.**                Discussion: **City Manager's Evaluation Procedure. (Continued from the Meeting of 11/16/20)** (Requested by Commissioner Yvette Colbourne)

**City Attorney Reports:**

**City Manager Reports:**

**FUTURE WORKSHOP**

**02/02/21 - 3:00 p.m. - Financial Visioning - Commission Chambers/Virtual**

**ADJOURNMENT --- 11:43 P.M.**

**THE NEXT REGULARLY SCHEDULED CITY COMMISSION MEETING IS:**

**Wednesday, February 3, 2021 at 7:00 P.M.**