



## **MINUTES OF THE CITY OF MIRAMAR REGULAR COMMISSION MEETING**

**JULY 6, 2022**

**7:00 P.M.**

A regular meeting of the Miramar City Commission was called to order by Mayor Messam at 7:03 p.m. in the Commission Chambers, Miramar City Hall, 2300 Civic Center Place, Miramar, Florida.

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

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

The following members of staff were present:

City Manager Dr. Roy Virgin  
City Attorney Burnadette Norris-Weeks  
City Attorney Norman Powell  
City Clerk Denise A. Gibbs

MAYOR MESSAM: The meeting of the City of Miramar Commission is now called to order. An opportunity was given to the public to register 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 for not more than three minutes on any proposition before the City Commission, unless modified by the chair. This meeting is being streamed live at [miramarfl.gov/commissionmeeting](http://miramarfl.gov/commissionmeeting), and televised on Comcast channel 78, and AT&T U-verse channel 99 for all City of Miramar subscribers. As of July 6<sup>th</sup>, 2022, at 6:00 p.m., no members from the public has registered to participate virtually in this meeting. If someone has registered later than this time and would like to speak, they can raise their hand on their device, 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 prior to any action being taken. 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: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Here.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Here.

CITY CLERK GIBBS: City Manager Dr. Virgin.

CITY MANAGER VIRGIN: Here.

CITY CLERK GIBBS: City Attorney Norris-Weeks.

CITY ATTORNEY NORRIS-WEEKS: Here.

CITY CLERK GIBBS: City Attorney Powell.

CITY ATTORNEY POWELL: Here.

## **PLEDGE OF ALLEGIANCE**

MAYOR MESSAM: Let us rise for the Pledge of Allegiance. (The Pledge was recited.)

## **A MOMENT OF SILENCE**

MAYOR MESSAM: At this time, we have a couple of bereavement notifications in our commemoration list, starting with our City of Miramar employees: Adriel Brown from Procurement lost uncle; Patricia Lawrence from Finance, her aunt; and let us all, as the

City of Miramar, keep the community of Highland Park, Illinois, in our prayer -- prayers after the deadly shooting during their Independence Day parade. At this moment, we'll observe a moment of silence, thank you. Thank you.

## **PRESENTATIONS:**

MAYOR MESSAM: We have a few presentations on the agenda.

A Presentation: Education Advisory Board 2022 Annual Scholarship Award Winners.  
(EAB Chair Teneshia Taylor)

MAYOR MESSAM: And our first presentation will done by the Education Advisory Board, 2022 Annual Scholarship Award Winners. At this time, I would like to call forward Advisory Board member, Teneshia Taylor, to the podium for the presentation. Good evening, how are you?

MS. TAYLOR: Good evening, Mayor Messam, the Commission. Forgive me, I forgot my glasses, so -- my name is Teneshia Taylor. I am the chair of the Education Advisory Board, and on behalf of the EAB, I am delighted to announce and celebrate the winners of our Fifth -- Fifth Annual Scholarship Award. We have two winners, Tyreke Walker, and Tyler Robinson. Tyreke Walker is a graduate of Miramar High School, will be attending the University of Miami, and major in architecture. And Tyler Robinson is graduating from Somerset Arts Conservatory, attending Florida A&M, and majoring in engineering. Each student will receive a \$1,000.00-scholarship on behalf of the EAB. And last, but not least, I would like to thank our donors and sponsors for their continued support, and the EAB members, who are also in the audience with us, for their time and commitment over the years. Congratulations to Tyreke and Tyler, if they're -- if they're in the audience.

MAYOR MESSAM: If we could have them stand to be recognized, and let's give them a warm Miramar round of applause. Is only Tyreke here?

MS. TAYLOR: And just a quick note.

MAYOR MESSAM: Okay.

MS. TAYLOR: Every year we receive over 40 applications, so it's more competitive every year, so it came down to a tie, and these are the top two, so it's very well deserved, and hard fought for, so congratulations again on your future accomplishments.

MAYOR MESSAM: Congratulations again, and all the best in your next phase of life and education. And I'd like to keep in touch. I always like to mentor future engineers, and -- and architects, so welcome to the field.

A Presentation: The Local Government Academy Graduation. (City Manager's Office)

MAYOR MESSAM: Our next presentation is the Local Government Academy Graduation. Will Chief of Staff, Cassandra Carvalho-Lindsay come to the podium for the presentation. Good evening.

MS. CARVALHO-LINDSAY: Good evening, Mayor, Vice Mayor, Commissioners, City Manager, City Attorney, and Madam City Clerk. My name is Cassandra Carvalho-Lindsay, and I am the Chief of Staff in the Office of the City Manager. I am here this evening on behalf of our City Manager, Dr. Roy Virgin, and CFO, Susan Gooding-Liburd to acknowledge the 2022 graduates of the Local Government Academy. Now this -- this -- this program was launched on May 10<sup>th</sup>, 2022, and it was designed to give our residents an opportunity to -- to learn how local government works, and also for them to get involved in the City. Now I'm -- I'm pleased to say that our amazing residents have completed this ten-week program and are now ready to graduate. Now, at this time, I'm going to invite our City Manager to the -- to the -- to -- to the front of the -- the -- the stage to present the graduates with their certificates. So the first graduate that we would like to call this evening is none other than Mr. Winston Wildman ; is Mr. Wildman here today? Come on up, Mr. Wildman. Come on, let's give him a big round of applause. So if you could please remain standing. Our next graduate is Demetria Clayton. Is Demetria here today? If you could please remain standing. Our next graduate is Denise Lesarte . Is Ms. Lesarte here? Our next graduate is Michelle Butler; Michelle Butler. Awesome. Our next graduate is Ms. Janine Jones. Let us give her a big round of applause as she comes. Next we have Mr. Richard Taylor; Mr. Taylor. Next we have Ms. Serena Thomas. Our next graduate is Ms. Christina Sprouse. Our next graduate is Ms. Sharia Williams. Next, we have Mr. Brandon Skinner. Mr. Skinner, are you here? No. I guess Mr. -- but we can still clap -- we can still give him a big round of applause, he's not here to accept his certificate. And last, but not least, our next graduate is Mr. Joshua Rhoades. Mr. Rhoades. I would like to present to you this evening our 2022 graduates of the Local Government Academy. Can we give them a final round of applause? City Manager, I turn over to you.

CITY MANAGER VIRGIN: Thank you very much, Cassandra. Mr. Mayor, Vice Mayor, Commissioners, and to the graduates, I'm very humbled and pleased to have this opportunity to thank, not the staff so much who put this on, but to the graduates who have taken the time out for many evenings to sit there, to listen to all the information that has been provided by, not only the -- each department, but also to the Commissioners, who have also given the kind of information that we know will serve you very well in the future. One of the things that when -- when this program was initiated was to look at how the community can best benefit from knowledge as to how local government operates. And I must say having been through every single one of those meetings, that it was, indeed, a very educational and uplifting opportunity, and -- and I -- I know, and I'm sure that this program will only go from strength to strength. I'm going to ask the Commissioners to join us for a photo op with these illustrious graduates before we close out. Thank you.

Thank you. And congratulations, and this reminds me of when I was graduating from high school. Great job. Great job. And thank you, Kassandra, for wonderful work. Where's she?

MAYOR MESSAM: Congratulations again.

Presentation: COVID-19 and Emergency Management Update. (Fire Rescue Public Relations Specialist Tara Smith)

MAYOR MESSAM: And moving the agenda, our next presentation will be COVID-19, and emergency management update from Fire Rescue Firefighter Tara Smith. Good evening.

MS. SMITH: Good evening, Mr. Mayor, Madam Vice Mayor, City Commissioners, City Manager. Tara Smith, Fire Rescue. This evening we'll start just with a brief look at the numbers, and the trends. So we are, as a note, in the height, of course, of school vacations, so now all of the schools are out, so individuals are -- are heading different places, and having parties, and -- and such. So, that said, we do expect to see an increase in the number of cases in the positivity rate over the next couple of months. However, we are happy to note at this time that since the last time we met, the positive case numbers in Florida decreased by over 100,000, and Broward County decreased by over 10,000, so that is always a positive when we know that individuals are getting out and about. And we are also seeing increases in boosters, in first and second booster shots as well, so individuals are still pursuing ways to make sure they are protected against COVID. So, right now, we are at, as a state, 71 percent, which may sound lower than you've heard it before. Reason for that is that if you recall last meeting, we had noted that the vaccines are now eligible for ages six months and up, so that will, of course, add an entire new population to our numbers here, so 71 percent for fully vaccinated. Now, in terms of an update on the actual vaccination numbers, I did want to provide just a -- a little brief snippet for you for the individuals six months to five years, which is the newest population. So in the State of Florida, in the two weeks since the vaccine has been made available for that age set, it has actually had over 5,000 children that age range have begun the three-shot vaccine for children six months to five years. So for being only two weeks, that's certainly a -- a good -- a good start for us. So we didn't really have anything in the last time period in terms of City and County changes that are impacting individuals based on COVID. All of our testing sites are still remaining the same within the City, as are all of our vaccination sites, and, as always, that information is available on the website, and it does -- it goes out in other means as well. Now last time we did speak regarding travel updates, there was a wonderful point brought up regarding the air travel requirements changing. We did want to provide a little bit more information regarding some of the nuances to travel that still exist. As we have spoken about it, it can be very complicated, and we are coming to a time of year where travel is going to be heightened for sure. So, really, the individuals impacted would be any non-U.S. citizens, and nonimmigrants, which could be, certainly, if a lot of relatives are visiting individuals here, that is something good to note. That air travel testing requirements were lifted for all U.S. citizens and visa holders, but any non-U.S. citizen, or nonimmigrant would still be

required to show proof of vaccination to travel by air into the United States. And then to further complicate things, land and sea travel are also different. They do not require vaccination proof, they require testing proof. So if you're coming across the Mexican border or the Canadian border, or traveling on a cruise ship and coming into the United States, whether it just be for a day, or you're coming to visit, and those are your ports of entry, you would need to have testing performed then at that juncture as well. So just -- if anyone's having family visit, or anything of that nature. But, otherwise, there continues to be differentiations between all countries, and certain states, and different cruise lines in regards to what they require, so we still encourage everyone to just check with where you're traveling to, and how you're getting there, the company that you're utilizing, or anything like that, just to ensure that you are fully prepared to take your vacation. And the hotline, as always, is open for COVID questions still for Broward County Health Department. And the final point here, we are still having additional items that we are monitoring. So the top of which is probably on everyone's news is monkeypox. We do know that the CDC has 560 cases now across the United States. Florida has 64 cases. It is worth noting at this time that the CDC does not recommend widespread vaccinations for the monkeypox virus. It may be recommended for individuals who have come in direct contact with someone who already has monkeypox, which is characterized specifically by the monkeypox rash, which there are many pictures available. But it's very difficult to transmit between individuals, unless an individual has an active rash, and you were in very close contact with that individual. So the CDC still has it listed as a low risk for individuals in the United States at this time, and, as I stated, not recommending widespread vaccination, unless you fall into the population of individuals who's directly exposed, or you're working in a laboratory on testing, and things of that nature with monkeypox. And, of course, we are in hurricane season. We do not have anything on the radar for the next five days, but we remind everyone to make sure you're still always prepared and ready just in case. Any questions or comments?

MAYOR MESSAM: Are there any questions or comments to Ms. Smith?

COMMISSIONER DAVIS: Sorry. Just to say thank you for the clarification with the cruise ships; that is different. People saying -- and I actually thought that air travel, and the land and sea were similar, so thank you for that clarification.

MS. SMITH: Absolutely.

MAYOR MESSAM: Thank you for the presentation. Before we go to Consent Agenda, there has been a request from the Education Advisory Board, if they could have a photo with the Commission, along with our scholarship recipients that are present. If you all could just meet me in the front at the dais.

## **CONSENT AGENDA**

MAYOR MESSAM: Okay. 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. Does any member of the public present in the Chambers have any comments or questions regarding the Consent Agenda? Seeing none, back to the dais. Are there any items that wish to be pulled, or may I have a motion for approval?

VICE MAYOR COLBOURNE: Motion to approve --

COMMISSIONER DAVIS: Could you pull --

VICE MAYOR COLBOURNE: Are you pulling?

COMMISSIONER DAVIS: Pull five just for a presentation --

MAYOR MESSAM: Which --

COMMISSIONER DAVIS: -- to get us up to date on the solid waste issues.

VICE MAYOR COLBOURNE: Yes.

MAYOR MESSAM: What number was that?

COMMISSIONER DAVIS: Five. Five.

MAYOR MESSAM: Okay. May I have a motion on the balance of the Consent Agenda, please.

VICE MAYOR 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: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Consent Agenda Items 1, 2, 3 and 4, the Commission voted:

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

1. Minutes from the Special and Regular Commission Meetings of June 22, 2022.

**Approved**

2. Temp. Reso. #R7659 approving the purchase of **Tyler 311 Software Licenses** from Tyler Technologies, Inc., utilizing the Sourcewell Contract No. 090320-TTI, in an amount not-to-exceed \$126,277.00. *(Information Technology Director Clayton Jenkins)*

**Resolution No. 22-140**

3. Temp. Reso. #R7676 approving the three-year **lease agreement** between City of Miramar and Alligator Alley Harley-Davidson for the lease of Harley-Davidson motorcycles for the **Police Department's Traffic Unit**, in an amount not-to-exceed \$270,000.00 for the initial term. *(Deputy Police Chief Jim Dunkelberger and Procurement Director Alicia Ayum)*

**Resolution No. 22-141**

4. emp. Reso. #R7678 approving the **agreement (Package 3)** with AECOM Technical Services, Inc., in a not-to-exceed amount of \$389,740.00, to design and permit the **West Water Treatment Plant Capacity Expansion and Upgrades Project**. *(Utilities Director Francois Domond and Procurement Director Alicia Ayum)*

**Resolution No. 22-142**



MAYOR MESSAM: Item number five, please.

5. Temp. Reso. #R7686 approving the **third amendment** to the **Settlement Agreement** with Broward County for the litigation styled **City of Sunrise et. al. vs. Broward County**. *(Solid Waste & Recycling Manager Ralph Trapani)*

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving the third amendment to the Settlement Agreement with Broward County for the litigation styled City of Sunrise et. al. vs. Broward County; authorizing the City Manager to execute the third amendment; and providing for an effective date.

MAYOR MESSAM: Good evening.

MR. TRAPANI: Good evening. How's everybody? Mayor, --

MAYOR MESSAM: Good.

MR. TRAPANI: -- Vice Mayor, Commissioners, City Manager, City Attorneys, City Clerk, all those in attendance here, and on the web. Would you like a presentation, or is there some question --

MAYOR MESSAM: Yes.

COMMISSIONER DAVIS: Yes.

MR. TRAPANI: A presentation, okay.

COMMISSIONER DAVIS: If you could just -- just bring us up to speed as to where we are, and why we're here, in terms of the solid waste issues in the County. So it's kind of a broad -- but this has somewhat to do with that, and you're knowledgeable, you're the - the guru in solid waste. So in a nutshell, let us know where we are.

MR. TRAPANI: So this item, if you can go to the next slide, please. Commissioner approval is required to authorize extension or execution of the third amendment to settle the agreement with Broward County for litigation style in the City of Sunrise concerning the Alpha 250 site, which is located in Pompano Beach. It's a site that was purchased with funds from the previous ILA that all the cities fought to retain ownership for. It's important -- if you can go to the next slide, please. So quick background. In 2015, the City Commission adopted a resolution -- can you guys see me okay? Authorize the settlement agreement for litigation with Broward County. The agreement provides for the County and some of the municipalities to agree to use their best efforts, and take responsibility to sell the parcel of land known as Alpha 250, which is -- is just a vacant property right now. It's an asset belonging to Broward County Solid Waste Disposal

District through subsequent amendments in 2016, and 2018, and both amendments were approved extending the sale of the delay period. Back in 2019, the City Commission adopted a resolution approving the memorandum standing with Broward County, and other participating municipalities formalizing a shared desire to establish and implement a regional solid waste system, excuse me, still do not have the solid waste working group comprised of elected officials from several municipalities formed with the task for just establishing this regional system. This third amendment will continue to allow us and Broward County to further amend the sale of the Alpha 250 in order to provide the solid waste working group an opportunity to continue working towards this regional system with the third amendment extension sale until October -- excuse me, 2023, while all setting and consenting municipalities need to approve by October of this year. The reason it's important is because, as part of the regional system, it is literally the only asset, besides the Broward County landfill that the County and/or the municipalities own. All other properties -- property -- the Wheelabrator property is owned by the County. However, it -- it -- the property -- the building is owned by Wheelabrator itself, so we don't even own that building. This is dealing with asset other than the landfill that the County owns. This is important for us, as we continue to move forward in trying to regionalize either -- regionalize the system, whether it's to use that for the -- the municipalities up north, or maybe it's a bargaining chip sometime in the future, we could trade a property with some of the other private companies, that would add -- you know, more centrally located, so everybody can enjoy it. But, then again, this is just giving us an opportunity to really, lack of a better term, kick that can down the road a little bit before we sell the property. As far as the solid waste working group goes, they're continuing to work and hone this ILA. We actually had a meeting -- excuse me -- a meeting today, where there was -- where it -- it's starting to come together. There is a lot of -- of stuff that remains -- without getting into too much detail, at the last meeting, two of the attorneys, they fought for an hour and a half on whether the word "whether" or "if" should be included. So that's just a quick example how it's going. Today was a much better meeting; we made some progress. We really do expect the ILA to be ready for review for all the elected officials, as well as our own city attorneys to get some feedback within the next couple of months; I would say by the end of the summer. And then the next step will really be to create -- a master plan. Bad news about today's master plan was it's originally 18 months, but now they've given the opportunity, or the ability to extend that to three years. So that means the master plan for our whole regional system, which is going to guide everything: how it's done, how the government board is established, how the executive director is -- all this kind of stuff, the partnerships we get into. They give them three more years to create it; we've already been doing this two years. So it's been slow, they're making progress, it's -- it's a lot to do, you know, but everybody is kind of giving a yeoman's effort, but it -- it is a slow process.

COMMISSIONER DAVIS: Thank you so much for that update; I appreciate that.

MR. TRAPANI: I know I had a lot of stuff, I'm sorry.

COMMISSIONER DAVIS: Thank you.

COMMISSIONER DAVIS: Welcome.

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

COMMISSIONER DAVIS: Motion to approve.

COMMISSIONER CHAMBERS: 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: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commission Davis, seconded by Commissioner Chambers, to approve Resolution #R7686, as presented, the Commission voted:

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

**Resolution No. 22-143**

***End of Consent Agenda***

## **RESOLUTIONS**

MAYOR MESSAM: Okay, moving on to item number six, please.

6. Temp. Reso. #R7681 approving **appointments to various City Boards**. *(City Clerk Denise A. Gibbs)*

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving appointments to various City Boards, and providing for an effective date.

MAYOR MESSAM: Okay. We have a few vacancies to be filled by Commissioners for their appointment, starting with the Cultural Center/ArtsPark Advisory Board. Commissioner Davis, you have one vacancy. There's one applicant, Lorri-Ann M. Cox. Do you have a -- an appointee for this seat.

COMMISSIONER DAVIS: I see that Lorri-Ann has also applied for the Parks & Recreation, so I'm just going to give that more thought, and not appoint here.

MAYOR MESSAM: Okay. So let's move down to Economic Development Advisory Board; Commissioner Davis, you have a vacancy at that seat; there are several applicants.

COMMISSIONER DAVIS: This one I'm going to appoint Leo Gilling.

MAYOR MESSAM: Which --

COMMISSIONER DAVIS: I'm going to appoint him to the Economic Development Advisory Board; that is one of the ones that he is in favor of being on, as well Parks & Recreation, but I'm going to nominate him for the Economic Development --

MAYOR MESSAM: Can you repeat the name again? I didn't hear; I'm sorry. The name? The appointee's name, again, for Economic Development, or is it another board. I didn't hear the first part of it, that's why I'm asking.

COMMISSIONER DAVIS: Leo Gilling.

MAYOR MESSAM: Okay. No, I didn't hear the name. I didn't hear the -- Leo Gilling. Okay. Parks & Recs Advisory Board, there are three vacancies: Commissioner Chambers, Vice Mayor Colbourne, Commissioner Davis. Commissioner Chambers, do you have an appoint -- appointee?

COMMISSIONER CHAMBERS: Can they go first. I'd like --

MAYOR MESSAM: Excuse me?

COMMISSIONER CHAMBERS: I'm going to allow Vice Mayor to --

MAYOR MESSAM: And if you're not ready, you don't -- you don't have to this meeting, so. Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: I will not be appointing tonight.

MAYOR MESSAM: Okay. Commissioner Davis, you have two appointments. Do you have a appointee or appointees for the two vacancies?

COMMISSIONER DAVIS: At this time -- I have two? Let me see. Joshua Rhoades; I'll do Joshua Rhoades, and Sherria D. Williams.

MAYOR MESSAM: Commissioner Chambers, are you ready to make an appointment?

COMMISSIONER CHAMBERS: No.

MAYOR MESSAM: Okay. I'm not ready to make my Teen Council appointments yet. So recapping for the record, appointments made this evening: Economic Development Advisory Board, Commissioner Davis appoints Leo Gilling; Parks & Recreation Advisory Board, Commissioner Davis appoints Joshua Rhoades and Sherria Williams. May I have a motion on these appointments.

COMMISSIONER DAVIS: Sorry, Mr. Mayor. Since Lorri-Ann was not picked up on the Parks & Recreation, I will go ahead and appoint her to Cultural Arts Advisory Board.

MAYOR MESSAM: Okay. Let the record reflect Cultural Center/ArtsPark Advisory Board, Commissioner Davis appoints Lorri-Ann Cox. May I have a motion on the appointments, please.

COMMISSIONER CHAMBERS: Motion to approve.

VICE MAYOR COLBOURNE: 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: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commission Chambers, seconded by Vice Mayor Colbourne, to approve Resolution #R7681, with the abovenamed appointees, the Commission voted:

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

**Resolution No. 22-144**

MAYOR MESSAM: Item number seven, please.

7. Temp. Reso. #R7673 establishing a **proposed millage rate** for **Tax Year 2022 (Fiscal Year 2023)**; providing for the rolled-back rate; providing for the date, time, and place of the Public Hearing to consider the proposed millage rate and tentative budget; providing for advertisement and for transmittal to the Property Appraiser and Tax Collector. *(Management & Budget Director Rafael Sanmiguel)*

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, establishing a proposed millage rate for Tax Year 2022 (Fiscal Year 2023); providing for the rolled-back rate; providing for the date, time, and place of the public hearing to consider the proposed millage rate and tentative budget; providing for advertisement and for transmittal to the Property Appraiser and Tax Collector, and providing for an effective date.

MAYOR MESSAM: Good evening.

MR. SANMIGUEL: Good evening, Mayor, Vice Mayor, and Commissioners, and staff. Rafael Sanmiguel with the Management & Budget Department. I'm here to present two items with one presentation. We have Temp. Reso. 7673, proposed millage rate, and Temp. Reso 7672, the proposed fire assessment items. So, again, that's before us two items, one presentation. So I'm -- I will not go over the proposed 2023 budget. So the total proposed budget for all funds is \$333 million; General Fund is 59 percent of that, or \$169 million, and that includes -- that's where we house public safety, community, and culture departments, admin, and public works, and so forth. Enterprise funds, which includes the utilities funds, and the stormwater fund is 19 percent or \$53 million. Internal

service funds, which include the health, risk, fleet, and IT internal service funds is 14 percent or \$46 million. Debt service, which is where we pay all of our governmental-type debt is four percent or \$12 million. Capital projects funds, and special revenue funds, stand at two percent each; and, lastly, sub funds are less than one percent. If we drill down further to the General Fund, we see that it has increased \$9.7 million, or 5.2 percent from the previous year's adopted budget. This increase is due to personnel services mainly, and is -- that -- that increase, the personnel service increases itself by 6.2 percent. The main driver of that, of course, is collective bargaining, along with pension, healthcare costs, and other benefits. Operating increased slightly by \$2.2 million, mainly due to contractual increases, operating supplies, and internal service charges. In terms of the revenues to the General Fund, the ad valorem taxes make up the bulk or at 44 percent; department fees and special assessments, that's 21 percent. Other taxes, which include utility taxes, electricity, gas, and water, the insurance premium taxes for police and fire, communication service taxes, and local business taxes stand at 11 percent. Charges for services, which include ticket sales, rentals, and park fees is ten percent. Intergovernmental revenues, such as the local government half-cent sales tax stand at nine percent. Other, such as transfers from the grants funds are four percent, and miscellaneous is around one percent. In terms of the General Fund expenses, by far the largest expense category is salaries and benefits, which stand at 70 percent for '23. Operating expenses stand at 21 percent, and transfers to other funds, which mainly fund the debt service in other funds is five percent. Others, which include capital outlay, such as the Vehicle Replacement Program, debt service in the General Fund, and grants and aids, and pension trust transfers at four percent. So if you're breaking down the General Fund salaries and benefits further, employee pay is 62 percent of that, and pension is 19 percent of that, so that together -- that's 81 percent for current employee pay and retiree pay. The remaining items are health at seven percent, payroll taxes at four percent, Worker's Comp at three, and other benefits around five percent. Breaking down the general fund differently by category, the lion's share of the -- is public safety, which stands at more than half or 52 percent. The remaining 48 percent is made up of community, and culture, which includes Building, Planning & Zoning, Economic Development & Revitalization, Cultural Arts, Parks & Recreation, and Social Services; they stand at 20 percent of the total. Administration, which includes City Commission, City Manager, HR, legal, City Clerk, Marketing, Finance, Procurement, and Management & Budget, that's 11 percent of the total General Fund budget. Others, which include retiree benefits OPEB, firefighters, and police pension benefits, emergency preparedness, employee awards, etc., that's the non-departmental category, that's five percent, and the debt service is six percent; that's mainly -- takes shape of transfers to other funds. So in this chart, on the left you have the revenues, and on the right you have the expenses for the General Fund. In the top left column, that's the -- the green and purple, the ad valorem taxes, and the fire fee revenues, they pay for our critical safety expenses, public safety expenses, which is police and fire. That's the top right column, the blue area. So the bottom left of the other column -- of the left column that shows all of the other revenues, such as other taxes, charges for services, permit fees, and special assessments, intergovernmental revenues, and others, which come out to around \$87 million, which, in turn, pays for the other governmental services on the right -- bottom right column, such as community, and

cultural, administration, public works, debt service, and other. So it shows that we are paying our -- our most critical needs with our paycheck, basically, our most sure -- our surest source of revenue. So -- so this is the position summary for the General Fund. It's a -- it's a table that you can find the proposed budget for '23. As you can see, we're adding just one FTE to the police department, and one 1.6 FTEs are being transferred in from other funds, for a total net increases to the General Fund of 2.6 FTEs. So in this slide, this position summary is -- summarizes the positions for all funds. On the top row in gray, we see the total from the previous slide from the General Fund. We see that we've added a total of seven FTEs, that's the bottom right -- to our funds, six of which are for utilities funds, and the other one is for the -- the General Fund, so that's a total of -- net of seven FTEs to the -- to the budget. The transfers in and out net out to zero again; that's the next to last column. So, in summary, we are proposing 1,139 FTEs for all funds, 900.6 of which belong to the General Fund, and seven FTEs overall increase from the previous year's adopted budget. So we are not proposing to raise either the millage or fire fee for fiscal year '23. The proposed rate for fiscal '23 is 7.1172, which is 9.59 percent greater than the rollback rate of 6.4943. The proposed residential fire fee is unchanged at \$398.23. So if you look at the top -- sorry, at the bottom left box, you can see that the average homesteaded, single-family home, its taxable value has increased by \$7,500.00, so that increase is wholly due to the property valuation that we have experienced in the past, which, for the homestead properties are capped around three percent per the Save Our Homes provision. So this means that the average homesteaded property will see a modest tax increase of \$53.13, or \$4.42 per month in fiscal '23. Of course, this increase or decrease varies on the individual valuation, where properties that have a higher valuation would correspond to a higher tax, and properties with a lower valuation correspond to a lower tax. If you shift your focus to the bottom right, the average commercial -- the taxable value for the average commercial has gone up by \$30,000.00, which equates to a \$218.00 increase of city taxes for the year. The average size of the of the average commercial has not increase significantly, so it will not experience a -- an increase in the fire fee also, because we're not changing the fire fees for that category either. So, again, we are not proposing an increase to the fire fee for '23. It is proposed at the same rate of \$398.23 cents for residential. The fire protection assessment study was last updated in 2018, and we're going through an update right now. Provision of fire protection services is fully funded through the fire protection assessment through the principle of cost recovery, and please keep in mind that this principle of cost recovery is based on fire suppression, and excludes fire rescue, and EMS costs. There exist a residential hardship exemption, which is available to residents who meet the requirements, and the application period this year ends on July 31<sup>st</sup> at the end of this month, and 100 properties do qualify for that exemption in the previous year. So this slide shows a comparison of the taxes and fees that the average homesteaded residence pays in each of our peer cities in Broward County. So I -- we define peer cities by the cities in Broward County that are 100,000 residents or more. It shows cities with that -- with that population, and we took into account not only city tax and fire fee, but we also included the debt-obligated millage, the stormwater fees, and solid waste fees to get a good comparison of the cities in our peer group, what the average homesteaded, single-family home would pay in those cities. And, as you can see, we stack up quite favorably, only



paying higher taxes than Pembroke Pines and Pompano in our peer group. Fort Lauderdale, Davie, Hollywood, and Coral Springs, the average single-family, homesteaded properties pay just a little bit more than that, so we are right in the middle, and -- and -- and to the -- and to the -- in the lower quadrant there, so we stack up quite favorably. So this -- I wanted to show this again. This is a sample average TRIM notice that each property owner receives in each August. If you zoom into the items box to the bottom left, we see the items list of taxing authorities, along with their proposed millage rates. As you can see, Miramar is only one of those line items. It shows the previous millage, and the proposed millage for the next year. There were 12 different millage items from seven different taxing authorities, and Miramar, as can be seen, is around 35 percent of the total ad valorem total for the -- for -- for the tax bill -- for the TRIM notice at least, and it's the same deal for the -- for the tax bill that we receive in November. So now I'd like to introduce Chief Budget Officer Norm Mason to talk about other factors.

MAYOR MESSAM: Good evening.

MR. MASON: Good evening. Norm Mason, member of the budget team. So we're going to look at a few factors that affect the tax bill, and your budget. So, as Rafael had explained, the City of Miramar, that's what he showed, the total there, 35 percent of the entire bill, though, is the City of Miramar with that breakdown he gave you; 32 percent is the School Board of Broward County; 28 percent is Broward County in that portion of the tax bill; and then five percent -- I'll get into what that is. So Miramar is 35 percent of the total tax bill you receive, and 65 percent are those other entities. Now each of these authorities, they adopt a separate millage rate; so the first one, obviously, is the City of Miramar, Broward County, as I said, the School Board of Broward County. Now in addition, you have South Broward Hospital District, South Florida Water Management District, the Florida Inland Navigation District, Children's Services Council of Broward County. So those are the seven entities and taxing authorities that make up your entire tax bill. So Miramar is one of seven entities in that tax bill. Now let's look at, not the rates, but just how many millage rates are associated with your tax bill. There's a dozen, and the City of Miramar is one of those. Broward County has two: one for debt, and one for their services. The School Board of Broward County, as well, has debt services, and another voter levy millage rate. And you can see the remainder, the Hospital District, South Water Management has three, Inland Navigation, and Children's Services. So I'm just showing that there's actually 12 components of millage rates that are part of your bill. So each of those adopt a millage rate, and I just want to let you know that I'm glad you're viewing, or you're here tonight to be a participant with the City of Miramar's budget, but I would encourage you to be equally participant in the other entities, and you see there are 11 other millage rates that affect your tax bill, so there are meetings for each one of those, and they adopt a separate, individual millage rate associated with each of those districts. And all of those combined are what comprise your tax bill. Now let's look at what drives the expenditures. Okay. I usually get a question of: Why can't we keep the budget flat from year to year, from '22 to '23? And there's very many reasons for that; one of them is we're the fourth largest -- as Rafael has shown, with population increases, so that increases your demand for services, because, obviously, you'd have more users. We

should all be associated with supply chain issues, but also supply and demand; that's how your marketplace works. The higher your demand, the higher your cost. The lower your supply, the higher your cost as well. Collective bargaining drives, as Rafael said, the majority of that increase from year to year, which I'll show you is over six percent in collective bargaining. Nationwide Healthcare has gone up. Other post-employment benefits (OPEB), and pensions are all driven by the collective bargaining as well. Crime is an issue that has to be dealt with in each budget. I'll talk a little bit about why we need more public safety in every city, and I'm sure you're aware of that, but public safety needs continue to go up, because of situations. Technology concerns, equally as important as physical concerns, in terms of crime, but there is technology crime, as well just providing all the services we need in the City, so that's critical to invest in that. We have a post-COVID effect; that's why we continue to have a report about COVID. So that is still something that we have to spend money on. Events; I looked back today. I put this on four years ago, and it's just a part of the budget; it's not a lot of money, but you have to think about now. I predicted four years ago that public safety would probably be more involved. You can look back to the tape after Parkland in 2018, I said that at a financial focus workshop. And so now we see the increase -- because, unfortunately, we're here today -- we need elevated levels of police presence at every event, and that's not just the City of Miramar, that's every city, unfortunately, across the United States right now. That's why your public safety expenses have to go up to address the situation that we're unfortunately in. Next, you have supply chain issues that, again, affect the City, certainly affect our CIP, but it -- it affects a lot of things, as you're well aware of, so that causes your costs to go up. Tariffs are passed on to consumers, and then you have energy and fuel; at this point, you're all aware of the constraints we have on pricing, and what we're facing at the pump, as well as those same expenditures that the City has to pay for fuel as well. So all those things drive your budget. So I look back at this, and we had the potential with inflation right now, the war, and also the potential for a recession. So we're navigating through all these. There's 20 items on there. I look back again; four years ago, I had a dozen items, and so I go through this on a weekly basis to see what things are challenging the City, and all cities, and so we've gone from 12 major issues driving our expenditures to 20 now, so that's puts a stress on the budget. But the good thing is, most of this, from the stock market to the supermarket, we don't like uncertain, and so it -- it's not a friend to the economy, or a stable environment. But, in my opinion, a number of these things will be addressed in the next six months, especially inflation, and interest rates, and those type of things, because the year's going to be over, so I'm going to be able to tell you how many interest rate hikes we have, and where we're at. That will affect supply and demand; obviously, it will affect the recession and inflation. There, hopefully, will be issues resolved, such as the war, and some of the other things you see on that screen like COVID. So, hopefully, that will improve the situation, but we budget accordingly with these 20 factors to address them, and -- so you know, I could take this across the country, and show it to most cities; these are the main drivers of your expenditures. You could come to my office and sit for eight or ten hours, and go over every line in the budget; this is a more useful exercise than going over every line in the budget, is looking at these issues, and how can you help me -- how can you help the Budget Department relieve us from the increases of these 20 different stress factors on

the budget. So those are really the drivers across our budget, and most every city in the United States. Now let's look at a comparison, because when Rafael showed the budget as going up, you might say: Well, how does that stack up? Is -- is five percent good? So I looked up some things with staff; the State of Florida adopted their budget for July 1<sup>st</sup> -- they're on a different fiscal year; about \$110 billion that the -- they got approved, and that's an 8.3 percent increase from last year. Broward County hasn't released theirs fully yet. I called them today, but they have preliminary one, so I don't have the whole thing. So last year they had a \$6.7 billion budget at 26 percent. From what I see this year, it'll be double digits again, over ten percent. Fort Lauderdale released theirs last night, \$981 million, or a 9.3 percent increase for all of their funds, and about \$438 million is their general fund, which is a 9.2 percent increase. City of Miramar, as was presented, the All Funds is reduced by 5.6 percent, mainly due to the CIP is being developed still, so that's not fully in there; that will be updated for our meetings later in September. And then the General Fund is going up 5.2 percent, at about 196 million. Now if we hit one more time, you see inflation, 8.6 percent. So just as a benchmark for everybody to see, you see a range from the State of Florida, eight percent, including inflation, 8.6, all the way up to Broward County at 26 percent. So Miramar is certainly at 5.6 percent -- or, sorry, 5.2 percent; it's certainly below the other ones, and that's really a tribute to the budget process, the team, city management, the directors, the staff, and the City Commission, so all of us are a part of this in containing our costs. So, for me, that's an excellent job, because we are below all of those other major entities, and I'll be collecting more from other cities, but it's tough to get all that information at this point when they're preliminary. And one other thing that is different than all the other cities, we don't do budget amendments to increase our expenditures. So the State of Florida, Broward County, City of Fort Lauderdale, they do half a dozen or more budget amendments every year to increase their budget, and so we don't; I don't allow that, in terms of my capacity, but I make each department work with us to live within their budget. They don't call me -- after this, we're going to do a budget amendment, but it's for the CIP, it's not for operating expenditures, just to clarify that, so that will come later. So thank you. At this point, I'm going to introduce Pete Napoli from Stantec; and as you've seen before -- but we're going to go through the five-year General Fund forecast, and he's done some updates from our previous presentation from last week, so I'll turn it over to Pete Napoli. Thank you.

MAYOR MESSAM: Good evening.

MR. NAPOLI: Good evening. Good evening, Mayor, Vice Mayor, Commissioners. I have a brief presentation for you guys today summarizing the results of our updated financial sustainability analysis. The agenda for today includes a brief overview of our sustainability analysis, and our modeling process, a little background on the analysis, an update on the data and assumptions that went into updating this year's forecasting model, and updated baseline assumption, our baseline projection, some potential solution projections, and then an opportunity to look at the live model and discuss. So our financial sustainability modeling process includes a five-year projection of the City's General Fund financial health, and really what it does is it simulates the future cashflows based on the City's current level of service. So the revenues and expenses associated with all the

different departments in the City's General Fund are projected over five years. This allows the -- the City management and Commission to have a framework for scenario evaluation and sensitivity analysis. And it helps you evaluate the long-term impact of current decisions. And, really -- ultimately, our plan is to -- or our goal is to develop a plan for financial sustainability over a five-year timeframe. So we've been performing this analysis for the City of Miramar since 2016, and it's become a part of the annual budget process. It -- it allows the City to -- to consider the long-term impact of their decisions that they -- they make when establishing their upcoming budget. This -- this snapshot that you're seeing on the screen here is from last year's baseline analysis, and it's two charts that represent the results of last year's baseline five-year projection. So last year, some of the key assumptions that we incorporated included healthcare savings, reduced salary increases over the five-year projection, and ARPA funding. You can see in the last year of the projection, fiscal year 2026, we're projecting the General Fund's reserve balance, the General Fund's savings account to fall below that minimum required target. Our proposed solution at the end of our analysis last year was to consider in the future fiscal year 2025 a workforce reduction of 20 FTEs, and that could be achieved in any way; we were assuming attrition. So the data and assumptions that were used to update this year's forecasting model and baseline analysis included the adjusted fiscal year 2022 budget, your preliminary or proposed fiscal year 2023 budget, and that budget serves as the basis for the rest of the projection. So the -- the FTE count, the -- the level programs, and level of service that is incorporated and reflected by the fiscal year 2023 budget is assumed to be carried forward for the five-year projection. Our five-year projection assumptions include revenue escalation factors through -- by line item throughout the entire General Fund budget, and cost escalation factors specific to the type of cost: personnel services versus operating expenses, and by department. We also have the capital improvement transfer assumed to be continued throughout the five-year projection, and that reflects at that one percent of the total expenses. The Vehicle Replacement Program is assumed to be continued throughout the five-year projection. The OPEB and pension trust fund transfers is part of a -- an initiative is continued throughout the projection, and then the scheduled debt service payments. We also have the ARPA funds: \$5 million for fiscal year 2022, and \$2 million for fiscal year 2023 included as onetime cashflows. So this next slide here shows you the results of our updated baseline analysis, and starting from the top, you'll see that we have the millage rate at 7.1172, assumed to be held flat for the five-year projection. We have your taxable value increases; the actual taxable value increase for fiscal year '23, you're upcoming year per the Property Appraiser's data, so that's a total of 10.75 percent increase. And, going forward -- and this is consistent with last year's baseline, we had five percent included as the existing taxable value increase, in comparison to the 8.9 percent that you just experienced, and then we have the percentage increase associated with new development, which we got an actual schedule of the redevelopment projects, and the estimated taxable value associated with all of them. On the left-hand side, the fund balance graph, you can see the projected fund balance for the City's General Fund, and the updated baseline results are showing the fund balance to fall below the minimum reserve requirement in fiscal year 2024 this time. So it's a -- it's a product of the right-hand graph, in which you see the red line representing cashflows, cash out for expenses,

total expenses for the City's General Fund, and then the black line representing all of the revenues. Whenever that red line is above the back -- black line, you're going to be operating at a deficit, and you'd have to use reserve balance in order to cover that gap between revenues and expenses. So you can see the result of that, it's shown on the left-hand graph with the reserve fund balance is declining. So the updated baseline results are less positive than last year's baseline. On the right-hand side of the screen, you can see the -- both graphs stacked, so you can see the difference between last year's baseline, and this year's baseline; last year is in the green, and this year is in the blue. This is the result of a -- a number of changes in the forecasting model, one being there's higher salary increases programs for the five-year forecast. It was part of an initiative, and a potential solution last year to incorporate an average of three percent over the five years for salary increases, when getting together with staff, and updating the model this year, it felt like it was more appropriate to put four and a half percent as a baseline. So it has a big impact on the projection, since salaries are the majority of -- personnel services are the majority of the budget. There's also higher inflationary increases associated with operating supplies and capital, and that can be seen nationwide; inflation is -- is out of control right now. Higher debt service obligation associated with some recent issuances, and then there's higher near-term capital investment. So, together, all of those differences from last year's baseline contribute to this updated forecast. This screen here shows a potential solution scenario or -- or -- or rather just the potential scenario to consider for the future. The difference on this screen, you can see highlighted at the top, there is a continued value increase, or a higher taxable value increase, and that's really a result of what we saw this past year, and this would assume that this higher housing market increase would continue for that near term, and this would be the impact of it. So we included seven and a half percent for the average taxable value increase of existing properties in the City. We have the same new development and taxable value increase. We've also included a reduction to the workforce in fiscal year '24, '25, and '26, that totaled 25 employees. The combination of these two impacts, both our increased revenues from the taxable value in property tax side, and then decreased operating expenditures related to the FTE decrease, so the result of that stabilizes the reserves over the five-year period. This second scenario shows a -- a potential scenario, where we would keep the five percent property or taxable value increases, and that would really reflect a slowdown in the market, and so have the -- the market cool off a little bit, and then we would include a .25 millage rate increase in fiscal year '24 for consideration. That equates to about \$3.2 million in additional revenues, so that may be achieved through something like a fire assessment, or other sources. We also have an FTE reduction, or a reduction to the workforce shown in '24 and '25 that totaled 20 employees, and the combined result of these two changes stabilized reserves over the five-year period. And that's the conclusion of my presentation, and I'll turn it back over to Rafael Sanmiguel. Thank you.

MR. SANMIGUEL: Thank you, Pete. So, at this meeting, we are asking the Commission to pass the tentative millage rates that will be sent out in the TRIM notices to residents in August. So this is the maximum millage rate, and fire assessment that can be levied to properties. The rates that are ultimately passed can be lower than these rates, but they

cannot be higher, unless we notify every single property owner in -- in writing, and that's on our dime. So the City Manager recommends approval of the 7.1172 operating millage rate, the 100 percent fire protection assessment rate, and setting September 14<sup>th</sup>, 2022, as the date for the public hearing on the tentative budget, and proposed millage rates. City Manager recommends approval.

MAYOR MESSAM: Thank you for the presentation. The Clerk received no request to speak on this item. Does any member from the public inside of the Chambers have any comments or questions regarding the presentation? Any members from the public? Seeing and hearing none, back to the dais. I do have a request to speak. Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Just a couple of comments, and if you would respond to my comments with comments of your own. It is, I think, essential for us to have our residents understand that this is really the start of the budget process, and it goes on until -- for another six months or so. And, also, word has been mentioned of the word inflation, something we've not had to deal with at this level for quite a while. So would you explain, in very general terms, why this is but the start of the budget process, and if you would speak, as well, about how enhanced property values impact our budget prep -- preparation, and our ability to maintain the rates.

MR. SANMIGUEL: So I'll -- I'll -- I'll answer the first one. So this is the start of the TRIM process. The budget process really started back in -- in February. So in the TRIM process, we get the -- the valuation, we get a June 1<sup>st</sup> valuation of all of the property in Miramar, so we can kind of set a -- a -- a proposed budget in July. In July 1<sup>st</sup> we get the actual valuation from our properties, and that's when we -- we can say this is the expected revenue that we can see from ad valorem revenues based on the -- on this millage that we set every year, right. So we -- at this -- at this juncture right here, we set those mil -- those proposed millage rates that go on the TRIM notices to each property owner in August. So -- and -- and that includes the -- all -- all of the non-ad valorem assessments, including fire and stormwater. The stormwater presentation is coming up next. So in August, those get sent out to the -- to the residents, so the residents have a -- another chance, really, to take a look at what that proposal would mean, as far as the impact to the bottom -- to their bottom line, right, and they have a chance to -- to speak up during now, the September meeting. So we have the -- the first meeting is set for September 14; that's where we're going to -- to discuss the -- the -- the budget, the proposed or the tentative fiscal year 2023 budget. We're going to set the -- the -- the millage rates, and that's the first hearing for the millage rates, and that's also the final hearing for the -- the final fire fee assessment, and the storm water rates. So those -- so, again, the -- so at this juncture right here, we're just going to set the proposed millage, the proposed fire assessment rates, and the proposed stormwater rates; again, that's the next item that Mr. Collins is going to read. As far as the inflation, I -- can I -- can I have you repeat the question, because with all my diatribe, I lost it.

COMMISSIONER BARNES: No, I'm -- I'm just saying that we are -- we are having to deal with inflation now in ways that we've not had in the recent past. But I also want you to explain for our residents why they're going to pay more, because their property values have increased, --

MR. SANMIGUEL: Right. So --

COMMISSIONER BARNES: -- even though rates have not changed.

MR. SANMIGUEL: Right. So the property values go up, and that's just -- that's just the - and -- and we have -- we -- we're now in a -- a -- in an environment, right, where we have just the -- the -- the rise in costs of -- of properties, it's just -- it's -- it's rising. The -- the saving grace for the -- for the folks who have a homestead exemption, right, is that we -- they -- those are capped at three percent for those who are homesteaded. So even though they -- the actual market value of those properties have gone up by a significant amount, way over three percent, which is the cap, we only cap it a three percent, and this year that is a modest -- that's a modest increase, over around fifty something dollars for -- for the homesteaded -- for the average homesteaded property owner this year. Again, the -- I think of it like -- like this. You're -- your property has gone up in value, congratulations, you're wealthier now, but that is -- the downside of this that you have to pay a little bit more in -- in -- in taxes.

MR. MASON: So I just wanted to add one thing. The in -- the inflation we built in with our operating expenditures, but Miramar, at least the last seven years, is very unique with our budget model, because we're paying for public safety, police, and fire, with the ad valorem, as you said, and the fire fee. When you think about revenues, those are guaranteed revenue. They're going to get paid one way or another. If the homeowner doesn't, it's going to be paid through a tax certificate. So that guarantees that we are funded for our police and fire whole -- a 100 percent. The majority of your cities, most all of them in Broward, and across the country, have lost that relationship; it got away from them. And so their expenditures for police and fire are much greater than their ad valorem, and their fire fee. So -- and the consequence of having to provide those services, they have to figure out where those other expenses can be cut, so that they have enough money to address fire and police; we don't have to do that. As well as thanks to devaluations increasing, otherwise, most likely, we would have to address other departments to reduce those expenses, as opposed to police and fire, because I can honestly say it's driven by collective bargaining for the most part, and so those increases are in there. But we're very unique that we didn't have to put inflation into the factors of - affecting police and fire so much, because we already have revenues that aren't affected by COVID so much. Because you can imagine even the State revenues are based on allocations; all of your revenues in Parks & Rec, and those are based on demand, and so you don't have that with your fire fee, and your ad valorem. So that's one unique thing that factors out the inflation for us to provide at least the services. I don't say at least to minimize, but for police and fire, which is our critical services.

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

VICE MAYOR COLBOURNE: Thank you so much. Thank you for a very thorough presentation. Appreciate it. Always want to thank staff for -- our budget staff in particular for all the work that they're doing. It is -- it is a good thing that we are able to see a budget before us today, as presented by the Manager, without a need to increase our millage rate, and our fire fee, so I am pleased with that. And, you know, I'll continue my review of the budget, but I just want to thank you at this point for what -- the work that you guys are doing. Thank you.

MAYOR MESSAM: Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Thank you. I'd also like to commend staff on the work, the presentation, both yourself and the consulting firm. Just a -- a question, though, and I know you had lumped the cities that are over 100,000 residents, and somewhere there, I did notice that -- that our sister city to the north values were lower, in terms of their costs to their residents. So what I'd like to see is a breakdown of the millage rate for these cities that are less than us, specifically our city to the north of us. Their fire service fee, and -- and how is it, so I can compare why their residents are actually being charged less, rather than just lumping it all into one, you know, let's break it out, and -- I mean it could be factor, in terms of employees, that I know they do tend to use contractors more than having the staffing issue, in terms of the overhead for staff, so that could be a factor. But if that could be explained more, so if people ask you when you're out and about: How comes we pay more than the neighboring city? We can kind of have a better understanding when they're comparing the two. And, as far as the projections, you know, I -- I -- I -- I'm glad to see that we are working with the same consultant firm that's done them in the past. But I'm just curious as to how often -- is it just once a year that they do that; do you meet with them halfway through the budget year to see how we are doing, and to compare -- making sure we're on track, or are there any changes. How often are you meeting with them.

MR. SANMIGUEL: So thank you for the question. It's a -- so we engage with -- with Stantec on -- on a -- on a constant basis; we are in touch with them -- we -- so we -- we start our engagement, our data that we give to them I want to say back in -- in January, that's when we start the engagement, really, giving them the updated data, giving them all of the -- the new scenarios, all of the data that we have, all of the preliminary budgets. And so we feed them -- as we get the data, we feed them our data, and we have an open conversation with them. And we also meet to -- to look at scenarios, and to look at how -- how we're tracking with -- with our latest scenarios. So it -- it's not just a onetime thing that we -- that we kind of like get this model, and we forget about it; no. And -- and even today, we're not -- we're going to -- we're not going to stop today engaging them, we're going to keep feeding them data; we're going to feed them anything that we come up with, so we have still some outstanding revenues that we haven't really received from the State, so we're going to update those revenue figures. We're going to feed them to -- to Stantec, and then we're going to kind of recalibrate that in the models ever so slightly to see how



we're tracking. So in answer to your question, it is a -- it -- it's a yearlong process that we engage with them.

COMMISSIONER DAVIS: Perfect. Thank you for that.

MAYOR MESSAM: Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you. Thank you, Mr. Rafael, for your presentation, you and your team, Mr. Mason. Thanks to the City Commission. We -- we work very hard here at the City of Miramar to make things work. We gone through a lot of ups and down, and we were able to see it through. And to see where we are today, it's a testament as to the team that we have to put us on a good track. This Commission to stay engaged, and stay involved, and try to keep things in place, as I mentioned in the previous workshop, so I'm just grateful to be here to help the City along. And I also want to thank the City Manager for -- and his team for making sure that those residents who need to apply for those exemptions, getting the word out, letting them know that there's exemption that they can qualify for in the budget process before July 31<sup>st</sup>. So, once again, thank you, and thanks to all the employees that involved here in City of Miramar.

MAYOR MESSAM: Like to join the Commission in thanking staff for the presentation; always thorough, always comprehensive, and enlightening, as it relates to the process on how the City is funded, and also sharing with the public the challenges that are ahead. It's always good to be able to propose a millage rate that does not increase. Obviously, we have to continue to be as fiscally responsible as -- as possible to the taxpayer, while balancing that with excellent levels of service that our residents do come to -- and come to expect from the City of Miramar. So, as we continue to go through with this budget process, although this is just a TRIM notice, that -- that we, ultimately, adopt a budget that is sensitive to the current financial climate of the day, while ensuring that our residents receive the utmost and best in municipal services. I would like to see -- and -- and I'll be meeting with the City Manager and staff to -- to -- to see what our plan is going to be, as it relates to adopting some of the recommendations for our outlook in the forecast. One of the key cornerstones of ensuring that we have sufficient resources to meet our demand without threatening our reserve that we'd like to keep is -- is -- is how do we meet that -- that employee reduction objective, while maintaining the level of service for each department. I know that's just a whole round number of 20 that was mentioned. Obviously, the 20 matter, in terms of what 20, what employees, what cost for staff that makes up that 20. So I'll just be curious to -- to see what plans we'll put in place to guide us, as it relates to following that recommendation, while maintaining the -- the levels of service for our community. Thanks again for the presentation. At this time, may I have a motion on item number seven, please.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: 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: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R7673, as presented, the Commission voted:

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

**Resolution No. 22-145**

MAYOR MESSAM: Item number eight, please.

8. Temp. Reso. #R7672 relating to the provision of Fire Protection Services, Facilities, and Programs in the City of Miramar, Florida; establishing the estimated assessment rate for **Fire Protection Assessments** for the Fiscal Year beginning October 1, 2022; directing the preparation of an assessment roll; authorizing a Public Hearing and directing the provision of notice thereof. (*Management & Budget Director Rafael Sanmiguel*)

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, relating to the provision of Fire Protection Services, Facilities, and Programs for the City of Miramar, Florida; establishing the estimated assessment rate for

Fire Protection Assessments for the Fiscal Year beginning October 1, 2022; directing the preparation of an assessment roll; authorizing a public hearing and directing the provision of notice thereof, and providing for an effective date.

MAYOR MESSAM: Good evening.

MR. SANMIGUEL: It's the same presentation.

MAYOR MESSAM: So basically the same presentation. The Clerk received no comments from the public on this item. And now may I have a motion to adopt the fire protection assessments.

COMMISSIONER DAVIS: Motion to approve.

VICE MAYOR COLBOURNE: 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: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commission Davis, seconded by Vice Mayor Colbourne, to approve Resolution #R7672, as presented, the Commission voted:

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

**Resolution No. 22-146**

MAYOR MESSAM: Item number nine, please.

9. Temp. Reso. #R7675 relating to the provision of **Stormwater Management Services** in the City of Miramar, Florida; establishing the preliminary stormwater assessment rate for Stormwater Management Services for the Fiscal Year beginning October 1, 2022; directing the preparation of an assessment roll; authorizing a Public Hearing and directing the provision of notice thereof. (*Public Works Director Anthony Collins*)

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, relating to the provision of Stormwater Management Services in the City of Miramar, Florida; establishing the preliminary stormwater assessment rate for Stormwater Management Services for the Fiscal Year beginning October 1, 2022; directing the preparation of an assessment roll; authorizing a public hearing and directing the provision of notice thereof, and providing for an effective date.

MR. COLLINS: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners, City Manager, City Attorneys, City Clerk. Tony Collins, Public Works Director. So the item in front of you tonight is the fiscal year 2023 stormwater management service preliminary assessment rate. City Commission approval is required for annual reauthorization of stormwater assessment, establishing preliminary rates, and establishing date and time for public meetings, for final approval of the annual assessment rate for fiscal year 2023. The purpose of the stormwater management system is regulate, maintain, and manage stormwater runoff in the City. The City's stormwater system was established as an enterprise fund in fiscal year 1998. It provides funding for stormwater system operations, maintenance, construction, debt service, and administration. In fiscal year 2015, the City commenced collecting stormwater fee as an ad valorem taxes. The ERU billing method was maintained. Billing method improved collection of fees; one ERU is equivalent to 3,619 square feet. A total of 57,368.73 ERU is throughout the City. A ten-year rate study completed in fiscal year 2016 determined assessment rate must be increased every three years to fund operation needs and capital improvement projects. This chart provides information regarding the ten-year rate comparison. So in fiscal year 2023, the rate is being proposed to be increased to \$120.00 per year, which represent a change of \$18.00, which represent a percentage increase of 17.7 percent. So the current annual assessment rate of \$102.00 per ERU, the proposed annual -- annual assessment rate of \$120.00 per ERU; again, this represent an \$18.00 annual, or a \$1.50 per month increase. The projected stormwater management service revenue for FY '23 equates to \$6,608,878.00. Increase is to fund operating costs, debt service, and future capital improvement projects. Historic Miramar Drainage improvement Phase IV, V, and VI are examples of those. This slide depicts some of the projects that are funded by the assessment; the canal embankment restoration project is one of those; of course, the

drainage project, we're into the Phase IV in design phase right now. With regards to the public hearing, the purpose of the public hearing is for final approval of the 2023 stormwater assessment. Notice will be published to residents by August 24, 2022. Hearing is scheduled for Wednesday, September 14, 2022, at 6:00 p.m. Just to note that, there was a previous document that was sent out, suggesting that the date would have been Tuesday, September 13, but the correction has subsequently been made by the Clerk's Office. And City Manager recommends approval.

MAYOR MESSAM: Thank you. The City Clerk received no requests to speak on this item. Does any member in the Chambers wish to speak or comment on this item? Any members from the public in the Chambers? Seeing none, back to the dais. Are there any questions, or may I have a motion?

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER DAVIS: A question.

VICE MAYOR COLBOURNE: Oh.

MAYOR MESSAM: Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Thank you. Just for our residents, so we -- this -- this figure will appear on their TRIM notice.

MR. COLLINS: That's correct.

COMMISSIONER DAVIS: And it's, obviously, nothing to do with the millage rate?

MR. COLLINS: No. Separate --

COMMISSIONER DAVIS: So normally this is found -- I mean when I look on my TRIM notice it's normally like on the back by itself, separate. Just so folks know what to look for. And -- and the figure that they will find on it is \$120.00?

MR. COLLINS: That is correct, \$120.00.

COMMISSIONER DAVIS: I just want to make sure they're clear on that. It is not the millage rate; it is nothing to do with the other taxing authorities. This is simply stormwater assessment, which we do, and it's going to be shown on your TRIM notice. Thank you. Appreciate it.

MAYOR MESSAM: Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: And you mention -- there is a percentage increase from last year's numbers. Is that the seven percent increase I'm -- we saw on a few slides back?

MR. COLLINS: Yes. It present a 17.7 percent increase; it's being proposed.

COMMISSIONER BARNES: And our residents say to us, if you're not going to do an increase next year, why don't you split it between this year and next year. What's your response?

COMMISSIONER DAVIS: Say that again?

COMMISSIONER BARNES: The percentage increase from last year to the proposed one going into this year is what percentage?

MR. COLLINS: 17.7 percent.

COMMISSIONER BARNES: And our residents will say to us, why didn't you break that up, considering you don't plan on an increase next year.

MR. COLLINS: Well, the -- the rate study that we -- that was done in 2016 requires that every three years there's an increase in the rate, so the \$120.00 that is -- that is being proposed, it will carry through for three years. Then once we get to 2026, then there's be --

COMMISSIONER BARNES: They call that juggling the numbers.

MAYOR MESSAM: Are there any other questions for staff? Hearing none, may I have a motion on the item, please.

COMMISSIONER DAVIS: Motion to approve.

VICE MAYOR COLBOURNE: 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: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commission Davis, seconded by Vice Mayor Colbourne, to approve Resolution #R7675, as presented, the Commission voted:

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

**Resolution No. 22-147**

## **ORDINANCE**

MAYOR MESSAM: Item number ten, please.

- 10. FIRST READING** Temp. Ord. #O1792 approving the second amendment of the **Fiscal Year 2022 Operating and Capital Improvement Program Budget**; and providing for an effective date. (*Management & Budget Director Rafael Sanmiguel*)

CITY ATTORNEY NORRIS-WEEKS: An ordinance of the City Commission of the City of Miramar, Florida, approving the second amendment of the Fiscal Year 2022 Operating and Capital Improvement Program Budget; and providing for an effective date.

MR. SANMIGUEL: It's me again. Good evening, Mayor, Vice Mayor, and Commissioners. Rafael Sanmiguel with the Management & Budget Department. I'm here to present to you Temporary Ordinance No. 1792, the second budget amendment for fiscal year 2022, that's the -- the current year, and the City Manager wishes to amend the budget per the presentation set forth right now. So the City's Procurement Department advertised invitations for the -- to bid for the Historic Miramar Drainage Infrastructure Improvement Project Phase IV. The lowest responsible and responsive bid received was just under \$13 million; that is excluding allowances for contingencies, and construction management services. So we have available \$13,111,900.00 for the project at this point, which means that we have a shortfall of \$3 million, which we propose to appropriate from fund balance; \$2 million from utilities, and \$1 million from the stormwater fund to proceed with the project. So in the utilities fund, we are proposing to appropriate \$2 million from fund balance, and allocate \$1.6 million to CIP construction, and \$400,000.00 into contingency. And, similarly, in the stormwater fund, -- next slide, thank you -- we are

proposing to appropriate \$1 million from fund balance, and allocate it to CIP construction in its entirety. So here you -- to the right you see a map of -- of where the Phase IV is located. We have a prior year's funding of \$14,229,657.00. We are seeking to increase that funding in the -- in this budget to -- in this budget amendment, sorry, by \$3 million, and for a total project cost of \$17,229,657.00. And City Manager recommends approval.

MAYOR MESSAM: Thank you. City Clerk received no requests for comment from online viewers. Are there any members from the public in the Commission that wish to comment, or have questions on item number ten? Any members from the public? Hearing none, back to the dais. Are there any questions or comments? If none, may I have a motion, please.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: 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: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Ordinance #O1792, as presented, the Commission voted:

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



SECOND READING SCHEDULED for August 17, 2022

## **QUASI-JUDICIAL PUBLIC HEARING**

MAYOR MESSAM: On to quasi-judicial public hearing; item number 11, please.

11. Temp. Reso. #R7632 approving Application Number **2203289** for the **vacation** of certain **Utility Easements** within the **Marketplace Partnership Center Plat**, as recorded in Official Records Book 47016, Page 1695, Public Records of Broward County, Florida. (*City Engineer Salvador Zuniga*)

CITY ATTORNEY POWELL: I'll just read the announcement. Florida courts have determined that there are certain types of matters, including the following application that are to be treated differently than other issues considered by the Commission. Most decisions of the Commission are legislative in nature, which means that the Commission is acting as a policy-making body. In contrast, in quasi-judicial matters, the Commission is applying existing rules and policies to a factual situation, and is, therefore, acting like a judge or jury in a courtroom. In such cases, the courts have decided that due process and fundamental fairness requires that more informal procedures be followed. The City of Miramar's procedures for quasi-judicial hearings are as follows: All who wish to speak shall be collectively sworn in by the Clerk; the hearing shall be conducted in an informal manner; I will read the title of the item to be considered; City staff shall present a synopsis of the application, and make a recommendation. Next there will be a presentation by the applicant. The Commission will then hear from the participants in favor of, and in opposition to the application. All witnesses are subject to cross examination by the City staff, City Commission, and the applicant. All participants may request that the City Commission ask a question of the witness. The applicant and staff may make concluding remarks. No further presentation or testimony shall be permitted, and the public hearing shall be closed. All decisions of the Commission must be based on competent and substantial evidence presented at the hearing. All backup materials presented at the hearing will automatically become part of the record of the hearing. All approvals will be subjected to staff recommended conditions, unless otherwise stated in the motion for approval. The item is as follows: A resolution of the City Commission of the City of Miramar, Florida, approving Application Number 2203289 for the vacation of certain Utility Easements within the Marketplace Partnership Center Plat, as recorded in Official Records Book 47016, Page 1695, Public Records of Broward County, Florida; and providing for an effective date.

MAYOR MESSAM: You have to swear in the testimony.

CITY CLERK GIBBS: All of those wishing to provide testimony on the following quasi-judicial item please stand and raise your right hand. Do you solemnly swear or affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth? Thank you.

MAYOR MESSAM: Good evening.

MR. ZUNIGA: Good evening, Mayor, Vice Mayor, Commissioners, City Manager, Attorney, City Clerk. Sal Zuniga, City engineer. This item is for the vacation of an easement within the Marketplace Partnership Center Plat. Miramar Multifamily Owner, LLC, is the applicant, and they requested a vacation of a utility easement in accordance with the Land Development Code section 307. City Commission approval is required for the vacation of easements. The applicant, which is a property owner and developer, plans to build a residential development known as Alexan Miramar. This project was approved by City Commission through Resolution No. 21-158. In order to build the project, the property owner needs to vacate portions of certain utility easements that are in conflict with the proposed site plan. This is the project location. It's located just north of Miramar Parkway, and east of \$148<sup>th</sup> Avenue. And this kind of shows the locations of the easements that are in conflict with the proposed site plan. These easements are exclusive to the City only, and they are for water and sewer facilities, and they will not be needed anymore after they complete these projects. They will provide new easements that will be dedicated to the City for new water and sewer lines that will be installed as part of the project. City Manager recommends approval.

MAYOR MESSAM: Thank you. Back to the dais. Does anyone have any comments, or have any questions for staff based off this presentation. Hearing none, are there any members from the public that wish to comment on this item. Seeing none, back to the dais. May I have a -- a motion on this item?

COMMISSIONER BARNES: Motion to approve.

COMMISSIONER CHAMBERS: Motion to approve.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commission Barnes, seconded by Commissioner Chambers, to approve Resolution #R7632, as presented, the Commission voted:

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

**Resolution No. 22-148**

**OTHER BUSINESS**

MAYOR MESSAM: On to other business. Commissioner Reports.

**City Manager Reports:**

- 12. Discussion:** Key to the City/Commission Meeting Chair responsibilities. (*Vice Mayor Yvette Colbourne*)

MAYOR MESSAM: Item number 12. Number 12, discussion regarding the Key to the City/Commission meeting chair responsibilities. Item requested by Vice Mayor Colbourne. You're recognized.

VICE MAYOR COLBOURNE: Yes. Thank you very much. I asked for this item to be placed on the agenda, because of what occurred at the last meeting, where the Mayor made several statements towards the end of the meeting, and after he made those statements, did not give, at least myself, an opportunity to speak on the issue that was raised. Instead, the meeting was -- it was just abruptly ended, and, you know, I just -- I just felt that it's more collegial that everyone have an opportunity to speak and -- and we can air things out. It's -- it would be good if it's always pleasant, but that's, you know, that's -- that's not always the case. But, either way, I'm confident that, as a commission, we deal with -- with many large issues, and many more important issues than this. So it -- it begs that when we have small issues that we're so passionate about that we should

be able to deal with them. So what I would like to propose to this Commission is that, going forward, that there be a motion to adjourn a meeting, and a second, and that it be voted on before the meeting is adjourned. This is more collegial, and it's actually what's done at most board meetings. Meetings don't just end. You know, somebody -- you -- you know, you ask for motion to adjourn, if there's a second, and -- and this way, if anybody has anything else to say, they have an opportunity to do so. So I'm asking -- there are two parts to this, but at least on this part, I'm asking for a consensus from -- from my colleagues, so that we can make the necessary -- necessary adjustment, as we move forward with board -- with our board meeting. The other portion to that of statements that the Mayor made, it had to do with the -- with the issuance of the key to the City at an event, a city event that I hosted. The statements were really that he was not aware that this was going to happen, but it was said in such a way, as if it would lead someone to believe that, maybe, there was something -- something wrong, you know, that he had to -- that he had to be notified. So I just want to make it clear that that's not the case. There is -- we guide ourselves by the Charter, we guide ourselves by the codes, and we guide ourselves by our commission procedures, and there is nothing, neither in our Charter, in our code, or otherwise in our procedures that prohibits any of the elected officials here from giving a key to the City to someone. I understand that it's important for us to be collegial, so on other occasions when I wanted to give a key to the City, I asked the Mayor's Office for one. The last time I did that prior to this, it was not given to me, contrary to what was said that night. I knew that I didn't have to ask, but I respect -- I respect you, Mr. Mayor. I respect all of my colleagues here on this Commission, and I do want us to get along on the small things, like we get along on the large things. And -- and I asked for a key, but it was not given to me. It was an event, an initiative of mine, and instead, the Mayor came to the meeting -- he came to the event, and it -- it was not to -- we were all on stage, and he had the key. I made light of it, and we all laughed and moved on. But it -- it is disrespectful for us to do something like that. I -- I do believe that, again, it's important for us to move on from -- from these smaller things. In the City of Miramar, proclamations have always been the topic of conversation. That is the -- you know, I would say it's the most important thing that we give to our residents, and -- and - - and to others. This is something that we have in our procedures. We have a procedures how to do that. If anybody comes to me and ask for a proclamation, I make sure I go to the Mayor's Office, and I request that that proclamation be done; it is signed off by him. None of that exists with the key to the City, so it's clear that we -- we hold a higher importance on proclamations. We don't have anything written on anything to that extent; no certificates or otherwise, awards or otherwise, only on that. So I just wanted to clear -- I just wanted to clear the air on that, and make it clear that there was nothing done incorrectly when that key to the City was issued. And I do want to make sure that you are aware, Mr. Mayor, that I took the additional step of checking with our attorneys before I decided to move forward on this. The key was presented by me, along with my colleagues that were present, Commissioner Davis, and Commissioner Chambers. Had you been there at the event, you would have also been part of it. That's it for me, thank you.

MAYOR MESSAM: Well, I have a response to that, and thanks for bringing this topic up. But I do -- would like to clear the record. There's no amount of script reading on a position

to paint the picture or the illusion that what transpired during the last Commission meeting was done out of disrespect, or any harm. I made my comments during the portion of the meeting during Commission reports. For each elected official, at their prerogative can bring up items of importance, or just information, or whatever they choose to talk about. It does not require discussion, it does not require rebut, unless they choose to. I stated a position during last Commission meeting. Since the topic of collegial ness or collegiality was raised, we do have Commission procedures, of which deals with proclamations and of the sort, which is not always followed. There are certain provisions made for commission requests, and I don't deny commission requests, even though there's a time period that my office should be notified, and time and time again various commission office makes requests 24 hours, 48 hours, and sometimes even same day of events. And more likely than no, my office bends backwards to ensure that that resident, or organization that is being honored have the opportunity to get that proclamation, despite the nonconformance of the requested elected official to request that commission. Those are the facts. It has been precedent and customary in the City of Miramar that proclamations, and even on rare occasions, keys to the City, as presented by the Mayor. As it relates to the key to the City, there is no written policy, but it has been customary that the mayor -- almost the mayor, and almost in every city, unless not present, then a designee, the vice mayor, or -- or pro temp, depending on if it's a council, or an elected official who's designated presents that. There's been precedent with that. And setting the record straight, I've never denied a request for a key to the City. You may have been disappointed because I presented -- and, in fact, that's not even true, because even on that day, you presented the key that I gave to you to Ms. Donna Brazile. But here's the facts; the fact is although there was precedent, and there is standing precedent in the City of Miramar, and other cities, that the mayor presents the key to the city, that the event of question, that my office was not even contacted. You can hide behind the veil that there's no written policy, but you knew; you knew that it was precedent in this city and customary. Just because you want to present key to the city does not mean that there was never precedent. Just because you wanted to present the key to the city, and knowing that it was cus -- it's customary in the City that the mayor presents the key to the city, that you did not want me to present the key to the City at a event that you were hosting on behalf of the City. So, therefore, because it was not written, you went to the City attorneys, which, by the way, are not going to inject themselves between any potential conflict or disagreement if they don't have to. Those are the facts. And we understand why they don't want to do that, because they don't want to be in the disgraces of a commission that, on a whim, can decide to change them in those kind of situations, so I don't blame them professionally opting out of those type of situations, and letting the Commission hash it out. What city -- what other city, what other commission, what other council that always tries to find ways to step in on ceremonial things that the mayor of that city does? Who does that, but here? So I'm just stating the facts; those are opinions; I did not abruptly end the meeting last week, it was during my commission report; I gave a position. I didn't need any discussion. I said what I felt, and I said it. Everyone else had a opportunity to talk about their item on the Commission during their report; that was my report, and if I give a report, if I don't want discussion, I don't have to have discussion. And those are the facts. You can choose to do what you want as it relates to a key to the

City; yes, there are much more pressing items, like the budget we just passed; there's much more pressing items than self-glorification that takes place. There's much more pressing items like our residents, like our employees, like our infrastructure that we can talk about. So there can be all the script reading we want to have to try to paint a picture, but the fact of the matter remains that precedent was voided. No matter how you try to sugarcoat it. But if you want to create a new policy about keys to the City, or proclamations, or whatever, people see that. The public sees that. So give away as many keys to the City as you choose or you please, but the fact of the matter is that you went beyond, above, around the Mayor's Office to present a token of the City without contacting the Mayor's Office, and I expressed my feelings about it, and I was the last report for that evening, and I ended the meeting. So questions for the attorneys. What authority does the chair have, as it relates to governing a meeting? Opening a meeting, recognizing speakers, adjourning a meeting? Do we have to take a vote for the mayor or the chair of the meeting to recognize a speaker? That's what's going to be next?

VICE MAYOR COLBOURNE: Mr. Mayor, this is my --

MAYOR MESSAM: I asked -- I asked a question to the --

VICE MAYOR COLBOURNE: This is -- this is my report.

MAYOR MESSAM: I am still the chair. I asked -- but it's an item on the agenda. If it was a report, it would just be under the report. It is an item --

VICE MAYOR COLBOURNE: It is under the report.

MAYOR MESSAM: And I'm asking the report.

VICE MAYOR COLBOURNE: It is under the report.

MAYOR MESSAM: You specifically directed your comments to me, and I responded, and now I'm asking the attorneys the question. You -- you will have the floor. It's an item -- all of us.

VICE MAYOR COLBOURNE: You just -- you just said you gave your report, and you didn't have to have any discussion on it. You didn't want any discussion --

MAYOR MESSAM: This is a --

VICE MAYOR COLBOURNE: Well, this is my report.

MAYOR MESSAM: This an item on the agenda, item 12 for discussion. You opened the item for discussion, and I'm asking the attorneys a question. Mr. Attorney, Madam Attorney, you're recognized.

CITY ATTORNEY POWELL: The Miramar City Commission procedures state that the mayor shall serve as the presiding officer in all commission meetings, in section 2a. It also says the mayor shall decide all questions of order, unless and appeal is made to the other members of the commission. In such event, a majority vote of the commission will govern such questions of order.

MAYOR MESSAM: And question of order is defined as what?

CITY ATTORNEY POWELL: Unfortunately, it doesn't say that, but it goes on to say the mayor may request an interpretation of parliamentary procedure from the city attorney. The mayor shall announce agenda items by the agenda in item order.

MAYOR MESSAM: And what does it say about adjournment?

CITY ATTORNEY POWELL: It -- it does also state in another section that if there's any questions as to procedure, that the commission may resort to Robert's Rules of Order to settle that issue.

MAYOR MESSAM: So procedure during the meeting?

CITY ATTORNEY POWELL: I'm not -- I'm not sure I understand your question/

MAYOR MESSAM: You're saying a question during procedure; procedures are usually pro -- are -- are in motion during a meeting.

CITY ATTORNEY POWELL: That's correct. If there's any issue that is a conflict with -- with the commission members, there may be a request to take a vote to default to Robert's Rules of Order to resolve that particular item or question.

MAYOR MESSAM: And what does Robert's Rules of Order say about adjournment?

CITY ATTORNEY POWELL: Generally, Robert's Rules of Order requires that the Commission or collegial body operate by motion. So if there's an issue concerning whether or not a meeting should adjourn, and there's a default to Robert's Rules of Order, that would require that a motion be made to adjourn, and a second, and then a majority vote concerning that particular all.

MAYOR MESSAM: And does the City of Miramar Commission meeting follow Robert's Rules of Order?

CITY ATTORNEY POWELL: No. It specifically states that the Commission meetings are to be informal in nature, and I read to you just before what the rules or procedure rules require, as duties and responsibilities of the chair.

MAYOR MESSAM: So it's informal unless we need to resolve an issue, and then we follow Robert's Rules of Order?

CITY ATTORNEY POWELL: Right. There would be a -- there would be a request by either the chair, or the commissioner who has an issue with whatever the item of order, let's use that as the example, that's being disputed, to default to Robert's Rule -- Rules of Order.

MAYOR MESSAM: And final question. That would be during the course of the meeting, or a standing position of adjournment?

CITY ATTORNEY POWELL: Clearly, yes, during the course of the meeting.

MAYOR MESSAM: Hmm?

CITY ATTORNEY POWELL: Yes, during the course of the meeting. If there's no meeting, then there wouldn't be any issue concerning an item, because the meeting has been adjourned.

MAYOR MESSAM: So it would have to be requested during the meeting.

CITY ATTORNEY POWELL: Excuse me?

MAYOR MESSAM: So it would have to be requested during the meeting?

CITY ATTORNEY POWELL: Right. Right. Because you would have to be meeting for there to be an issue.

MAYOR MESSAM: Okay. All right.

VICE MAYOR COLBOURNE: Before you -- in regards to -- in regards to doing the collegial thing, and have more of a democratic process here, where we actually get to vote to end the meeting, Mr. Attorney, how do we -- what is the best way for us to address that? I do want to hear from my -- my other colleagues on it, see how they feel about it. But how do we -- how do we change those procedures? Can we do that with just getting a consensus this evening?

CITY ATTORNEY POWELL: Under section 6 of the procedures, it states that the commission may waive any of these procedures by majority vote.

VICE MAYOR COLBOURNE: Okay.

CITY ATTORNEY POWELL: So you --



VICE MAYOR COLBOURNE: So is there procedure that we would need to -- to waive? Is that the action that we would have to take?

CITY ATTORNEY POWELL: I'm not sure I understand your question. I mean if there's -  
-

VICE MAYOR COLBOURNE: Going forward -- going forward, customarily, the meeting just ends; the Mayor ends the meeting; there is no motion. Everything -- every other item on here we deal with it as a first and second, and we vote on it. Most meetings they end with a first, a second motion, and it's voted on to end the meeting. I am asking what is the procedure for us to change that? For us to -- do we need -- how do we put that in our procedures, because as far as I know, it's -- there's nothing in the procedures, currently, to address that. Can we just vote on that tonight?

CITY ATTORNEY POWELL: Well, you just simply make a motion to amend the rules of procedures adopted to provide that to adjourn a meeting that there will be a motion, and a second, and it would be by a majority vote to end the meeting.

VICE MAYOR COLBOURNE: I would like to give my colleagues a -- a opportunity to weigh in on that, and I would like to make that motion at the appropriate time, if that's something that's the will of the Commission.

MAYOR MESSAM: Commissioner Davis -- I mean, Commissioner Chambers, followed by Commissioner Davis.

COMMISSIONER CHAMBERS: Thank you. Since I'm on the receiving end of those abrupt meeting most of the time, I tend to -- seems to -- can handle it as a male. But what happen at the last meeting did not sit well with me when it -- when it doesn't look good when this is done to a woman, a female. Just does not look good in this time when for years women have been disrespected or treated badly. They still earn less than what men earn, and like the attorney stated, the only time you can have a discussion is while you're in a meeting. If the meeting is ended, then you don't have an opportunity to rebut or to say anything, so the -- the -- the language is very clear as to what the attorney explain. Also, we're changing the rules, it is very clear it can be done. In my men's group at church, we do take a motion to end the meeting, so it's quite formal, quite -- use more often than none to request a motion to end the meeting, because what it does, it gives -- it will give someone else an opportunity to be aware that the meeting is going to be ended, and if they have a -- an opinion, or they want to say something, that provide an opportunity. So I think the same should applies here. I just want to touch on another topic, but since we trying to clear up some things here, the housekeeping -- and most of the time it's about the proclamation. Proclamations should be done -- it can be either be done through the Mayor's Office -- we do have a City Clerk, which is very capable, if the Mayor is not around, that can issue a proclamation. It's just to make sure what is requested is clear, it's a seal, it's a stamp, it's not a big deal. So we do have resident or businesses that make last-minute requests for whatever reason, they not aware of the

timeline what's in place by the Mayor Office; they don't know, so if they request a proclamation, we try to provide that to our residents and businesses. And my third topic is something that keep reoccurring every now and then; it used to be quite frequent, but recently at the Fourth of July, I just want to say it's five elected officials here; sometimes we have four on stage, and sometimes we end up with alternate -- alternate -- an alternate it seems to be make it six, and we shouldn't have a first lady come on stage -- there's nothing in the Charter says we have a first lady, and we don't want somebody coming on stage, and getting involved in our business, and saying things that they're not supposed to be saying. It can't be -- that shouldn't be done. So that's another thing we need to put a stop to, to make sure no one is interfering -- no one who is not an elected official is interfering with elected official business; that need to be very clear. I don't like it, and it keep continuing; it need to stop; and I want the attorney to address that also. With that said, I'm going to rest here, and I hear from another commissioner, and then we move forward.

MAYOR MESSAM: I don't know what you're trying to insinuate, but my better half never interferes with anyone on this Commission. And you can do or say what you want, if I want to -- if my -- if I want my wife to join me on any stage during any City event, there is no one that will stop that.

COMMISSIONER CHAMBERS: That's quite okay.

MAYOR MESSAM: And I'll go on the record for that.

COMMISSIONER CHAMBERS: We're not trying to stop that. We're not trying to stop that. That's not what we're trying to stop.

MAYOR MESSAM: Can we move the item? If you all want to vote to adjourn the meeting, that is okay with me. So this is very embarrassing for our city. We've just spent an hour talking about nonsense; nonsense.

COMMISSIONER CHAMBERS: That's what we did at the last meeting.

MAYOR MESSAM: Vote your procedure, let's move the agenda, give away all the proclamations you want. Don't give this public the perception that my office is an issue with proclamations, okay. I can cite many examples on a procedures that you all voted for proclamations that you don't abide. I've had my assistant on sick days or officially off from work, and your offices come to my office for commiss -- for proclamation requests a day before the event, when it's supposed to be seven days before; two days; same day, and my office responds. So I take offense to any insinuation, especially after my staff, and my office bends their backs for your not planning to recognize residents. So don't sit here and try to -- and make that insinuation. I take offense to that. And this is so embarrassing for our community. That is the level. And the only reason this is not bubbled up before, is because I've refrained from allowing it to. But enough is enough. Pass whatever procedures you want; this community knows who's their mayor. Give

whatever keys to the City you want; this city knows who their mayor is. There is no issue with me. And, again, during our reports, I don't have to have a rebut, you don't have to have a rebut. There is no obligation to have a discussion on a commission member's or the mayor's items on the report, and on the last meeting, the attorneys gave their announcement, the City Manager had his report, each of you had your report, and when we end our commission meetings, every agenda item is complete. There is no other business to discuss. So call your vote. If I have another comment during my report, I don't have to have discussion on my report, if that's the purpose of wanting to adjourn the meeting, so there could be an opportunity to rebut. A report is a report.

VICE MAYOR COLBOURNE: Actually, if we could just hear from everyone right now, other than yourself.

MAYOR MESSAM: Commissioner Davis, you're recognize, ma'am.

COMMISSIONER DAVIS: Thank you. So on the issue of -- and it seems to be there's an issue with the -- having the last word; the last word. And I've found myself in a situation where somebody has given a report, and after I've said my piece, they use that as a springboard for what they're going to say, and then it doesn't give you the opportunity to respond, because you're time's up. Yet, because you went ahead of that particular commissioner, and they use fodder from what you said to make themselves look good, and you have no opportunity to respond. So I am all for having a motion, because then it gives us the opportunity to have a comeback, because I have found that to be the case, even with myself. And when you -- you make a statement, somebody uses that, and begins to criticize you, and then because your time is up, you have -- you don't have an opportunity to respond, and that's just unfair, because, again, the reports are for us to talk about any, and everything. And if you're going to talk about any, and everything, and somebody wants to come back on a discussion that they know is about them, they should have that opportunity. And -- and I think that's what's lacking. It's -- this is not an autocracy; this is a democracy, and people should have the opportunity to rebut, to speak on -- when somebody is referring to them, or specific incidents that they are involved in just to clear the air. And this is not a popularity contest. This is not something where I want all Miramar residents to love me, because I'm the best since sliced bread, I'm the best gift to the City of Miramar. And whoever feels that way, and it comes across that way, a lot of the times that's -- it's like I'm better than, I'm smarter than, I'm the gift to the world, I don't know who spoilt who. But each individual here is elected, and each person needs to be respected, and not talked down to, or feel they are less than, or less important, and I get that specific feeling when I hear some of the discussion up here. It's not just against women, it's against people that they -- may feel that are not as educated, they feel, somehow, that, you know, they can speak with a better tone or language system, but they're just fooling themselves. Because, at the end of the day, we are all elected by the people, and none of us is better than the next person, and none of us should be led to feel that we are inferior or less than, and that is happening a lot on this dais. Many of us, all of us, actually, are immigrants; none of us were born with a gold spoon in our mouth, despite how they feel about themselves, and I think humility is

paramount. And for those who feel that they are the humblest, and the most nicest, and compassionate person ever, they too have flaws, and they need to be recognized that you are -- you have flaws. As my mother would say, we need to repent, and be sure to treat each person with respect. So, I -- again, as far as that voting to close the meeting, I'm all for it, because then everybody will have an opportunity to say their piece. Thank you.

MAYOR MESSAM: Is there a motion on the floor?

COMMISSIONER BARNES: No, I have something --

MAYOR MESSAM: Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Yeah. You can imagine I have something to say. Let me just say this. I have no interest, whatsoever, in making any changes to the procedures, so I can seek out ways for personal attenuation; yeah, I like fancy words. I'm prepared to continue in a mode of service to the City of Miramar, nothing less, nothing more. We continue as a body to embarrass ourselves, the history of the City of Miramar, the residents of the City of Miramar. Again, I am saying, I have no desire whatsoever to intimidate staff, or to embarrass management. Mr. Mayor, can I just give my notices now for coming events, so we could save some time. I have a bookbag giveaway coming up on the 23<sup>rd</sup> of this month at Ansin Sports Complex, and our citizenship drive is coming up on Saturday, August 13<sup>th</sup> at the Vernon Hargray Center on Miramar Parkway 10:00 a.m. until 2:00 p.m., I thank you.

VICE MAYOR COLBOURNE: We still on my item?

MAYOR MESSAM: Vice Mayor, you're recognized. You have a motion?

VICE MAYOR COLBOURNE: Thank you --

MAYOR MESSAM: You said you want to make a motion.

VICE MAYOR COLBOURNE: -- very much. You have a comment? Did you want to make that comment before I make the motion?

MAYOR MESSAM: Commissioner Chambers.

COMMISSIONER CHAMBERS: It's -- good thing I make myself a seat at the table, and I'm not on the menu. Now the Mayor was the one who rumble on for ten, maybe, 20 minutes at the last meeting about the keys, and proclamation. Now I would not have a problem with either, so I look to my colleague next time, or moving forward, less go through my office and move on. But it's went on -- I mean I -- I'm went on for a while, and I'm not going to get back that ten, 20 minutes of my life. Addressing the other issue. I'm not saying that one's spouse cannot be on stage; that's not the issue. But if one's spouse

is on stage with elected officials, they should know their place; you should not have no interaction, none whatsoever, with any of the elected official. So how do we stop that? It's embarrassing. It's not supposed to be -- I don't think we have to deal with that. That could be classified as terror -- terrorism. We're elected. We're supposed to be there. We're doing our duty. I don't need one's spouse to come say anything to me, or say anything to one of my colleagues, no. Hold you corner, as we would say in Jamaica, you know, so that's what I'm saying. I'm not stopping anyone from bringing their spouse. So let's get that straight. So, as a body here, whatever changes that we can put in place to make sure that things stay kosher, we should do that. And I'm prepared to vote to make things happen.

VICE MAYOR COLBOURNE: Mr. Attorney, can you frame that motion again for me, please? Oh, I'm sorry.

COMMISSIONER DAVIS: And I know, sorry, that you have your motion, but the second issue that was brought and raised by Commissioner Chambers, -- and, hopefully, this will be addressed when we have our events discussion. But I feel that, you know, people start bringing their family up on stage, you know, and it's -- it's not at every event, it's at certain events, certain -- in front of certain crowds. It's -- it's very -- it's -- it's -- you know, when -- when do you bring your son and your grandchildren, and your -- your parents, and everybody on stage? I mean there's got to be a sense of decorum. I don't think it's appropriate, just bringing family, and business partners on stage with you.

MAYOR MESSAM: Who's doing that? I bring my wife on the stage.

COMMISSIONER DAVIS: I'm not. I mean --

MAYOR MESSAM: So who are you -- you must be talking about the Vice Mayor, Commissioner Barnes, or someone else.

COMMISSIONER DAVIS: You are being very rude and disrespectful right now.

MAYOR MESSAM: Vice Mayor, you --

COMMISSIONER DAVIS: Because I'm speaking.

MAYOR MESSAM: Your topic is talking about those two items, so -- we can talk -- we can continue talking about this, but at least get the item out of the way. And I'm -- I'm glad

COMMISSIONER DAVIS: But you're interrupting --

MAYOR MESSAM: -- that all of this is coming out on the City of Miramar.

COMMISSIONER DAVIS: Right, you're --

MAYOR MESSAM: Now we see how the Commission really feels, and the --

COMMISSIONER DAVIS: You're -- you're interrupting, Mr. Mayor.

MAYOR MESSAM: -- energy behind that. So can we move this item, and just move on with the Commission meeting.

COMMISSIONER DAVIS: And -- but -- but -- let me finish.

MAYOR MESSAM: Please.

COMMISSIONER DAVIS: So with regards to behaviors on stage, there has been precedent set about disruptive behavior on stage, and comments and interference with programming by persons who have been on stage who are not elected. So if we're going to start airing the dirty laundry, we can do so.

MAYOR MESSAM: Let's do it.

COMMISSIONER DAVIS: But in order to keep it the way it should be, I think it's best that there should be some kind of policy or procedure set as to who goes on the stage. You could say: Let me have my grandbaby on stage. I mean this is not -- it is not that kind of party. So if you want to bring somebody on stage, I may want to bring somebody on stage, other people want to bring people on stage; there's got to be some kind of decorum, and that's all I'm saying, and that's what we need to establish.

COMMISSIONER CHAMBERS: Well said.

MAYOR MESSAM: Is there a motion?

VICE MAYOR COLBOURNE: Yes. I'm asking the attorney if they would -- if he would please phrase the motion.

CITY ATTORNEY POWELL: It would be a motion of the Miramar City Commission to amend paragraph five of the commission meeting procedures to provide that the meeting shall be adjourned by a motion of a majority vote of the Commission.

VICE MAYOR COLBOURNE: Okay.

MAYOR MESSAM: May I have a motion, please.

VICE MAYOR COLBOURNE: So said -- so motioned.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: No. No.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: No.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve amending paragraph five of the commission meeting procedures to provide that meetings shall be adjourned by a motion of a majority vote of the Commission, the Commission voted:

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

**Approved**

MAYOR MESSAM: You have another motion, Vice Mayor?

VICE MAYOR COLBOURNE: Yeah. I'm still -- I -- I'm still on this -- on the rest of this topic that -- that has come up as well.

MAYOR MESSAM: Okay.

VICE MAYOR COLBOURNE: There are a few things that were said. There -- there -- we've -- we've gone on. There are a few things that you said. But in terms of our attorney -- our attorneys, they don't stay away because they don't want to get in between us. They actually -- they actually know the law, the rules, and return to them in order for clarification, so I'm not -- I'm not comfortable with that. There is a lot of saying -- you know, a couple

of individuals: Oh, this is embarrassing. Well, this is the forum where we discuss things. So I don't -- when we say it's embarrassing, I don't know what that means, because each of us have the opportunity to speak professionally, and address the issue, so I -- I don't know where the embarrassing comes -- where they embarrassing comes in. If you have something to talk about, then this is the forum to do so, and this is what we're doing here today. I didn't create this. This was created from last -- from last meeting's actions, so - - and my -- my effort in bringing it today is that we can go ahead and put some things in place, so that this type of behavior wouldn't happen again. I know that Commissioner Chambers and Commissioner Davis brought up an issue about having people on stage. I would say I have the same concern that you do, in particular the individual that you're referring to. I think when there is a safety issue for elected officials, at a minimum, when there's a safety concern, we need to be advised. So -- so, yes, I think we need to -- we really need to look into who is coming up on -- on the stage with us when we're invited to the stage. And, yes, when it comes to informing, and notifying, and letting somebody know, if you're going to bring somebody up on stage that could be an issue, we should be notified, and so should -- so should authorities. So however you wish to deal with that, how -- whatever you wish to recommend or move forward with that; I don't know if the attorney has input in that, but I would certainly agree that it's something that should be addressed.

COMMISSIONER CHAMBERS: I --

COMMISSIONER DAVIS: So, for the -- for the attorney --

MAYOR MESSAM: Should that also include daughter's birthday parties on the Commission Chambers balcony? Should that also include any family members that attend to anything in the City of Miramar. Can -- can -- just think about how ridiculous this sounds. How ridiculous this sounds. And you can vote on whatever you said. I'll be on the record, just like I said before, no matter what you decide, if I choose to bring my wife on the stage with me, I will. So let's have the motion, and let's move the meeting.

COMMISSIONER DAVIS: As the attorneys, how would we proceed in terms of this? Will it be just procedurally?

CITY ATTORNEY POWELL: Frankly, I don't think that if a -- if an attempt to make an omnibus motion to address this would be -- would make sense. I mean this is something that's more a safety issue or -- or it's really -- an at the meeting-by -- event-by-event issue. I mean if you're at an event, and there's a small stage, and you want to know who's coming up, you -- you turn to your safety protocols to deal with that issue. But to -- frankly, to sit here and say we're going to make a motion that XYZ is going to go up on the stage, I don't -- I don't think that's a workable solution.

COMMISSIONER DAVIS: Right. I -- I think it's more procedural, and in more into -- more -- more policy related, I feel, in terms of who should be on stage at particular events. I



just don't think it's all and sundry. So if you don't have an answer to that now, maybe you'll bring something back.

CITY ATTORNEY POWELL: Yeah, I think that'd be the better -- the better course. It just sounds to me that, you know, you're looking for some guidance here, and I -- I think the better practice would simply be that if there's an event that's planned, and there's anticipation of people wanting to be on the stage or the platform, that that should be worked out, you know, right around the time you're having your event. And I'll -- I'll -- I will take a look at it, and see if there's something that we can provide each of you to look at, and see if it makes sense.

COMMISSIONER DAVIS: That's all we ask, because there's been some safety concerns with certain folks coming on stage.

COMMISSIONER CHAMBERS: Let -- let me speak to some clarity to this item. It's -- it's not just coming on stage, and space, and safety. The problem is when one individual have runnings with three elected official, verbally, and threatened, and having issue, then that's what we're looking at. That's what -- that's -- that's my concern. I don't want somebody's spouse, or the Mayor's spouse, whoever want to argue with me about me doing my job, or interfering with what we are doing. I don't want that happen to Vice Mayor Colbourne. I don't want that happen to Commissioner Davis. So that's the issue I've had. It's people who are not elected trying to dabble in our business, and create a safety issue, where police have to be called, the FBI have to get involved, and all that type of thing. Okay. I had to threaten the -- the -- couple of city manager back to get this person off my back, because I feel like I was being terrorized at my workplace, that's the damn issue. And that's what we need to address, either tonight or at another meeting, so we can be very clear; do we need security from the Miramar PD to be there? Those are the problem that I'm having. So I don't want people coming out here acting like they're high and mighty, and yaddah, yaddah, yaddah, and try to spin things their damn way. No, it's not happening. This is the Miramar City Commission. And -- and for my colleague to get up and leave -- I don't understand what's going on with him too. The most intellectually, laziest person I've ever seen in all my life.

VICE MAYOR COLBOURNE: I think --

MAYOR MESSAM: Can -- can we have a -- a motion or whatever we're going to do with -- with this, please.

VICE MAYOR COLBOURNE: I think, in terms of having other individuals on the stage, our family members, or -- or folks that are not elected, I -- I just want to say that when we are called to the stage, as elected officials, when we -- whether it's an event, or for whatever the reason, I always try to come, because I feel it's my duty, it's my -- I'm there in an official capacity. And where I may have other people along with me, whatever it is that I'm attending, it's just me, and I'm really just assuming that if it's elected officials on this body, I'm a -- I'm assuming that those are the individuals that will be there with me.

To have someone just spring up next to you, or -- or -- or on stage with you, when there is some sort of a -- a -- a history behind, or issues behind that, I think that's unfortunate that that happened. And I don't think that I, personally, should be placed in that position, and I don't think my colleagues should be placed in that position. And I think, Mr. Mayor, that it's something that you need to hear what we're saying to you, and -- and -- and -- and be reasonable, and let's deal with this differently, as we move forward.

MAYOR MESSAM: On to Commission reports. Commissioner Davis, you have a report?

COMMISSIONER DAVIS: I would just like to thank our Parks Department, Marketing, Public Works, Police, and Fire for the help in making sure that the Taste of the Caribbean Islands was a success. I -- I'd like to thank their department heads, the ACMs responsible, newly appointed ACM Burden, and ACM Johnson, and, of course, our deputy and our City Manager for allowing us to be able to present a great event with the different facets that it had this year. Fun was had by all, and it really put Miramar in a good light. Despite the doom and gloom that's been mentioned here, we are a beacon in this county, in fact, and folks from all over came; this was one of the few events that was hosted to commemorate Caribbean American Heritage Month. And I'm -- I'm really proud of the work that we put in, and the caliber of events that we produce, and the work that is put in by staff. So thank you, thank you, and looking forward to continue working with everyone, so that we can continue to be the beacon of light in this great county.

MAYOR MESSAM: Commissioner Chambers.

COMMISSIONER CHAMBERS: Thank you. Very pleased that we are addressing some of these issues tonight. Should have been taken care of at the last meeting, but better late than never. I just want to announce that we're going to have a back-to-school health and wellness giveaway at the Emmanuel Apostolic Church in east Miramar, July 23<sup>rd</sup>, from 10:00 a.m., I believe it's to 3:00 p.m. I don't have my notes with me. But we want to encourage everyone to go on the website, Facebook, and share that information, so you could sign up, and the families who needs school supplies, they should come on out, and get some school supplies. Family who want to do the health check, that will be happening that day, July 23<sup>rd</sup>, at Emmanuel Apostolic Church in east Miramar. Thanks to Commissioner Davis for Taste of the Caribbean, and thanks to the employees, Parks & Rec, and everyone that participate to make sure we have a successful event. And, once again, thanks to this great City of Miramar. Thank you.

MAYOR MESSAM: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: I don't have anything else at this point. I just wish that we can resolve this issue, where it comes to us being on stage with an individual who has -- has threatened us. We need to move forward with that. And we shouldn't ignore it. So we cannot have your wife threatening us, and then have --

MAYOR MESSAM: Excuse me. My wife has never threatened anyone on here, and I would advise you just to keep her name, and any reference of her out of your mouth, thank you. Commiss -- City Manager, you have a report.

**City Manager Reports: NONE**

MAYOR MESSAM: City Manager, you have a report?

CITY MANAGER VIRGIN: Thank you, Mr. Mayor. I just want to quickly say that this month is Parks & Recreation Month, and I want to give a real big shoutout to Parks & Recs. They have done tremendous work over the years, and to the director, Elizabeth Valera and her team, Billy Neal, Janile -- Janine Allen, and the rest of the -- the team. They really had shown us, and they -- they're winning me over to Parks & Rec from Utilities, but I really want to -- to -- to -- to give them a real big shoutout, that's the kind of work they do. And -- and the Fourth of July celebration was a testament to the kind of operations that they do. In addition to that, I also want to thank the Police Department for the Fourth of July, keeping us safe, and it was a really good event that went seamlessly. So, once again, Parks & Rec and PD, thank you very much, and to all the staff. But this month is Parks & Rec Month, so I really want to pay special attention to them. Thank you.

**City Attorney Reports:**

MAYOR MESSAM: City Attorneys?

CITY ATTORNEY NORRIS-WEEKS: This is an announcement of a notice of executive, close-door session of the City of Miramar at approximately 6:30 p.m. on August the 17<sup>th</sup>, 2022, or as soon thereafter, as it may be heard. The City Commission shall meet privately to discuss pending litigation, pursuant to Section 286.0118, Florida Statutes, for the following case: Joshua Perez vs. City of Miramar, Fire Rescue, Gallagher Bassett Services, Inc., Division of Administrative Hearings, Office of Judges Compensation Claims, Case No. 20-009311BAL. This executive, close-door session will take place on the third-floor conference room at 2300 Civic Center Place, Miramar, Florida. Present at the attorney/client session will be Mayor Messam, Vice Mayor Colbourne, Commissioner Barnes, Commissioner Davis, Commissioner Chambers, City Manager Roy Virgin, and attorneys -- City Attorneys Burnadette Norris-Weeks, Norman Powell, Michelle Austin Pamies, Lorna Brown-Burton, and on the record court reporter. The estimated length of the attorney/client session will be 25 minutes. Thank you very much.

MAYOR MESSAM: That concludes your report?

CITY ATTORNEY NORRIS-WEEKS: Yes, sir, it does.

MAYOR MESSAM: Just to the residents. It's an honor to serve you as your mayor, and I'll continue to serve with distinction and humbleness, and will always be here for the call, and will speak truth to power. Thank you so much.

### **FUTURE WORKSHOPS**

<b>Date</b>	<b>Time</b>	<b>Subject</b>	<b>Location</b>
TBD	TBD	Events Workshop	Commission Chambers

### **ADJOURNMENT**

MAYOR MESSAM: Does the Commission want to give their adjournment motion?

COMMISSIONER CHAMBERS: Motion to adjourn.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Adjourned.

VICE MAYOR COLBOURNE: No one voted.

The meeting was adjourned at 9:46 p.m.

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Denise A. Gibbs, CMC  
City Clerk  
DG/cp