



MINUTES OF THE CITY OF MIRAMAR REGULAR COMMISSION MEETING

JULY 3, 2018

6:00 P.M.

The regular meeting of the Miramar City Commission was called to order by Mayor Messam at 6:20 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 Darline B. Riggs

The following members of staff were present:

Interim City Manager Vernon Hargray
Assistant City Manager Michael Moore
City Attorney Jamie Cole
City Attorney Alison Smith
City Clerk Denise A. Gibbs

MAYOR MESSAM: Good evening. The Miramar City Commission is now called to order. 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 Riggs.

COMMISSIONER RIGGS: Here.

CITY CLERK GIBBS: Interim City Attorney Hargray.

INTERIM CITY MANAGER HARGRAY: Here.

CITY CLERK GIBBS: City Attorney Cole.

CITY ATTORNEY COLE: Here.

CITY CLERK GIBBS: City Attorney Smith.

MS. SMITH: Here.

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

PLEDGE OF ALLEGIANCE

A MOMENT OF SILENCE

MAYOR MESSAM: At this time, we'd like to observe a moment of silence for all the condolences we may be experiencing in the community. Thank you.

PRESENTATIONS & PROCLAMATIONS

MAYOR MESSAM: Alright. We have a few presentations and proclamations, and we'll bring those forward now.

Proclamation: Parks & Recreation Month (Mayor Wayne M. Messam)

MAYOR MESSAM: Our first proclamation, I would like to bring forward the Parks & Recs Department, in recognition of Recreation & Parks Month, led by Director Liz Valera. Proclamation, Recreation & Parks Month, July 2018.

Whereas, parks and recreation programs enhance the quality of life by contributing to healthy lifestyles, community building, economic development, and environmental sustainability; and, Whereas, parks and recreation programs boost our economy, enhance property values, attract new businesses, increase tourism, and reduce crime; and, Whereas, recreation builds family unity, strengthens neighborhood involvement, offers opportunities for social interaction, enhances education, develops creativity, and promotes cultural diversity; and, Whereas, recreation, therapeutic recreation, and leisure education are essential to rehabilitation of individuals who have been ill or even disabled; and, Whereas, Florida recognizes the benefits derived from quality public and private recreation and park resources at the local and state level; and, Whereas, to increase enjoyment, and for individuals and families who want to enjoy a healthy environment, the City of Miramar has, within its boundaries, 42 parks, excuse me, with 600 acres for its residents to enjoy.

So Miramar is actually one of the cities that, perhaps, has one of the most parks and most green spaces, passive parks, and active parks, and our nationally known Regional Park, and we're very fortunate to have these assets to offer to, not only our residents in the community, but to the region. And we thank our fine Parks & Recs leadership team and staff for all that they do for our parks.

And now, therefore, I, Wayne Messam, Mayor of the City of Miramar, and on behalf of the City Commission, do, hereby, recognize July 2018 as Recreation & Parks Month.

Congratulations and thanks again.

Proclamation: Mrs. Albertha Newton-Butler Day (Mayor Wayne M. Messam)

MAYOR MESSAM: Is the Newton-Butler family here? Come forward, please. This is a proclamation for the late Mrs. Albertha Newton-Butler, one of our long-term residents -- lived in the Miramar Park community. And you know when -- when you're blessed to live so many years that she was blessed to be here, not only on this earth, but here in the City of Miramar, we like to pause and give recognition, and we enjoy having you as her family to be able to share this with our community at the Commission meeting. Proclamation: Mrs. Albertha Newton-Butler.

Whereas, Albertha Newton-Butler was born on June 22nd, 1927, in Fitzgerald, Georgia. She was the tenth child of 11 children born to the late Steve and Lizzie Newton, of which seven of her siblings preceded her in death; and, Whereas, she completed elementary and high school in Fitzgerald, Georgia, and relocated to Miami, Florida, she pursued a career in nursing, obtained a degree from Miami-Dade College, and worked as an LPN in the Maternity Ward at Jackson Memorial Hospital, and retired 37 years -- after 37 years; and, Whereas, Mrs. Butler met the love her life, Leroy Butler, and they were married on January 29th, 1954. The union

lasted 61 years until his death in October 2015; and, Whereas, Ms. Butler was an active and faithful member of Friendship Missionary Baptist Church of many years, serving in ministries and organizations too numerous to mention. She was also an active member of her community group, Miramar Parks Homeowners' Group, where she was known for her famous red velvet cake at their Christmas functions.

We could use some tomorrow celebrating Fourth of July, right?

And Mrs. Butler was a very Godly, caring individual, always wanted to help despite her health issues. However, since the recent passing of her only son on Good Friday, March 30th, 2018, her health rapidly declined, and she transitioned into eternity on June 9th, 2018; and, Whereas, Mrs. Butler leaves behind three sisters, and a host of nieces, nephews, godchildren, relatives and friends, all mourning the loss of a blessed, caring, and loving individual. Now, therefore, I, Wayne Messam, Mayor of the City of Miramar, and on behalf of the City Commission, do, hereby, extend heartfelt condolences to the family and friends of Mrs. Albertha Newton-Butler.

And she will definitely be missed in our community. Thanks so much for coming this evening.

Proclamation: Domestic Workers' Day. (Mayor Wayne M. Messam)

This proclamation was read after agenda item number nine.

MAYOR MESSAM: Alright. Now we'll have a presentation by KAPOW.

Presentation: Kids and the Power of Work (KAPOW) City recognition. (Learning for Success, Inc. President John Casbarro)

MAYOR MESSAM: Alright. Now we'll have a presentation by KAPOW.

MR. CASBARRO: Good evening, Mayor Messam, Vice Mayor Colbourne, Commissioners and City Manager. My name is John Casbarro. I'm president of Learning for Success, Inc., and the Kids in the Power of Work, KAPOW, program. The KAPOW program brings business and community volunteers into elementary, middle schools, and now, for the first time, Miramar High School, a high school and students into the workplace to expose the students to the world of work, and the skills necessary to be a success in work and life. The City of Miramar has just completed its 16th year participating in the program. Thanks to your support, 354 students from both Miramar High and Fairway Elementary participated in KAPOW this school year. Miramar High's KAPOW partnership was developed by the Miami Police Department and Italia Thurston to support the City Manager's Criminal Justice Program at the School. This is the first time we have ever done this. Special thanks to Italia, that's for sure. Funding support was also provided through the City Manager's Office and the Miami Police Department's Law Enforcement

Trust Fund, so we want to thank both the City and Chief Dexter Williams. We'd also like to recognize the City for hosting and cosponsoring our annual KAPOW recognition dinner and awards -- you'll be seeing photos, if you haven't already, coming up -- held for the first time ever right here at the Miramar Cultural Center. It was a spectacular evening. We had 300 people, and Mayor Messam presided at the beginning to welcome everyone on behalf of the City. It was a truly wonderful event. We also want to thank Sarah Summy and her staff, who did an excellent job with the event, the catering, and everything was fantastic. So we plan and hope that we will continue to have this event every year here at the City of Miramar Cultural Center. At this time, we have a number of awards that we'd like to give to all of the different departments. Look, see all those people? They were participating in the KAPOW program this year, so we'd like to ask if Mayor Messam can come up at this time, so that we can present some awards. The first one we'd like to present is to the City of Miramar, and we have this -- we have this award, and then we want to call up -- we also have -- this is a very special award. It's called our Diamond Award, and it's for big -- only really big, important supporters of our KAPOW program. We also give a special award each year to our Volunteer Coordinator of the Year, and we couldn't think of anybody who deserved this more than the City's own Italia Thurston. So we'd like to present -- we -- we have more than 100 businesses and organizations who are partners with KAPOW, so to have this award go to Italia, it's a very prestigious award, we think. Now we have -- want to present awards to the different departments that -- that participated in the program. So we'd like to call up everyone who is with the Parks and Recreation Department, and we're going to give an award each -- for each department that comes up. Give that to them when they come up. Okay. Parks & Recreation. Is it there? Okay. Next one is Community and Economic Development, if they could come up. Sonia Gollab and her folks. The next one is Cultural Affairs Department. The next one is Finance. The reason we're calling up all these departments up, folks, is because the students who came on their field trip to the City visited with all different -- all these different people participated from the different departments to interact with the students. Finance. Next one is Human resources. The next one is Police Department. Wow. The next one is Procurement, Darlene Charles. The next one is Public Works, Greg Rust. Next one is Social Services, and the last department is Utilities. Public Works and Social Services and Utilities. Greg Rust, Public Works. Social Services, Katrina Davenport, and Utilities, Jody Kirkman, Director. This is a lot of people to thank, but what can we say? We work with -- I want to tell you; my organization works with 12 different cities throughout South Florida. There is no city that even begins to compare with the participation that this City has in our program and the youth of our community. So we cannot thank you enough, but we're trying, so thank you all so much for your participation and your help this year.

MAYOR MESSAM: Okay. Is everybody ready for the marathon?

CONSENT AGENDA

MAYOR MESSAM: Alright. We're now onto the 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 -- enacted in the form listed below. If discussion is desired, the items will be removed from the Consent Agenda and will be considered separately. Anyone wishing to comment on any item on the Consent Agenda should approach the podium at this time. Anyone from the public? Seeing none, back to the dais. Are there any items you wish to be pulled? I'll entertain a motion.

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 Riggs?

COMMISSIONER RIGGS: 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, 4, 5, 6 and 7, the Commission voted:

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

1. Minutes from the Regular Commission Meeting of February 21, 2018.

Approved

2. Temp. Reso. #R6737 approving the award of the Request for Letters of Interest (“RLOI”) No. 18-12-12, entitled "**Engineering and Consulting Services for the West Water Treatment Plant Process Enhancement Project**," to AECOM Technical Services, Inc.; authorizing the execution of the Project Agreement in an amount not-to-exceed \$184,300. (*Utilities Director Jody Kirkman and Procurement Director Alicia Ayum*)

Resolution No. 18-133

3. Temp. Reso. #R6740 approving the purchase of **additional services** for the **Floridian Well No. 2 Project** from A.C. Shultes of Florida, Inc. in an amount not-to-exceed \$53,959. (*Utilities Director Jody Kirkman and Procurement Director Alicia Ayum*)

Resolution No. 18-134

4. Temp. Reso. #R6715 approving the award of Request for Proposal No. 18-03-20, entitled "**Disaster Debris Removal Services**" agreements to the five ranked proposers, Ceres Environmental Inc., D and J Enterprises Inc., Bergeron Emergency Services, DRC Emergency Services, and Customer Tree Care Inc., authorizing the Interim City Manager to execute continuing service agreements for future events on an as-needed basis for a term of three years with two one-year renewal terms. (*Public Works Director Bernard Buxton-Tetteh and Procurement Director Alicia Ayum*)

Resolution No. 18-135

5. Temp. Reso. #R6742 authorizing expenditures in the amount of \$83,560 for the **lease buyout** of a total of 15 vehicles for the Information Technology, Community and Economic Development, City Manager’s Office, and Social Services Departments, utilizing the Master Equity Lease Agreement with Enterprise Fleet Management. (*Public Works Director Bernard Buxton-Tetteh & Procurement Director Alicia Ayum*)

Resolution No. 18-136

6. Temp. Reso. #R6734 approving the granting of seven drainage easements on Parcel “B”, "**Miramar Regional Park Replat**", according to the plat thereof, as recorded in Plat Book 169, Page 87 of the public records of Broward County, Florida, to the South Broward Drainage District for the operation, removal, disconnection from, connection to, rehabilitation of, and maintenance of the drainage structures and system located within these **easements at Miramar Regional Park - Overflow Parking**. (*Construction and Facilities Management Director Luisa M. Millan*)

7. PULLED

End of Consent Agenda

RESOLUTIONS

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

- 8. Temp. Reso. #R6751 approving **appointments to various City boards.** (City Clerk Denise A. Gibbs)**

CITY ATTORNEY COLE: Item number eight is 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: Alright. Do we have a list of the vacancies? One of the vacancies was on the Historic Miramar and, Commissioner Barnes, do you have your nomination for the Parks & Recs Board? I think you had a vacancy there. As Commissioner Barnes looks at -- looks at his options, for Historic Miramar, the applicants that we have listed are as follows: Ismo Guzman, Lair Hall, Francelene Hernandez, Ralph Tait. Is there a nomination for the at-large position on the Miramar -- Historic Miramar Advisory Board?

COMMISSIONER RIGGS: Yes. I would like to nominate Ismo Guzman.

MAYOR MESSAM: We have a nomination from Commissioner Riggs for Ismo Guzman. Are there any additional nominations at this time? Hearing none, and without objection, Ismo Guzman, --

COMMISSIONER RIGGS: Mm-hmm.

MAYOR MESSAM: On to Parks and Recreation Advisory Board. There are three individuals listed: Lair Hall, Jonald Joseph, Rose M. Lester that have submitted applications.

COMMISSIONER BARNES: Lair Hall.

MAYOR MESSAM: Okay. Right. So we have Lair Hall, as Commissioner Barnes' appointment to Parks & Recs Advisory Board. We will now take a motion to move forward the at-large appointment for the Historic Miramar Advisory Board, Ismo Guzman, and for Parks & Recreation Advisory Board, Lair Hall. May I have a motion, please?

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER RIGGS: 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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Riggs, to approve Resolution #R6751, the Commission voted:

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

Resolution No. 18-138

MAYOR MESSAM: Item number nine, please.

- Temp. Reso. #R6738 amending the agreement between the City of Miramar, Klass-Ex, LLC, and Holsen, Inc., for **general management services** at the **Miramar Regional Park** to bifurcate and restate the agreement and responsibilities of the parties. (*Parks & Recreation Director Elizabeth Valera*)

CITY ATTORNEY COLE: Item nine is a resolution of the City Commission of the City of Miramar, Florida, amending the agreement between the City of Miramar, Klass-Ex, LLC, and Holsen, Inc., for **general management services** at the Miramar Regional Park to

bifurcate and restate the agreement and responsibilities of the parties, authorizing the Interim City Manager to execute the amendments, and providing for an effective date.

MS. VALERA: Good evening, Mayor, Vice Mayor, Commissioners, City Clerk, City Manager, my name is Liz Valera. I'm the Parks & Recreation Director. Let me start by giving you a little background on this item. In 2015, the City put out an RFP for management services at the Miramar Amphitheater; only one proposal was received. It was joint between Holsen, Inc., and Klass-Ex, LLC. On July 6th, the Commission approved this recommendation, and then a contract was executed on July 20th. The agreement includes the management of the locations at the amphitheater, the promenade, the aquatic center kitchen, the box office, and the parking lots. Tomorrow will be one year since the amphitheater held its first event. The current agreement has the following payment terms: there's a base management fee of \$65,000.00 annually, an annual operating budget of \$693,000.00, and a scaling incentive fee anywhere between eight and 15 percent, once the manager would reach his threshold. There's a contingency fund of \$60,000.00 that's administered by the City that hasn't been used to this date, would only be used if needed, and the general manager and the concessionaire with part of this agreement agreed to pay \$160,000.00 as capital contribution during the course of the five years of the agreement. For the concessionaire, the current agreement is mainly based on the sales of commodities, such as alcohol, beverages, food, catering, different merchandising. This slide provides you with a breakdown of the different percentages of how it was paid. The agreement also included for the concessionaire a MAG, which is a minimum annual guarantee, of \$55,000.00. The current agreement that's in place is an actual -- is actually a turnkey business model between the concessionaire and the general manager. It is a five-year term with two two-year renewals. The general manager has exclusive power and authority over all matters, including concessions during the current contract. That concessionaire is preferred. He's only used on an event-by-event basis based on the existing agreement, and a termination of the existing agreement requires a four fifths Commission vote. Upon request of the Commission, a workshop was held this past February to discuss what different options there were that we can modify the existing agreement. After considering the options that were presented to staff, it was the Commission's request that we look into splitting the contract between the concessionaire and the general manager. Our Interim City Manager, Mr. Hargray, has had several meetings with Klass-Ex, LLC., to determine -- to negotiation the terms. They've agreed on certain terms that were approved, and that's the amendments that are being recommended today for your review and approval. Let me go over some of the key changes that affect the general manager's portion of the agreement. The general manager will no longer oversee concessions. The concessionaire is going to report directly to the City. The general manager is going to be limited to seven buyout events. And when we say buyouts, it's when the general manager will negotiate with a promoter to -- to get a flat fee for the concessions, versus having our concessionaire run those activities. The general manager will also receive \$2.00 for every car that parks for an event that they book. There's also -- we have eliminated from the prior -- from the existing contract, we've eliminated the scaling fee incentive. Instead, we've replaced it with a simple -- simpler model. Once the concession -- once the general manager reaches his

general operating budget, he'll receive a percentage of 40 -- he'll receive 40 percent of whatever he generates in excess of his operating budget, so he'll cover all his expenses. And they will not be required to continue with the capital contribution or the MAG, the manual -- the minimum annual guarantee, because that was really in relations to concessions, so it really didn't apply for the general manager. As for the concessionaire, there's also a few changes. The concessionaire is going to work independent of the general manager. He's going to report directly to the City. He's going to be over -- he's going to be exclusive -- our exclusive concessionaire for the amphitheater, the promenade, and the Cultural Center theater. Under the current agreement, he didn't have a fixed revenue stream, so with participation -- with being the exclusive concessionaire, we anticipate that he will be able to have some kind of revenue stream. When we originally came up with this contract, we didn't anticipate that all the promoters would want to run their own concessions, so that's why we took this into account. The new terms, they will share a portion of the buyout fees that are received by the promoters for the amphitheater and the promenade. To be consistent with all the City venues, and to make sure that we have the same concessionaire. We've also have him as the exclusive concessionaire for the theater portion of the Cultural Center, so that's an added location that he didn't have before. He's also going to help us managing the cepods. The cepods are -- and I don't know if you're familiar -- like at Wynwood, they've used shipping containers, and they've been repurposed to where now they could be used as a facility. So we're going to have some of those cepods in the promenade for our concessions, and the manager will manage that for -- the concessionaire will manage that on behalf of the City. And like the general manager, he will not be required to make a capital contribution or adhere to the MAG. The most important thing also is we're going to retain our control over the liquor license, so we're going to be purchasing the liquor, we're going to be overseeing the sales, and doing the inventory of the liquor. So those are the major -- and -- and we're recommending the approval of the amendments, as a result of your request that we look at the different options. If you have any questions.

MAYOR MESSAM: Thanks, Ms. Valera, for the presentation. At this time, are there any members from the public that wish to comment on this item? Seeing none, back to the Commission. Anyone? Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Thanks. We say the concessionaire will be reporting to the City. Is there a particular officer that the concessionaire will report to?

MS. VALERA: I will be the contract administrator.

COMMISSIONER BARNES: And when we say concessions, we're talking about merchandise, refreshments, everything?

MS. VALERA: He's exclusive for alcohol, beverages, food. For merchandising, he's not exclusive, and he will be able to sell merchandise, but we wanted to allow for local businesses to participate, and that's why we didn't make him exclusive. We encourage

him to use local register businesses when he does events at the promenade or any of the other locations.

COMMISSIONER BARNES: Okay. When I say merchandise, let me clarify. Depending on the type of performer, they tend to make a major part of their income from selling T-shirts, hats, pins, buttons, and so on. Where, in our new scheme of things, does that lie? For example, does -- is the performer allowed to bring in their products, their merchandise, and under what conditions.

MS. VALERA: Okay. They will be allowed to do their own merchandising, if that's negotiated with the general manager when the booking of the event. We -- like we said, he won't be exclusive, but, really, it's no more -- for the purpose of benefiting the promoters of the event, it's really -- we put the non-exclusivity, so that we can benefit the local vendors. So even the general manager will be encouraged to use the local businesses.

COMMISSIONER BARNES: And use the local businesses to do what? Tell me?

MS. VALERA: For example, we have businesses who have their own arts and crafts. We have businesses that have their own T-shirt business, which we've had at or events.

COMMISSIONER BARNES: Okay.

MS. VALERA: We have a lady that does beautiful straw hats. So we would encourage those types of businesses to be able to cater to the participants that come to the events at the amphitheater.

COMMISSIONER BARNES: Okay.

MAYOR MESSAM: That concludes your inquiry, Commissioner Barnes?

COMMISSIONER BARNES: Yeah.

MAYOR MESSAM: Thank you. Commissioner Riggs, you're recognized.

COMMISSIONER RIGGS: Thank you, Mayor. Well, it's difficult to decide on this at the moment, because when I first received this agenda item, I was under the impression that the agreement was in there, and it said it would be provided soon. But this was provided two hours ago, so I haven't had a chance to read the actual agreement to say whether this is best for the City or not. In reference to the buyout, can you go over that? Is there -- want a particular event and we have to do a buyout, how does the City benefit from that? Does that impact us, in reference to the concessionaire or the general manager? How does that work?

MS. VALERA: Well, we've had eight -- we've had eight events so far, and of the eight, five were buyouts and, typically, the promoter negotiates that with the general manager when they come in to rent the venue. And, basically, they'll -- we'll -- based on the genre of the event, and based on the ticket sales, there's usually -- because our general manager has so much experience in that -- more or less knows what to expect per person at an event. So they'll negotiate an amount -- I'll give you -- like \$5,000.00. So they'll pay us upfront, as part of the rent, \$5,000.00 towards concessions. If they make more than \$5,000.00, then the promoter makes that difference, but that \$5,000.00 comes to the City.

COMMISSIONER RIGGS: Does the concessionaire benefit when there's a buyout?

MS. VALERA: In the current contract, he does not. With the new proposed amendment, yes, he will.

COMMISSIONER RIGGS: Okay. So, for me, I'm not sure about my colleagues, but I need time to go over this. I need time to read this to see how it best suits the City in splitting these contracts, and, again, two hours ago, haven't had a chance to read it. So I would suggest we table this for another time, until we all had an opportunity to read what has been contracted to each individual that's involved, including, you know, the benefits for the City. Is this really best for the City.

MAYOR MESSAM: Are there any other comments. I don't see any other -- Commissioner Chambers, did you have a -- Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you, Mayor. I just want to ask; what promenade are we giving up the right to? Is it the promenade at the amphitheater or--?

MS. VALERA: The promenade is the sodded area between the amphitheater and the baseball field, where we set up tents for concessions, that's what we -- that's the promenade.

COMMISSIONER CHAMBERS: Okay. And also, the Cultural Arts Center here?

MS. VALERA: Right. Just the theater portion. So our concessionaire will be the dispenser of the alcohol for the theater, and any food or snacks that are sold -- just in the theater portion.

COMMISSIONER CHAMBERS: Just in the --

MS. VALERA: This doesn't include the banquet -- the banquet hall.

COMMISSIONER CHAMBERS: Okay. So the -- he will be providing alcohol in the theater?

MS. VALERA: That's correct. He'd be the vendor selling the alcohol, on behalf of the City.

COMMISSIONER CHAMBERS: Okay. Let me ask you, what's the terms of his portion of the agreement, the concessionaire?

MS. VALERA: For the alcohol?

COMMISSIONER CHAMBERS: No, just his terms of agreement for the --

MS. VALERA: There is a -- there's different scales, depending on what it is. Alcohol is 30 percent, --

COMMISSIONER CHAMBERS: No, what I'm asking -- we splitting this agreement in two halves.

MS. VALERA: Mm-hmm.

COMMISSIONER CHAMBERS: So the concessionaire -- I'm asking what the length of his agreement? One year, two years?

MS. VALERA: The length, it would be the same, five years, with two two-year renewals.

COMMISSIONER CHAMBERS: I have a question for the attorney. And I know the amphitheater been up and running; I don't want to hold up anything. But what I want to know, can we vote on this item and still relinquish the right to come back and look at this?

CITY ATTORNEY COLE: Once --

COMMISSIONER CHAMBERS: And still keep the right to come back and look at this if we see fit to?

CITY ATTORNEY COLE: Well, once you vote on the item, and the item is approved, and the manager will -- the Interim Manager will sign the contract. Once that contract -- once it's approved and signed, you can always come back and talk about it, except it's already a contract, so in order to change it at that point, you would need the consent of the other parties. So, pretty much, if you approve it now, you're approving it.

COMMISSIONER CHAMBERS: So this is a five-year term? Can we change to a two-year? Can we do that?

CITY ATTORNEY COLE: The Commission can certainly do whatever you want, as long as the other side will agree.

MS. VALERA: I -- my opinion is -- I think with a two-year, you're not giving enough time for either party --

COMMISSIONER CHAMBERS: Well, we can have an option to five-year, so a two-year with a five-year option, just for us to be able to take a look at it.

MS. VALERA: So a five-year term with a two -- one two-year term renewal?

COMMISSIONER CHAMBERS: Right.

MS. VALERA: Okay.

CITY ATTORNEY COLE: I'm sorry. Is it a two-year with a five-year renewal?

MS. VALERA: It's a five-year --

CITY ATTORNEY COLE: Commissioner Chambers said -- they said up to three years, with a two-year option.

MAYOR MESSAM: It's three years with the option for two.

CITY ATTORNEY COLE: Okay.

MAYOR MESSAM: Is that what it's -- Commissioner Chambers? Three years with the option to have two --

COMMISSIONER CHAMBERS: Or we could do five years with the option -- and we review at two years.

MS. VALERA: Okay. So five years, and then a one two-year renewal?

COMMISSIONER CHAMBERS: Right.

MS. VALERA: Five, two.

CITY ATTORNEY COLE: Commissioner, did you say review at two years? I mean I just want to make sure everyone is saying the same thing.

COMMISSIONER RIGGS: How about we read it first?

CITY ATTORNEY COLE: Commissioner Chambers, did you say a review at two years or a two-year renewal after the five years?

COMMISSIONER CHAMBERS: Well, we wanted to come back and take a look after -- within a year or two to see -- well, you said two years is not enough, so let's say we --

MS. VALERA: We'll always be looking -- our terms in the contract is that every six months, we're going to meet with both parties and look at their performance, and if there's ever a

problem with the performance, we'd always have to bring it back to the City Manager, and then he would address it with you all.

COMMISSIONER CHAMBERS: But I don't want --

MS. VALERA: Kind of like what we did this time. We didn't wait the five years.

COMMISSIONER CHAMBERS: But I don't want to be locked into a five-year. I want to take a look at two years, and then if it's okay, we go onto the five years.

MS. VALERA: Okay. Can I recommend three with a two?

COMMISSIONER CHAMBERS: Okay, three.

MS. VALERA: Okay, three with a two.

MAYOR MESSAM: What are the terms? Is there a -- is there a clause for terms for -- or termination for convenience?

MS. VALERA: It's in the document.

MAYOR MESSAM: And can you explain that? I mean in terms of --

MS. VALERA: I would ask the attorney.

MAYOR MESSAM: Like in terms of --

CITY ATTORNEY COLE: Sure. Robert Meyers from my office has been working on this, so he knows the specific terms. I do believe there's some kind of penalty or something if we terminate it.

MR. MEYERS: Good evening. The -- there's a termination for cause. That's the only way the City could terminate, or for non-appropriation. The City could decide not to appropriate funds. If the City terminates, then the -- then Klass-Ex is -- as the general manager, would be entitled to a severance -- there's a severance package up to four months, no more than \$100,000.00, and then the contract would be -- the contract would be over. With respect to -- with respect to the Holsen, the concessionaire, it's just a -- it's a straight termination for a cause. That's those -- the -- the standards for cause are spelled out in the -- in the agreement. So there's no termination for convenience. There's no termination, you know, without -- without cause.

MAYOR MESSAM: So, in other words, the City isn't -- wouldn't -- can't be held hostage for nonperforming party, whether it's the GM or the concessionaire. We have -- we have terms in the contract to -- to relieve the City of nonperformance, correct?

MR. MEYERS: Absolutely. And as the Parks Director said, I mean you have this six-month evaluation; so you do that twice a year, and then during your appropriations cycle, if, for some reason, you believe that it was in the best interest to continue to fund either one or the other, you could make that -- you could make that call. But, like I say, the termination for cause spells out exactly how the City can find one or both parties in default. But they're separate agreements. I just want to emphasize that, you know, we're looking at things a lot differently. We bifurcated it, so the performance of one is not tied to the performance of the other.

MAYOR MESSAM: Thank you.

MR. MEYERS: You're welcome.

COMMISSIONER CHAMBERS: So, if that's the case, let's do a three-years contract, instead of a five-year.

MS. VALERA: Okay. I just wanted to point out, the termination terms are on page 21 of Klass-Ex agreement, and page 11 of Holsen's agreement, if you wanted to see more detail.

MAYOR MESSAM: Alright. --

COMMISSIONER CHAMBERS: Attorney, we're going to do a three-year contract. Thank you.

MAYOR MESSAM: Well, that's a -- well, Commissioner Chambers, that's a -- that's a proposal, so we have -- we're still having discussion, so we'll -- we'll have that -- that deliberation, so it's noted that you're requesting that a three-year -- a three-year contract, correct?

COMMISSIONER CHAMBERS: Yeah. And the reason I'm compromising at three years, so I could go ahead and vote on this item tonight, so we can keep moving forward.

MS. VALERA: Okay.

COMMISSIONER CHAMBERS: I'm not locked into a five-year.

MS. VALERA: I just wanted to point out -- I'm not sure if I mentioned it. For the termination of the agreement, it requires a four fifths vote, so -- and -- and for us to be able to do an amendment, it took a lot from our City Manager Hargray to also work with Klass-Ex and Holsen, because the -- the way that the existing agreement reads, is that all parties have to agree to these terms. So kudos to our City Manager, you know, to be able to bring all three parties to the table and agree to these terms.

COMMISSIONER CHAMBERS: But I think three years is pretty reasonable.

MS. VALERA: I think so.

COMMISSIONER CHAMBERS: It's that or nothing.

MAYOR MESSAM: I have Commissioner Darline Riggs followed -- actually, before Commissioner Darline -- Vice Mayor would like to speak, and then -- since she hasn't spoken yet, and then it will be Commissioner Riggs, and then followed by Commissioner Barnes. Commissioner -- I mean, Vice Mayor Colbourne, you're recognized.

VICE MAYOR COLBOURNE: Thank you very much. I wanted to thank staff and our attorneys for working on this agreement. I know one of the parties came to us here at the Commission meeting, and there were -- there were issues, and I think those issues were probably hurting our -- our amphitheater, and moving forward. So I want to thank everyone who worked on this, and I am very hopeful that I will see lots and lots of shows here, and that you will come before us, and you will just brag about all the money that the City is making over at the amphitheater. So --

MS. VALERA: I look forward to that as well.

VICE MAYOR COLBOURNE: Okay. Wonderful. Thank you.

MAYOR MESSAM: Thank you, Vice Mayor. Commissioner Riggs.

COMMISSIONER RIGGS: Thank you, Mayor. Okay. It would be irresponsible of us to vote on something we haven't read. And it wasn't given to us with sufficient amount of time to have read it, so why would we make this decision tonight. I believe we should table this, get a chance to read it, ask our questions, have them answered, make sure that what's in this 40-page document is best for Miramar, so I cannot vote on this.

MAYOR MESSAM: Thank you, Commissioner.

COMMISSIONER RIGGS: I haven't read it.

MAYOR MESSAM: Thank you, Commissioner Riggs. Commissioner Barnes.

COMMISSIONER BARNES: I, too, cannot vote on this. I wish we had access to the contract at an earlier time. No, I am not going to vote on this, or at least I will vote against it if we have to vote on it this evening. We could -- we could defer the item, but I -- this is one I have to take a look at the contract first.

MAYOR MESSAM: Thank you, Commissioner Barnes. As was stated in the presentation, this -- the prospects of bifurcating this contract has been in discussion, I think, since February -- February. It's not a new item, with a new facility, and working out the kinks, in terms of what's the best scenario and best options for operations, as well as for concessions. It was determined back in February that the City would look at breaking up

the contract, so that it could provide both service providers the optimum opportunity to be able to provide their respective services. The fact that all parties have been discussing the -- the desired terms, so that a mutual, benefiting scenario can exist, which is presented before us tonight isn't something that showed up two hours ago. Perhaps the final minutia, in terms of outstanding concerns by one or two parties, probably, was resolved today. But as I have taken the opportunity to reach out to staff to get updates, in terms of where we are on the contract, I'm familiar with it, but that's because I've reached out to staff to see where we are with the -- with the contract. I feel comfortable with voting on this item, because I am not only aware of what some of the issues are, but I know that the City Attorney and the Interim Manager, as well as our staff have been working with both the concessionaire and the general manager to work out the ideal scenario based on what all stakeholders feel would be in the best interest of the City. The highlights of the changes were presented today, and I think that for -- for those who've had an interest in finding out the status of this contract -- I can understand and respect the fact that some may want more time to review every clause of the contract, but I think in principal and in spirit, as it relates to the policy that this Commission wants, in terms of an effective contract to appropriately operate the amphitheater, as well as provide fine concessions at the various venues, I'm comfortable in voting on this item. And I think that all the important details, in terms of risk for the City, in terms of the term of the contract, in terms of compensation for the contract, all of the highlighted areas that, as a Commission, we would want to be concerned of is covered. In terms of the minutia, in terms of who shows up for work, how a contract is executed, our public administrators administer the contract. We don't administer the contract, and they have vetted the clauses of this contract. Our attorneys drafted the contract, so I'm comfortable in relying on our legal staff, our professional staff, as well as our Interim Manager, in terms of -- in terms of the agreement. And the fact that you have three independent parties, concessionaire, the general manager, and the City all agreeing to the terms, it puts me in a position to be able to vote on this item. So I know that Commissioner Chambers has a -- has a friendly amendment, in terms of reducing the years from five to three, I guess, with an option for two after that. I think that it's -- it's reasonable. It keeps the five-year term, but it allows a checkpoint for the City after three years to see how things are going, to see if all three parties still want to maintain the relationship and move forward. So -- so that's where I'm at on this item. I see that Commissioner Riggs has raised her hand and wish to speak, if you can just press the button, it would help me out to be able to keep the queue. Commissioner Riggs, you're recognized.

COMMISSIONER RIGGS: What date was this contract generated, the new one? When was it effective? As far as when everyone came to an agreement, signed?

MS. VALERA: It's been an ongoing negotiation. It was -- obviously, it was posted yesterday, like you said, but it's been -- we've been negotiating for months now.

COMMISSIONER RIGGS: So my point is, you had it more than two weeks, fair to say?

MS. VALERA: Final document, no. We did not.

COMMISSIONER RIGGS: So is there a reason why we received it only two hours ago?

MS. VALERA: It was just part of the negotiations, coming down to the final terms and -- and as much as there were also three parties involved, there was also three attorneys involved, so it was just a matter of -- some things were very minor. It was just changing, you know, a definition, but we didn't want to send the final document, until all parties agreed to it.

COMMISSIONER RIGGS: So although the Mayor mentioned that this is not a new item, it's true this is not a new item, but this 40-page document is a new 40-page document that we're voting on tonight, so it wouldn't make sense to vote and not know what is in here. So it doesn't make sense. That's not responsible. So maybe the Mayor was provided with a copy prior to the rest of us or my colleagues, but I haven't. I haven't read it, so we have to be responsible. I don't know, Commissioner Chambers, did you get a chance to read it, because we're about to vote on it, and if we haven't read it, it doesn't make sense. That's irresponsible to vote on something that we have not read.

MAYOR MESSAM: If you're -- you're finished, Riggs? Alright. Thank you. No, I was not provided the final -- it would have been impossible for me to get the final copy, because Madam Valera has stated when the final copy was available. I took the initiative to ask for updates. That's being responsible. Commissioner Chambers, you're recognized, followed by Commissioner Barnes.

COMMISSIONER CHAMBERS: I just want to ask the City Attorney, Mr. Cole, has he had a chance to go through these documents?

CITY ATTORNEY COLE: Mr. Meyers in my office was the attorney who worked on it, and he's, you know, gone through every single word of the document, but, you know, it was a negotiation, so it went back and forth, and I know it wasn't finished until yesterday, so that's why you're not getting it until today. You know, these negotiations, a lot of times, unless you have a deadline, they just keep going and going, so I think since today was the Commission meeting, you know, everyone knew it had to get done, so it finally did get done yesterday. But, yes, my office has gone through the document.

COMMISSIONER CHAMBERS: Thank you. I'd like to move forward with the changes, with three years, and I'd like to make a motion at the appropriate time.

MAYOR MESSAM: Okay. We're going to take final comments from Commissioner Barnes followed by Commissioner Riggs, and then we can decide on -- in terms -- I'll entertain a motion. Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: I find it interesting that the impression is being given that there's this overall agreement. The very fact that one Commissioner is asking for a change in the number of contract years means that maybe we're not ready. But, over and above that, I am not prepared to vote for this item, because I too would like to see

more details in the contract, and it has nothing whatsoever to do with who reaches out for what information as the contract went on. The reality is that the contract, to a particular degree, was concluded and/or published sometime today. I spoke to staff this morning; a contract was not available at that time, so if we're talking about reaching out to staff, I, too, reached out to staff. When I sought to do that this morning between 11:00 a.m. and 12:00 noon, a contract was not available. That's just the reality we're dealing with.

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

COMMISSIONER RIGGS: Okay. So, again, how do we know whatever changes or updates that you were giving is what we're agreeing on right now? It just -- it doesn't make any sense to me. And why are we rushing? Is there a reason we need to do this tonight, or can this be postponed to when we come back?

MS. VALERA: The goal was to get the amendment done. Like the Mayor said, we've been working on it since February, and now we have the -- the period where we're not going to be meeting, so we were really looking to just start implementing, because, as of now, -- and like the Vice Mayor shared, the concessionaire, at this point, is not satisfied with the terms of the agreement. So, with your -- with your instruction, we looked at the options, and one of the options was to split. And just -- I know that you mentioned 40 pages, but really, 40 pages of it is not new. A lot of it is the legal terminology that comes with the regular -- with a regular agreement. I went over the key points that are the changes, and it really -- with -- for example, for the general manager, the changes are very minor. For the concessionaire, obviously, because he wasn't -- and I remember his complaint was he had no revenue stream, so he was in this contract, and if the buyouts continued, he had no opportunity for -- to make revenue, but he was obligated to -- to proceed with this contract. So if you look at the presentation, most of the -- the elements that were changed were with the concessionaire, and I pointed out the main points, so that's really what changed. So, although you see 40 pages, if you look through it, a lot of it is redundant from the prior agreement, and it's just the legalities, the breaches. All of that -- none of that really changed. What changes -- probably -- the fee structure, that fee structure, and even the terms we were leaving the same, so it was still five with two, that wasn't changing. The elimination of the capital contribution, and the minimum annual guarantee, we all agreed in February that it shouldn't have been put in originally. So, as we've learned, and now that we've gone through operating the amphitheater and the concessions for a year, we come back with these terms, and they're pretty straightforward, but I feel like we should do something now, so that we can start implementing this. It's more work for me, so -- but I -- I feel that it would be fair for the concessionaire, and it also alleviates that -- that conflict, where the general manager was overseeing the concessionaire. So if -- if we can do this now, the concessionaire would be independent, can proceed, can start assisting us with the theater and, also, we're going to be having the cepods, so he'll going to be managing that. And then the general manager doesn't have to oversee concessions.

COMMISSIONER RIGGS: Had I had a chance to read the contract, I probably would agree with you, but, again, it would be irresponsible to vote on something that I have not read. It could be a change that, you know, doesn't benefit the City. It could be one change. It could be several changes. So, again, I need to read this before I can vote on it. I cannot do that. That would be irresponsible.

MAYOR MESSAM: Thank you. Vice -- Vice Mayor Colbourne, you're recognized.

VICE MAYOR COLBOURNE: Yes, thank you. I just want to say that I've had discussions with staff concerning this contract. When this contract came before us, I don't know, a year, two years, three years ago, I had a concern that I had not gotten it in a timely manner. But I have since read that contract, and I've had plenty of time to read it from that time to now. This -- and I realize that this is not a new contract, this is changes in an existing contract. So I -- I am prepared to vote on it. I do think my discussions with staff and, certainly, which you have provided the highlights that you have provided is sufficient for me. So I am prepared, I guess, make a motion or second Commissioner Chambers' motion, Mr. Mayor, at -- at the appropriate time.

MAYOR MESSAM: And, for the record, just so we are clear, that it's the five-year contract, but Commissioner Chambers suggested a three-year contract, and at three years, to -- with an option to extend it for the -- for the -- for two years, is that correct, so that we can understand what we're voting on?

COMMISSIONER CHAMBERS: That's correct. And, also, for the record, any violation from this concessionaire, going to be terminated.

MS. VALERA: That's correct. It's for cause.

COMMISSIONER CHAMBERS: Thank you.

MS. VALERA: Mm-hmm, with a four fifth's vote.

MAYOR MESSAM: Alright. So if there's no discuss -- no further discussion, I'll entertain a motion.

COMMISSIONER CHAMBERS: Motion to approve.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Record the votes, please.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: No.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Riggs?

COMMISSIONER RIGGS: No.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Resolution #R6738, the Commission voted:

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

Resolution No. 18-139

CITY ATTORNEY COLE: Just so the record's clear, the motion was with the three years, with the one two-year option renewal? Okay.

MAYOR MESSAM: Okay. Thank you, Ms. Valera.

Proclamation: Domestic Workers' Day (Mayor Wayne M. Messam)

MAYOR MESSAM: Before we go to item number ten, our guest who was here to receive a proclamation and did just arrive, we're going to quickly do the proclamation. And at this time, I'd like to ask Vice Mayor Colbourne to join me in front of the dais, as the requestor for the proclamation. Actually, if everybody would like to come for Domestic Workers' Day. Will Karina (sp) Sanchez and Ms. Lopez please come forward, and any guests you may have that you brought. This proclamation is in observance of Domestic Workers' Day, June 16th, 2018, and this proclamation was requested by Vice Mayor Yvette Colbourne.

Whereas, domestic workers comprised of housekeepers, nannies, and caregivers for children, persons of disabilities, and the elderly work in private households to

care for -- to care for the health, safety and wellbeing of the most important aspects of people's lives, their families and homes; and, Whereas, the vast majority of domestic workers are women of color and immigrants are often vulnerable to unfair treatment, because they are not covered by most state and federal employment laws; for example, domestic workers usually do not receive health benefits and paid six days; and, Whereas, domestic workers often labor under harsh conditions, work long hours for low wages without benefits of job security, and face termination without notice or severance pay, leaving many suddenly without both a job and a home. And, Whereas, in view of the foregoing, the City Commission deems it to be in the best interest of the citizens and residents of the City of Miramar to support June 16, 2018, as Domestic Workers' Day, and encourage the promotion of fair treatment of domestic workers. And, Whereas, Women Working Together USA, and Centro Civico Migrante Ecuatoriano Florida, and other organizations are advocates for domestic workers' rights, and Domestic Workers' Day. And, Whereas, in view of the foregoing, the City Commission deems it be in the best interest of the citizens and residents of the City of Miramar to support this day. Now, therefore, I, Wayne Messam, Mayor of the City of Miramar, and on behalf of the City Commission, wish to show appreciation for domestic workers, recognize the efforts and accomplishments of the organizations advocating on behalf of domestic workers, and do hereby proclaim June 16th, 2018, as Domestic Workers' Day in the City of Miramar.

And now we'll hear from Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Thank you very much. I just want to say thank you to both of you for taking on this challenge and for standing up for what is primarily a -- an employment with women, so thank you so very much, and thanks for coming forward and bringing this to us. Appreciate it. Congratulations to you.

MAYOR MESSAM: He's ready? Go ahead.

COMMISSIONER CHAMBERS: I just want to thank you so much, Commissioner Colbourne, for supporting this item, and bringing this proclamation forward. Thank you, Mr. Mayor. Domestic workers are awesome. I remember my mother, she used to work 15 hours a day to clean the house, iron, and wash, and when she would finish, they would give her \$10.00, and she had to take it and go sell. This is dear to my heart. My mom survived well, and here I am today, so thank you so much. Thank you guys, thank you guys, all you do, thank you so much.

CARLOS: My name is Carlos, and I am the son of an immigrant woman, a domestic worker. Thanks to my -- thanks to this work of sacrifice. My mother has been able to send my brothers to the university to be professionals. I am 13 years old, and thanks to the work of the home, I can have what I need to go to school. She never has a vacation, and when she is sick, she has to work. Protect the rights of domestic workers. Thank you.

MAYOR MESSAM: There's a resolution, item number 28, that is associated with this -- the proclamation, and we'll move to that item right now. Item number 28, please.

28. a) Temp. Reso. #R6752 supporting June 16, 2018 as **Domestic Workers' Day** and encouraging the promotion of the fair treatment of domestic workers.
(*Vice Mayor Yvette Colbourne*)

CITY ATTORNEY COLE: Item 28 is a resolution of the City Commission of the City of Miramar, Florida, supporting June 16, 2018, as Domestic Workers' Day and encouraging the promotion of the fair treatment of domestic workers, and providing for an effective date.

MAYOR MESSAM: Okay. You want to move the item?

VICE MAYOR COLBOURNE: Yes, I think a lot been said already. Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

MAYOR MESSAM: Please 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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R6752, the Commission voted:

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

Resolution No. 18-152

MAYOR MESSAM: Item number ten, please.

- 10.** Temp. Reso. #R6743 approving the **nomination** of Ms. Ina McNeil and Mr. Roland Abel for inclusion on the **Miramar Wall of Honor**. (*Parks & Recreation Director Elizabeth Valera*)

CITY ATTORNEY COLE: Item ten is a resolution of the City Commission of the City of Miramar, Florida, approving the nomination of Ms. Ina McNeil and Mr. Roland Abel for inclusion on the Miramar Wall of Honor, and providing for an effective date.

MS. VALERA: I'm back.

MAYOR MESSAM: Yes.

MS. VALERA: In 1999, the City installed two Walls of Honor at Beauty Park and at Progress Park. To date, we've had 21 honorees installed at the Walls of Honor. The application process is one that gets submitted to the Parks & Recreation Department, and it goes to our Parks Advisory Board for consideration. The Board reviews the applications, and then votes on to recommend the nominees for the Commission to vote. The criteria for the Wall of Honor is either a contribution in volunteerism or in community activism. It's if you've been honored or awarded something from a recognized body. Usually, it's for academics, civil, cultural, environmental, any of those capacities are -- are for the eligibility on the Wall. We received two nominations; one for Ms. Ina McNeil. Ms. Ina McNeil has lived in the City since 1986. She's been a member of the Miramar Homeowners' Group, and she also received an award in 2010 from Neighborhood USA. She assists with the Tree Lighting Ceremony in 2007, and she's also of -- and I think her biggest achievement is she's a mentor for all teachers, and throughout Miramar. But for the last seven years, she's mentored at least 80 graduated teachers. Mr. Abel has lived in the City for 22 years. He currently serves in the Miramar Historic -- the Historic Miramar Advisory Board, and he served 13 years as a certified citizens' police officer. He was a founding member of the Award Miramar Community Garden, and he's also a member of the Park -- Miramar Park Homeowners' Group, where he served for vice president for many years. The department recommends approval of this item, and then an event will be held at the Wall, and we invite you all to participate, where we would nom -- we would induct them into the wall.

MAYOR MESSAM: Thank you so much. Are there any members from the public that wish to comment on this item? Seeing none, back to the dais. We have two speakers: Commissioner Barnes followed by Vice Mayor Colbourne.

COMMISSIONER BARNES: I just want to add my commendation to these two individuals. And so you understand the kind of contribution they've made to our community at large, and to the City in particular. Ms. McNeil, she's hijacked me the last few years to go to schools and talk about careers, career days. I'll try to dodge her, and even after she retired, she'd still get me to go to school and talk to youngsters. The only problem in doing that is that I think I have more fun than the children when I go to talk to them. In the case of Mr. Abel, if anyone knows me, I get a little serious about education. Thanks to Mr. Abel, but it is his wife I want to commend. She was my daughter's teacher at Sea Castle High, so -- so not only to the individuals, but to their families as well, I offer you thanks.

MAYOR MESSAM: Thank you, Commissioner. Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: I also want to say that these are two great nominations, and I know they work hard in the community, and I know there are a number of things that they do, and you've read them off. But I -- I like them, because they have -- they have been so active. I, too, have gone to -- to schools as well, career days on Ms. Ina's behalf, and Mr. Abel has just been a great citizen, so I think these were great choices. Thank you.

MAYOR MESSAM: Thank you, Vice Mayor. Commissioner Chambers followed by Commissioner Riggs.

COMMISSIONER CHAMBERS: Thank you, Mayor. I must stay it was my pleasure to submit these two fine citizens and residents of Miramar for nomination. And since I've moved to Miramar, I've met Mr. Abel and Mrs. Ina McNeil. I should say Mr. Roland Abel, and they have been nothing but solid, fine human beings, and I can't express enough gratitude to these two fine human being. I'm wondering if -- I think Mr. Abel is here. I'm not sure if Mrs. McNeil is here, if they want to say a few words, Mr. Mayor, if we allow them to come up and to say a few quick words, I think the audience will appreciate it. And, looking forward to the ceremony at the Wall. So I want to thank my colleague for supporting this item, thank you so much for recognizing these two excellent, excellent human being. Thank you, Mayor.

MAYOR MESSAM: Good evening.

MR. ABEL: Good evening.

COMMISSIONER RIGGS: Good evening.

MR. ABEL: Mr. Mayor, Commissioners, member of the dais, just to say thanks for that recognition. I've lived in Miramar for closer to 23 years, and Miramar is one of the places that I live, but wherever I live, I make sure that I make a difference to making it a little better to where I found it than when I got there. I have involved myself with quite a number of activities here in the City, also in my church community, which we didn't mention, which is very important to me. Also, a very important part of my life is the children. My wife is a teacher, but I have spent a good part of 50 years doing education to young people and children, and I've spent a lot of time here in Miramar and in the County, and in the State of Florida to make sure that our children get the break that they need. I have traveled to Tallahassee several times, that seven-hour drive to make sure that our children do not get arrested for things that we normally take for granted when we were children. Now it's a crime to go into somebody's yard to pick up your ball. If you throw a ball into somebody else's house, that becomes trespassing, so we make sure that these things don't happen to our children, particularly our children of color, because that is the end of them, an arrest record. So I thank you very much for this recognition, and I'll continue for as long as I can to ensure that I do all that I can to make this place better than I found it.

MAYOR MESSAM: Thank you, Mr. Abel. Ms. Ina.

MS. MC NEIL: Yes. Thank you for considering me for this award, whatever it is. I wasn't really prepared for it, and you know when you pass 29 three times, you don't remember. Like I said, I wasn't prepared for this tonight, however, I've been a teacher, and it seems like retirement -- I can't get the meaning. I don't know the meaning of retirement, because although I'm out of the classroom, I'm still working with teachers. I work with children when they call. My greatest thing is when a teacher calls me at 6:30, I can say when my phone rings at 6:30 on a school day, I don't have to look at the caller ID, I know it's going to be Monica or Stephanie, and it's a question about what are they going to do, or what they -- what they're not doing for -- to help the teachers along the way. I have -- after retiring in 2003 from Biscayne Elementary where I taught many years ESOL, English to Students of Other Languages; I only speak one language, but I've had to teach other students the language, which is the basic language, the main language in our country. And it's a great -- it was a great program, I really enjoyed doing it, and even now, the parents of some of those children, we still communicate, we talk a lot. I have a few students who are in the DACA Program who graduated from UCF and some of the colleges in Florida in December. They're in the DACA Program, and most of you should know what that is, and they are really on pins and needles, because although they have to renew that next year, they do not know what the outcome is going to be. I'm very concerned about that, because these are kids I've known from age five, and now some of them are 21 years old, just graduated from college. What they're doing -- Mercedes (unclear 1:15:08) is my favorite girl who -- she graduated in December. She did a four-month internship with CNN as a journalist. I'm very concerned about her, because she's very -- she has a lot to offer to us in this country, and these are things that really concern me. And, again, being a teacher, you'll always be a teacher up until the last day where I'm concerned, because there's always the need to mentor, there's always the need to offer some kind of service. Even -- someone mentioned the other day, you're not in the

classroom, but you work from home. So thank you guys for considering me, and I will continue doing what I have to do until.

MAYOR MESSAM: Thank you.

MS. MC NEIL: Okay, thank you.

MAYOR MESSAM: Thank you so much.

COMMISSIONER CHAMBERS: I must say thank you both for adopting so many children, including myself.

MAYOR MESSAM: Commissioner Riggs, you're recognized.

COMMISSIONER RIGGS: Thank you, Mayor. I don't usually like to echo you guys, so that we can go home early, but I want to take this opportunity to echo my colleagues and say thank you, and show you how I appreciate what you do. Whenever we talk about how amazing the beautiful City of Miramar is, you guys are the folks that cross my mind, so thank you for loving this beautiful city, and loving our children. If there's anything we can do to come behind you, so that you can continue to do what you do, and do even more, please do not hesitate to reach out. Thank you again.

MAYOR MESSAM: Commissioner Chambers, you couldn't have found two finer residents to nominate for the Wall of Honor, and thank you all for all your contributions, and enough has been said about your contributions to this community. If there are no other comments, I'll take a motion.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER RIGGS: 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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Riggs, to approve Resolution #R6743, the Commission voted:

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

Resolution No. 18-140

MAYOR MESSAM: Item number 11, please.

11. Temp. Reso. #R6730 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, 2018; directing the preparation of an assessment roll; authorizing a public hearing and directing the provision of notice thereof. (*Management & Budget Director Norm Mason*)

CITY ATTORNEY COLE: Thank you, Mayor. With your permission, staff would like to do 11 and 12 together, so I'll read both titles, but you'll have to vote separately.

MAYOR MESSAM: Proceed.

CITY ATTORNEY COLE: Item 11 is a resolution of the City Commission of the City of Miramar, Florida, 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, 2018; 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: Thank you. Mr. Mason.

MR. MASON: Good evening, Mayor, Vice Mayor, Commissioners, Interim City Manager Hargray, and remaining staff. It's a privilege and honor for the opportunity to present the budget to you for FY 19. First, I'd like the budget team to stand. Due to their hard work,

that's why this process starts in early December, and we'll conclude at the end of September, so they do the work, and I present the information, but thank you to them for their hard work every day maintaining the budget for both years, so this year and next year, so thank you. Also, the CIP is prepared as well, very important. So, again, thank you. The first slide, I'm not going to reiterate everything you saw before, but I do feel it's important to talk about the budget process, because I hear a number of things in the City about the budget process. We have a kickoff, we have training with each department, and then we review and analyze. We meet with every department, go through every line item of their budget. We evaluate all the new funding needs, requests; we rank them from life safety down to lower level priorities. We will challenge the departments to bring three, five, and ten percent reduction exercises with them. Well, we're working on the current year and next year at the same time. We get senior management approval. After that, we're working with Interim City Manager Hargray, and then we formulate, implement the budget solutions to get a balance, and then we produce and distribute the budget and CIP publications to you. Something you didn't hear about last time, and I've been here three and a half years or so, I don't usually, as you say, talk about myself, but I think now I'm going to have to talk a little bit about the continuous improvement process that we utilize in this City. There is a budget strategy, it's very calculated. I've been doing this for many decades, so I know what I'm doing in terms of attacking the budget. I hear a lot about efficiencies, so in 1999, I worked with FPL Group. I was the first one to work with Edward Deming in the Deming Group, Toyota Motor Corporation. He introduced continuous improvement process. He went to the assembly line and broke each part down one by one, and flooded it with all the product it could handle until it broke down. Then he backed it up, went to the next channel and did that. If you ever watched a show called I Love Lucy, there was a candy factory, and she got overloaded, and she couldn't do anything with the process, that's because it got overloaded. The reason I say that is that's what we do. We work with each department, we look at their spend rate. A lot of people want to talk about can you develop efficiencies up front, so a lot of cities will do that. They introduce efficiencies into their budget at the beginning of the process, they overpromise to you, and then they under deliver. So, at a certain point in time, we came to the point to make sure that there was ample time to review each department, and then we will go through a process with them. After two months, and I'll go to the next slide, we look at their spending rate. So we're able to show them -- okay. We go through a spending rate -- because I have this mike on -- and we look at the spending rate for each department, and we determine where their savings are. So we calculate that, and then we go after that savings, just as I told you, in an assembly line. So we attack those lines where they already have factual savings. Instead of me predicting now what gasoline is going to be next year at this time, and making promises to you I'm going to save a couple hundred thousand in fuel, other professional services, whatever it may be, instead we let the data show us. So, after two months, if you look on that right column, at the end of May, this is eight months, we're looking at each department. This report sits between my computer and my phone, so I look at this 200 times a day, if not longer, or more, and we're tracking each department. You can see them on the right and their spend rate, so we know who to go after, how to go after them, and to make sure that there's savings. See the project in the second column, \$142 million, the revised budget. Next to that, is

the projection, so we have worked with the departments, and we nailed them down in February and May to their spend rate. They can't trick us, because I know what their spend rate is. So when you have savings on a line item, you can't lose it, because you saved it. So if you spend at the rate of 12 -- eight and a half percent of your budget each month, and you already have savings, you're going to come in under, because you've already racked up those savings. So a lot of cities, they don't do that. What do they do? They adopt their budget, and put all these efficiencies in, and everybody claps, and then throughout the year, they amend their budget. The largest city in Broward did a \$12 million budget amendment last month. When I was there, there was no budget amendment like that. Since I got here, how many budget amendments do you have thanks to this team? So it's not by accident that you don't have budget amendments. We know, and we follow each of these, so we hold these -- this is no longer starting in February and March, this is each department's budget, the projection. See that? So we're off of your number. What do we project to save right now? About \$1.4 million. I get criticized in the City, because we generate savings. That's an efficiency. And so we're doing that as we go through each department and make sure that we hold them to their spend rate. I could deliver efficiencies up front, but those are false promises. That's why cities amend their budget all the time. Look at the end of the year. Do it. A lot of cities, their final budget has no relationship to their adopted, beginning budget. Ours does. Ours is 141, it's 142 now, .2, that's payables and carryovers from the beginning of the year. Nothing else has been done to your budget. So I just wanted to deliver that message that we're watching the budget, we're using continuous improvement process. Most of the people, they've never heard me say that, because I brought that in here, and I don't tell them what we're doing. They don't even know what we're doing, because when you tell people you're going to change them, like me, there's a resistance to that, so we've been able to do this. I gave my secrets away, but I've got new strategies to work with, so be ready that we are working for efficiencies with you every single day, so I just wanted to let -- I usually don't talk about myself and that, but this is the 22nd organization I have brought this budgeting process to, and it works. The other way doesn't work, so thank you for that. Real quick, the All Funds budget is \$282 million, as you saw before; General Fund represents 57 percent; the Enterprise Funds are 20, the Internal Service 12, your Debt, Capital and Special Revenues are the remaining 11 percent. Where does the revenue come from for the General Fund? \$162 million for the General Fund. You can see the ad valorem, which we'll be addressing tonight, 42 percent. Your other tax is permits, fees, special assessments, including the fire assessment fee, 22 percent; intergovernmental revenues, state revenues, other shared revenues, nine percent; charges for services, 11 percent; and the final four percent is miscellaneous. Where does the funding go? The General Fund, 72 percent, salaries and benefits, and that climbs because of your pensions and other costs, so I expect that to be over 80 percent in about two to three years. Operational Expenses, 21 percent; and then you have transfers and others, a remaining seven percent. Now, to break down salaries and benefits within the General Fund, you can see employee pay is 62 percent, pension 20, and health ten. First, why do I show you something like this? Ninety-two percent of your budget is collective bargaining related, in my opinion. Employee pay, pension, healthcare. The remaining eight percent, payroll tax, Worker's Comp, and other benefits, so that's what drives your

budget. Every time we have a collective bargaining -- most people, there's a time and a place, you're clapping, and I'm sitting over there not clapping. So we address that though, and that drives your budget, so we'll go through that. General Fund by category: Public Safety, the most important service, as I showed you last time. The football program, 52 percent; permitting, Public Works, 11; Community and Culture, 15; Administration is ten; and debt and others, a remaining 12. Now this is a lot of numbers, so don't worry about that. When we look at just the underlines, you see that the Public Safety is \$3 million, in terms of increase from year to year when we have to look at that, in terms of showing you a year-to-year basis. So you'll see that the entire budget is going up 3.3, so of that \$3 million is police and fire. The remaining 300,000 is the other 12 departments. Okay, you can click it again, thank you. So, again, here when we look at the breakdown of salary and benefits, as I just showed you, like 92 percent, you can look here, Police and Fire, \$3 million of that increase, and so salary and benefits are going up 700,000 in all the other departments. So what's driving the budget is \$3 million from year to year is Public Safety, and it's all salary and benefits in regard to that difference from year to year. So what breaks down the Public Safety \$3 million? Salaries 50 percent, pension 38 percent, healthcare ten. Now we're up to 98 percent. Ninety-eight percent of the Fire and Police budget: salaries, pension, healthcare, all driven; collective bargaining, that drives those three categories. The remaining two percent are other payments that you have to make, FICA, etc. Now, some major issues that we have to budget for, and you should be aware of; these are outside of your operating budget. Government debt, \$217 million on the books for Miramar. A lot of people have credit card debt; they have nothing to show for it. Look what you have to show for your debt; the finest facilities, in my opinion, in Broward County, the finest facilities in the State of Florida. And because of the building code here, it's probably the finest facilities in the United States, because nobody builds like Dade, Broward, and Palm Beach. When I build up north, in north Florida, I bring a building plan, they want to know, "Are you building a fortress? What is this?" I say, "Well, that's South Florida building code." "We don't build like that up here. Well, I have to redo them, the plans." So you should be proud of what you have for \$217 million. Now we have to pay it, and that's fine. The other city east of here, the crown of Broward County, I just have to say, their police station is built in 1957. It's almost as old as me, so you know it's old. So the same thing with their city hall, 1964, so we have an infrastructure that we have to pay for, so it's \$10 million, it's in the budget. Now the pensions, \$187 million; this is the open-ended portion that's unfunded right now. It's not identified. The actuarial studies take it out to death for each person at 85, 86, so that's even open -- I believe in 20 and 30 years, people will live longer than that, so this is probably a low estimate. The OPEB, Other post-employment Benefits, you receive that, I already receive that from Fort Lauderdale. You receive that as a healthcare benefit and life insurance; \$45 million is unfunded right now. So each year we have \$25 million in the budget for pensions; this is an additional nine million we would have to pay if you're going to amortize this over 20 years. The good thing about the debt, when we pay this for 20 years, this is gone. You can do the math. That's gone. These pensions and OPEB, they're not going anywhere. Those are unfunded liabilities; they're going to continue to grow, most likely, so that's an open-ended mortgage that's just going up. It's like you're paying interest only, but your balance could even go higher. That's the problematic portion of it. You're not the only

city, 200 cities go through this right now, but it's a major crisis. There's something called what? Baby boomers. I believe it's 10,000 are retiring daily, 10,000 people are retiring daily who are baby boomers. What's that going to cause? A spike in your pensions, in your post-employment benefits. I know some baby boomers, one right here, so when they retire, there's going to be more outflows than inflows, very much like social security. You all know in the year 2038, for the first time, there's going to be more outflows than inflows. That has to be addressed between now and then. We have the same situation here with pensions and OPEB. It's all about the millage. I'm going to talk about what we're going to do, in terms of the millage increase to address those issues I just brought you, so this is critical. The millage rate at 7.2345 would generate almost 69 million, 8.3 million greater than 2018. 7.1172, which is the proposed maximum millage rate in tonight's budget hearing; 7.1172 would generate 67.8 or 7.1 million, which we're going to show you exactly is going to be done with that 7.1 million to address the issues. 6.7654 is the current rate. Four votes, 64.4 million, 3.7. Three votes would be back to a 6.6851, which would increase about three million in revenue. The last increase was in 2014 from 6.4654, so .3 when it moved to 6.7 from 6.4. I put this slide in. I wanted to clarify something on the CIP from the last budget workshop. The funding sources for \$15.2 million of CIP projects; we just want to clarify, park development funding from the Park Development Fund is \$1.2 million. The CIP revenue bond represents 600,000. The 2017 CIP loan, which is locked in at 2.9; you don't see that rate now, so we got that at the right time. 190,000 remains for projects here. Capital projects, 2.3. The reason I'm showing you is you see the note; the General Fund is 1.7 of that, so what's coming out of the General Fund in this budget is \$1.7 million for CIP, which I'll show you on the next slide. The remaining 13.5 million has to do with the items you see right there. Utility 9.8, contribution aid of construction 700, and stormwater 340, so that 13.5 approximately is from other sources, not the General Fund. Now the General Fund, quickly, the 1.7 million, it's those seven projects, if I can count, three, four, five, yeah. The park improvements, various for 283, parks restroom facilities for 150, repair and replacement of existing sidewalks would be 200, the Historic Miramar proposed land acquisition parcel assembly 800,000, monument signs 113, ADA evaluation and the corrective actions, 100,000, and information technology, office remodel, which is needed for 100,000. So that's what's coming from the General Fund for those specific projects. One more time, on the operating millage, before we go into the next section. Again, four votes for the 7.2, four votes 7.1, the current is 6.7, which would generate 3.7 million, and 6.6851 is what three votes would approve. The last increase, again, was in 2014, so it's all about the millage in terms of the \$7 million. Now this is what the millage will be utilized for as the main priority when we balance the budget. Pension Trust Fund; as I showed you those open liabilities for the pension, we're proposing a one-percent policy to address that \$187 million. You need to start somewhere. The OPEB Trust Fund is for post-employment benefits. These are for the retirees; these are real dollars that go to them; 500,000 to start addressing the \$45 million. Contributions to fund balance; we all know from the Property Appraiser -- I'm going to say it's a known fact that we're bracing for the legislation to increase the Homestead by \$25,000.00. That will cost about 3.4 to 3.5 million of lost revenue in 2020. We're proposing to set aside three million as a subsequent year budget amount to address what we know is coming in 2020. Fund balance, you need, with the

footnote, about 995,000 would go to assigned. To meet your committed 12 percent, as you budget goes up a little, you need 850, your emergency reserves need to be supplemented by 272 in order to bring you to the four percent, and the committed would get you to the 12 percent. So that's the utilization of the \$7 million. And one thing, as I go to the next thing, a core component of your bond ratings, and Finance will speak about that as the Chief Financial Officer gets up later. A core component of your bond ratings, your credit ratings, is what? Stabilization of your reserves; that's critical. And so you're addressing that here. They also look -- why is a pension trust fund important? Some people say, "Well, just leave the money and pay it when you want." If you leave it in unassigned, they don't record that against that pension liability. It's just unassigned. You could use that for anything. This helps your bond and your credit rating, because you are addressing \$187-million obligation. You are addressing a \$45-million obligation and setting the money aside. No different than an emergency reserve, no different than your committed. So it's very important to address that in terms of your credit and bond rating. The fund balance is for the Homestead. I am a person who likes to prepare ahead of time, so if I got four kids going to college, if I want 'til I'm -- they're 17 and 18, that's irresponsible, so I just can't say enough that we need to address what we know is going to happen. And the fund balance, again, is about \$2 million to add to that. So without the millage, you can't address those things. So working with Interim City Manager Hargray, if that doesn't get approved, we have to go back to the drawing table with his authority to figure out what will now be the priorities in this budget. Because we won't be able to address what I just showed you, and continue the operations at the service levels that you expect and the citizens. So exemptions, exemptions, exemption, we'll show that on the next slide; fire, low income for seniors, and long-term senior residents. There's exemptions available for those three categories. In terms of the fire, the low-income seniors who qualify, and the longer-term senior residents. Now your property tax impact. The proposed millage of 7.1172, you see at the top, what will that do? So this property, the average property in 2019, 163, the change in value was 4,000. You'll see that their taxes will go from 1075 to 1162, or about \$87.00. Note on the bottom, \$7.00 of that is due to valuation. So even if your rate was the same, 6.7654, your taxes would go up about \$30.00. This proposed increase is \$57.00 of that, which amounts to \$7.00 and change a month, and still that's 16 cents per day to address this. Not making it insignificant, but just showing you what it is per day, 16 cents. The average commercial property at 602,000, would increase in taxable value from the prior year of 37,000, and the tax would go up \$469.00 with this 7.1172 rate, so that's a recap, just quickly, of the property tax impact going to 7.1172. Now looking at the year after that, because, like I said, my staff is working along with me as a team. We're a team, a good team. We're working on '18 and '19, but I'm already on 2020, not the TV show, but the year, 2020, so I'm working on that. You can see here when we show you the property values in '19, this is the same slide I just showed you before. So over here in '19, that same property right there, \$1,162.00 in taxes. The property value going up two percent, because of Save Our Homes, will go to 217. Now the \$75,000.00 exemption kicks in, okay. So the reason that's not 25,000, but you save about 20,000, because of the growth year. So this same home is going to drop in taxes from 1162, as I had over here, to \$1,016.00, which is a reduction of \$146.00. So, depending on the value of the home, higher and lower, but that

will be a decrease in 2020. Now a lot of people -- okay, that's one hit. But, over ten years, that's \$34 million that has to be replaced. Just like the recession that hit in 2008 and '9, property values went down, revenues came down. This is going to happen in this year, but it's going to be going on for ten years for \$34 million at a minimum. The last time the Homesteads were 1980 and 1998, they never went down, so I think once they go to 75, they won't be going down. Okay. I'm sorry, the low-income senior exemption, like I said, if they meet the age and income retirements, up to \$50,000.00, a reduction to that long-term residency senior exemption would be age, residency, income, and property value. They would get full exemption of the City taxes. So if you're able to get the 50 on top of the 75, that's \$125,000.00 of reductions there; the second example would be full exemption. Fire protection assessment; the second phase of the key parts of the components for revenue for the City, the ad valorem and the fire protection. This was just updated in 2018, you see the difference is 372 to 398. This fully funds the fire protection and suppression, not your fire rescue. You pay that when you're in the ambulance, etc. But this is recovering your fire protection and your fire suppression. Residential hardship exemption is available for that; qualifying application time was May 1st, and that continues for the next 28 days. Last year, 86 properties in 2017 qualified for that exemption. Unfundable; fire safety mandates. They're not unfunded at this point. This is not an option. So for life safety, for the firefighters we have, for the citizens, etc., automatic external defibrillators, 30 of them needed, about \$50,000.00, the mandate deadline is 2018, October. We had some of these previously, and they were denied in previous years to balance the budget, that's why we're running up against the deadlines. Bunker gear replacement; they can explain the issues with that. Major issues with -- health issues with not being able to replace your bunker gear; 35 of those, \$82,000.00, they will be mandate to be replaced by January 1st. Diesel exhaust systems on four stations need to be replaced at a cost of 190,000.00, that would be January 1st of 2020. The fire helmet replacement; again, it's mandate to be completed by January 1st for 50,000 of 2019. Again, very key, self-contained breathing apparatus. The fire individuals can talk about the importance of that, but that's critical, a life safety issue; 73 of those need to be replaced by April 1st. Again, the total is \$1,117,300.00 of life safety issues that are critical to the fire protection, and the people who put their life on the line. So, those two revenue enhancements, 16 cents per day for the millage amounts to seven cents per day for the fire fee. Of course, 365 days a year, I can help you budget that, but that would be about \$82.87 a year to accomplish a lot of things, in my opinion, that I just showed you in this budget, and also brace for 2020. So this budget really addresses two years, because it addresses the needs for this year, and also what's happening in 2020 on the big part of the revenue. One more recap. Just to show you the fire assessment. You see that change there to 398, the reason I want to show you this is, is there's something. So this is the same slide, the \$87.00 here, here's the \$25.00-increase, and the fire assessment would be \$112.00. So, again, 16 cents per day, seven cents, so I'm being consistent. Seven cents, 16 cents in the increase there of the \$57.00, so that's 23 cents. In 2019, with the commercial, because of the study, the shift in calls has been greater to the residential than the commercial. The volume of calls in their study. So that requires a decrease in commercial, so every commercial property -- this example is the 602,000 average taxable value of commercial property will receive a reduction of \$1,149.00 in their

fire assessment. So, in almost every instance, I think it's going to be the fire assessment for commercial will be greater than the City tax increase, so that will offset it as we ran the numbers on a couple dozen scenarios. So that is because of the study. So if this doesn't get approved tonight, your revenues are going to go down in fire assessment. Revenues will go down, okay, because there is going to be a shift from commercial, and that's going to reduce that side of it. And so you'll have three to 400,000 in less revenue. Again, the -- as we all know, the tax bill, 35 percent of it is Miramar. I usually don't say this, but the School Board, 32 percent. They're going to be asking for an increase; it's warranted, you know why. We all know why. So they'll be having an increase that they need to have. County, 28 percent; I've talked to them, they're going to have increase for their bill. The other is five percent. So sometimes people talk about Miramar and cities, but where is the share if you say we're putting a burden on you, but everybody is going to be asking for an increase, because they're all bracing for 2020. The School Board is dealing with another issue besides 2020. So, anyway, 35 percent of the bill will be related to Miramar. Again, this budget is predicated on one thing, working with Interim City Manager Hargray, as I started to work with him, he gets it, because I showed you last year, we needed revenue to sustain the City. The longer we kick the can down the road and don't adjust the revenues, the more problems they're going to be, and it has to be a more severe type of change to your operations and your revenue hitting the citizens, in terms of a bigger impact than 23 cents a day. I know that could still be significant, but you're talking about more than 23 cents a day as you wait longer and longer. Last year I proposed to do the millage last year, the fire fee this year, so you would only see the seven cents for the fire fee, correct, you wouldn't see both. We don't do anything this year, we're coming back in 2020 with more, so it's all about the millage. And I'll introduce the Chief Financial Officer at this point, to go over a recap. Thank you.

MS. GOODING-LIBURD: Good evening, Commissioners, Susan Gooding-Libur, Chief Financial Officer. So the distribution of the estimated fund balance that the proposed increase millage and the fire protection will generate will be \$7,217,340.00, and this is how the fund balance will be committed. Committing 12 percent to our stabilization policy in the amount of \$860,270.00. We will assign four percent to our emergency preparedness policy in the amount of \$272,522.00. Pension Trust, this is our big elephant in the room. You heard the 187 million unfunded liability. We are proposing -- this is new. We are proposing -- we are taking the initiative to propose a one-percent policy going forward in the amount of 1,599,184. Again, new. We are taking the initiative to put aside an investment, and initial investment of 500,000. This is new. We cannot kick the can down the road anymore. This is your current liability of \$187 million and \$45 million. The Homestead impact. Norm spoke about the \$25,000.00 exemption that will be coming next year, that's a \$3.4 million reduction. We are setting aside \$3 million. We are thinking of tomorrow, \$3 million. Therefore, GFOA, our Government Finance Officer Association best practice states that we should be intentional each and every year in adding to our reserve. Norm is absolutely right. The core component of bond rating and credit rating agency is solid maintenance of your reserve. With this budget, and with this increase, we will be adding just a little under a million dollars; we need to do that. We need to be consistent in adding to our fund balance each and every year. Thank you.

MR. MASON: So what this budget accomplishes; 85 percent of that is funds that are going to be used for reserves, be committed, be assigned, and the new stabilization fund, you're addressing the emergency, the Pension Trust, and the OPEB. So when you divide that without the unassigned, 85 percent of that is going to reserves to identify, as the Chief Financial Officer spoke about, the key -- in terms of maintaining you reserves. Now what does this budget accomplish? It maintains the service levels. We don't take the funding away, but we got that. We're looking at each department day by day. I'm maintaining that, along with the team. It's not me, the whole team. We each are assigned to different departments, so we're looking at that, working with them, interacting with every department, in terms of addressing the key elements of their budget, and how they can stay within their budget. Core revenues, as I always said, the most important service the City provides is public safety, without question, any city and every city, so we need to fund that. For the first time in ten years -- we didn't get it done last year, the ad valorem and the fire fee will pay for your police and fire budgets. They'll be paid, so you're paying your mortgage with your paycheck. The most important service, police and fire, will be paid with your guaranteed revenues. You don't have to depend on other revenues. Stabilization will be funded at 12 percent, the emergency four percent. As I said, GFOA guidelines are 16.67, two months of reserves, we're at 16, so I'm okay with that; we're real close. In terms of the pension, the unfunded liability is funded. The OPEB, we're starting that for the first time. As the Chief Financial Officer spoke about, we're addressing that, so that's good for our credit rating, our bond rating, but more importantly, it's the responsible thing to do. Homestead impact. We can ignore it. I always use the example. We can pretend it's a tornado and wait until 2020, but that's a shame. We all live in areas where there's hurricanes, so we know how to prepare. That's ridiculous to pretend it's a tornado, when we know how to prepare for the hurricane in terms of the homestead impact. I'm not saying a hurricane's coming, we don't want that. But I'm talking about the issue of dealing with the lost revenue in 2020. CIP contribution is included. Interim City Manager Hargray has the projects I showed you. He will execute them and get them done. I know that. The unassigned will be supplemented as well, because I'm not going to go into that, but you know the ten million was reduced to four million. This will bring it back, at least, to level of \$5 million. It's all about the millage; it's not really about the vision down the road. That's something you have to do. Not me; I rely on you to help develop the vision with Interim City Manager Hargray and his staff. So we have to rely on you, the budget team is looking to you for direction for '21 to '25. We got '19 and '20, we got it, but we need your help on 21 to 25. So, again, accountability. I will make sure with our team we're accountable. When we bring you a budget, and we work with Interim City Manager Hargray, we're going to live within that budget, so I hope you give some credit to the part that that is an efficiency, living within your budget. I encourage you to look at many other cities and see how many budget amendments they do. I showed you an 11, 12, and 13, and you did \$13 million of budget amendments just for public safety. We don't do budget amendments anymore. Unless we have to, I can't prepare for a hurricane, and I wasn't able to absorb that as a team, so we have to address that. Now I met with the Vice Mayor very early in my career here, after about six months, and she asked me, "When are we doing the midyear budget amendment?" Which was an

excellent question. I said, "Guess what, we're not doing any more midyear budget amendments." So I'm not doing budget amendments just because it's that time of the year. If we need a budget amendment, we'll do it, but we meet with the departments. I'm committed to delivering you with Interim City Manager Hargray and our team, we're going to live by the numbers. So we meet with the departments. How can you address whatever unfunded issue it is? I was here four months, a department came to me and said, "We need to do a budget amendment." I said, "Well, we're not doing one." "Well, we always do one." I said, "Well, we're not doing one now, because we're going to find out how you can change the course of your spending with eight more months to go in the year." So, just remember that, there is accountability, there are efficiencies being introduced to your budget. Again, the visioning is critical for '21 to '25. I met with City Manager Hargray on a daily basis. The visioning, he will conduct with you. The last visioning workshop was done in 2010, so I don't want to see us fall behind with not having a vision. Again, many cities brag about their budgets, but then they continue to amend them, so we need to address the future, and be accountable for what's going to happen in the future. Now I added this slide. I want to show you one thing. The budget model for every city represents something pretty close to this. It's pretty basic. It doesn't take a lot of brains, because I do it, so it's not that tough. Public Safety represents \$85 million of your budget. Of the 162 million, it's more than 50 percent. Public safety is the key service, number one, we all know that, so you have to fund that with your recurring core revenue. Ad valorem and fire fee; this is the first time since 2009 that will be accomplished. Pay your mortgage with your paycheck. Pay the most important thing, public safety. Make sure you have the ad valorem and fire assessment. That's going to get paid no matter what, somebody is going to pay those tax certificates. Then you have other City services. You see the departments right there. Budget for Social Services, they have to be funded, and so that's part of the budget, and then the other costs are on top of that. I showed you a number of times so far, the debt, 200 and something million, the pensions, 187 million, on top of the normal pensions we pay, the OPEB and the fund balance that we have to address. Real quick, public safety, that puts stress on recurring core revenue. It needs the revenue to pay for it. It has to come from somewhere. Then you go to the other costs I showed you. They put stress on the other City services, because they're looking for revenue. Those costs down there, they don't have any revenue. Debt, pensions, OPEB, and fund balance, they're non-active. They don't have any revenue, so they look to the other City services for the revenue. This is how we balance a budget. Then you have to look to Cultural Affairs, Finance, HR. They're not even self-sufficient with the revenue, so we have to use State-shared revenues and others to try to balance that. But, eventually, you run short there, and then the other City services and the other cost are putting stress on your recurring core revenue again, so something's got to give. Everything is looking to the core revenue in order to supplant and make this whole. It's tough to pay two workforces; that's the model that we're stuck with. We're paying for our current workforce, and the one that's retired. And you have to deal with the debt, the pensions that were promised to the people. That's real money; the OPEB; the fund balance you have to address. So something has to give eventually, so you have to either look at your other City services, like other cities; how are you going to either reduce them, the level of service, or eliminate some of them. That's what the

visioning has to be done, because I'm telling you, '21 to '25, something has to be done. It's irresponsible for me to stand here in front of you and tell you that everything's fine. Sometimes we have the Financial Department stand up and tell you that the City is healthy. That's a balance sheet as of one day. That means you're healthy as of that day. But there's future challenges. You can be healthy and lose your job; the next day you're not healthy anymore, financially. So we need to address '21 through '25, because I'm showing you responsibly, something's got to give. You can't continue with those other City services, and be able to absorb all those other costs. That pensions, OPEB and fund balance. Now we've been kicking the can down the road. As the Mayor says, that's what happens. You can call it many different terms, but if you don't do anything -- because if you were me, you see one, two, three and four on the right. Would you address just one of those, like we're doing this time, recurring core revenue? I think when you go into visioning, you have to look at all four of those components. How can we address public safety? How can that be changed? Recurring core revenue, what is the long-term plan for the next five years? I put one together last year; ad valorem, fire fee, ad valorem, and that was going to be it. Now we're down to the second year already. Other City services, that all has to be looked at. Other cost, same thing. Interim City Manager Hargray, if anybody knows this City, he does, so we would have to look through your visioning at all four of those components, in my opinion. Now, if you don't do anything, nothing, just ignore this and keep going, business as usual. Don't address the revenues, let the public safety keep running, because it's important, but it runs at \$3 million a year. Since 1993, it was \$10 million, now it's 85 million. I fully expect it will be over 100 million in five years, and that's warranted though. I guess, because that's what you need to pay for public safety. I can't put a price on it. So if we don't do anything, this might be what happens. That's not it. That could be too. "We've lost control of our budget. We've lost control of where we're going in this community." Okay, I know those individuals. Five years ago, I stood before them. I presented them a financial model, from Burton & Associates. I presented that. I also told them now is the time to act. If you don't do something now, and you kick the can down the road, you're going to have problems. Now did it sound like they had problems? The mayor just said, "We lost control of our city." The largest city in Broward County, Fort Lauderdale, the Venice of America, they lost control of their city, they've lost control of their budget, and they've lost control of where they're going in this community. Would you call that last one a vision? They didn't do any visioning. They've lost control of their budget. I won't say why, but I'm here, and I'm not there. So they have issues with their budget, they're accountability. It's not just me, but they abandoned the continuous improvement process, they abandoned it, and they because did a budget amendment for \$12 million; no accountability. So it's not me, it's the process, but you need to develop a vision, and you need to execute your budget. Otherwise, to me, the last thing, they lost control of the city. They're under consent decree right now. Consent decree to make sure that they meet their minimum requirements. Water and sewer fund is almost nonexistent; there's nothing there, and, unfortunately, they have major structural problems. Now I know I'm in Miramar, I'm not there; thank you. So the point I'm bringing that up though is let's not repeat what you see there, because it can happen. I was there just a little over three years ago telling them, and they didn't do anything. They kicked the can down the road, and those commissioners and that Mayor

Seiler is gone, and they left it to the next group to deal with, and you saw what they're dealing with right now. Real fast. This is the City of Fort Lauderdale's scenario, their status quo. I presented this with Burton and Associates in 2013 and '14. You see the red line is your cash out, your green line is your cash in, your revenues, showing from '15 to '19. I can tell you where they are right now, it looks just like that; the widening of the gap is even worse, but this is what we said they were going to be. I don't deal with them now, because I work for this City. I got that. Inaction provides no solution though for them at all. I told them they're the Venice of America back then. If you want to walk on water, you got to get out of the boat. If you want to do something significant, do it, and they didn't. They waited and they waited and they waited. And it's a shame, it's a shame, because I started there in 2004 and I started telling them then. I didn't have a model to show them like this 'til 2013. But, like a storm, they knew what was coming, okay. Now the next slide is the City of Miramar. I don't know how to tell you anymore. Does that look pretty close to the one I just showed you? We can lay them over top of each other. I just stand before you. I can only warn you. So when I walk out of here whenever you send me out, my head will be held high, because all I can do is tell you. If you don't do anything, you'll follow the lead of that city, and that's a shame. And I'm not here to repeat that, and I wasn't there for that, because I left. And so now there's bigger problems because of many reasons, but one is their budget, the other is they have no vision, and now they're in trouble. I don't want you to have no vision. That's what you have to develop with Interim City Manager Hargray. We have to continue the budget process as is, but we need your help. I just showed you the stress point. If we don't do anything, it's going to widen out. In 2020, that gap, we already put in there for the lost revenue for the ad valorem, so this is a problem. I don't even want to show you out to 2025, but I showed you that before. We didn't get a lot of discussion about it. I don't know how to tell you. It's important. I'm not copying the mayor's phrase, but you can't kick the can down the road anymore. You're here. You keep kicking it, it's a drum, it's a 50-gallon barrel, you'll break everything in your foot if we keep kicking. The time is now. I don't know how else to say it. The time is now to address this. Exemption, exemption, exemption again. So fire, low-income seniors, long-term senior residents, there is relief available for those individuals and those who fit into those categories. So, tonight, very important, I call this the VIP, very important product. Probably the most important you'll look at all year. We're seeking your approval to set a maximum millage rate of 7.1172 at this point. The two hearings are September 12, September 26. This is to set a maximum rate at this point; 16 cents per day per average household. Approval of a 100 fire percent protection assessment rate. For all of the fire individuals who are here tonight, thank you; we're here for that to provide them with the supplies, the equipment, etc. we showed you. Mandates that are not an option, as Interim City Manager Hargray told us. It's not an option. He understands that, they understand it. Seven cents per day is what that requires. So it's 23 cents in total. All I want to say is we got to put away our debit card and start using the cash to pay for our needs instead of our wants. That's everybody. We have to put the debit card away to make sure that we can pay for the most important needs, fire, police, the most critical service that we have. Thank you.

MAYOR MESSAM: Thank you, Mr. Mason and team, for the presentation. At this time, are there any members from the public that wish to comment on this item? Yes, madam, you're recognized. State your name and address for the record, please.

MS. MCLEAN: Good evening, Mayor, Commissioners, City Manager Hargray, legal, City Clerk, hi my team. My name is Joan McLean, I'm a resident of Miramar. My address is 3421 Garden Lane, Miramar, Florida 33023. I just want to tell Mr. (inaudible) --

MAYOR MESSAM: Just address -- address (inaudible). He'll hear you, he'll hear you.

MS. MCLEAN: He did an awesome job with the presentation. It was very clear. I look at it; it's no different from your running your house. Your expense for your home. It was very detailed, and I'm here to support the millage rate. Thank you, that's it.

MAYOR MESSAM: Thank you. Are there -- okay. Okay. A couple of housekeeping items. I know a lot of our public safety professionals don't, traditionally, attend meetings. If we support a comment, we just raise our hand. If we don't, thumbs down, so we can continue to move the meeting forward. But definitely appreciate your expression of the speaker's comments. Are there any members from the public that wish to speak on this item? Seeing and hearing none, back to the dais. Do we have any -- Alright, we have -- any comments? If you all could just press the button. Commissioner Barnes.

COMMISSIONER BARNES: First of all, let me express empathy for the proverbial can that's been kicked so many times down the road. I hope the can goes away, doesn't get any bigger. Over time, I've been described by one newspaper as a fiscal conservative; maybe the only context in which I would have accepted that wording. I have refrained from supporting these increases over the years for the simple fact that residents do not see these as fees. They don't see it as supportive of a budget. They don't see it as even assisting them in the quality of their very lives. They see it as a tax. Essentially, it is. I think there are certain realities that are conceptually difficult to explain to our residents. I like the attempt, for example, to explain 23 cents versus seven cents, whatever the numbers are, and that tends to simplify it, and hopefully you -- you people will get what you're really saying. In addition, I think what also needs to be inserted in this discussion is the fact that there are going to be decreases because of new exemptions. People like myself of a particular age have certain exemptions where taxes are concerned that never existed before. In addition, I think -- and some people have a difficulty in understanding the concept of increasing property values impacting how much taxes they pay, and I think you best understand that reality once you're in the process, for example, of selling your home, and you realize how much it cost in comparison to what it cost when you purchased it. And I think it is part of our responsibility, as Commissioners, to explain this, and I have a bully pulpit, which I'm able to ascend five days a week, so I'm able to explain these concepts to a number of people in ways that some here can't. In addition, I think what ought to be also understood is the pension and OPEB trust. It was explained to us in a number of discussions in the past, and what I think these amount to are, basically, two brands of insurance, which will prevent us, in my understanding from having to go back

to the General Fund on an arbitrary basis from time to time. In addition, I think it is also important that we acknowledge what we are voting on tonight. As our agenda says, regarding the fire protection service fees, we are directing the preparation of an assessment roll, authorizing a public hearing and directing the provision of notice thereof. It doesn't end tonight. We are voting tonight to continue the process. In the case of the proposed millage rate, this is a proposed rate in a tentative budget. What we are setting, from my understanding, is that we are setting a limit beyond which we're not being asked to go. So with all of that information, and not a very vibrant presentation of our budget director, we hope that our residents, in addition to our employees, have an understanding what it is we're being asked to do tonight, and that this is not the final straw, this is merely one step in a process that goes on until September.

MAYOR MESSAM: Thank you, Commissioner Barnes. Vice Mayor Colbourne, you're recognized.

VICE MAYOR COLBOURNE: Thank you. I too like to acknowledge that tonight we're -- we're actually setting a cap on the millage rate, and there's still time -- we're reviewing our budget. I'm still reviewing my budget. It's a large document, but I'm working through it to be ready when the budget hearing comes. Throughout my time here, I have pleaded over and over for replenishing of the fund balance. I am encouraged that this budget contemplates replenishing the fund balance, our general fund balance. But, at the same time, it's dealing with the unfunded pension, so I appreciate that. I know our City Manager have looked into many efficiencies. I am -- I am really impressed that our budget director is committed to making sure everyone stays within their budget. So I do look forward to the visioning session, and to our budget hearing and, again, I truly am encouraged by what I see here tonight. So I do want to say thank you to staff for all the work that they have done. Thank you, City Manager, for your leadership, and our Budget Director and his staff as well.

MAYOR MESSAM: Thank you, Vice Mayor. Commissioner Chambers.

COMMISSIONER CHAMBERS: Thank you, Mayor. I really hope that we can start kicking the can up the road instead of down the road. For the past few years, we have been holding the line on raising taxes, our millage rate. This year, I think I'm going to be in support of it, simply because of what's ahead of us, and I'm hoping with the new team that we have in place, they do not squander this opportunity. We have to put things in place to make things much better. So what I would hope that our residents do this election year is to have a discussion with their elected official in Tallahassee. One of the problem I'm having is insurance. Homeowner's insurance is a monster, and I don't think our resident get great benefit from that, so we hope that we could have a discussion with our elected officials running for office this year in regards to homeowner's insurance. I think they're ripping us off. It should be a lot less. We don't get anything back. At least this tax service from the City is providing back a service to our community in terms of the public safety, our employees, the union, and so forth. So I'm in support of this item. Thank you.

MAYOR MESSAM: Thank you, Commissioner Chambers. Commissioner Riggs, you're recognized.

COMMISSIONER RIGGS: Thank you, Mayor. I have a question. There was a slide where you showed if the millage rate were to go up to 7.1, the exact areas the money would be allocated to. You don't need to bring it up, but my question is, so all of it is already planned for, correct?

MR. MASON: This proposed, tentative budget, we'll be working throughout the summer with Interim City Manager Hargray, so there are changes to be made. That is the proposal as of this date, right now. He will give me direction, and our staff in terms of how things transpire over the course of the next couple months. There are issues with police and other things, with school resource officers, so there are fluid things happening. I presented on behalf of Interim City Manager Hargray; that is his proposal and our proposal right now for the allocation of those funds.

COMMISSIONER RIGGS: This is the reason I'm asking. So we have some of our general employees here, and they have a previous agenda item that's been tabled for some time now. Has that been taken into consideration? If this millage rate passes, would that be a part of those funds? Have we considered that?

MR. MASON: Yes.

COMMISSIONER RIGGS: So they would be --

MR. MASON: You're speaking of contract negotiations? Yes.

COMMISSIONER RIGGS: Mm-hmm.

MR. MASON: So we have -- and to say this correctly, we have negotiated the first proposal from our side, so we have put in an amount that was the City's proposal at this point. The negotiations will transpire, like I said, and those will go forward from there. So what we have now is what the City's position is on that.

COMMISSIONER RIGGS: So the increase in millage would assist in funding?

MR. MASON: Correct. The entire budget -- as you know, the revenues and expenditures, that all works together. We're showing you that seven million. The other portion that we're speaking of is covered throughout the budget right now. If the change is greater, then that will be addressed by City Manager Hargray in terms of the budget hearing on September 12th, what happens between now and then.

COMMISSIONER RIGGS: Okay. Another question. We depleted our emergency fund, about six million, right, give or take?

MR. MASON: Well, yeah. The emergency fund, we'd have to get the exact balance, but we allocated last year from the -- the total was like 1.5 million for -- and Finance should speak about this directly, about 1.5 million, I believe, for the hurricane in one year, and another four and a half million from the next year, so that six million came out of your fund balance, and that liquidated -- they'd have to tell me what was the reserve balance for the emergency. It probably took all of that, right.

COMMISSIONER RIGGS: Right. The reason I'm asking is because this new plan, we're only putting back 272,000.

MR. MASON: Okay. So when we shake that out in total, we will meet the four percent minimum, and they'll have to give me the numbers right now, the staff. What the amount is for the emergency reserves, the committed is 12 percent, so this budget will fund that. In addition, it funds the pension at 1.599 million, the OPEB, and also adds 1,995,000 -- I'm sorry, approximately about a million to the unassigned. So if we didn't get the emergency or the committed, we wouldn't be adding anything to the unassigned. So, at this point, we're able to address all those. The unassigned was about \$4 million right now. As of today, that will add a million for this budget if it's passed, so that would leave you with five million of unassigned. You've met your committed, you've met your emergency now. For the next emergency, you'll be funded at four percent of your expenses, which is two weeks of operations, which is plenty, because you can obtain funds, etc. through credit lines for emergency, a real, dire emergency. So that addresses that, it addresses the pension, it addresses the OPEB, and so, yes, all that is addressed with the millage. But, as we said, it's all about the millage. Interim City Manager Hargray will have to redo everything with us, which is fine. We will go through everything and prioritize it if that funding does not become available, that seven million. It will be up to him to direct us into how to reconfigure the funds accordingly to balance the budget as he sees fit, because it's his budget, not mine.

COMMISSIONER RIGGS: So are you saying we would replenish the 12 percent, plus an additional 272,000?

MR. MASON: No, no. That gets you to the 12 percent. So the committed right now, at this moment, is 18.4 million; this would take it to 19.1 million.

COMMISSIONER RIGGS: I see.

MR. MASON: And your un -- your emergency was about 5.8 million, and this will require it to be 6.1 million. So that will be funded at 6.1 million. The 19 million of your committed, which is 12 percent of your budget, will be funded. The committed, the emergency, and then you have two new components, pension and OPEB will be there, and we're also setting aside three million for next year's budget for the raising of the Homestead. So all that is being done, as well as adding approximately 995,000 to a million to your unassigned at that point in time. We'll be committed -- like I say, if a hurricane comes, we have other issues, but we're committed as a budget team to deliver the rest of this

year. You saw where we are. We're going to try to maintain that, so there shouldn't be - but we're working with Interim City Manager Hargray to deliver that budget that would keep the million dollars supplanted as an additional unassigned increase. But we have to transpire to the remaining 88 days of this year to meet that goal, but we're committed, and knowing -- working with him, we're going to do everything we can to live within the budget and deliver on those numbers you saw up there on the screen, which will give you the 5.2 million. So from 4.2 to 5.2. So, thank you, that shows the components right there. So you're going from about 28 million to 36. And we all know we were at 35 million, and we know on the last presentation the six million we removed for the hurricane, and the purchase of Block Two, so that's why you're at 4.2. This will deliver you back to about 5.2.

COMMISSIONER RIGGS: Thank you.

MR. MASON: Thank you.

MAYOR MESSAM: Thank you, Commissioner Riggs. Just some general observations and comments regarding this presentation. I know tonight we're just setting the caps, the maximums on the millage rate, as well as the fire assessment, but this presentation could very well be our first reading of the actual budget hearing. Although it's not, it could be. For those who have been around for years may have recalled times when I've said that, you know, in the City of Miramar, we -- we must truly identify what it cost to operate the City, and to run the City, providing the level of service that our residents demand from us as elected officials and public administrators. And -- and was noted earlier, I've always stated at every budget session, that we continue to kick the can down the road. And those words have been characterized as the Mayor wanting to raise taxes on its residents, but it wasn't. It was just realizing that we were not adequately addressing the core components that Mr. Mason discussed earlier. Those key components relate to our level of service: public safety, pension, and the expenses that occur throughout a budget year, and addressing all four of those important components. There was a theme that came out maybe a couple of budget cycles ago -- was having our recurring expenses be met by recurring revenue to balance our budget, so that we can continue to be fiscally solvent. And I would say that this presentation, and this budget is for thinking it stabilizes our reserves; it makes concessions and accommodations for our most vulnerable by offering exemptions for those residents who may be most impacted by any increase in taxes that may result out of the budget process. And, perhaps, because of the lack of specificity and clarity as this budget, prior budgets missed the mark where it could clearly be understood in terms of our current state, and what options we have, and what decisions we should make. And this budget, I think, hits all cylinders, in terms of clearly identifying where we are. The good news is that we are in a great opportunity to act now. To act now when the house isn't on fire. To act now when there isn't a hostage situation, to act now when we have the ability to make a decision, not being in a duress status. And, as Commissioner Chambers said, he would like to kick the can off the road instead of on the road. We have that opportunity to do that, and I look forward to working with my colleagues on the Commission over the next couple of months, so that we can do what's

right by our residents. You know, it was mentioned that when taxes are increased, residents see it as raising taxes. But I have confidence and faith in our residents that -- they elected us. They elected us to represent them. They elected us to make the best decision for them. They demand us to do what's right for the City. They demand of us to hold the line on taxes. But understand that they will pay for the services that they can see and feel and benefit from. Miramar is a place where people come to raise their families. That's why we all are here, each of us here, because we love our community. Miramar isn't the cheapest place to live. We're not the most expensive either, but residents love the City based on what we offer. And, as elected officials, sometimes we have to make the tough decision, even if it includes a slight or minor increase in taxes, so that we can assure that the City continues to thrive, and continues to prosper. And we must put ourselves in the position to make sure that we have the resources, so that we can take care of our residents, so that we can take care of our hardworking employees, and so that we can continue to be the community that residents want to have, and our future residents will want to be a part of. So, Mr. Interim Manager, I just would like to commend you and your efforts, along with our budget team and our staff for presenting a tentative budget for the Commission to examine, and to prepare for in a couple of months, so that it can be adopted. And I just want to thank everyone and their efforts in this process. I even thank our -- my colleagues for the questions that are raised, especially the questions. Because we need -- we need these questions to make sure that we are delivering everything. Everyone's voice should be heard in this process, and everyone's voice should be respected in the process. And, in turn, we may not agree with every budget line item, but just because we don't agree with every budget line item does not mean that it's waste. It does not mean that it's not good for the City. All it means is that I or whoever does not agree with that item, but, collectively, as a whole, if we remain solvent, make these decisions that our residents who elected us decide -- want us to do, that is our charge. So, at this time, if there are no other -- I don't see any other speakers, I'll entertain a motion.

COMMISSIONER CHAMBERS: Motion to approve.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Vice Mayor 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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Resolution #R6730, the Commission voted:

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

Resolution No. 18-141

12. Temp. Reso. #R6731 establishing a **proposed millage rate** for **Tax Year 2018 (Fiscal Year 2019)**; 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 Norm Mason*)

CITY ATTORNEY COLE: Item 12 is a resolution of the City Commission of the City of Miramar, Florida, establishing a proposed millage rate for Tax Year 2018 (Fiscal Year 2019); 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: And now for item number 12 for the millage rate, may I have a motion?

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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Resolution #R6731, the Commission voted:

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

Resolution No. 18-142

MAYOR MESSAM: Item number 12, please -- actually, item number 12.

COMMISSIONER CHAMBERS: Thirteen.

- 13.** Temp. Reso. #R6741 relating to the provision of **stormwater management services** in the City of Miramar, Florida; determining that certain real property in the City is specifically benefitted by the stormwater management services provided; establishing the method of assessing associated stormwater costs against real property; establishing other terms and conditions of the service assessment; approving the assessment roll; providing the method of collection; establishing the preliminary stormwater assessment rate for stormwater management assessments for the fiscal year beginning October 1, 2018. (*Public Works Director Bernard Buxton-Tetteh*)

CITY ATTORNEY COLE: Item 13 is 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; determining that certain real property in the City is specifically benefitted by the stormwater management services provided; establishing the method of

assessing associated stormwater costs against real property; establishing other terms and conditions of the service assessment; approving the assessment roll; providing the method of collection; establishing the preliminary stormwater assessment rate for stormwater management assessments for the fiscal year beginning October 1, 2018, and providing for an effective date.

MAYOR MESSAM: If we can ask if everyone just stop all comments while in the chambers, so we can proceed with the meeting. Thanks so much. Good evening. Is your mike on?

MR. BUXTON-TETTEH: Good evening, Mayor, Vice Mayor, Commissioners, City Manager, City Attorney. The item before you tonight --

MAYOR MESSAM: I don't think the mike is on. Can we have tech, IT to -- hit the green - - is the green light on?

MR. BUXTON-TETTEH: Yeah, it's on. It's on. The item before you tonight is the annual authorization of our stormwater assessment, establishing a rate, and establishing public meeting days and time for final approval of the annual assessment rate for Fiscal Year 2019. For background, the purpose of the stormwater management system --

MAYOR MESSAM: Mr. --

MR. BUXTON-TETTEH: -- is to regulate, maintain, manage stormwater runoff within the City.

MAYOR MESSAM: Can you pause one moment. I think something's wrong with his mic. Everyone can hear me, correct? But his mic is not on. I cannot hear his mike. Can you test it again, or if you could use the handheld mic until that's resolved?

MR. BUXTON-TETTEH: The City's stormwater system was established as an enterprise fund in 1998. The rates for service provide funds for stormwater system operations, maintenance, construction, and administration, including our capital projects. The system utilizes what we call the equivalent residential units, and Fiscal Year '15, the City began collecting the fees as non-ad valorem taxes. We utilize a ERU billing system. And what it does as a ERU, a study was performed, and setting square footage was assigned to each residential unit; that became the ERU unit. And for commercial properties, we find equivalent ERUs and assign them. The current assessment rate is \$84.00 per ERU. For Fiscal Year '19, we're projecting revenue in the amount of \$4.5 million. Projects that are funded by the stormwater revenue, this is besides our daily operations, include the ongoing canal embankment project. Also, we are funding the portion of Phase III, which is ongoing, the stormwater portion of that project. And then future projects that are coming up are Phases IV, V and V1, which we hope to bring before you very shortly. That is all funded by the stormwater fees. For this process, there's going to be a notice of public

hearing. This should be or would be published by August 22nd. There will be a hearing scheduled for the September 12 meeting, and approval is recommended.

MAYOR MESSAM: Thank you. Are there any members from the public that wish to comment on this item? Seeing none, back to the dais. Are there any questions or comments? If not, I'll entertain a motion.

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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R6741, the Commission voted:

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

Resolution No. 18-143

MAYOR MESSAM: Item number 14, please.

14. Temp. Reso. #R6725 authorizing the Interim City Manager to execute Change Order No. 2 to the agreement with Allstate Resource Management, Inc., for additional **Geotube installation construction services** for the **Historic Miramar Drainage System Improvements, Phase II (re-advertisement)**, in the amount of \$113,712, for a total contract price of \$360,052; and approving a 180 calendar days contract time extension. *(Continued from the meeting of 06/20/18) (Public Works Director Bernard Buxton-Tetteh and Procurement Director Alicia Ayum)*

CITY ATTORNEY COLE: Item 14 is a resolution of the City Commission of the City of Miramar, Florida, authorizing the Interim City Manager to execute Change Order No. 2 to the agreement with Allstate Resource Management, Inc., for additional Geotube installation construction services for the Historic Miramar Drainage System Improvements, Phase II (re-advertisement), in the amount of \$113,712.00, for a total contract price of \$360,052.00; and approving a 180 calendar days contract time extension, and providing for an effective date.

MAYOR MESSAM: Good evening.

MR. BUXTON-TETTEH: Good evening, Mayor, Vice Mayor, Commissioners. The item before you is change order number two for additional Geotube installation. This is part of the ongoing canal embankment project in the amount of \$113,712.00. For background, August 23rd, 2017, City Commission adopted Resolution #17-196. This resolution approved an agreement with All State Resources for Geotube installation; it was for a total amount of 197,640. Since then, whilst they were performing the work, we -- we, pretty much, exhausted the amount at the rate we were performing. We had residents that were calling on us. We implemented a change order number one in a smaller amount to allow the work to be performed, whilst we prepared the second change order. For a progress report on what we've done, or how we're doing so far. We've complete a total of 70 properties. As we are here today, we have ten of them under construction. And as part of this change order number two, we'll be completing 60 properties. Just to note, we have two contractors that are working, so this is the second contractor. We actually have only one that is working. So between the two contractors, we're expecting a total of 140 properties to be completed by the end of this fiscal year. This just shows some imagery of some of the properties that have been completed. Then there's a third one. And then you can just make a note, if you see where the worker is standing on the left side, he pretty much had his right foot in the water, but on the right side, if he was standing there, he was going to be on level ground. So that's how much improvement that has been made to our residents' properties. For the details of the change order. It's an amount of 113,712; because it exceeds a value of 50,000, that's why its requiring that we come before you. We're expecting 20 additional properties to be completed with the change order, and for this particular contractor, he will be completing a total of 65 properties. For the procurement process, we are utilizing an existing contract that we have with a vendor. He's agreed to hold his prices, and for us to extend the rest of this fiscal year, hence the ability to come before you tonight, and approval is recommended.

MAYOR MESSAM: Thank you. Are there any members from the public that wish to comment on this item? Seeing none, back to the dais. Any comments? Yes, come forward, come forward. It's has been a discussion for many years.

MR. ABEL: Roland Abel, 7606 Arbor Boulevard. I'd just like to, first of all, say thanks that this project has actually gotten off, and seemingly making some serious inroads, even though I'm one of the persons who live on the canal and have been waiting for mine to be done. Unfortunately, it's not yet done. However, I am still very happy to see that my neighbor -- in fact, the one that was done just yesterday, was exactly, immediately on my line. But I just want to go back a little further to say that this project we have been talking about for many, many years, and I can remember going back some four, five years ago, we spoke to it, and Commissioner -- then Commissioner Messam came into the neighborhood and listened and made a commitment that he was going to do all he could to make sure that this project got off on the right footing. I just want to make another point, that I spoke with my neighbor, who -- one neighbor who was not exactly very grateful, because his has been done, but he is now saying, "Why didn't they do a wall?" And I just let him know that when I made the investigation about doing a wall, the estimate I got was \$18,000.00. We're now in a position to do three, almost four of these embankment enrichment for the same amount of money. And I watched the process as it was being done right beside me, and what I discovered that the way this process is done, that, in fact, it might be even more effective than a wall, because this is a bit of -- it becomes a bit of concrete, actually, when that process is done, and that will not go anywhere. That is going to stay there and continue to retain your property from eroding. So I'm extremely happy for this project. I'm looking forward for the day when mine will be done, but right now I think it is a move in the right direction. It is, I think, the best use of money. The other point, I had to make sure that I told my neighbor that no other city that this is done without the input, cash input from the resident. My daughter lives in Davie; she pays \$5,500.00 to get her embankment done in the City of Davie, so this is -- I'm just going to go one second more. Just to let the residents know that we need to come out to the meetings, express the way we feel, say thanks for something when we get what we need, and to make sure that we continue to support the City in every way we can. Thank you very much.

MAYOR MESSAM: Thank you.

COMMISSIONER CHAMBERS: Thank you.

MAYOR MESSAM: And only a wall, Wall of Fame gets an extra 15 seconds after the three minutes.

COMMISSIONER CHAMBERS: Mayor, I think we're going to have to go out there and physically help Mr. Abel to remove whatever structure he have, so he can get his done.

MAYOR MESSAM: Alright. Good evening, ma'am.

MS. ADAMS: Good evening. Alison Adams, 7211 Fairway Boulevard. Good evening, Mayor, Commissioners, everybody else. I want to commend -- you have to give credit where credit is due, and I want to commend the Public Works Department for the fantastic job they've been doing in terms of the embankments. I was there when the idea came about; we worked collectively, as a community, with the City to see it come to fruition. They have taken insults; they have -- they've gone through the gamut. But what I want to say, and what I really want to commend them on, they understood that this was an expensive task for the residents in a time where we weren't in such a good economic conditions, countrywide. And that department went out there, and they found grants to mitigate the cost of something that needed to be done, and for that they need to be commended. I remember Bernard had just joined the City when we had completed the study, where he is the director of that department now, and executing the task. So to the Public Works Department, from the residents, from the community I live in, Miramar Parc Homeowners' Groups, and the others throughout the City that are benefiting from this project, we thank you, and we commend you. Even though they'll cuss you out, but that's because they need something, but job well done. Continue your good work.

MAYOR MESSAM: Thank you, ma'am. Are there any other members from the public? Seeing done, back to the dais. If there are no other comments, I'll take a motion.

VICE MAYOR COLBOURNE: I'll make one --

MAYOR MESSAM: Vice Mayor.

VICE MAYOR COLBOURNE: Yeah, I just want to make a comment that last week I did go out there and take a look at the work that was being done. I was able to see a property or two that was already completed, and some of them in the process of being completed and, clearly, a lot of them that still need to be completed and it makes a big difference. It is truly a great project, so kudos.

COMMISSIONER CHAMBERS: Thank you, Mr. Mayor, for your intervention, and I came on board and jumped right in and support, so it's a team effort, so I want to thank you once again. Thank the Public Works, Mr. Bernard, and it's moving forward from here. Thanks.

MAYOR MESSAM: Yeah, it's all of our support, you know, it's not just one person. It's all the Commission, because we all vote to support it. I would say I do commend staff for -- when we got the overall cost estimate, it was cost prohibitive. And for staff to come back with a phased approach to find existing contracts that were out there, to get the best options for the residents, so that we didn't have to wait ten, 15 years, as degradation continued to people's property, we were able to, piece by piece, do the properties. So a lot of kudos for staff for coming up with those options as well, so we could -- not wait, but start now. And as we get the funding, and do as many properties as possible. May I have a motion?

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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Resolution #R6725, the Commission voted:

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

Resolution No. 18-144

MAYOR MESSAM: Item number 15.

- 15.** Temp. Reso. #R6674 approving an agreement with M & M Asphalt Maintenance, Inc., d/b/a All County Paving, for **roadway resurfacing** of **various roadways** throughout the City, in the amount of \$1,471,316.00; utilizing the City of Fort Lauderdale Invitation for Bid (“IFB”) No. 673-11822, entitled Asphalt Resurfacing. ***(Continued from the meeting of 06/20/18) (Public Works Director Bernard Buxton-Tetteh and Procurement Director Alicia Ayum)***

CITY ATTORNEY COLE: Item 15 is a resolution of the City Commission of the City of Miramar, Florida, approving an agreement with M & M Asphalt Maintenance, Inc., d/b/a All County Paving, for roadway resurfacing of various roadways throughout the City, in the amount of \$1,471,316.00; utilizing the City of Fort Lauderdale Invitation for Bid ("IFB") No. 673-11822, entitled Asphalt Resurfacing, authorizing the Interim City Manager to execute an appropriate agreement with M & M Asphalt Maintenance, Inc., d/b/a All County Paving, and providing for an effective date.

MR. BUXTON-TETTEH: Good evening, Mayor, Vice Mayor, Commissioners, Bernard Buxton-Tetteh, Public Works Director. The item before you tonight is an approval to award an agreement for road resurfacing, M & M Asphalt, in the amount of \$1.471 million. We're utilizing a City of Fort Lauderdale contract. For background, the Public Works Department is responsible for approximately 156 centerline miles of roadway infrastructure. We prioritize restoration, and then we currently have what we call a Pavement Management System. It was updated in 2016, which we utilized to evaluate our roadways. The conditions are evaluated, and then the repairs that are needed are performed. We do simple repairs, such as pothole patching, where deemed appropriate, to resurfacing. And then, obviously, when there is more extensive damage, we'll have to do a road reconstruction. Road resurfacing option, what it does is extends the life of the roadways, and improves the driving conditions of the roadways as well. This is just a map that is used in the pavement management system. Each roadway is rated from a scale of zero to 100. The greens, which go above 70 are ones that are relatively in good condition, and then it falls into yellow, which is fair, and then poor, as you come down in the series. These are some of the conditions of our roadways we're looking at addressing. These fall into the poor and the fair category. For the procurement process, we identified a City of Fort Lauderdale contract as a two-year contract that was initiated in February 2017. What we did was we looked at the -- that agreement. We also looked at the other existing agreement that Broward County and other cities -- we wanted to make sure that we're getting what was best for our residents. This particular contractor came out as the best of the ones that we looked at. For funding, there's current funding or there was current funding in the Fiscal Year '18 in the amount of 538,995. This was initially -- it's going to complete about 2.5 centerline miles of roadway. A few weeks ago, the Budget Department brought forward to you an amendment that added an additional \$932,000.00 to this amount. I'm very grateful, Mr. Norm, so this is allowing us to do an additional 4.5 miles of centerline roadway resurfacing. The next sheet -- list of roadways that we have, that we're looking at, and you can see on the far right, it's showing you the section PCI, that means -- that's the rating, and you can see we're doing everything that's, basically, below 70. Those are the poor and then the fair ones. A few things that we did. We also ensured that we looked at some of them that we already been addressed as part of the utility projects on the east side. So we've pulled those out of the list. An example is on Embassy Drive. They recently completed a utility project and, actually, the section was going to be on the eastbound. So what we did was that we moved that funding that was going to go on the eastbound to the westbound. So Utilities is going to perform the repair on the eastbound, this project is going to do the ones on the eastbound, so Embassy is

going to have both sides handled. So we've handled things like that as part of this process. And this is the remaining list, and approval is recommended.

MAYOR MESSAM: Thank you. Are there any members from the public who wish to comment on this item? Seeing none, back to the dais. If there aren't any comments, may I have a motion?

VICE MAYOR COLBOURNE: 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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R6674, the Commission voted:

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

Resolution No. 18-145

MAYOR MESSAM: Yes. Item 16, please.

16. Temp. Reso. #R6733 approving the creation of the **Miramar Economic Development Fund/Initiative** and associated budget account to support **Historic Miramar improvements and redevelopment initiatives**, as well as other Citywide economic development efforts. *(Continued from the meeting of 06/20/18) (Community & Economic Development Director Eric Silva)*

CITY ATTORNEY COLE: Item 16 is a resolution of the City Commission of the City of Miramar, Florida, approving the creation of the Miramar Economic Development Fund/Initiative and associated budget account to support Historic Miramar improvements and redevelopment initiatives, as well as other Citywide economic development efforts, and providing for an effective date.

MAYOR MESSAM: Good evening.

MS. GOODING-LIBURD: Good evening, Mayor, Commissioners. I am Susan Gooding-Liburd, your Chief Financial Officer. I will be standing in for Mr. Eric, and now we're doing the Economic Development Fund Initiative presentation. Background; in 2016, the City adopted the Economic Development Action Plan with recommendation to provide a dedicated funding source that would accomplish five goals. 1) Diversify Miramar tax base to enhance economic competitiveness and resilience. 2) Expand urban innovation and revitalization activity. Leverage Miramar's culture arts, entertainment, and sports assets. Create a unique sense of place in Miramar. And, 5) tie together Miramar's distinct neighborhoods and areas into a cohesive city. Currently, the City receives federal and State grants in regard to economic development, but they are limited to the types of projects the fund can be used for. Grants such as our Community Development Block Grant, State Housing Initiative Program, our HOME Investment Partnership Programs. Some of the Economic Development Fund initiatives will mirror these grant programs. Our purpose today is to create a budget account. This account will support improvement to commercial, residential, and public properties. This account will address deficiency in current funding sources. Funds will be allocated as part of the Fiscal Year 2019 budget. Some examples of the projects that may be funded are interior and exterior renovation of commercial buildings, land purchases, exterior improvement to resident property, landscaping, affordable housing, microbusiness loans, Mom & Pop Grant, Amnesty Program for our much-needed garage conversion issue. These projects will be able to help our residents, and to allow the City to do more, and go beyond what is listed here, as we develop the criteria for our initiatives. Other possible usage; the City is 63 years old, approximately. We know where our aging infrastructures are, and so we are estimating a 20 -- 80/20 utilization for our Historic Miramar and our aging citywide infrastructure. Another initiative is to create a special assessment tax district, so with the tax increment dollars that will be collected here will go right back into that neighborhood that pays for it. So this will create long-term sustainability for that neighborhood. We are also looking at our AWE District, which is our Arts, Workforce, and Entertainment District, as well as our newly created opportunity zones. So potential sources of funding can come from -- we're really exploring the water and sewer line insurance program, which we think the residents can opt into. It's a minimal cost that will go on their utility bill, and as the --

you know, the infrastructure is aging, I think, as concerned public citizens, we really should be bringing this program to our residents. We also will be looking at our textile donation bins for future royalties that will be placed strategically throughout different location within the cities. Even developers' contributions will be utilized in this fund. Utility loan fund, and we will even look at exploring some grants with the Federal Home Loan Bank Program, as well as opportunity funds that will now be in our opportunity zone. So our opportunity zone. The 2017 Tax Act and Job Act is the most significant change to the Internal Revenue Code in decades. The Tax Act provides the creation of opportunity zones, which are specifically created geographic districts that will receive tax breaks for investment capital. The needs and the growth potential of the communities were taken into consideration in selecting these tracts. We selected five and sent it to Governor Scott. However, he selected two to be then sent to the U.S. Department of Treasury, which certified the two zones in Miramar as opportunity zones. So investors can reinvest capital gains via an opportunity fund into our opportunity zones. And the opportunity fund can invest in businesses, even invest in property, and invest in infrastructure. So any assets are eligible for this reinvestment into our opportunity fund. What needs to be invested is only the capital gains from these assets. There's a timing; you have to do it within 180 days, and there are tax benefits. There are three tax benefits, which are offered to potential investors. So why would an investor want to do this? The opportunity zone program offered three tax incentives for investing in low-income community through a qualified opportunity fund. 1) It's temporary deferral of those capital gains to be invested in the opportunity zone until 2026. Another is the step-up basis. You have a liability for the capital gains, and if you keep your investment within the opportunity zone, the opportunity fund, at least five years, you will get a ten percent reduction on your liability. If you keep it for another two years, you will get an additional five percent. So, hence, a 15 percent for keeping and investing the opportunity zone for seven years. I think the best one is the permanent exclusion, and I think this is destined to become very, very popular for investors, and that's the permanent exclusion. If you put your investment for at least ten years, so those gains within the opportunity zone, in the opportunity fund will be no taxes on those, and I think that would be very, very attractive to future investors. Next step, so we need IRS and Treasury, and they are providing guidance on the certification to become a qualified opportunity fund, and I think Miramar should take advantage of what we're becoming. The Treasury will also be issuing final rules on the opportunity zone program. So these opportunity zones are intended to help stimulate investment, and job growth in low-income communities. As a city, we should be primed to take advantage of this investment capital that is destined to pour into our state. These opportunity zones are designed to benefit distressed community. We've only identified two, but there may be others. In 1998, the City explored the opportunity to establish a CRA. But, due to the stigma of the slum and blight, that opportunity was missed. I would not like Miramar to miss this next opportunity that is coming. The City of Miramar would be an attractive investment destination, especially our Historical Miramar area. And we can do that through syndications and partnerships, as well pass through funds. So our single purpose tonight is to create a funding account to support economic development. With that said, I am asking for your approval. Thank you.

MAYOR MESSAM: Thank you so much. As this is a public hearing, any comments from the public on this item? Yes, sir. Good evening, welcome.

MR. HEPBURN: Good evening, Mayor, Vice Mayor, Commissioners, Interim City Manager, City Attorney, City Clerk, and other staff that are with us. James Hepburn, 7550 Indigo Street. I'm a resident of Historic Miramar, and I'm also the Chairman of the Historic Miramar Advisory Board, and so I'm here to speak on behalf of -- actually, imploring you guys to let this initiative be passed tonight and approved. I wouldn't feel like it's important, and it's been official to us as residents in the historic section to have input, and say -- and also to be able to advise on certain things. And, as far as having funds, an actual account that we can look at and see the funding that we have to make suggestions or even for us, ourselves, to put forth ideas for innovative redevelopment sustainability, and beautification, I think are very important, and I fully, wholeheartedly, support this, and I know my board members will as well. So that's it.

MAYOR MESSAM: Thank you so much. Are there any other members from the public that wish to comment on this item? Seeing one, back to the dais. Commissioner Riggs, you're recognized.

COMMISSIONER RIGGS: Thank you, Mayor. This, obviously, is a great idea. When we came up with the Historic Miramar Board, and allocating the designated area for Historic Miramar, this was also part of the plan, to create a fund. My concern with this resolution, however, is the fact that it doesn't specify that it's specifically for Historic Miramar. The only time that Historic Miramar is mentioned in the actual resolution is where it says: The City's adopted Economic Development Action Plan recommends the establishment of a dedicated funding source for part of Historic Miramar. That is the only place that Historic Miramar is even mentioned. There's more in that PowerPoint than there is in this actual resolution. The 80/20 that you mentioned in the PowerPoint is not in here. The source of fundings that you outlined is not in here, and what's not in here also that's also concerning is allocation of the funds. How would we distribute the funds to actually make a difference in Historic Miramar? So if all of that can be added, I think this is a great idea, but it's missing quite a bit.

MAYOR MESSAM: Are there any other comments from the dais? Vice Mayor.

VICE MAYOR COLBOURNE: Yeah. I just want to say that I am -- I'm very pleased that the City -- you know; it's brought -- has brought this to us. When it comes to economic development, it's an area that -- that it's -- it's been unfunded, and our community needs it. Many of our businesses -- I mean there are opportunities that -- it could have taken advantage of that they simply couldn't. And I think this type of investment in our community would certainly make a difference, and it's something that we would definitely see. I do agree, it is an opportunity that we need to move forward with. Thank you.

MAYOR MESSAM: Thank you, Vice Mayor. Couple of --

COMMISSIONER BARNES: Mr. Mayor.

MAYOR MESSAM: Well, I don't see any speakers. You all have --

COMMISSIONER BARNES: Because my screen is blank.

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

COMMISSIONER BARNES: Just a couple of observations. One of the things that pleases me the most is that this will actually expand the abilities of what the CDBG funds have been able to do over the years, but particularly for our community. One item that really caught my attention was funding for garage conversions; very, very important for our community. This is something that we've dealt with for years. There have been attempts over the years to -- to explain some of the alternatives to being penalized, as it were, when one sought to sell their homes. I'm most gratified that this has been included in -- in the provisions that this kind of funding would take care of. But, I beg of us, please, if we want to get some of the funding from the recycling of textiles and leather, get it done, please, so we can start collecting the royalties, please.

MAYOR MESSAM: Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: I'm with you, Commissioner Barnes, all the way. And not only with the conversion of garage, but also when residents are seeking economic help to fix their property up, been an issue, so we hope we take a serious look and try to help all those resident to get this taken care of. Let's move forward. Thank you.

MAYOR MESSAM: Thank you, Commissioner Chambers. I like this item a lot. It -- the reason why I like this item so much is because the residents, businesses have come to that podium right there, especially on historic side of town and have asked for several necessities or desires to improve; redevelopment, renovation of property, the list goes on. Also, members of this Commission have -- each have, respectively, voiced some concern or some desire to do something for our residents and our business community, especially in Historic Miramar. So this item provides a vehicle for all stakeholders in the City to be able to act under a program originated source governed by Miramar, not the federal government, not the State, not the County, but Miramar. It solves those issues in terms of how we allocate these funds. We recently approved funding for development or renovations in Historic Miramar without a specific program. Doesn't mean that we couldn't do it, but this would be a qualifying vehicle, or that -- that item that was included in those respective budgets that would qualify under this. What I would say in terms of the name, Miramar Economic Development Fund; i think because it provides a venue to collect funding to take advantage of opportunity zones, to take advantage of many other programs that can fall into it, provides the adequate emphasis to redevelopment areas like Historic Miramar, but it also includes all of the City. We may get funding, or there may be a funding source that prohibits the City from limiting it to one specific area. All of the City may have -- must have an opportunity to take advantage of it, so this one fund is

a housing or a place or an account to receive that funding, and still qualify for whatever the requirements of that funding source may be, whether it's the federal government, State or County, or private entity. I love the fact that it includes a TIF. I've mentioned this in the past, and I've been a big critic of this City's descent or -- or not adopting a CRA when we had the opportunity, when the climate allowed us to -- to develop that. Can you imagine had this City got over the hiccup of the term slum and blight -- although Fort Lauderdale had a CRA, Pompano had a CRA, Hollywood has a CRA, Miami has a CRA; every major area in the country that's redeveloping has a CRA. I wasn't on the Commission. Maybe there's some information that was presented that -- but that's spilled milk. Can't consume that at this point. Can you imagine the amount of revenue, funding that would have been available for Historic Miramar had we taken advantage of that? Incredible. And this provides us an opportunity, even if it's just the City's portion of the tax bill that we would collect. But 20, 30 years from now, whoever is mayor, whoever is a commissioner, whoever the public administrators would be, and the residents 30 years from now will thank this Commission for adopting a TIF, because now they have funding source that takes advantage of the tax increment that's been developed from the success of redevelopment in Historic Miramar. Opportunity zones. Many cities will have opportunity zones. All the cities will be competing for developers. Miramar has an advantage. What is our advantage? We're putting in millions of dollars of infrastructure upgrades in Historic Miramar right now. What are developers' biggest complaint when they're developing in redevelopment areas? Impact fees, infrastructure costs, costs to support their development, and we're already putting that in, so that's an attraction right there. Our location; that is an advantage, and the City has to be positioned to also bring other revenue, resources to leverage a development deal. Cash is king. What cash we have available to offset development costs, so that if -- whoever's coming in to develop, take advantage of opportunity zones, we have two for now, we have new infrastructure and, oh, by the way, we have a couple extra dollars we can put in to build some affordable housing units to go along with your development. That's leverage, that's opportunity. So I would say that, you know, we are a city as a whole, and because we have these dollars -- it's only 20 percent right now, we'll talk about -- I'm sure we'll have future workshops to talk about exactly what the administrative procedures will be, and how this program will work. But this is just a creating the account, and it allows all communities to benefit. Because, at the end of the day, east Miramar needs redevelopment -- there's a struggling business right at Town Center, there's a struggling business in west Miramar, and they should also have an opportunity to go for a mom and pop grant as well, because we're all one Miramar. So even though most of the emphasis, and most of the resources, initially, will be dedicated to Historic Miramar, as it should, but it also provides opportunities for business owners and residents throughout the community. And I think this -- this program, this Miramar Economic Development Program, when we look back decades from now, will, perhaps, be one of the most significant legislations and one of the most significant acts that we've made as a community. Because now we are empowering ourselves to -- to charter -- to chart our own course, to define our own destiny and not always be at the mercy, at demands, at unfunded mandates of the federal government, State and the County. So, Mr. Interim Manager, I'm beginning to say this a lot; kudos to yourself and the team for bringing this forward. We know this is just the start.

We'll have future workshops to define this, to get input from our Historic Miramar Advisory Board, as well as other residents from our business community that can give us even more ideas. I'm particularly interested in speaking to the private development community to see how we can leverage this, so thanks so much for this, for bringing this forward. Commissioner Riggs followed by Commissioner Barnes.

COMMISSIONER RIGGS: Thank you. Okay, so truthfully, I've been working on this for quite some time now, and I remember when we had the workshop for the code enforcement, workshop for beautification of Historic Miramar; this was part of the plan. But, unfortunately, I have to say it's not coming to fruition the way I envisioned it, because there's missing components. And, Mayor, I agree with you, but these -- what we're saying needs to be added to this resolution; so that 80/20 that was part of the PowerPoint is not in the resolution. So I will support this 100 percent with the following additions: the 80/20 needs to be added, for 80 percent to be towards Historic Miramar, because that's the goal, that's the point. We're focusing a lot more now on Historic Miramar. The TIF is not in this resolution. It should be in there. And, in addition to that, the sources that were on this PowerPoint, none of them are in here. They should be in here. And the allocation of the funds, there should be some kind of filter, where it's not up to one individual who gets a yes, and who gets a no, which area gets beautified, which doesn't. There's a map that was on the screen, and it shows some of the areas that we'll be focusing on. The president of our Historic Miramar Board was just up here, and he's also the president of the community, Tropical community area. His area is not on that map, so what happened to those individuals that need home repair, that need business repair? And what I would like taken off also, the area, the one little area that mentioned Historic Miramar, but it says part of Historic Miramar, why part of Historic Miramar, why not Historic Miramar? So those are the things I would like to be amended to this resolution, and that would make it perfect.

MAYOR MESSAM: You're recognized, Mr. Moore.

MR. MOORE: Thank you. Mr. Mayor, Michael Moore, Assistant City Manager. Commissioner, I wanted just to emphasize that when Ms. Gooding came up, this is just to create the fund. All the particulars about how it will be managed and the approvals, that will come out later through the process, but the 80/20, certainly, is something that we've agreed on, we've continually stated. That will be as part of the -- the process that -- that comes out. But I do want to touch on something you mentioned about a map, and an area excluded. The map that we showed you -- and that's kind of -- that's the nexus of why we're presenting this. The map that we showed you is the limitations as it exists now. This fund will allow us to touch those areas that weren't identified in the map, so that's what makes this fund so important. Those areas that we talk about that we don't have programs in, because they're not part of that map. This -- this fund will allow us to do that. So all the things you've mentioned, Commissioner, those will come out as we move forward. Nothing that we're going to do with this fund won't pass through the board for approval.

COMMISSIONER RIGGS: So why can't we have that as part of this current resolution?

MR. MOORE: Personally, I just don't think -- sorry.

MAYOR MESSAM: No, no, no. It's a fair question. It's a fair question. The item before us is creating the account, a budget account. It's not the administrative procedures, it's not -- they're going to be so many pro-qualifying programs, it will be impossible to list tonight every possible scenario, every possible program that will be able to qualify to be a part of the Miramar Economic Development Fund or initiative, the former name of it. So I think that your concerns are legitimate, in terms of them not being in the resolution if we were adopting the actual program tonight. This is just creating a fund for the program that will be forthcoming. So, in other words, if we're doing an affordable housing program -- for example, there was the Federal Home Loan Bank Affordable Housing Hometown Hero Program. We would approve that independent, but that approval will then fund -- it will provide funding for this account that will kind of be the custodian for that program, if it makes sense. So this isn't adopting an actual program. This is just creating a budget fund, that is all this item -- that we're voting on tonight.

COMMISSIONER RIGGS: I understand what you're saying. So, in order to help with the process, why can't we include those four?

MAYOR MESSAM: They're included.

COMMISSIONER RIGGS: No, they're not included. I've read it. I've read every word, so why can't we include the 80/20 now? Why can't we state that in this resolution that that's what's to come? Why can't we state about the TIF that's what's to come? Why can't we state that the allocation of the funds will be filtered through several processes? Why can't we state that in this resolution? It's only four items?

MAYOR MESSAM: I think it can be stated from an illustrative standpoint. My interpretation of the presentation is that when they mentioned -- when staff mentioned affordable housing, TIF, those were for illustrative purposes, not -- it's just illustrative purposes of the types of programs that will go into this fund. So if we can say it could be for programs, such as -- and you can run the list, because there will be future things that come in that won't be necessarily on this resolution. So I think we're saying the same thing. Want to add them in by record, and take them down, so we can move this item forward, please let -- I just want it to be -- for the public to be clear that we're not adopting the Economic Program tonight. We're just -- the staff is asking us to adopt a budget fund, so that these programs that are so very important to all of us will be included in there.

COMMISSIONER RIGGS: Okay. So let's do exactly what you just said, Mayor, let's adopt this with those changes, and the section that says part of Historic Miramar, if we could get rid of that. It's not part of Historic Miramar, it's Historic Miramar. That part is important as well. It truly is. So I'm voting for that with those changes.

MAYOR MESSAM: Well, that's a recommendation. With all due respect, Commissioner Riggs.

COMMISSIONER RIGGS: Okay.

MAYOR MESSAM: So we noted your -- what's your desire to be included, and we'll -- we'll discuss that. Commissioner Barnes, you're recognized, and followed by Vice Mayor Colbourne.

COMMISSIONER BARNES: This is presumptuous on my part, but this is some kind of housekeeping observations. Last time you were here, we left here at 12:35. The Chamber has become progressively colder. I need a five-minute break.

COMMISSIONER CHAMBERS: Second.

VICE MAYOR COLBOURNE: Can we vote?

MAYOR MESSAM: Well, let's finish this item. We can -- finish this item -- unless you -- unless nature does not allow. Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: I am ready to vote on it. So I'll be happy to make a motion, if that's okay with you.

COMMISSIONER RIGGS: So can I make a motion with these amendments?

VICE MAYOR COLBOURNE: My motion to move this item the way it is.

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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Barnes, to approve Resolution #R6733, the Commission voted:

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

Resolution No. 18-146

Recess/Reconvene

ORDINANCES

MAYOR MESSAM: Alright. The meeting is called back to order. Item number 17 please.

17. **FIRST READING** of Temp. Ord. #O1690 relating to comprehensive planning; making findings; amending the Goals, Objectives and Policies of the Future Land Use Element of the City's adopted Comprehensive Plan; revising Policy 1.14 to modify the distribution and intensity of the approved mix of uses within the **Transit-Oriented Corridor** land use category; collapsing the allocation of the residential uses into single-family (755 dwelling units) and multifamily units (2,651 dwelling units); reducing the allocation of office uses from 2,500,000 square feet to 2,000,000 square feet; providing for transmittal to Broward County and the State of Florida Department of Economic Opportunity; providing for repeal; providing for severability/interpretation; providing for correction of scrivener's errors; providing for recertification; providing for codification; and providing for an effective date. *(Continued from the Meeting of 06/20/2018) (Community & Economic Development Director Eric Silva)*

CITY ATTORNEY COLE: Item 17 is an ordinance of the City Commission of the City of Miramar, Florida, relating to comprehensive planning; making findings; amending the Goals, Objectives and Policies of the Future Land Use Element of the City's adopted Comprehensive Plan; revising Policy 1.14 to modify the distribution and intensity of the approved mix of uses within the Transit-Oriented Corridor land use category; collapsing the allocation of the residential uses into single-family (755 dwelling units) and multifamily units (2,651 dwelling units); reducing the allocation of office uses from 2,500,000 square

feet to 2,000,000 square feet; providing for transmittal to Broward County and the State of Florida Department of Economic Opportunity; providing for repeal; providing for severability/interpretation; providing for correction of scrivener's errors; providing for recertification; providing for codification; and providing for an effective date.

MAYOR MESSAM: Good evening.

MR. SILVA: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners, Eric Silva, Community & Economic Department. This item is for an amendment to our Transit-Oriented Corridor land use category. The Transit-Oriented Corridor land use category was established as part of the Comprehensive Plan in 2009 via Ordinance 09-15, and it's about 440 acres, and it's roughly located on Pembroke Road down to County Line Road, State Road 7 on the east, and mostly 64th Avenue on the west, but a little bit along Pembroke Road up to 66th Avenue. And the issue tonight is that land use category has a very limited flexibility for residential development. We are tied right now with this category to what they call midrise apartment, which is apartments that are four stories and above. This map here shows the future land use map on the eastern most portion of the City. On the colored map in pink, that is the Transit-Oriented Corridor category, and the aerial photo in the yellow outline shows the boundaries. The amendment, the proposed amendment. To amend the text of Policy 1.14 of the Comprehensive Plan to reallocate the approved mix of uses, and the purpose is to create two generic pools: one single-family pool of 755 units, and then a generic multifamily pool with 2,651 units. And we're also going to reduce the office allocation by 500,000 square feet. This is the actual text from the Comprehensive Plan. On the top is the proposed language, and you'll see on the top there that the residential uses are very, very specific, has a specific number for townhomes, and a specific number for midrise, single family, garden apartments, and mobile home. Then offices are shown as 2.5 million. The office decrease, we only have about 200,000 square feet built of office. We have plenty capacity for more office development. So the new language; same number of units overall, 3,406, and the breakdown will be 755 single family, and then 2,651 in multifamily, and then the reduction also in office. And then as part of the application process, we have to do analysis of infrastructure. So, as you can see here, sewer, water, solid waste, traffic, everything decreases with this change. There's no additional impact on any of the infrastructure. And the action requested by the City Commission is approval, and to find the amendment in compliance with State law, and internally consistent with the City's Land Use Plan, and to authorize staff to transmit this application to Broward County and the State for further review. This is only the first reading, so it'll come back to you again at second reading for adoption.

MAYOR MESSAM: Thank you, Mr. Silva. Are there any members from the public that wish to comment on this item? Seeing none, back to the dais. Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Just a couple of questions quickly. What is prompting this recommended change? Are we looking at a need for more residential, or -- and/or are we looking at dwindling land space, or it's just been too restrictive?

MR. SILVA: Too restrictive. Phoebe, can you back that slide. It's showed the change in the language; the proposed and the new language. At the top there, the breakdown, townhomes, garden apartments, we're running out of those units, so we don't have any more of those units to allocate, and developers are coming to us to redevelop this section of the TOC, and we have to tell them it could take a little bit longer, because you have to go through another process, so it is hurting our ability to streamline redevelopment right now.

COMMISSIONER BARNES: Okay. Thanks.

MAYOR MESSAM: Are there any other -- any other comments? May I have a motion?

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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Ordinance #O1690, the Commission voted:

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

Passed 1st Reading

SECOND READING DATE TBD

MAYOR MESSAM: Item number 18, please.

- 18. FIRST READING** of Temp. Ord. #O1694 amending the City Code Chapter 2 “Administration,” Article XII “Procurement,” Division 1 “Generally,” Section 2-405 “Definitions,” to amend the definition of small purchases; amending Division 2 “Procurement Organization,” Section 2-412 “Award Authority,” to increase the City Manager’s award authority to \$75,000 and allow the City Manager to **delegate contract approval and execution authority**; amending Division 3 “Source Selection and Contract Formation,” Section 2-420 “Bid Thresholds,” to increase the bid threshold to \$75,000; amending Section 2-421 “Competitive Sealed Bidding,” to increase the threshold for the cone of silence to \$75,000; amending Section 2-423 “Small Purchases” increasing the amount of small purchases to \$75,000 or less; providing for severability; providing for codification; and providing for an effective date. *(Continued from the meeting of 06/20/18) (Procurement Director Alicia Ayum)*

CITY ATTORNEY COLE: Item 18 is an ordinance of the City Commission of the City of Miramar, Florida, amending the City Code Chapter 2 “Administration,” Article XII “Procurement,” Division 1 “Generally,” Section 2-405 “Definitions,” to amend the definition of small purchases; amending Division 2 “Procurement Organization,” Section 2-412 “Award Authority,” to increase the City Manager’s award authority to \$75,000.00 and allow the City Manager to delegate contract approval and execution authority; amending Division 3 “Source Selection and Contract Formation,” Section 2-420 “Bid Thresholds,” to increase the bid threshold to \$75,000.00; amending Section 2-421 “Competitive Sealed Bidding,” to increase the threshold for the cone of silence to \$75,000.00; amending Section 2-423 “Small Purchases” increasing the amount of small purchases to \$75,000.00 or less; providing for severability; providing for codification; and providing for an effective date.

MS. AYUM: Good evening, Mayor, Vice Mayor, Commissioners, staff, Alicia Ayum, Procurement Director. So this is the first reading of the amending the City Code of Ordinances, section 2-405, 2-412, 20, 21 and 23. Section 2-412 of the City Code governs purchase award authority. Under the current code, the City Manager has the authority to approve purchases of \$50,000.00 or less without approval of the Commission. Section 2-420 and 21 govern competitive solicitations for the procurement of goods and services.

The sections refer to the competitive threshold as greater than 50,000. Sections 2-405, definitions, and 2-423, small purchases define a small purchase as purchase estimated to cost 50,000 or less. So just a little background before I get in here. The Code was revised in 2011. It was set at 50,000 in 2002. In 2011, we kept it at 50,000. Just wanted to give you -- inflation from 2002 to 2018 has led to the need to increase the threshold. Inflation rate is 39.8 percent. At this point, the City Manager can execute contracts, and would like the authority to -- next slide. Yeah, the City Manager would like the authority to delegate that authority. So the proposed changes will increase the small dollar threshold from 50,000 to 75,000, and allow the City to manage and to approve purchases for commodities or services of 75,000 or less. The City Manager will request to delegate his contract approval and execution authority to his senior executive staff, as applicable, and to make the contract execution process more efficient. The City proposes to amend all the above sections that we've discussed, 2-405, 412, 420, 421; all of those sections that affect the 50,000 now will be changed subsequently to 75,000 if it's approved. So approval is recommended. I just wanted to give you a little bit more background, in that we did -- I did a quick survey of other agencies and where they're at, and they range from 25 to 100,000. We're pretty much right in the middle.

MAYOR MESSAM: Thank you. Are there any members from the public that wish to comment on this item? Seeing none, back to the dais. Commissioner Riggs, you're recognized.

COMMISSIONER RIGGS: Thank you. I -- I heard the presentation, but I don't -- I didn't hear the rationale to the change from 50,000 to 75,000, one. And, two, what is the rationale for the execution -- executing authority to the executive staff? What's the purpose? What's wrong with the current system?

MS. AYUM: Efficiency. It's mostly efficiency.

COMMISSIONER RIGGS: For both?

MS. AYUM: For both. Well, as I described, in 2002, the limit was set at 50,000. 2011, we revised the code, made a whole bunch of changes and centralized procurement, etc., but, at that point, we still felt like 50,000 was a good number to stay with. We're now how many years later, and with the rate of inflation, it's 39.8 percent, so we're feeling that it's a good spot to raise it. Not as much as 100, but right in between.

COMMISSIONER RIGGS: Okay. No matter which way this goes, I would like to request quarterly report of those items that are being approved without having to come in front of the Commission.

MS. AYUM: Okay.

COMMISSIONER RIGGS: Okay. That's it. Thank you.

MAYOR MESSAM: Thank you, Commissioner. Any other questions or comments? May I have a motion?

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER BARNES: Second.

MAYOR MESSAM: Record the votes.

COMMISSIONER BARNES: I could second, yeah.

MAYOR MESSAM: Record the votes. I thought I heard a second.

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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Barnes, to approve Ordinance #O1694, the Commission voted:

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

Passed 1st Reading

SECOND READING SCHEDULED FOR August 22, 2018

PUBLIC HEARINGS

MAYOR MESSAM: Item 18, please -- 19.

19. **SECOND READING** of Temp. Ord. #O1687 amending Chapter 11 "Business Taxes, Permits, and Business Regulations" by creating Article VIII "**Towing of Vehicles from Private Property**" to provide for towing regulations; and providing for an effective date. *(Passed 1st Reading on 03/21/18) (Continued from the Meeting of 06/20/18) (Police Chief Dexter Williams)*

CITY ATTORNEY COLE: 19. Item 19 is an ordinance of the City Commission of the City of Miramar, Florida, amending Chapter 11 "Business Taxes, Permits, and Business Regulations" by creating Article VIII "Towing of Vehicles from Private Property" to provide for towing regulations; and providing for an effective date.

MAYOR MESSAM: Are there any changes, Chief?

CHIEF WILLIAMS: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners, Interim City Manager, and legal. We had this item brought before you on the 21st for a first read. Went through, at the direction of Commissioner Riggs, she wanted some dialog with the individuals that came forward. City legal did that, had some conversation with them, so I would yield my time to Attorney Jaime Cole to -- for the discussion, if any discussion is required from that.

CITY ATTORNEY COLE: We had extensive discussions with the attorneys for the towing companies, and based on those discussion, it does appear that the County ordinance, which is very similar to the one that we're talking about that has been enacted was enacted after the Sunrise ordinance, which this was modeled after. Sunrise had done their -- their ordinance, because they really felt something needed to be done. The County then did their ordinance, and as we were looking at it, it really did not seem that there was much of a difference that would justify us to have an ordinance. So we actually had it in the backup a proposed alternative ordinance that really struck through the entire ordinance and just adopted the County ordinance, which -- which unless there's major, major problems in the City with towing, probably is sufficient, and I think that's what the Chief was recommending.

CHIEF WILLIAMS: That is correct. That is the first recommendation that I made, that we just adopt the County ordinance. The one incident that we did have at the Arts facility that has never occurred again, and we had no other issues previously with any towing in our City, any problems with that.

MAYOR MESSAM: Are there any members from the public who wish to comment on this item? Seeing none, back to the dais. Are there any comments? Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you. We do have some major issue inside some of our gated community here, which that -- in -- in -- wherein, that we -- the City gave a lot of variances for adequate parking, and these towing service are taking advantage of our resident inside of those gated community by the City fault for giving these developers so many variances to have, you know. Just imagine someone who's renting or buying inside of a gated community do not have enough parking for the resident, let alone for their guests. And to have your cars just towed because enough parking is not there is an issue, and this is a serious issue for me. Because even if you have your car and you might have the change of tag, it's the same color, same VIN number, same everything, but because you change your tag, and you didn't have it updated, they will still take your car. They will take your car, and take it to the gate, drop it, you pay, you go back, you park in the same -- park in the same spot. Make no sense. These tow truck are ripping off our resident. They're a cartel. They need to be stopped. We have -- we need even stronger regulations to control them. I've seen people pull up with their grocery, taking their grocery out their car, the tow truck come and take their car. Nonsense. So this item is good, moving forward. I hope in the future we can even strengthen it to protect our resident because of our fault by giving so much variance to developers for not having enough parking.

CHIEF WILLIAMS: The excessiveness of the restriction would be on the HOA board. They can have and impose any rules they would like to have within that gated community. They're the ones who subcontract with those companies, so they can tell them exactly what they want them to look at. So with Silver Falls community, if that's where this issue is, then I can definitely sit down and have a conversation with them to say, "Listen, you know, if -- your next board meeting, you can have that discussion and talk about the towing concerns which you're having in here, because your community within are having problems with it. I'm not sure whether -- they haven't brought anything to my attention directly, but, as you know, we do attend all their HOA board meetings. And I will be glad to attend one of their meetings and bring this to their attention, that this -- that the community has brought this to your attention.

COMMISSIONER CHAMBERS: I would love that, because when you have a coordination between HOA president and the company that hired to run the association working with the tow truck, that's a very dangerous combination right there. When it happens to our resident on the east side, sometime they don't come forward. If this would happen on the west side, then it would be something else; it would be a lawsuit going on, so we have to find ways of looking out for all our residents in the City of Miramar. Thank you.

CHIEF WILLIAMS: No, problem, sir. Thank you.

MAYOR MESSAM: Thank you, Commissioner. Are there any other comments? I'll take a motion.

COMMISSIONER BARNES: 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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Barnes, seconded by Vice Mayor Colbourne, to approve Ordinance #O1687, the Commission voted:

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

Ordinance No. 18-09

MAYOR MESSAM: Item number 20, please.

- 20.** Temp. Reso. #R6721 approving the **Program Year 2018 - 2019 Community Development Block Grant Program Action Plan**; authorizing submission of the Program Year 2018 - 2019 Community Development Block Grant Action Plan to the U.S. Department of Housing and Urban Development. ***(Continued from the meeting of 06/20/18) (Client Services Manager Deborah Stevens)***

CITY ATTORNEY COLE: Item 20 is a resolution of the City Commission of the City of Miramar, Florida, approving the Program Year 2018 - 2019 Community Development

Block Grant Program Action Plan; authorizing submission of the Program Year 2018 - 2019 Community Development Block Grant Action Plan to the U.S. Department of Housing and Urban Development; and providing for an effective date.

MS. STEVENS: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners, Deborah Stevens, Client Services Manager. This item before you is a 2018 -2019 Action Plan for the Community Development Block Grant, which you refer to as CDBG. The City of Miramar is an entitlement city and, as such, we're required to develop an action plan each year that serves as application for CDBG funds. This year the City will receive \$809,895.00 in funding for program year '18/'19, which begins October 1st, 2018, and ends September 30, 2019. These funds can be used to revitalize neighborhoods, provide decent and affordable housing, expand economic opportunities, and also improve community facilities and services. The allocation we get this year we propose using for the following programs. For residential rehab, \$416,432.00; for commercial rehab, \$100,000.00; for small business systems, which is the Micro Enterprise Program, \$10,000.00. For community outreach services, that's two -- \$121,484.00, and that's to pay for two social services workers at the Social Services Department, and program admin, \$161,979.00. Our planned scheduled for public review, included a predevelopment meeting on May 3rd. A presentation was made at the union meeting on May 17th. The article was published in the Miami Herald and the Sun Sentinel on April 29th. There was a 30-day comment period, April 30th to May 29th. There's tonight public hearing, and the approved Action Plan we submit on July 31st. To date, no comments have been received. Any comments received tonight will be included when the Action Plan is submitted, and approval is recommended.

MAYOR MESSAM: Thank you, Ms. Stevens. Are there any members from the public that wish to comment on this item? Seeing none, back to the dais. Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: I see there has been gradual improvement in the amount. I keep wishing we'd get some more. That's all I have to say.

MAYOR MESSAM: May I have a motion.

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: Super yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Resolution #R6721, the Commission voted:

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

Resolution No. 18-147

MAYOR MESSAM: Item 21, please.

- 21. SECOND READING** of Temp. Ord. #O1688 relating to Comprehensive Planning; making findings; adopting the **annual update of the Capital Improvements Schedule of the Capital Improvements Element** for Fiscal Years 2018 through 2022; providing for severability; and providing for an effective date. ***(Passed 1st Reading on Meeting of 05/16/18) (Continued from the meeting of 06/20/18)***
(Community & Economic Development Director Eric Silva)

CITY ATTORNEY COLE: Item 21 is an ordinance of the City Commission of the City of Miramar, Florida, relating to Comprehensive Planning; making findings; adopting the annual update of the Capital Improvements Schedule of the Capital Improvements Element for Fiscal Years 2018 to 2022; providing for severability; and providing for an effective date.

MR. SILVA: Good evening again, Eric Silva, Community & Economic Development. This is the second reading of this item to add the capital improvement schedule to the Comprehensive Plan, and there have been no changes since the first reading.

MAYOR MESSAM: Are there members from the public that wish to comment on this item? Seeing none, back to the dais. No comments, I'll take a motion.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Please 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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Ordinance #O1688, the Commission voted:

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

Ordinance No. 18-10

MAYOR MESSAM: Item 22, please.

- 22. SECOND READING** of Temp. Ord. #O1689 relating to comprehensive planning; making findings; amending the goals, objectives and policies of the City's Comprehensive Plan Future Land Use Element; deleting certain references to

maximum height of structures; providing for a unified flexibility zone and the allocation of flexibility and redevelopment units; revising restrictions on certain uses; revising provisions relating to **Regional Activity Centers**; revising Policy 1.13 establishing standards for land use density control in irregular residential land use categories; providing land use map revisions in the commercial, industrial, employment center, commercial recreation, recreation and open space, institutional, and public facilities, utilities, and conservation land use category; providing definitions; revising the plan introduction; removing and updating antiquated content, policies and references; providing for transmittal to the Department of Economic Opportunity; providing for repeal; providing for severability/interpretation; providing for correction of scrivener's errors; providing for recertification; providing for codification; and providing for an effective date. ***(Passed 1st Reading on 06/06/18) (Staff recommends continuance to the meeting of 08/22/18) (Community & Economic Development Director Eric Silva)***

CITY ATTORNEY COLE: Item 22 is an ordinance of the City Commission of the City of Miramar, Florida, relating to comprehensive planning; making findings; amending the goals, objectives and policies of the City's Comprehensive Plan Future Land Use Element; deleting certain references to maximum height of structures; providing for a unified flexibility zone and the allocation of flexibility and redevelopment units; revising restrictions on certain uses; revising provisions relating to Regional Activity Centers; revising Policy 1.13 establishing standards for land use density control in irregular residential land use categories; providing land use map revisions in the commercial, industrial, employment center, commercial recreation, recreation and open space, institutional, and public facilities, utilities, and conservation land use category; providing definitions; revising the plan introduction; removing and updating antiquated content, policies and references; providing for transmittal to the Department of Economic Opportunity; providing for repeal; providing for severability/interpretation; providing for correction of scrivener's errors; providing for recertification; providing for codification; and providing for an effective date. I believe stack is -- staff is requesting a continuance to the meeting of August 22nd.

MAYOR MESSAM: Anyone from the public wish to comment on this item? None? Back to the dais. May I have a motion?

CITY ATTORNEY COLE: So it's a motion to continue to the August 22nd meeting. They request to continue it to August 22nd. So you need a motion to --

MAYOR MESSAM: So we have a motion to continue?

VICE MAYOR COLBOURNE: Motion to continue the meeting to August 22nd, 2018.

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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to continue Ordinance #O1689, the Commission voted:

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

Cont'd. to 08/22/18

MAYOR MESSAM: Item 23.

QUASI-JUDICIAL PUBLIC HEARING

CITY ATTORNEY COLE: Thank you, Mayor. We're on item -- the quasi-judicial items, so I'll read the rules. This will apply to items 23 through 27 on this evening's agenda. Florida Courts have determined that if 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 policymaking body. In contrast, in quasi-judicial matters, the Commission is applying existing rules and policies for a factual situation and is, therefore acting like a judge or a jury in a courtroom. In such cases, courts have decided that due process and fundamental fairness require that more formal procedures

be followed. The City of Miramar procedures for quasi-judicial hearings are as follows: anyone who wishes to speak on any of these items will be collectively sworn in by the City Clerk. The hearings will be conducted in an informal manner. I will read the title of the item to be considered. City staff will present a brief synopsis of the application and make a recommendation. Next will be a presentation by the applicant. The Commission will then hear from participants in favor or and in opposition to the application. All witnesses are subject to cross examination by staff, Commission, and the applicant, and a participant may request that the Commission ask questions of a witness. The applicant and staff will make concluding remarks. No further presentations or testimony will be permitted, and the public hearing will then be closed. All decisions of the Commission must be based upon competent, substantial evidence presented to it at the hearing. All backup materials provided to the City Commission as part of the agenda will automatically be made a part of the hearing record. All approvals will be subject to staff recommended conditions, unless otherwise stated in the motion for approval. At this time, the City Clerk should swear in all witnesses.

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? Please move forward to receive a colored dot. Move forward, please.

MAYOR MESSAM: Item 23 please. Alright, I think we're ready.

23. SECOND READING of Temp. Ord. #O1691 **rezoning** a 30.72-acre parcel from rural ("RL") to mixed-use low ("ML"), located at the northwest corner of Miramar Parkway and Red Road (State Road 823); and providing for an effective date. *(Passed 1st Reading on 06/20/18) (Community & Economic Development Director Eric Silva)*

CITY ATTORNEY COLE: Item 23 is an ordinance of the City Commission of the City of Miramar, Florida, rezoning a 30.72-acre parcel from rural ("RL") to mixed-use low ("ML"), located at the northwest corner of Miramar Parkway and Red Road (State Road 823); and providing for an effective date.

MR. SILVA: Good evening again, Mr. Mayor, Madam Vice Mayor, Commissioners. Eric Silva, Community & Economic Development. Item 23 and 24 are related, so this presentation applies to both those items.

CITY ATTORNEY COLE: Mayor, with your permission, I'll read item 24 as well. Item 24 is a resolution of the City Commission of the City of Miramar, Florida, considering Application No. 1707842, Altman Development Miramar final plat approval, for a plat consisting of one 30.72-acre parcel located on northwest corner of Miramar Parkway and Red Road (State Road 823), and providing for an effective date.

MR. SILVA: Thank you. Okay. This presentation is for the (unclear 3:48:7) and plat application. The property is located just south of City Hall here at the northwest corner of Miramar Parkway and Red Road, and is shown here in the red outline. First application, rezoning application, the property is about 30 acres, and they requested to rezone it from rural to mixed use low. And the platting application is to basically subdivide the land, dedicate the easements, the access points, limit property, as far as development intensities, and reserve construction capacity. The proposal is for 650 multifamily units in 50,000 square feet of commercial development. A site plan will be coming to you at a later date. Tonight's review is just for the zoning application and the plat application. The proposed request is consistent with land use designation, which is for a regional activity center, which allows a large variety of mixed use developments. The applications were reviewed by the Development Review Committee. The rezoning application was reviewed on April 18th, and the planning application was reviewed on May 2nd, and they were both recommend for approval. The Planning & Zoning Board read these applications on May 8, and they also recommended approval. This just shows you the plat and what it looks like, and the property is basically inside that darkish triangle, and the easements are usually shown on the side as the (unclear 3:489:27) meets the north, drainage easements, utility easements, access points are also shown. And the recommendation is for approval with three conditions: that they obtain all the State and federal permits; they have to execute a water and sewer agreement; and they also have to make sure they get no objection from the utility providers. The applicant is here tonight just for questions. They said they didn't have a presentation.

MAYOR MESSAM: Alright. Well, since the applicant doesn't have any comments, are there any members from the public that wish to comment on this item? Seeing none, back to the dais. Are there any comments, or I'll take a motion on item 23? Commissioner Chambers, you're --

COMMISSIONER CHAMBERS: I just want to add, usually when I'm coming, what, eastbound from I-75, when I get to Red Road trying to make a left in the morning to come north or even when I'm coming back from work, the difficulty with that one left-turn lane. So I'm wondering if the applicant be able to add a second left-turn lane or, maybe, extend the existing one that we have, whether it's quickly, or when they proceed with development.

MS. VEMPALA: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners, Bissy Vempala, City Engineer. That particular intersection will be evaluated when we do the site plan review for this particular project. When they come in for the site plan, then we will look at their traffic impact report, and we will determine if a second left-turn lane is needed or not. So, for right now, for the time being, we didn't look at the traffic impact study. We will do that when we review the site plan.

COMMISSIONER CHAMBERS: Yeah, I under -- I understand. I'm just making a suggestion --

MS. VEMPALA: Yes.

COMMISSIONER CHAMBERS: -- for staff to go back and -- when we proceed to have them do that.

MS. VEMPALA: Excellent suggestion. I will have that in my mind.

COMMISSIONER CHAMBERS: Thank you.

MAYOR MESSAM: Any other comments or questions?

COMMISSIONER CHAMBERS: That's it.

MAYOR MESSAM: Can I have a motion on 23?

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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Ordinance #O1691, the Commission voted:

Commissioner Barnes

Yes

Commissioner Chambers	Yes
Vice Mayor Colbourne	Yes
Commissioner Riggs	Yes
Mayor Messam	Yes

Ordinance No. 18-11

- 24.** Temp. Reso. #R6745 considering Application No. 1707842, **Altman Development Miramar final plat approval**, for a plat consisting of one 30.72-acre parcel, located on northwest corner of Miramar Parkway and Red Road (State Road 823). *(Community & Economic Development Director Eric Silva)*

MAYOR MESSAM: And a motion for number 24.

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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R6745, the Commission voted:

Commissioner Barnes	Yes
Commissioner Chambers	Yes

Vice Mayor Colbourne	Yes
Commissioner Riggs	Yes
Mayor Messam	Yes

Resolution No. 18-148

MAYOR MESSAM: Item number 25, please.

- 25.** Temp. Reso. #R6744 considering Application No. 1707902 **Site Plan** and Application No. 1708159 **Community Appearance Board**, for a new one-story, 16,958 square foot **Free Standing Emergency Department** within the **East Miramar Areawide Development of Regional Impact**, located at the southwest corner of Miramar Parkway and Red Road (State Road 823). ***(Continued from the meeting of 06/20/18) (Community & Economic Development Director Eric Silva)***

CITY ATTORNEY COLE: Item 25 is a resolution of the City Commission of the City of Miramar, Florida, considering Application No. 1707902 Site Plan and Application No. 1708159 Community Appearance Board (CAB), for a new one-story, 16,958 square foot Free Standing Emergency Department within the East Miramar Areawide Development of Regional Impact, located at the southwest corner of Miramar Parkway and Red Road (State Road 823), making findings, approving site plan and Community Appearance Board with conditions of approval, and providing for an effective date. Please note, there are two applications here, so you'll need two votes, and then one for the resolution as a whole.

MR. SILVA: Good evening again, Eric Silva, Community & Economic Development Department. This application is for the Memorial Hospital freestanding emergency room department, and this application is directly across Miramar Parkway from the last application, so it's on the south corner shown here in red. And the request. The request is for a site plan approval, and a Community Appearance Board approval. The applicant is proposing just about 17,000 square foot emergency room facility, and it's consistent with the zoning, which is B2, commercial business, and the land use, which is regional activity center. This map here shows how it lays out in contrast to a couple of other developments, including the Town Center, the project I mentioned earlier, the Altman mixed use project, and then the emergency room facility is shown in red. Some prospective renderings of what it will look like, with the tower and glass to highlight the corner. And then the driveway and drop off is shown here. The staff recommendation is for approval with seven conditions, and I just want to highlight one of the conditions. This condition is for -- it's exactly what Commissioner Chambers mentioned earlier. It is for additional stacking, to make that left turn to go north onto Red Road. So the emergency facility is shown here at the corner, and the landscape is also shown here. The connection is a direct connection to the IHOP plaza, so people coming to visit the facility could exit out through the IHOP plaza, make a right, and then go to make a left to turn north on Red Road. And this graphic shows that the current capacity is only for about nine cars, and

there's an additional need for an extension of 88 feet. So staff is requesting that they add 88 feet of storage for cars, and that's about four cars. The recommendation is for approval with conditions, and these are the seven conditions: obtain all the State and federal permits; they have to do that extension that I just mentioned; provide an easement only and a pad only for a bus shelter in the future; execute a sustainability letter, and submit that to staff prior to getting a building permit. Just like all the projects in this area, all the projects in the rack and the DRI, they have to pay into the Transportation Fund. Any future renovations to the building have to go back to the City for approval as part of the design, and they also have to make a contribution to the Tree Trust Fund. And the applicant is also here for any questions, and I think they have a presentation.

MAYOR MESSAM: I do have questions for staff. Let's go back to the left-turn situation. To me, it's puzzling that you have a development that's being developed on the northwest intersection, which would have direct traffic going to their site, going eastbound on Miramar Parkway to access the northwest intersection, and not require to make improvements to the left turn, providing northbound traffic going eastbound on Miramar Parkway to Red Road, and require a property located on the southwest intersection that is opposite of the direction where the left turn is going. So I'm no traffic engineer. I'm just trying to rationalize why one applicant is being required to make those improvements with that traffic going away from their property, and the applicant that was just approved, which would have the left -- directly benefiting from left-turn traffic going towards their property. So help me understand that.

MS. VEMPALA: Okay. The application you just approved previously, the artist project, we haven't approved their site plan yet. We just approved their rezoning and plat. We haven't looked at their traffic impact study yet. We are in the course of reviewing it right now, and then we can come to you with the recommendation for the site plan approval, definitely, there will be a condition. There will be several conditions, including traffic improvements. So we haven't -- we haven't presented that to you yet.

MAYOR MESSAM: So -- but this applicant is paying for the left-turn signal prior to that review?

MS. VEMPALA: Okay. What we are recommending right now is only to mitigate for the traffic impact by this particular development, which is the emergency Memorial Hospital, emergency building. That four -- the extensions require for the four additional developers is the -- is -- is the impact by the Memorial, not by Altman. So when Altman comes to you for their site plan approval, there will be additional impact, and there will be additional conditions for either extension or adding a double left-turn lane. We don't know that yet. But, for now, what is in front of you is just the site plan, and whatever the impact by this development to mitigate for their impact only.

MAYOR MESSAM: So does the dollars required for this applicant to put towards that left turn, is it sufficient to complete the left turn?

MS. VEMPALA: Just for the extension for four additional studies created by this memorial hospital project.

MAYOR MESSAM: So it is anticipated that the left turn would --

MS. VEMPALA: Would require --

MAYOR MESSAM: -- would be increased?

MS. VEMPALA: In the future, based on the traffic study by the Altman project. We don't know that right now, how much that's going to be. Could be additional lengthening, or it could be an extra left-turn lane.

MAYOR MESSAM: And the traffic study supports that traffic going away from their facility is caused by the traffic that is anticipated to go to the -- their site?

MS. VEMPALA: Because, based on the traffic flow, if someone is get -- sitting from this hospital, this emergency building, if they need to go north on Red Road, had to turn right on Miramar Parkway, and then make a left at the intersection. So there will be people coming from north coming to this facility, if they want to go north, that would be the way to get out.

MAYOR MESSAM: We'll hear from the applicant. Are there any other questions for staff before I go to the applicant? Yes, we have speakers. Commissioner Barnes, followed by Commissioner Chambers. Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: For -- for us to even contemplate this I think is counterproductive. Let me tell you why. So far, we've heard about code changes to facilitate developers coming to -- to -- to -- to -- especially the historic section of Miramar. This, though, seems regressive to me. A left-turn signal -- a left-turn lane, I'm sorry, for an entity that is going to be south of that left turn. Very, very, frankly, this doesn't just seem punitive, it seems mercenary. It borders on the mercenary. On top of that, we're talking about treating an already existing corporate resident. The parent company of this entity, as my of -- as my understanding tells me, is already a major presence in the City of Miramar, and one that has been extremely supportive of so many things that we do in the City. I -- I am urging staff to rethink this all together. I think, for example, talk about a future bus stop. Please, please, pull these from it. I mean I'm not going to get into a lot of flowery language and rationalizations. Pull these from it. These are unfair demands and requirements.

MAYOR MESSAM: Thank you, Commissioner. Commissioner Chambers, you're recognized, followed by Vice Mayor Colbourne.

COMMISSIONER CHAMBERS: Yes, thank you Mayor. I do echo the same sentiment, Commissioner Barnes. I'm not sure where we want to put the future bus stop. I think we

should just put the bus stop on the left turn -- turning lane, and get on with this item, so we can approve it. Mr. Attorney? Staff? I'm going to recommend this item approve without the bus stop and the turning lane, thank you.

MAYOR MESSAM: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes. Question for staff. I would like to know what's being asked of -- of this company. Is it any different from what you asked of anyone else? Has anyone else contributed?

MS. VEMPALA: This is typical of any new developments coming to Miramar. When they come to site plan, we always ask them to do a traffic impact study. Traffic impact study demonstrates that they are impacting our roadways. We always required them to mitigate for their impact. Any other development -- we have several developments on SW 145th Avenue, recently the City Commission approved them, all with -- all with conditions to for lengthening left-turn lane, constructing no left-turn lane, constructing -- and contributing to a traffic signal. This is typical of any -- any approval of new site plan.

VICE MAYOR COLBOURNE: Has any of the other businesses in that area contributed to that left turn?

MS. VEMPALA: This particular left turn, it's been there for a long time. I don't know. I don't remember having any projects -- other projects like the Kohl's shopping plaza, or the Walmart parcel at the northwest -- northeast corner of Flamingo and Miramar Parkway. They had conditions comparable to build left-turn lane, and even a traffic signal or so.

VICE MAYOR COLBOURNE: What is the cost of these improvements? Is it - is it a lot that we're asking for?

MS. VEMPALA: Just to extend what we are requesting. Well, the developer says they already have a consultant, they already will have a contractor at the site for them. I would think -- my opinion would be, around \$20,000.00. For the City to hire a new consultant and get a new contractor out there, I would say around \$50,000.00, because it's a different story.

VICE MAYOR COLBOURNE: You said for the City it would be \$50,000.00?

MS. VEMPALA: Yeah.

VICE MAYOR COLBOURNE: For this company, it would be how much?

MS. VEMPALA: Around \$20,000.00; that's my opinion.

MAYOR MESSAM: Is it always a requirement?

MS. VEMPALA: Every project --

MAYOR MESSAM: No. For this applicant, for the traffic study, was it always a requirement for them to make a left turn, in terms of the engineering report?

MS. VEMPALA: Yes.

MAYOR MESSAM: Okay. At this time, will the applicant -- is the applicant present? Good evening, madam.

MS. CALHOUN: Good evening, Mayor, Vice Mayor, Commissioners. Hope Calhoun on behalf of the applicant. I have a presentation but I -- I don't think I need to cover it. I'm happy to do so, but I think your staff, pretty much, covered the development and what we're proposing. What I would like to discuss is the two conditions, actually, that are being considered tonight. We believe that we've satisfied the conditions of approval for CAB and site plan approval. We'd ask that our application gets approved based on the criteria there. I would ask that, again, with regard to those two particular conditions of approval, the recommendation goes forward not adopting those, and I can discuss why with a little more specificity. First of all, with regard to the turn lane, I'm actually going to have my traffic engineer discuss traffic just briefly at the board's indulgence, just to kind of understand the impact of our development versus others. And then with regard to -- and I'll speak to the bus shelter, which is item number three. I'll do that first, and then I'll have my traffic engineer speak, and then we can answer any questions that you have. With regard to the bus shelter, to the best of our knowledge, there is no current County bus route for this roadway. It is my understanding that one might, perhaps, maybe, possibly come forward in the future, but we're talking right now about a bus shelter that would really take whoever's taking the bus to an emergency center. And I think the likelihood of that happening, anyone taking a bus to this location is highly unlikely. I understand that there's also a City local -- I don't know what it's called -- commuter transportation bus. And, to the best of my knowledge, there is no route on the City's local bus for this location. So it is also my understanding that that bus shelter is approximately \$80,000.00. Memorial; just like the City, Memorial is a quasi-governmental entity, so that's money expended for a bus shelter that I don't think there's quite a need for. With regard to the turn lane, the cost was asked -- the question was asked about cost. Ms. Vempala indicated that her best estimate was \$20,000.00. The best estimate that I've been provided is upper -- is a little bit more than that. Again, considering that Memorial is a quasi-governmental entity, we would also have to go out to bid, just like the City of Miramar, and we -- that's a process we'd have to go through, just like the City of Miramar, is my understanding. So, again, my traffic engineer is going to speak specifically about traffic and the impacts that our development creates on -- on -- on the -- on the roadway, and then I can add a little bit more, and then we can answer questions. And I would just like the opportunity to rebut, as I always ask for, if necessary. Thank you.

MR. SILVA: If I may, I just want to correct one thing that was said. The representation -- the condition is not a request for a bus shelter. The condition is for an easement for a

bus shelter in the future, and a concrete pad, so staff is not requesting a bus shelter. Okay. I should make that clear.

MR. KERR: Good evening. Adam Kerr with Kimley-Horn & Associates, the traffic engineer. I just want to clarify real quickly the -- the request is for 88 seat of additional storage length in that left-turn lane, which equates to about four additional cars. That's four additional cars that that intersection can accommodate each cycle, each time the traffic light turns green or turns red. Our total impact there would be one vehicle in the morning, in the a.m. peak hour, and four in the p.m. peak hour, so that's four vehicles across the entire hour. Basically, one vehicle every 15 minutes. So the request is to add -- add additional turn lane length to accommodate four vehicles, when, I reality, the most we'll really be impacting that would be up to one vehicle in -- in each -- each cycle. So I just wanted to clarify that.

MS. CALHOUN: Thank you. Mr. Silva's correct. I misstated. I was basing my statement based on prior conversations. Again, I just wanted to remind the Commission that we are -- Memorial is a quasi-governmental entity. We are impacted just the same way as the City is. Further and lastly, I'm sure that I'm going to get a response from your counsel on this, and that is with regard to our requirement to extend the turn lane. My evaluation -- well, I've provided information regarding our position with regard to the turn lane, and whether or not we're required to do so. I do not believe, in accordance with Florida Statutes, that we are required to do so. The roadway is already deficient, and our impact of four cars does not impact that deficiency. Again, our traffic engineer can speak further to that, but I provided you all my written position regarding that particular statement. Having said that, we're happy to answer any questions.

MAYOR MESSAM: Vice Mayor, you had a question?

VICE MAYOR COLBOURNE: I was -- I just wanted a clarification, because engineer says it's one vehicle, and our engineer says four vehicles, so I'm just trying to figure out how we reconcile that.

MR. VARGAS: Thank you, and good evening. I'll try to be short, Joaquin Vargas, Traf Tech Engineering, and I'm serving as your consultant today. Before I answer that question, Mayor, you had a question for the City engineer I wanted to clarify. We had three review letters; they were dated March 1st, April 18th, and May 15th. You asked the question was that a requirement. In all the review letters -- and here's the answer. In the first review letter, we did recognize that the impacts were small, and we further asked that an additional evaluation of that turn lane be done, because the information that was provided, we needed a little bit more accurate information, so we identified that as a potential problem in the first letter. Once they submitted the additional information -- and, again, we recognize that the amount of trips is minimal, then we confirmed that there's an existing problem. And this is more related to safety, because vehicles are -- they can't be stored all on that left turn lane, so they spill onto the throughway, and if the light becomes green -- we've all been in this situation, and vehicles are not turning left, and

you want to go straight, the tendency is to get out of that lane, out of the car that stopped, to go to proceed straight. So we see this more as a safety-related issue, and that's why we recommended that improvement. As you all know, we're talking about roadway improvements, we have the most expensive one, which we don't have the luxury of right of way or cost any more, which is widening. The next of -- in material improvements is adding turn lanes, and the least intrusive and the least expensive is when we have an existing turn lane that all we need to do is just lengthen it, and that's what we're asking. But our position is there is an existing problem, we recognize that. We recognize that the impacts are minimal, but it's more related to a safety issue that can be improved with a relatively small investment. I hope I answered your question.

MAYOR MESSAM: Thank you. Commissioner Chambers, followed by Commissioner Barnes.

COMMISSIONER CHAMBERS: I just want to ask, shouldn't we be encouraging this applicant to work together, instead of making it a condition for this turn lane and the bus stop?

MAYOR MESSAM: I think that's a --

COMMISSIONER CHAMBERS: But tonight I'm going to ask to remove those things from the item, so we can vote on it. So at the appropriate time, I'll make a motion, Mr. Mayor.

MAYOR MESSAM: Commissioner Barnes.

COMMISSIONER BARNES: Are we not, though, acknowledging that a problem exists, even before this entity is built? Are we agreeing that that -- that a problem exist? And there's a part B to that question. If Memorial chose not to proceed, would the problem go away? Do not penalize this entity, that's all I'm asking. Because that's what we're essentially doing. They're not creating a problem by presenting themselves. If they do not construct this entity, the problem would still exist. Why should they be penalized for it? Listen, see with me, I'm just not making any sense of this. I beg pardon, but I'm not making any sense of this.

MAYOR MESSAM: Well, for me, my position, as I mentioned before, I think Memorial is a -- they're a corporate partner with the City. They're a fellow governmental, quasi-governmental entity that has expressed that because of their de minimis impact to an already failing intersection -- it's a hardship for them. So I think when we factor in the fact -- I think when we contemplate the -- the development that is coming to the northwest, which would for sure show significant impacts, that that intersection will experience some level of improvement. I'm not saying it will correct all of the problems, but that is imminent. It's coming. So I just -- I just think that, you know, we -- we -- we drop the requirement for the left turns. In terms of Commissioner Chambers' request for the bus shelter, I think, because it was clarified that we're not asking them to build the bus shelter, but we -- for the future bus shelter to come, we would need an easement. And I don't think the

applicant has an issue with providing the easement, correct? For the future bus shelter? Because even though people may not be coming to the emergency room by bus, but perhaps maybe by ambulance, I would think, though, that you may have some employees who may not own a car, who may want to come to work, you know. We need to seek -- at some point build a bus shelter to accommodate those individuals that would need the bus shelter. But since this is an easement, I'm not sure if that's a hardship. So is that an objection to the applicant?

MS. CALHOUN: I have a question before I answer that. No objection to providing any easement, as long as there's no later ask for construction. What I understand is being asked of us right now is an easement for a future bus shelter for construction by others.

MAYOR MESSAM: That's what -- that's the understanding. That's what's being --

MS. CALHOUN: Okay. I just want to be clear. Thank you.

MAYOR MESSAM: Is that okay, Commissioner Chambers?

COMMISSIONER CHAMBERS: My only issue is that location will be dangerous for a bus stop. I think we should move it someplace else. From what I'm seeing driving that road every day, I think right there, it's a bit dangerous for a bus stop to be.

MAYOR MESSAM: Well, let's -- can we agree to have --

COMMISSIONER CHAMBERS: So we have to take into consideration --

MAYOR MESSAM: Can we agree to have our professional staff work out the safety issue, so we can move the agenda, so we can get other items --

COMMISSIONER CHAMBERS: Of course, yes, sir.

MAYOR MESSAM: Alright, thanks.

COMMISSIONER CHAMBERS: Thank you.

MAYOR MESSAM: Are there any members from the public that have questions? No further questions? Seeing none, back to the dais.

a) Application No. 1707902 - Site Plan

MAYOR MESSAM: Can we have -- can I have a motion on Application -- Site Plan Application No. 1707902.

COMMISSIONER CHAMBERS: Motion --

MS. CALHOUN: Just because we want to make sure we heard you clearly. Is it just for the easement? I just want to be clear. We agree --

MAYOR MESSAM: Yes.

MS. CALHOUN: Okay. I just -- thank you.

MAYOR MESSAM: Okay. May I have a motion for Application No. 1707902, Site Plan.

COMMISSIONER BARNES: With the amendments.

MAYOR MESSAM: With the appropriate amendments.

COMMISSIONER CHAMBERS: Motion to approve with the appropriate amendments.

COMMISSIONER BARNES: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: So this is going to be a manual vote.

MAYOR MESSAM: Okay.

CITY CLERK GIBBS: Okay, Commissioner Barnes.

MAYOR MESSAM: It's a manual vote, because we did the amendment.

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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Commissioner Barnes, to approve Resolution #R6744 with the amendments as discussed above: Application No. 1707902 - Site Plan, the Commission voted:

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

Approved

b) Application No. 1708159 - CAB

MAYOR MESSAM: May I have a motion on Application No. 1708159, Community Appearance Board.

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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Resolution #R6744: Application 1708159 - CAB, the Commission voted:

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

Approved

c) Resolution #R6744 as amended

MAYOR MESSAM: Can I have a motion for Temporary Resolution R6744?

COMMISSIONER CHAMBERS: 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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Commissioner Barnes, to approve Resolution #R6744 as amended, the Commission voted:

Commissioner Barnes	Yes
Commissioner Chambers	Yes
Vice Mayor Colbourne	Yes
Commissioner Riggs	Yes

Mayor Messam

Yes

Resolution No. 18-149

MAYOR MESSAM: Item number 26, please.

26. Temp. Reso. #R6747 considering **Conditional Use Application No. 1708709**, considering **Variance Application No. 1708710** from the hours of operations requirement, considering **Variance Application No. 1708711** from the location criteria, one station is permitted per intersection area requirement, considering **Variance Application No. 1708712** from the minimum separation distance from a residentially-zoned property requirement, considering **Variance Application No. 1803853** from intensity standards, maximum convenience store size requirement, considering **Variance Application No. 1803854** from the pedestrian landscape zones requirement, and considering **Site Plan Application No. 1708700** and **Community Appearance Board Application No. 1708701** for a 6,119 square foot **fuel service station and convenience store**, and 7,150 square foot canopy, located at the southwest corner of Southwest 89th Avenue (Douglas Road) and Pembroke Road. *(Principal Planner Michael Alpert)*

CITY ATTORNEY COLE: Item 26 is a resolution of the City Commission of the City of Miramar, Florida, considering Conditional Use Application No. 1708709, considering Variance Application No. 1708710 from the hours of operations requirement, considering Variance Application No. 1708711 from the location criteria, one station is permitted per intersection area requirement, considering Variance Application No. 1708712 from the minimum separation distance from a residentially-zoned property requirement, considering Variance Application No. 1803853 from intensity standards, maximum convenience store size requirement, considering Variance Application No. 1803854 from the pedestrian landscape zones requirement, and considering Site Plan Application No. 1708700 and Community Appearance Board Application No. 1708701 for a 6,119 square foot fuel service station and convenience store, and 7,150 square foot canopy, located at the southwest corner of Southwest 89th Avenue (Douglas Road) and Pembroke Road, and providing for an effective date. Note that there's numerous applications. It means you're going to have votes on, and then the reso. as a whole.

MAYOR MESSAM: Yes, sir.

MR. ALPERT: Good evening, Mayor, Vice Mayor, Commissioners, City Manager, City Attorney, City Clerk, Michael Alpert, Principal Planner. And you'll notice I always like to give Jaime lots of long titles, resolutions, and ordinance titles whenever he has my items. Before you tonight is a request for development approval for a proposed WaWa service station located at the southwest corner of Douglas Road and Pembroke Road. This will replace an existing station, which was abandoned last year. The zoning is community business, B2, and the land use is commercial. There was a community meeting, actually two community meetings that occurred; one officially with the City, which was not very

well attended, and there was really no objection, and another one with the community located to the south and west of this property, which is the Villages. That was with the applicant, and that association and, actually, in your backup, there was a letter from that community association saying that they were approving of this application for development. The Planning & Zoning Board recommended approval of the conditional use on the May 8th meeting. This is an aerial view of the site. There's an existing canopy and store that's not operating right now. This is the proposed site plan. The access points will remain as they were. The station had been -- the previous station had been there for about 30 years. Actually, before the residential community behind it was built. The applicant has worked with us to try to preserve a lot of the trees, the mature trees that were there, thus the reason for one of the variances for the pedestrian landscape zone, they were -- we asked them to shift the proposed canopy and building over a little bit, so that the trees along the eastern parameter could be preserved rather than removed. The other variances related to this or related to the location are Land Development Code regulations being near residential, being near another one, which is located diagonally across the street. Staff felt all of these variance requests were warranted, and they worked with us to have a design that you see before you. Next. Next few slides show some perspective renderings of the proposed facility. A big component of this business is also their food service. They've asked to have outdoor dining and indoor dining facilities as well. Next. Staff is recommending approval with several conditions as noted in your backup. Be happy to answer any questions, and the applicant is also here.

MAYOR MESSAM: Alright, for five minutes. Does the applicant have any comment?

MS. CALHOUN: Thank you. Good evening. Hope Calhoun on behalf of the applicant. I'll be happy to answer any questions. I'm shorter than Mr. Alpert. I'm happy to answer any questions. We agree with all the conditions of approval. We appreciate you considering our application tonight. We're excited to be in the City, and thank you very much. It was great working with staff. Lots of give and take on this one. Thank you.

MAYOR MESSAM: Thank you. Are there any members from the public that wish to comment on this item? Hearing and seeing none, if there are any questions -- we have one, two, three, four, five, six, seven eight items to vote on, and finally the resolution. So may I have a --

a) Conditional Use Application No. 1708709

MAYOR MESSAM: May I have a motion on Application No. -- ending 709. Commissioner Barnes, you have five seconds.

COMMISSIONER BARNES: Oh, I can do it in two. Just a very special commendation for this particular applicant. Not necessarily for bringing the development forward, but for the manner in which the property has been maintained in -- in -- in the time since it has been enclosed. I -- this is an intersection I drive through at least once a day, and it was closed for what appeared to be weeks and weeks for me to realize that this gas station had

actually closed. The developer has, obviously, very deliberately sought to maintain the integrity and the tidiness of the property, and that alone I -- I want to be presumptuous again this evening and say that this kind of achievement could serve as something of a template for -- for a number of developers in the future. The -- the brand that -- that comes to this location as well comes with great recommendations as well, and one of the things that pleases me, and this representative of the developer knows my concern. When they talked about -- when I asked about speaking with the residents, which is my number one question, apparently the residents reached out to this developer. My five seconds are done.

VICE MAYOR COLBOURNE: Motion to approve.

MAYOR MESSAM: On 709, May I have a second.

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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R6747: Conditional Use Application No. 1708709, the Commission voted:

Commissioner Barnes	Yes
Commissioner Chambers	Yes
Vice Mayor Colbourne	Yes

Commissioner Riggs Yes
Mayor Messam Yes

Approved

b) Variance Application No. 1708710

MAYOR MESSAM: May I have a motion on Application ending 710.

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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Barnes, to approve Resolution #R6747: Variance Application 1708710, the Commission voted:

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

Approved

c) Variance Application No. 1708711

MAYOR MESSAM: Application ending in 711.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER RIGGS: 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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Riggs, to approve Resolution #R6747: Variance Application 1708711, the Commission voted:

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

Approved

d) Variance Application No. 1708712

MAYOR MESSAM: Application ending 712.

COMMISSIONER CHAMBERS: Motion to approve.

COMMISSIONER RIGGS: 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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Commissioner Riggs, to approve Resolution #R6747: Variance Application 1708712, the Commission voted:

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

Approved

e) Variance Application No. 1803853

MAYOR MESSAM: Application ending in 853.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Please record the votes, and second by --

COMMISSIONER RIGGS: Your mike's not on.

MAYOR MESSAM: Commissioner Chambers' mike wasn't on.

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.

COMMISSIONER RIGGS: Your mic is not on.

CITY CLERK GIBBS: Commissioner Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R6747: Variance Application 1803853, the Commission voted:

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

Approved

f) Variance Application No. 1803854

MAYOR MESSAM: Application ending 854.

COMMISSIONER CHAMBERS: Motion to approve.

COMMISSIONER RIGGS: 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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Commissioner Riggs, to approve Resolution #R6747: Variance Application 1803854, the Commission voted:

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

Approved

g) Application No. 1708700 - Site Plan

MAYOR MESSAM: Application ending in 700.

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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R6747: Application 1708700 - Site Plan, the Commission voted:

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

Approved

h) Application No. 1708701 - CAB

MAYOR MESSAM: Application ending in 701.

COMMISSIONER CHAMBERS: 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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Commissioner Barnes, to approve Resolution #R6747: Application 1708701 - CAB, the Commission voted:

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

Approved

i) Resolution #R6747 - Complete item

MAYOR MESSAM: And motion to approve the overall resolution.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R6747, the Commission voted:

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

Resolution No. 18-150

MAYOR MESSAM: Can I have a quick motion to declare an emergency to end in five minutes to vote -- in ten minutes to address item 27, which is our final item for tonight.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to declare an emergency and allow the extension of the meeting by ten minutes, so the Commission could consider agenda item 27, the Commission voted:

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

Approved

MAYOR MESSAM: Item number 27, please.

27. Temp. Reso. #R6746 considering Application No. 1803654, **Conditional Use approval** to allow **Zencare Pharmacy**, within Miramar Square Shopping Center, located at 12140 Miramar Parkway. (*Principal Planner Michael Alpert*)

CITY ATTORNEY COLE: Item 27 is a resolution of the City Commission of the City of Miramar, Florida, considering Application No. 1803654, Conditional Use approval to allow Zencare Pharmacy, within Miramar Square Shopping Center, located at 12140 Miramar Parkway, and providing for an effective date.

MR. ALPERT: Michael Alpert again. I had about 50 slides to show you. This is a request for conditional use for a proposed pharmacy located in the Miramar Square Shopping Center. The zoning district is commercial, B2, Land Use Regional Activity Center. There was a community meeting held on June 12th, just before the Planning & Zoning Board. We didn't have anyone in attendance for that. The Planning & Zoning Board recommended approval of this item. The location is at Miramar Square Shopping Center, where the main anchor is the Kohl's, at the southeast corner of Miramar Parkway and Flamingo Road. And they're taking a 1,400 square foot tenant space in that center, and the floor plan is shown in the slide above. Approval is recommended. I'd be happy to answer any questions you may have. The applicant is also here.

MAYOR MESSAM: Are there any questions for staff? Seeing none, does the applicant - anything to say or add? Good evening.

MS. DUONG: No, we agree with Michael.

MAYOR MESSAM: Okay. Does anyone from the public wish to comment on this item? Seeing none, back to the dais. If there are no other questions, I'll entertain a motion.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER RIGGS: 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 Riggs?

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Riggs, to approve Resolution #R6746, the Commission voted:

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

Resolution No. 18-151

MAYOR MESSAM: Okay.

MS. DUONG: Thank you.

OTHER BUSINESS

28. Reports and Comments:

Commissioner Reports:

MAYOR MESSAM: See everyone at Fourth of July celebration at Regional Park.

COMMISSIONER RIGGS: No Commission comments.

COMMISSIONER CHAMBERS: I think it's going to be great.

COMMISSIONER BARNES: Wow. Wow. He didn't bang gavel, that's it.

COMMISSIONER RIGGS: I had myself (inaudible).

COMMISSIONER BARNES: Bring the fireworks.

MAYOR MESSAM: Meeting is adjourned.

- a) Temp. Reso. #R6752 supporting June 16, 2018 as **Domestic Workers' Day** and encouraging the promotion of the fair treatment of domestic workers.
(*Vice Mayor Yvette Colbourne*)

This item was considered and approved by the City Commission before agenda item number ten.

City Attorney Reports:

None

City Manager Reports:

None

FUTURE WORKSHOP

Date	Time	Subject	Location
TBD	TBD	Disparity Study Implementation	Commission Chambers
TBD	TBD	Strategic Planning Session	Commission Chambers
TBD	TBD	Miramar Cultural Center	Commission Chambers
TBD	TBD	Blasting Advisory Committee	Commission Chambers

ADJOURNMENT

MAYOR MESSAM: Alright. On that note, this meeting is adjourned.

The meeting was adjourned at 11:03 p.m.

Denise A. Gibbs, CMC
City Clerk
DG/cp