



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

**AUGUST 22, 2018**

**7:00 P.M.**

The regular meeting of the Miramar City Commission was called to order by Mayor Messam at 7:13 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  
City Attorney Jamie Cole  
City Attorney Alison Smith  
City Clerk Denise A. Gibbs

MAYOR MESSAM: Good evening, everyone. The meeting of the Miramar City Commission is now called to order. Madam Clerk, please call the roll.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Here.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Here.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Here.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Here.

CITY CLERK GIBBS: Commissioner Riggs.

COMMISSIONER RIGGS: Here.

CITY CLERK GIBBS: Interim City Manager 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 all 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 any condolences we may be experiencing in the community. Thank you.

## **PRESENTATIONS & PROCLAMATIONS**

MAYOR MESSAM: I have a couple of proclamations, and a couple of presentations.

Proclamation:       National Voter Registration Day (Mayor Wayne M. Messam)

MAYOR MESSAM: Our first proclamation is an observance of National Voter Registration Day, and if I would like -- I'd like to ask City Clerk, Denise Gibbs, and staff to come forward, please. We'll present a condensed version. Proclamation: National Voter Registration Day, August 2018:

Whereas, one of the most fundamental and sacred rights of any representative democracy is the right to vote. In order for our government formed as a representative democracy to function effectively, and respond to the needs and intentions of our people, citizens must play a role in shaping it through voting; and, Whereas, in the past decade, voting has been more convenient in Broward County, Florida, through the use of more early voting sites over many days preceding elections, and ability to mail a cast ballot to the Supervisor of Elections; and, Whereas, yet data proves that too many of our fellow citizens fail to exercise their right to vote, particularly during the electoral process when voting for the president of the United States is not on the ballot. In fact, the Broward County Supervisor of Elections that for the 2014, 2010, 2006 November, June Elections, the percentage of eligible voters in Broward County, Florida, who had actually cast a ballot was 44.6 percent, 41 percent, and 44.5 percent respectively, meaning more than half of the eligible voters in Broward County failed to vote in those elections. And, Whereas, data from across the State of Florida has maintained by the Division of Elections similar -- similarly demonstrates poor voter turnout during 2014, 2010 and 2006 general elections; Whereas, when citizens do not exercise the vote, they not only give away their voice for important decisions, they cede their ability to shape the future of our community and the country we love; Whereas, the right of vote for women and people of color was hard fought over generations, including protests, loss of life and limb, and court battles to ensure equal protection under the law included the absolute right to vote for every citizen; and, Whereas, registering to vote is convenient, including the ability to register online through [registertovoteflorida.gov](http://registertovoteflorida.gov), or to apply through a Florida Driver's License office, a Tax Collector's office that issues driver -- driver licenses or Florida identification cards through the Florida Department of Highway Safety and Motor Vehicles online website for renewing driver's license or State identification card, or through a voter registration agency, such as a public assistance officer or public library. Additionally, those eligible to vote can also submit a paper voter registration application by mail or in person; Whereas, it is equally important that we encourage all registered to vote in the 2018 election, not only because every election is important, but also because it is an example for the next generation, and pays due -- pays due respect to those who fought for the right to vote, and those who sacrificed to protect and secure our vote -- our right to vote. Now, therefore I, Wayne Messam, Mayor of the City of Miramar, and on behalf of the City Commission, do hereby proclaim the month of August 2018 as National Voter Registration Day.

MAYOR MESSAM: And I would like to inform the community that early voting is currently going on right now for primary elections and other ballot questions located at the Miramar Branch Library located right behind City Hall every day until Sunday, and the polls are open until 6:00 p.m. in the evening. So you can vote by mail, you can vote early, or you can vote on Tuesday, August 28<sup>th</sup>. Thank you so much.

Proclamation: India Independence Day & India Heritage Month (Mayor Wayne M.

Messam)

MAYOR MESSAM: Our next proclamation is an observance of India Independence Day and India Heritage Month. And I'd like to call forward Vice Mayor Yvette Colbourne, as well as the rest of the Commission, because we do have some members from the Indian community visiting us to witness this proclamation. Actually, members from the Indian community, if you would come forward as well. Okay. Alright. This proclamation, India Independence Day and India Heritage Month, August 22<sup>nd</sup>, 2018, requester, Vice Mayor Yvette Colbourne.

Whereas, the multicultural people of the City of Miramar have a great tradition of celebrating significant milestones and events of historical importance; therefore, we are proud to join with our fellow citizens of Indian heritage throughout Miramar area and beyond, as they commemorate the 72<sup>nd</sup> anniversary of Indian's independence; and, Whereas, it was in 1947 that India proclaimed independence, and became recognized as the Republic of India, marking the beginning of its identity as a free and sovereign nation and people; and, Whereas, as a growing democracy, India has proven to be a courageous nation, seeking to establish as its basic, fundamental principles those same values upon which the United States was founded: freedom, opportunity and justice; and, Whereas, the local community of people in Miramar who hailed from India or with ancestral ties to India continually demonstrate the greatness in culture, arts, traditions and beauty of their homeland, and their contributions are notable and reflect success in many areas, including education, medicine, science, technology, and retail industry; and, Whereas, Sajan Kurian, on behalf of South Florida/South Asian Caucus, FOMAA, Federation of Malayalee Associations of Americas Sunshine State Regional Forum, chief South Florida coordinator, approached the City of Miramar with the idea of a tribute to the South Asian American India -- Indian Diaspora; and, Whereas, FOMAA is registered -- a non -- a nonprofit, nonpolitical, secular organization, and shall operate under all the applicable federal and state laws as a 501(c)(3) corporation of Internal Revenue Service code; and, Whereas, the City of Miramar welcomes the opportunity to promote a greater understanding of various cultures of the world, and this occasion, the 72<sup>nd</sup> Anniversary of India's independence provides an excellent means by which Miramar residents of all backgrounds can recognize the contributions made by the country and people of India, and extend best wishes to them on commemorating this historic milestone of independence. Now, therefore, I, Wayne Messam, Mayor of the City of Miramar, and on behalf of the City Commission, do hereby proclaim India Independence Day and India Heritage Month.

MAYOR MESSAM: Congratulations. Share a few words, Vice Mayor?

VICE MAYOR COLBOURNE: Yes. Thank you. Well, it's a -- it's a pleasure, first of all, and an honor to request a proclamation to make this possible for the Indian community. Having had a grandmother who was -- who has Indian heritage, it's

especially -- more special, but I know it is bittersweet, because there are some challenges now in the Indian community with flooding, so we want to acknowledge that at the same time. And I know Sajan, thank you for all the work that you do in the community; your support is always awesome, it's welcome, and it's always appreciated. So I'll give you an opportunity to say a few words as well. Thank you.

MR. KURIAN: I think you said it all, but, like you said, it's a bittersweet moment for us, because the southern part of India is under flooding. I mean we have almost 20,000 -- 20 million people displaced, including my mom's house is under water. So -- so I have a firsthand feel of, you know, what it is like. The other thing is flashfloods is a concern in -- all over the world, and there's a reason why that is happening, so I don't want to expand myself much on that. Also, I want to take this moment to recognize the victims of earthquake that is Trinidad and Tobago, Venezuela and Grenada. You know, my thoughts from our community and myself goes out to them also. On behalf of our Indian community, I want to thank Mayor Messam, Vice Mayor Colbourne, -- friend of the family, I mean you all are, and especially Maxwell Chambers and our vice mayor from India -- I'm loss of words. Thank you. And to Commissioner Barnes and Commissioner Riggs, we all want to thank you, and we -- I'm loss of words, but thank you so much. And I thank the community also for accepting us as living, coexisting together. Thank you, God bless.

Presentation: Recipient of the Distinguished Budget Presentation Award for the Fiscal Year 2018 Operating Budget from the Government Finance Officers Association (GFOA) (Director of Management & Budget, Norman Mason)

MAYOR MESSAM: Okay. Our first presentation will be done by our Director of Management and Budget, Mr. Norman Mason, City's recipient of the Distinguished Budget Presentation Award for the Fiscal Year 2018 Operating Budget from the Government Finance Officers Association.

MR. MASON: Good evening, Mayor, Vice Mayor, Commissioners, City Manager and staff. Don't panic, I'm not presenting the budget now. I would like to recognize tonight the City of Miramar's Management and Budget team. As you said, the recipient of the GFOA Award for the 2018 Fiscal Year, which we're in now. This is the 27<sup>th</sup> consecutive year that the City has been awarded that. We must meet four major criteria as categories, and then 14 categories within that criteria, so 56 in total that the Department works on very diligently throughout the year. And I just want to say, as they come up, it's nice to receive a certificate and put it on the wall, but this time I just wanted to really recognize their hard work. It's not about just putting the budget book together, it's really about the day-to-day budget operation that they do, and monitoring the budget, the entire team, and they really introduced and fully implemented a new budget process in the last three years, if you recognize that. I called the ICMA today just to find out what does the average city of 11,000 cities that they monitor, how many budgets do they do a year, three to four for about three percent of their budget, so that would equate to like \$4 million a year. So for

the last three years, this budget team, through the budget process, has saved about \$12 million in terms of eliminating the budget amendments that you used to do on a routine basis. So want to thank them, because they're the ones who do that on a daily basis with all the departments, to monitor each and every department on a daily basis. And, without them, we would have \$12 million more that we would have spent in the last three years. So if they could come up. I don't know. We can take a picture of the assistant director, and all the staff, Kelly, Barbara, Karen, Carmen, Liliana and Robert, and Rafael is the assistant director, all the positions right now. But, really, they're the team that does the work. I'm just here to monitor all the hard work they do, so thank you.

MAYOR MESSAM: Thank you for all that you do.

Presentation:           Miramar Family Enrollment for New Homes. (Habitat for Humanity of Broward, Inc. CEO and Executive Director Nancy L. Robin)

MAYOR MESSAM: Our next presentation is the Miramar Family Enrollment for New Homes. Habitat for Humanity, Broward. Is CEO and Executive Director Nancy Robin here? Yes. Good evening, welcome.

MS. ROBIN: Welcome again. It's Nancy Robin, Habitat for Humanity, 3564 N Ocean Drive, Fort Lauderdale, Florida. With me also is the head of our outreach and family services, Marcia Barry-Smith, also the same address, and we are delighted to be with you today. We were before you just a couple months ago, and we have escalated our build plans and are in full outreach mode here in Miramar for family selection. Marcia is going to talk a little bit about the details of that, and we are at your disposal in terms of any information, anywhere you want us to be. We have aggressively started putting the word out and walking in the community. And our purpose today, really, is just to talk about that process, what we're doing to get the word out, and I'm going to turn it over to Marcia.

MS. BARRY-SMITH: Thank you, Nancy. Good evening, Mayor, Vice Mayor, Commissioners. It's really delightful to be here. Our outreach started back in July, and we piggybacked with the Children's Services Council, and we handed out a save-the-date cards announcing our enrollment. Prospective owners will go online and complete the online assessment, and follow through on the forms there, and 2,100 people attended that event, to which we handed out save-the-date cards. We've sat in on homebuyer education classes, with a 100 -- a couple 100 of people. We -- yesterday, I filmed with Tamara G. on Miramar in the Morning, and announcing this, and so she was kind enough to piggyback, have us speaking there. Tomorrow, there'll be broadcast of an interview that I did with -- both with Tamara G. and Julie Guy on 101.5, announcing again the opening of -- open enrollment for Habitat, and the fact that Miramar is -- is on our sights as well. The radio interview, as I said, will be tomorrow. The homebuyer education class, we also have another 100 people there. The -- Mr. Richard and Eric, forgive me, they have been kind enough to arrange for us to have a full throttle meeting on September 27<sup>th</sup> here in your Civic Center, and we will be having people who are invited to that. We anticipate having about 100 people at that. So I just wanted to -- a couple other points

that I wanted to point out. The Miramar subsidy is going to allow us to penetrate an even lower income level, so as to be able to purchase the homes, and I can't tell you how excited that makes us. In addition, since this relationship has been built so quickly, but so robustly, the relationship between Habitat and the municipality of Miramar, what we have done is to give further credence to the people who live in Miramar and work in Miramar. So that when we go through the selection process, those people who have been preselected as going through when we get finally down to the wire, whoever is selected, if they live in the City of Miramar or work will have additional points, which will assist them passing through the final thing, which is, of course, creating homeownership. Again, on behalf of Habitat and all our families, please accept our devout thanks.

MAYOR MESSAM: Thank you. Thank you for all that you do in increasing affordable housing in Broward County and, more specifically, in the City of Miramar. Your efforts are recognized and appreciated. Before we go into public participation, I would like to take this -- this opportunity to -- to recognize one of our own. He doesn't know I'm going to do this. It's to -- just to make everyone aware that our very own Commissioner Winston Barnes received some good news recently with a recognition from the country of Jamaica. Commissioner Barnes was awarded the Order of Distinction in the rank of Commander for the dedication to Jamaican music industry and media. And for those who may be familiar with these types of recognition from Jamaica, it's a very distinguished honor, and we just want to bestow a heartfelt congratulations for all that you've done for the community, and your professional accomplishments that earned this recognition.

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

MAYOR MESSAM: Okay. The time is now 7:35, and on the second meeting of the month, in this case, for us it is time for public participation. I have individuals who have signed to speak. Housekeeping notes regarding public participation. You have three minutes to address the Commission and, at this time, I'd like to call up Ms. Debra Scialabba.

MS. SCIALABBA: Good evening. I'm going to spell my name, so it's not changed in the minutes. D-E-B-R-A S-C-I-A-L-A-B-B-A, 6490 SW 26<sup>th</sup> Street. Community orient policing is a philosophy of full service, personalized policing, where the same officer patrols and works in the same area in a permanent basis from a decentralized place, work in partnership with citizens to identify and solve problems. We've had this program since the '90s. Miramar has since changed the name to Community Resource Officer. They do so much more than give out literature or provide resource information. Officer Julie Bermudez is responsible for three challenging zones. She's a licensed EMT, participates in training the department. Our area has homeless, has had homeless for years; she is part of the Broward County Multi-Agent Home -- Homeless Task Force. For the longest time, we had a gentleman, Robert. When he was sober, he was pleasant. When drunk, he was very obnoxious. He got badly beaten up. Officer Bermudez worked with him a long time, I know this man personally. He finally was agreeable to enter into a rehabilitation program, has a job and apartment. She monitors sexual offenders in our --

in our area and so much more. From a budgetary aspect, there is a definite need to cut back on overtime. Eliminating the officers for meetings can be a start, as long as there is representation from salary staff, such as police chief, captain, major, representation from code as well to address concerns and updates to the residents of each of the meetings. There should always be the officers' cards at our meetings with their contact information. This aids in alleviating frustrations of residents and business owners. Commissioners and Mayor, you need to look and review from within your budget and help eliminate waste as well. Do you really need a salary increase of \$2,500.00 a year? Sure, you think it's only \$125,000.00, but think, in a year, that adds up to tens of thousands to a million plus. Did we have to create a liaison position to the Commission, if it was created, because I don't ever remember we having one. I disagree with this totally. This person has valuable skills to utilize as a flow position; wherever department and whatever department needs assistance. She has skills. City Clerk, she can scan. Anywhere she's needed, she can help other departments. She does not have to just stand still where she is. B & M should never receive a half million dollars; this is misappropriation of public funds. There is no justification to this. When the East Treatment Water Plant is completed, the City will have saved \$450,000.00 a year, because we will no longer require the services of the line sludge removal company. Regarding the disparity study, we paid a --

MAYOR MESSAM: Thank you.

MS. SCIALABBA: Thank you.

MAYOR MESSAM: Miss Virginia Manquene. Welcome, ma'am. State your name and address for the record, please.

MS. MANQUENEY: Virginia Manquene, 7928 Venetian Street, Miramar. I've been here almost 50 years, and -- this is the first time at the meeting, but I did go to a meeting about two months with my daughter, and she was actually voted on, because of her many good ideas. And I feel that some codes that are enforced are outdated. They're horse and buggy times, and they no longer should be on the books, and I'm being harassed. And I've come to this meeting to bring it to the attention, that parking on the lawn, or parking - if you need money, find it someplace else. And she had very good ideas how to find it. And my children have come back to help me. I'm 73 years old, I still have to work, and nobody has helped me in my life; Miramar, the government, I don't live on food stamps, I don't live on anything from anybody. I've worked 53 years as a hairdresser. I worked before when I was 12 years old, and then my parents to go sell apples on the street corner to make money, and I cannot afford being fined for parking on my driveway. When my children bring their cars back, they need to park. And when I bring it to the attention to the code enforcement, and ask for place to park vehicles that are in the City, and some are allowed and some aren't, they said, "Oh, we talked about this." And I have found in life if you don't need it, you don't vote it in. Well, we need a place, like Pembroke Pines, that parks vehicles that you don't want on our lawns anymore, and I need this addressed, and I need the harassment stopped.



MAYOR MESSAM: Thank you. Mr. Interim Manager, if you could have someone from PD assist Ms. Manqueney, in terms of the code requirements and the enforcement of it, so that we can provide some clarity and information regarding her specific situation. Thank you. Up next, we have Principal Darbar, and we'll also invite Assistant Principle Cohen. Come forward. Welcome. We trust that the first full week of school has gone well and without a hitch.

MS. DARBAR: It has been great. Thank you for asking. Good evening, Mayor Messam, Vice Mayor Colbourne and Commissioners. I'm Haleh Darbar, proud principal of Everglades High School. With me is Luran Cohen, my assistant principal and director of innovative programs. Thank you for allowing us to be here tonight to discuss our fire academy. Usually, you are my guests at our award ceremony and our graduation, so this is a new experience for me. I'm extremely proud of the partnership we have developed to bring Mayor Messam's vision, a full fire academy at Everglade High School, to life. I can hardly believe it was almost five years ago that we sat in my office and talked about the academy as just a possibility. Since that time, we have graduated two classes of level one fire cadets, and we currently have a full academy serving 90 cadets who aspire to be our next generation of first responders. The academy is really something we can all be proud of. Over the past four years, the cost of the academy has risen steadily. To date, we have spent close to \$200,000.00 on salaries, textbooks, and suppliers -- and supplies to run this program. While I know there is no dollar value we can place on the knowledge and experience our students are gaining, the cost of our program are becoming too much for us to support on our own. We currently pay the salary of the firefighter who teaches the program in full. Unfortunately, because of the way our school system works, I cannot pay this salary through my personnel allocation, because he's not a member of my staff, he's a member of your staff. I'm coming to you for your support, as the very last thing I want to do is to phase out this amazing program. I would like to know how we can work together to make sure that our students continue to receive this world class, innovative program, and to ensure that our city continues to invest in our own children to create the next generation of civic heroes. Thank you.

MAYOR MESSAM: Thank you, Ms. Darbar. I guess I'm -- Mr. Hargray, perhaps we could have a meeting with Principal Darbar and Fire, and if we can see what those specific issues are and bring it back to the Commission regarding our various options, to see how the program can be preserved and how, and if the City could, potentially, assist.

COMMISSIONER BARNES: Mr. Mayor, if I may.

MAYOR MESSAM: Yes.

COMMISSIONER BARNES: Principal Darbar, I was to be in attendance in a meeting at school this evening, but I have to be at this meeting, so I apologize.

MAYOR MESSAM: Thank you. Next we have Ms. Agnes Forsythe. Good evening. How are you? Welcome.

MS. FORSYTHE: Great, thank you. Hello, Commissioners, Vice Mayor, Mr. Mayor, and City of Miramar, and the PD people. My name is Agnes Forsythe from Juniper Street. I'm not giving my number; Juniper Street, Miramar.

MAYOR MESSAM: Actually, you have to give your -- you have to give your -- your address.

MS. FORSYTHE: Okay. No problem. 7625 Juniper Street, Miramar. I've been there for 30 years. Okay. My problem is with a rental property which is right next door. The tenants, I -- we have -- they vacated on May 20<sup>th</sup>. I went to the City at 6700 Utilities to tell them the tenant was not there anymore, the need to disconnect the water. The -- I spoke to the clerk -- I got the bill first, and I went there. They -- she reversed the charge of \$150.00, and I paid \$62.00, which she said was owed since 2013, and I paid that. In June -- in July, I got another bill for 190 something dollars again. I spoke with Mr. Paul Samuels, I came here, I spoke with him. He says, "Okay, all you have to pay is \$35.13, which represents water and sewer, something, base, so you don't have to pay that." This month, I got another bill for 200 and something dollars, and it says all the water and sewer base and \$125.00 something for connection fees, which I spoke to them and told them I do not need the water disconnected -- I need the water to be disconnected. Nobody lives in the house. I do not use the water, so disconnect it, and whoever buys the house or rents the house, they should be responsible for the connection fees. I spoke with Ms. Nugent, Genevieve Nugent. She called my house this morning and started talking, I should say, nonsense. I hung up the phone on her. All I'm asking you all to do -- that \$125.00 fee, plus \$25.00, which is being charged, should be the new tenant or owners of this property, not mine, if this can be waived. And another thing, thanks for fixing the roads, but there's a problem. At all the intersections, Everglades and Juniper, Island Drive, and all the -- it's a flood over there. Something needs to be done with that. Thank you very much.

MAYOR MESSAM: Thank you so much for bringing this to our attention. Mr. Hargray has taken note. We will have someone from Finance to come over to discuss your specific situation to see if a resolution can be made. Thank you so much. Okay. Seeing no other names of requesters to speak during this period, the public participation is now ended, and I will turn it over to our City Attorney, who has a couple of announcements to before we go into our Consent Agenda.

CITY ATTORNEY COLE: Thank you, Mayor. I just want to let everyone know, as to items 21 and 22 on this evening's agenda, which relate to the Lennar project at the west -- which is west of the southwest corner of Bass Creek Road and one -- SW 172<sup>nd</sup> Avenue, both of those items are being removed from this evening's agenda and will be placed on the agenda on September 17<sup>th</sup> for first reading. Those items have not yet gone to the Planning & Zoning Board, and there's some advertising issues, so first reading will be on September 17<sup>th</sup> for both of those items, and they have been removed from tonight's agenda.

MAYOR MESSAM: Thank you, Mr. Attorney.

## **CONSENT AGENDA**

MAYOR MESSAM: Now we'll move on to Consent Agenda. Items listed on the Consent Agenda are viewed to be routine, and the recommendation will be enacted by one motion in the form listed below. If discussion is desired, the items will be removed from the Consent Agenda and will be considered separately. Anyone wishing to comment on any item on the Consent Agenda should approach the podium at this time. Are there members from the public that wish to comment on any items on the Consent Agenda? Seeing none, back to the dais. Are there any items on the Consent Agenda wishing to be pulled?

VICE MAYOR COLBOURNE: I'd like to pull number three and number seven and eight.

MAYOR MESSAM: Yes, I had number three marked off to be pulled as well, so number three and number?

VICE MAYOR COLBOURNE: Seven and number eight.

COMMISSIONER CHAMBERS: Number five.

MAYOR MESSAM: Alright. Can I have a motion on the balance of the Consent Agenda.

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, 4, 6, 9 and 10, 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 Meetings of March 7 and 21, 2018, and April 4 and 18, 2018 and the Workshop Meeting of March 21, 2018.

**Approved**

2. Temp. Reso. #R6732 approving the **donation** of \$12,920 of **State Law Enforcement Trust Funds** to community organizations that keep our communities safer. *(Police Chief Dexter Williams)*

**Resolution No. 18-153**

MAYOR MESSAM: Item number three, please.

3. Temp. Reso. #R6778 approving a **School Resource Officer Agreement** with the School Board of Broward County for the **2018-2019 school year**. *(Police Chief Dexter Williams)*

CITY ATTORNEY COLE: Item three is a resolution of the City Commission of the City of Miramar, Florida, approving a School Resource Officer Agreement with the School Board of Broward County for the 2018-2019 school year; authorizing the Interim City Manager to execute the agreement; providing for an effective date.

MAYOR MESSAM: Yes.

MAJOR DUNKELBERGER: Good evening, Mayor, Vice Mayor, Commissioners, Interim City Manager, Major Jim Dunkelberger with the Police Department. Temporary Resolution 6778 is a request for approval of the renewal of the School Resource Officer Program with the City of Miramar and the School Board of Broward County. As a result of the new Marjory Stoneman-Douglas High School Public Safety Act, all public schools within the State of Florida are required to establish or assign one or more safe school

officers at each school facility. The School Board of Broward County has elected to comply with the statutory requirement by expanding their existing School Resource Officer Program in the City of Miramar. Whispering Pine School was the only additional campus that was required to be added to the City of Miramar School Resource Officer Program in order to be fully compliant. As a result, one additional school resource officer position was added to this year's agreement. Additionally, the School Board of Broward County has increased the annual school resource officer funding from \$46,252.00 to \$52,000.00 per officer per year. The background; since the early 1990s, the City and the School Board of Broward County have annually entered into an agreement providing for the placement of City police officers at various public schools and the City to act as school resource officers. The proposed agreement for the 20 -- 2018/2019 school year provides for \$52,000.00 per officer for 19 school resource officers assigned at 17 Broward County public school for total compensation to the City of \$988,000.00, 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 any comments? I have some comments, but I'll reserve -- Vice Mayor?

VICE MAYOR COLBOURNE: Thank you. I wanted to pull this item, because I just wanted it to be read. I wanted the public to know what we're doing. I know there is new State law since the Parkland shooting, and it's good. I wanted it to be said. It's good to know that the City of Miramar has been having school -- school resource officer at our schools since the early '90s. It's something that -- that we have always taken the safety of our kids and made it number one. So I did -- I just wanted to make sure that we knew about that, and I didn't know exactly how any new funding from the State would affect our -- our program, were we getting any additional funding because of that.

MAYOR MESSAM: I don't know if it's from the State, but I do know that -- that Broward County will be paying \$52,000.00 now for our officers, so there was an increase by Broward County. I'm not sure if the funding source is coming down from the State, or if it's the County that's paying. So I'm not sure if you know that answer.

MAJOR DUNKELBERGER: Yes, Commissioner. That would be the only increase, is what the County--

VICE MAYOR COLBOURNE: Increase.

MAJOR DUNKELBERGER: -- already provided.

VICE MAYOR COLBOURNE: The additional? Okay.

MAJOR DUNKELBERGER: Yes, ma'am.

VICE MAYOR COLBOURNE: Thank you.

MAYOR MESSAM: Yeah, I pulled this item as well, so that -- just to reinforce the City of Miramar's commitment and, as was mentioned, we've always had resource officers at all of our schools, and recently included to also include our charter schools as well. And now with the -- want to add to that?

MAJOR DUNKELBERGER: Yes, sir. Just to add, that's on a separate agreement that's forthcoming with you -- with our charter schools, which is Somerset Academy in the City, and they have requested to add two additional to their agreement, which was just one in prior years, so that's forthcoming --

MAYOR MESSAM: Yes.

MAJRO DUNKELBERGER: -- before the Board.

MAYOR MESSAM: So, comprehensively, you know, children are children, whether their school has a P by it, that's public, or C, as charter, you know, we want to ensure that we're in the best position to keep, you know, not only our students safe, but -- the beauty of the resource officers is the relationship that is built between that resource officer and the students. The students learn from a very young age that our police officers are here to -- to be of service, and they build relationships, you know, so -- and I know that all of us have our own experiences with our children growing up here in the City, where our -- they see our kids grow up until the graduate, you know. And it's -- and it's -- and we have officers that have been around that long to see that, and it's really great here in the City of Miramar. So thank you so much. May I take a motion on this item?

COMMISSIONER BARNES: After a comment here.

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

COMMISSIONER BARNES: I'd just like to urge the residents, especially the parents who do the drop offs and the pickups at schools to lend as much as is possible assistance to police officers, having joining the lines recently. And, while most of us -- a lot of us are in a hurry to -- to get our children to school, so we, ourselves, can get to work, and also to juggle the errands that we have after school. But I beg of all the parents across our city to look out in whichever way it is possible to assist our SROs in the execution of their duties at -- at schools. My concern is that traffic should flow so easily, that just in case there are other requirements that these officers have to be involved in, there won't be a problem. So I beg our parents with youngsters in schools across the City to assist as much as is possible with the SROs and what they try to do. And I thank you guys for the work you do.

COMMISSIONER CHAMBERS: Mayor.

MAYOR MESSAM: Yes, Commissioner Chambers you're recognized.

COMMISSIONER CHAMBERS: I just want to say the SROs in the school, they always do a fantastic job, and I'm happy that they don't have to be worried. Over the years, they've been worried about being cut from the school, and they do an awesome job. And, as far as the parents with the drop off, I oftentimes volunteer at Silver Shores. I been there for ten years, my kids, and most difficulty I have is with the parents who feel like they're entitled to come and feed breakfast in the line, or holding up the line hugging, or doing all kind of things that -- no consideration for folks behind them trying to get to work. Subsequently, when I do volunteer in east Miramar, these people get it. They, you know, follow the rules. They drop the kids off, because they got to go to make a dollar that's much smaller than, you know, what other people are getting. And, maybe, in some neighborhood, people who stay home, one person work or whatever it is, so the parents got to step up and try to do a better job. And it's very difficult, people come, they start volunteering, and then they leave; they don't come back. So you find one person there, and if I'm not there, then the principal got to do it. It's -- we got to -- we got to do better to help out in the school. Please, even at lunchtime, there's nobody in the lunchroom. I might be the only father in the lunchroom. And I know there's a lot of parents out there who have time on their hands can come and volunteer, so I'm begging to come and help out. Thank you so much.

MAYOR MESSAM: Thank you.

VICE MAYOR COLBOURNE: If I can. If I can just make one more comment. Since we're -- we're back to school now, and I've received a couple of complaints from residents concerning traffic in and out, in particular Miramar Elementary School, and it's due to the construction that's going on in the area. So, you know, I'm -- I'm glad that the complaints that I'm getting from east Miramar is no longer that we're not doing anything in the City of Miramar, but we're doing so much that there is -- that there is major inconvenience. But with that said, it is important for our parents to be able to get safely from the school, and if there's any way that we can prioritize the construction in -- nearby the schools, or -- or change the way it operates, just to make that -- that morning ride going to the school or the afternoon when they're picking up the school, if there's any way that we can -- we can make that better, it would be very much appreciated by the parents who are having to go back and forth. And I'm sure by the resource officers who get the complaints as well.

MAYOR MESSAM: Thank you. May I have a motion on this item, please.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER BARNES: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner 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 #R6778, the Commission voted:

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

#### **Resolution No. 18-154**

4. Temp. Reso. #R6773 awarding Request for Proposals No. 18-04-22 for the **lease of police motorcycles** from Peterson's Harley-Davidson of Miami, LLC; approving the lease of ten motorcycles for the Police Department's Traffic Unit in the amount of \$180,000.00 for the term of the lease; authorizing the Interim City Manager to execute a lease agreement with Peterson's Harley-Davidson of Miami, LLC for a term of two years with the option to renew for one two-year term. *(Police Chief Dexter Williams and Procurement Director Alicia Ayum)*

#### **Resolution No. 18-155**

MAYOR MESSAM: Item number five, please.

5. Temp. Reso. #R6768 approving the first one-year renewal of the **Fire Apparatus Maintenance and Services Agreement** with Hall-Mark RTC, commencing October 1, 2018 through September 30, 2019, in the amount of \$200,000.00; authorizing the Interim City Manager to execute an appropriate renewal agreement with Hall-Mark RTC. *(Public Works Director Bernard Buxton-Tetteh, Procurement Director Alicia Ayum and Fire Chief Robert Palmer)*



CITY ATTORNEY COLE: Item five is a resolution of the City Commission of the City of Miramar, Florida, approving the first one-year renewal of the Fire Apparatus Maintenance and Services Agreement with Hall-Mark RTC, commencing October 1, 2018 through September 30, 2019, in the amount of \$200,000.00; authorizing the Interim City Manager to execute an appropriate renewal agreement with Hall-Mark RTC; and providing for an effective date.

MAYOR MESSAM: Commissioner, do you need a presentation, or you just had a question?

COMMISSIONER CHAMBERS: Mr. Mayor, my agenda was changed, and I (inaudible) -

MAYOR MESSAM: I don't think your -- is your mike on?

COMMISSIONER CHAMBERS: (Inaudible).

VICE MAYOR COLBOURNE: Mike is off.

COMMISSIONER CHAMBERS: Wrong item. My agenda was changed, so I was -- it's the wrong item. Thank you. I apologize.

MAYOR MESSAM: Okay. We need to have a -- a motion on this item.

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 #R6768, the Commission voted:

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

**Resolution No. 18-156**

6. Temp. Reso. #R6759 accepting a **grant** from the **2017 Urban Area Security Initiative (“UASI”) Grant Program** in the amount of \$113,691.00; authorizing the Interim City Manager to execute a Memorandum of Agreement between the City of Miami, as “Sponsoring Agency”, and the City of Miramar, as a “Participating Agency”, along with any future amendments to same and other memorandums of agreement related to the 2017 grant program deemed appropriate. *(Fire-Rescue Chief Robert Palmer)*

**Resolution No. 18-157**

MAYOR MESSAM: Item number seven, please.

7. Temp. Reso. #R6760 approving a Highway Maintenance Memorandum of Agreement with the Florida Department of Transportation for the **Broward Mobility Miramar/Hollywood for bike lanes and sidewalk project** no. 434697-1. *(City Engineer Bissy Vempala)*

CITY ATTORNEY COLE: Item seven is a resolution of the City Commission of the City of Miramar, Florida, approving a Highway Maintenance Memorandum of Agreement with the Florida Department of Transportation for the Broward Mobility Miramar/Hollywood for bike lanes and sidewalk project no. 434697-1; authorizing the Interim City Manager to execute the agreement; providing for an effective date.

MAYOR MESSAM: Okay. Well, for the record, do you need a presentation on this, or just have a question?

VICE MAYOR COLBOURNE: I don't need a full presentation on it. It is for a side -- sidewalk on 62<sup>nd</sup> Avenue, isn't it? And it's a good thing. I just want to make sure that we -- that we hail sidewalk improvements, and it is coming relatively soon, but it is something that has been planned for some time. So while these projects sometime take a long time to come to fruition, it -- it gets here. So thank you. Thank you, Bissy.

MAYOR MESSAM: So may I have a motion on this -- okay.

COMMISSIONER BARNES: After a comment.

MAYOR MESSAM: Oh, you do, okay. And you did raise your hand. Thank you. I missed that. I'm used to you all not doing that. Alright, I'll look. Commissioner Barnes.

COMMISSIONER BARNES: I -- I recognize and acknowledge the value of the sidewalks, but I also thank you for help with our bike lanes.

MAYOR MESSAM: Now, may I have a motion on this item.

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 #R6760, the Commission voted:

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

Mayor Messam

Yes

**Resolution No. 18-158**

MAYOR MESSAM: Item number eight, please.

8. Temp. Reso. #R6762 endorsing the Florida Department of Transportation to deliver the **Miramar Bike Lane and Pedestrian Mobility Improvements** Project No. 437795-1 within the City of Miramar's Right-of-Way. (*City Engineer Bissy Vempala*)

CITY ATTORNEY COLE: Item eight is a resolution of the City Commission of the City of Miramar, Florida, endorsing the Florida Department of Transportation to deliver the Miramar Bike Lane and Pedestrian Mobility Improvements Project No. 437795-1 within the City of Miramar's Right-of-Way; and providing for an effective date.

MAYOR MESSAM: Yes. I think this is all part of the same comments.

VICE MAYOR COLBOURNE: Yes. It's part -- it's part of the same thing, and Commissioner Barnes, you jumped the gun. This is to thank them for the bike lanes.

COMMISSIONER BARNES: Thank you so much.

VICE MAYOR COLBOURNE: And maybe we can read into record some of the areas that are getting these bike lanes. That would be good.

MS. VEMPALA: Good evening, Mr. Mayor, Madam Vice Mayor, --

MAYOR MESSAM: Good evening.

MS. VEMPALA: -- members of City Commission. Bissy Vempala, City engineer. So let me give you the list.

VICE MAYOR COLBOURNE: Yeah.

MS. VEMPALA: Okay. Miramar Parkway from Commerce Parkway to Douglas Road, bicycle lane on both sides of the roadway. Then you have sidewalk on SW 148<sup>th</sup> Avenue from SW 48<sup>th</sup> Court, which is Bass Creek Road, to Miramar Parkway on both sides, northbound direction, southbound direction already exists. 148<sup>th</sup> Avenue going north from Parkway to SW 27<sup>th</sup> Street to Fire Station 84, sidewalk on both sides. SW 68<sup>th</sup> Avenue from Miramar Parkway to SW 27<sup>th</sup> Court, sidewalk on both sides, and SW 25<sup>th</sup> Street from SW 68<sup>th</sup> Avenue to SW 62<sup>nd</sup> Avenue. So all these place are going to be receiving federal funds through Broward MPO, and FDOT will be designing and constructing them.

MAYOR MESSAM: Thank you.

VICE MAYOR COLBOURNE: Thank you. Thank you, very much.

MAYOR MESSAM: I'd like to -- I'd like to thank our engineering staff for working so diligently on these projects, and responding to our residents' needs, and -- and directive from the Commission. May I have a motion on this item.

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 #R6762, the Commission voted:

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

**Resolution No. 18-159**

9. Temp. Reso. #R6783 approving the award of Invitation for Bids No. 18-012, entitled **"Miramar Regional Park Digital Marquee Sign"**, to the successful bidder Don

Bell Signs, LLC.; authorizing the Interim City Manager to execute the proposed agreement with Don Bell Signs, LLC, for the provision of construction services in an amount not-to-exceed \$154,863.00, for a total project costs, inclusive of a construction contingency allowance of \$16,000.00 and a permit allowance of \$10,000.00. (*Construction & Facilities Management Senior Project Manager Daryll Johnson and Procurement Director Alicia Ayum*)

**Resolution No. 18-160**

10. Temp. Reso. #R6787 approving an agreement with Banc of America Merchant Services, LLC, for **credit card and merchant processing services** through the utilization of the State of Florida Competitive Agreement #D0751, in an amount not-to-exceed \$377,000.00; authorizing the Interim City Manager to execute an agreement for a term of one year commencing January 16, 2019 through January 15, 2020. (*Accounting Manager Winsome Freeman and Procurement Director Alicia Ayum*)

**Resolution No. 18-161**

***End of Consent Agenda***

MAYOR MESSAM: Before we move on to the resolutions, I'd made an error and omitted -- during the public participation -- Miss Mary Raynor had signed in, and I, inadvertently, skipped over her name, so I do want to provide an opportunity for her to provide her public comments. So it was done in error, so I just want -- I just noticed that I did skip over your name, so I just want to provide you that opportunity, and welcome.

MS. RAYNOR: Thank you. Good evening. Mary Raynor, 5025 SW 35<sup>th</sup> Terrace, in the City of Hollywood. First of all, I want to tell you how important this community resource officers are. I've worked very closely with both them and the code officers. I hear that they will not be able to attend our HOA meetings or community meetings at all. Well, this is what holds our community together, binds it together. When issues are brought up to me, I direct them to any of -- to our community officer, Julie Bermudez. She has tried to clean up the east side. I just spoke to her today. We needed help with a resident that had passed away in the City yesterday. She has done her best with the homeless people on the east side. If we did not have community resource officers, we would have to call whoever is on the road, and they're not used to dealing with us directly. It is not the same. We need the closeness of our police to be able to help us. That's one issue. The second issue is with the construction. I was over on the east side twice today, because of dealing with this person that passed away yesterday. And I couldn't believe the amount of construction on the roads, and how many bulldozers and -- and equipment was working on the streets. It made it very, very hard for us to even get down the streets today. And also on the corner of 64<sup>th</sup> Avenue and 25<sup>th</sup> Street, a huge tree has been knocked down or split or something. It is covering into the road now. But these are some of the issues that are being dealt with on the east side. The homeless is a real problem. And now we

have some additional issues with the drugs that are being sold on the east side, but I have been dealing with the Police Department on that. So please, please, I ask you not to do away with our community resource officers. They are very important to us. Thank you.

MAYOR MESSAM: Thank you. Don't typically go into response -- direct responses from public participation, but, Mr. Hargray, can we have PD just clarify, in terms of the community resource officers, because when we make statements that community resource officers are being eliminated, I just want to make sure that we are actually -- I just want to put factual information forward.

MAYOR MESSAM: Good evening, Mr. Mayor, Vice Mayor and Commissioners, Michael Moore, Assistant City Manager. I'm here with Major Jose Vargas. We are looking at the assignment of CROs and code officers, as it pertains to them attending meetings after hours. There is no -- there is no desire or no evaluation to eliminate the CRO program, the code enforcement program or anything remotely close to that. We are looking at it from a budgetary standpoint. We still will have representation at all the meetings, whether it be police chief, who attends a lot of the meetings, or the assistant chief, or the majors or the captains. But there is no -- I reassure you, there is no desire for us to eliminate the CRO program.

MAYOR MESSAM: What -- what I would -- what I would recommend though, if -- if desired by the Commission, that -- that each Commissioner be briefed and brought up to speed in terms of some of the -- the proposals that are being made, in terms of how our community organizations and the meetings will be -- whatever impacts, based on any reorganization or any restructuring, so that we can have the information. Because we do get phone calls and text messages regarding proposed changes, and we'd like to know what the actual facts are, so that we can be able to put things into context in regards to ensuring that our respective homeowners association and community groups are informed about public safety matters, and how they will be getting that information, so that we can be -- all be on the same page. So if I -- I know I would like to get a full briefing on that, and I would just encourage my colleagues, if you would also notify the Manager -- the City -- Interim Manager of the same. Thank you. Alright. On to resolutions.

## **RESOLUTIONS**

MAYOR MESSAM: Item number 11, please.

11. Temp. Reso. #R6764 revising the **Local Housing Assistance Plan** for the City of Miramar's **State Housing Initiatives Partnership Program** for Fiscal Years 2016-2017, 2017-2018 and 2018-2019; authorizing the submission of the Local Housing Assistance Plan technical revisions to the Florida Housing Finance Corporation. (*Client Services Manager Deborah Stevens*)

CITY ATTORNEY COLE: Item 11 is a resolution of the City Commission of the City of Miramar, Florida, revising the Local Housing Assistance Plan (LHAP) for the City of Miramar's State Housing Initiatives Partnership Program (SHIP) for Fiscal Years 2016-2017, 2017-2018 and 2018-2019; authorizing the submission of the Local Housing Assistance Plan technical revisions to the Florida Housing Finance Corporation (FHFC); and providing for an effective date.

MS. STEVENS: Good evening, Mayor, Vice Mayor, Commissioners. Deborah Stevens, Client Services Manager. This item is a technical revision to the Local Housing Assistance Plan for the SHIP program. This State Housing Initiatives Partnership, which is called SHIP -- the Act requires local governments to adopt a one to three-year Local Housing Assistance Plan, outlining how the funds are to be spent. Our current LHAP was adopted in March 2016 by Resolution 16-84. Some background. Our owner-occupied residential strategy assists very low, and low-income households with code violations, hurricane protection, weatherization improvements, energy efficiency conservation, and other minor home repairs. Currently, our maximum award of \$50,000.00. However, we're facing some challenges with rising cost of home repairs, the aging stocks of homes, and the scopes of work are exceeding the maximum allowance. We are proposing one revision to the LHAP; that is, to increase the maximum allowance for owner, occupied residential strategy to \$90,000.00, and there are other municipalities who have already increased their maximum award. These benefits include: more efficiently addressing the needs identified in the scope of work; it would keep our minor home repair projects on track; and, also, it allows us the timely expend our grant funds. 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 comments or questions? 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 #R6764, the Commission voted:

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

**Resolution No. 18-161**

MAYOR MESSAM: Item number 12, please.

- 12.** Temp. Reso. #R6758 approving the award of Request for Proposal No. 18-03-19, entitled “**Community Development Block Grant (“CDBG”) Consultant Management Services**” to Community Redevelopment Associates of Florida, Inc., the sole responsive firm; authorizing the Interim City Manager to execute a Consultant Management Services Agreement for an initial three-year term with two optional one-year renewal periods. *(Community & Economic Development Director Eric Silva and Procurement Director Alicia Ayum)*

CITY ATTORNEY COLE: Item 12 is a resolution of the City Commission of the City of Miramar, Florida, approving the award of Request for Proposal No. 18-03-19, entitled “Community Development Block Grant (“CDBG”) Consultant Management Services” to Community Redevelopment Associates of Florida, Inc., the sole responsive firm; authorizing the Interim City Manager to execute a Consultant Management Services Agreement for an initial three-year term with two optional one-year renewal periods, and providing for an effective date.

MAYOR MESSAM: Silva.

MR. SILVA: Good evening, Mr. Mayor, Madam Vice Mayor, and Commissioners. Eric Silva, Community and Economic Development Department. This item is a request for proposals for consultant management services for our grant programs. The City is responsible for administering and monitoring several housing community development

programs, including the community development -- Community Development Plot Grant, the SHIP program, and the HOME program since 2000. We would as a consultant for these services. The current consultant was chosen in 2013 and is completing the final year of that agreement. On May 20<sup>th</sup> of this year, there was a new RFP issued, was publicly advertised. We received one response on June 11<sup>th</sup> was opened. The selection committee reviewed and evaluated that proposal, using the criteria in the RFP, including expertise, resources, methodology, references in price. The Community Redevelopment Associates of Florida was the firm that was chosen. As proposed, this agreement provides for a three-year term, with two additional one-year renewal periods on a year-to-year basis. Payment to the consultant services is provided through the various grant programs, and approval is recommended.

MAYOR MESSAM: Thank you. Are there any members from the public that wish to comment on this item? Seeing one, back to the dais. Any questions or comments from the dais? If not, I'll entertain a motion.

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 #R6758, the Commission voted:

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

### **Resolution No. 18-163**

MAYOR MESSAM: Item number 13, please.

- 13.** Temp. Reso. #R6755 approving the award of Invitation for Bids No. 18-011, entitled **"Miramar Blvd. Barrier Wall Landscaping and Beautification Project (Option A - Precast Concrete Wall),"** to the successful bidder, Coastal Concrete Products, LLC.; authorizing the Interim City Manager to execute the proposed agreement with Coastal Concrete Products LLC, in an amount not-to-exceed \$653,000.00, and allocating a 10% contingency of \$65,300.00, for a total project cost of \$718,300.00. (*Construction & Facilities Management Sr. Project Manager Daryll Johnson and Procurement Director Alicia Ayum*)

CITY ATTORNEY COLE: Item 13 is a resolution of the City Commission of the City of Miramar, Florida, approving the award of Invitation for Bids No. 18-011, entitled "Miramar Blvd. Barrier Wall Landscaping and Beautification Project (Option A - Precast Concrete Wall)," to the successful bidder, Coastal Concrete Products, LLC.; authorizing the Interim City Manager to execute the proposed agreement with Coastal Concrete Products LLC, in an amount not-to-exceed \$653,000.00, and allocating a 10% contingency of \$65,300.00, for a total project cost of \$718,300.00; and providing for an effective date.

MR. JOHNSON: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners, City Manager, City Attorney, City Clerk. My name is Daryll Johnson, senior project manager, Construction and Facilities Management. I present to you the presentation for the proposed precast concrete barrier wall. Little background information. On November 2013, by adoption of the -- of an ordinance, the City Commission approved a five-year CIP for landscaping and beautification along Miramar Parkway, Miramar Boulevard, Red Road gateway, and University Drive. Next item. At the Fiscal Year '18 budget hearing held in September of last year, a discussion was held on the construction of the buffer wall along the north side of Miramar Boulevard and University Drive between University Drive and Douglas Road as part of the landscape and beautification CIP. Next slide, please. What you see before you is an aerial view at the top, which depicts the location of the wall between University Drive and -- and Douglas Road. The second photo is a -- an elevation of what the wall would look like. Next slide. The scope of work consists of construction of approximately 5,800 linear feet of six-foot high precast concrete barrier wall. Also included in the scope of work site clearing and grubbing, and excavating for the foundations, and also restoration of the existing sodding and existing sidewalk, as required. I'll turn over this portion of the presentation to the Procurement Department.

MS. AYUM: Good evening, Mayor, Vice Mayor, Commissioners, City staff. On May 17<sup>th</sup>, we advertised the IFP 18-011 for two options. Option A, for precast concrete barrier wall, and option B, for PVC fencing at Miramar Boulevard between University Drive and Douglas Road. We advertised in Demand Star, and in the newspaper of general circulation. On June 4<sup>th</sup>, 2018, we conducted a non-mandatory pre-bid conference, in which four firms participated. On June 19<sup>th</sup>, the date of the opening, we received three bids. The bids were reviewed and evaluated, and the lowest responsive responsible bid is from Coastal Concrete Products, LLC, for -- to a bid price of \$653,000.00 for Option A, the precast concrete barrier wall. There's an allocation of a ten-percent contingency in the amount of \$65,300.00, and the Interim City Manager recommends awarding the contract to Coastal Concrete Products, LLC. Approval is recommended.

MAYOR MESSAM: Thank you. Are there any members from the public that wish to comment on this item?

MS. CADETTE: Good evening. My name is Ann Marie Cadette, 2430 SW 84<sup>th</sup> Terrace, Miramar, and I want to say to Commissioner, Vice Mayor, and our Mayor, I really appreciate, you know, you all stepping up and doing this for the community. We look forward for this; it's been a long time coming, and I really, really am grateful for this.

MAYOR MESSAM: Thank you. Are there any other members from the public that wish to comment on this item? Any other members from the public that wish to comment on this item? Seeing none, back to the dais. I have two speakers. Commissioner Barnes, then followed by Vice Mayor Colbourne. Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Just an observation. I think the timing of this is just incredibly providential, really, because an area which I know well, because this the area in which my mother lives, I think it's so important that we've come through. And I'm extremely happy too that there was some kind of a doubt a couple of meetings back that this wasn't going to proceed. But I'll tell you why -- why the timeliness of it is -- is in need of underlining. Hurricane came through here -- at least the outer bands of a hurricane came through here last year and kind of worsened the struggles of homeowners in the area to maintain their fences. And some of them are still in some state of disrepair, so I think it's extremely timely and just -- just another indication of what a city is supposed to do for its residents. So I -- I commend staff for moving ahead with this, and -- and I beg of the residents, give us just a little more time to get it done. That's all we asking right now.

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

VICE MAYOR COLBOURNE: Thank you very much. I am, too, excited to see that we are -- we're finally getting it to this point where the City of Miramar Commission has an opportunity to approve this item. We approved the funding for it in 2013. It's been a long time coming. It's a -- it's a promise that we made to the residents, and I'm glad to see it, and it certainly has my support, and continue to have my support. I will continue to push until we get it done. Thank you.

MAYOR MESSAM: Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you, Mr. Mayor. Vice Mayor Colbourne, I want to thank you for staying with this item, and as Commissioner Barnes say, it's the timing -- it's a good -- right thing to do. And just like many other things that we need to do in the City for our resident -- for instance, the lady earlier with the grass and parking, and the other lady with the other issue, so we got to bring back commonsense into our community. And not to mention Mary Raynor with the CRO, so there's a lot of commonsense things that we have to -- taken care of, and I'm happy that we have one resident here tonight to show her support. That may be more than one, but thank you guys so much, and we are here to support and help the community. Thank you.

MAYOR MESSAM: Thank you, Commissioner. If there aren't any more comments, I'll entertain a motion.

VICE MAYOR COLBOURNE: I'd like to make one other comment. While -- while I'm excited about this, and I can't wait until we get this done, I know there are other needs in the area. There is, you know, on Sherman Circle area, there's another wall that needs to be addressed, and I want to make sure that -- well, I'm hoping that we will have money in the budget, some -- some money in the budget to start -- to start the process, so that we can work on that as well. Because this is an entire area that we are working on -- on improving. So, with that, I'd like to make a motion. 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 #R6755, the Commission voted:

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

**Resolution No. 18-164**

MAYOR MESSAM: Item number 14, please.

- 14.** Temp. Reso. #R6770 approving an amendment to the architectural/engineering agreement with CES Consultants, Inc., and related expenditure in an amount not-to- exceed \$40,991.32 for the provision of **additional construction services** for the **Historic Miramar Re-Development Transmission & Distribution Water Main Improvements**. (*Utilities Director Jody Kirkman and Procurement Director Alicia Ayum*)

CITY ATTORNEY COLE: Item 14 is a resolution of the City Commission of the City of Miramar, Florida, approving an amendment to the architectural/engineering agreement with CES Consultants, Inc., and related expenditure in an amount not-to- exceed \$40,991.32 for the provision of additional construction services for the Historic Miramar Re-Development Transmission & Distribution Water Main Improvements; authorizing the Interim City Manager to execute the proposed amendment, and providing for an effective date.

MAYOR MESSAM: Mr. Kirkman.

MR. KIRKMAN: Good evening, Mayor, Madam Vice Mayor, Commissioners, Interim City Manager. For the record, Jody Kirkman, Director of Utilities. This evening I offer Temporary Resolution 6770, with the Utilities Department requesting consideration and approval for Amendment 3 to the agreement with CES Consultants for additional construction management services. Our issue; City Commission approval is required for purchases exceeding the \$50,000.00 fiscal limit or a vendor in accordance with the City code. A little background. The original engineering agreement was prepared to support the Historic Miramar Redevelopment, Transmission and Distribution Water Main Improvement Project, which was approved by the City Commission on November 5<sup>th</sup>, 2014, under Resolution 15-19, and included two distinct phases of engineering services, which required separate authorization approval by the City Commission. The first phase of service authorized in Resolution 15-19 consisted of project design services for the project. Amendment 1, which was the second phase to the agreement, was approved by

City Commission on October 19<sup>th</sup>, 2016, by Resolution 17-14, which included services related to construction management and public relations phase of the project, with total duration of 12 months continuous -- continuous services in an amount not to exceed \$259,466.00. Amendment number two to the agreement was approved by the City Manager on March 20<sup>th</sup>, 2008, and was necessary to account for the City issued 30 -- 33-day extension of time grant to the engineering, which was the contractor, still is the contractor, due to Hurricane Irma, and further delay by the contractor who had presented the recovery schedule at that time, which extended completion of the project through July 2018. For a sum not to exceed \$49,837.20, and a contract extension through June 29, 2018. As of January 2018, the contractor has been working under contract liquidated damages, and the contract continues to delay the completion of the project and, as such, has presented a revised schedule on May 22<sup>nd</sup>, which extended the final completion through August 17. Utilities Department and engineer negotiated a contract amendment for additional construction management services for a sum not to exceed \$40,991.32, and the term extension through August 31<sup>st</sup>. And approval is recommended.

MAYOR MESSAM: Thank you. Are there any members from the public that wish to comment on this item? Any members from the public? Seeing none, back to the dais. Are there any comments or questions? If not, I'll entertain 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 Resolution #R6770, the Commission voted:

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

**Resolution No. 18-165**

MAYOR MESSAM: Item number 15.

15. Temp. Reso. #R6714 approving the award of Request for Proposal (“RFP”) No. 18-05-25, entitled “**Disaster Debris Monitoring Services** (“Re-Advertisement”)” to the top-ranked proposer, Rostan Solutions, LLC; authorizing the Interim City Manager to execute an appropriate agreement for a term of three years with two one-year renewal terms. *(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 the award of Request for Proposal (“RFP”) No. 18-05-25, entitled “Disaster Debris Monitoring Services (“Re-Advertisement”)” to the top-ranked proposer, Rostan Solutions, LLC; authorizing the Interim City Manager to execute an appropriate agreement for a term of three years with two one-year renew options, and providing an effective date.

MR. BUXTON-TETTEH: Good evening, Mayor, Vice Mayor, Commissioners, City Manager. The item before you tonight is a request for approval of a proposal we issued. This is to obtain the services of a -- a consultant that would assist the City for debris monitoring services on an as-needed basis. For background, in instances such as Irma that we went through recently, as part of the process to ensure that -- that we maximize our reimbursement from FEMA, they require that we have a -- a consultant that assist in monitoring the debris that are collected, make sure that everything is accurately recorded, and then correct procedures are followed. This basically shows that the City will maximize us getting back all the expenses that we made when we go through such a -- such a -- such an instance. For the procurement process, an RFP was issued on March 29. No responses were received at that time. Staff re-advertised it in May. At that point, we received two proposals on June 12<sup>th</sup>. The proposals were evaluated. The highest ranking proposal was Rostan Solutions. The services they’re going to provide will include providing us with field monitors, and we saw them during Irma. They were going to be in communities, monitoring each location that debris is picked up. They’re going to verify the quantities, make sure that everything is done in order. They going to validate the trucks and the capacities as well. 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 or questions? Can I have 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 Resolution #R6714, the Commission voted:

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

**Resolution No. 18-166**

MAYOR MESSAM: Item number 16.

- 16.** Temp. Reso. #R6775 approving an agreement with the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) Division,

for the City of Miramar to accept **grant funding** up to an amount of \$289,368.75 for the **removal of downed trees in City maintained canals**, which were caused by Hurricane Irma. (*Public Works Director Bernard Buxton-Tetteh*)

CITY ATTORNEY COLE: Item 16 is a resolution of the City Commission of the City of Miramar, Florida, approving an agreement with the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) Division, for the City of Miramar to accept grant funding up to an amount of \$289,368.75 for the removal of downed trees in City maintained canals, which were caused by Hurricane Irma; authorizing the Interim City Manager to execute the agreement; providing for an effective date.

MAYOR MESSAM: You're back.

MR. BUXTON-TETTEH: Yes, I'm back. Good evening, Mayor, Vice Mayor, Commissioners. The item before you is a request to allow the execution of an agreement with the USDA, the Division of Natural Resources. This is to allow the City to accept an amount up to approximately \$290,000.00 for the removal of downed trees in City-maintained canals, that this was caused by Hurricane Irma. For the background, once Irma impacted our area, there were several areas that fell into the canal and, unfortunately, they're still in the canal. The reason being that in the areas where we maintain the canals, there's very limited access, you know, to -- to work in. The easement between the homes are about ten feet, and some of them have fences, and some of them have their AC, so it's very difficult to put the regular size equipment through them. So we would need barges and specialized equipment to remove the trees. So these trees are currently in the canal impacting water quality, and this is just some of the pictures of the trees that are in the canal. What we did, when Irma happened was we reached out to FEMA for assistance. They did not provide assistance. They rejected the request. The director, that's the USDA, because this was a waterway, and that's their jurisdiction, they also initially actually refused the application that we made to them, because they had to follow a protocol. They did not have funding at that time, but as we kept fiscally knocking on their door, they advised that they had -- had finally received funding from the federal government, and that's why it's taking some time to -- to get this funding. The funding would be effective immediately upon execution, actually open to mail it back to Tallahassee tomorrow, and because we want to quickly go ahead and do the work, since we are in another season. So that's the -- the -- the plan, and there will be quarterly progress in the financial reports required, but I have staff ready to make sure we proceed very quickly. Approval is recommended.

MAYOR MESSAM: Thank you. Are there any members from the public that wish to comment on this item? Hearing and seeing none, back to the dais. Any comments, questions?

COMMISSIONER BARNES: Just --

MAYOR MESSAM: If not, I'll entertain a motion. Commissioner Barnes.

COMMISSIONER BARNES: Question. You hinted, but how -- what kind of timeline are we looking at for this work to be gone and completed?

MR. BUXTON-TETTEH: Our goal is -- we're not going to -- we're going to issue -- its going to be a 30-day contact for a contractor to get in. What's going to happen, is we need to bid it out, so it's going to be that process. But the work itself will be a very -- very short period of work. We have about 20 trees. There's not a lot of trees, so they should be able to get in and out quickly, and we're hoping to do that quickly before the season intensifies.

COMMISSIONER BARNES: Question two. What kind of benefits will be brought to the flora and the fauna that are sitting in these lakes that have been impacted by this -- these three sitting in them? Any major change will happen to -- to the life in -- in this --

MR. BUXTON-TETTEH: Yeah. We've been monitoring, because we know that with the trees in there, and the -- and some will start -- begin to -- to kind of decompose. But we've been monitoring it. We have a treatment that we apply, especially in that -- in that areas where the trees are, but we -- we -- we already -- why we're waiting is -- as soon as the trees are out, we're going to go in and apply some -- some treatment to make sure that the -- the impact that it -- it has after being in the water, that's -- that's kind of handled. But we've been -- we've been monitoring the locations.

COMMISSIONER BARNES: And I -- and I suppose there, obviously, will be a difference in appearance?

MR. BUXTON-TETTEH: Yes, yes. I mean we've had calls and complaints and, obviously, we've had to reach out to residents and explain, you know, the process, but, yes, we -- we've been trying to stay on top of it.

COMMISSIONER BARNES: Thanks.

MAYOR MESSAM: Commissioner Chambers.

COMMISSIONER CHAMBERS: Thank you. Sorry, Mr. Buxton. I just want to ask. There's a canal that runs along 25<sup>th</sup> Street, somewhere close to the east side water plant?

MR. BUXTON-TETTEH: Yes. South of -- not from Miramar Parkway.

COMMISSIONER CHAMBERS: Right. Is -- is that canal going to also included in this cleanup?

MR. BUXTON-TETTEH: There were no trees that fell in that area. They -- the -- the ones on the south side of Miramar Parkway, the one on Miramar Isles and Miramar Park was

where they were. But that canal, if there's any issue, we -- we handle these on a daily basis, so if there's an issue and we're made aware, we -- we -- we can handle those.

COMMISSIONER CHAMBERS: Is that a Miramar canal or --

MR. BUXTON-TETTEH: Yes. It's part of our canal systems.

COMMISSIONER CHAMBERS: Let me ask you. What about trees that -- that fell before the hurricane that's -- that's sitting there and -- is -- is there anything we can do to help the resident remove those trees?

MR. BUXTON-TETTEH: Those, usually, we work with Code Enforcement, because it's the property owner's responsibility. Some of them have them on their -- their property that they -- they fallen. The City, itself, we don't have resources to remove -- some of them are very large trees. We'd be able to provide assistance, you know, if it's in a size that we are able to help with a little boat, but we -- I know of a couple of big ones that are out there. We just don't have those resources to -- to do that. What we can do in this instance, we're actually meeting with the USDA folks to look our contract to get ready. We would reach out to them and show them, and -- I mean, since the funding is being provided, whether they would extend it to at least move -- I know there's a couple out there, but I'm aware of those as well. The problem is that they were not impacted by Irma, so it's difficult to -- to include them in the mix.

COMMISSIONER CHAMBERS: Let me ask. If I go in and I remove some of those tree from the neighbor's side, is there any way I could get assistance in the water to move --

MR. BUXTON-TETTEH: In the water, yes. In the water, we -- we could provide some assistance, yes. It's just going to be limited, but we can provide some assistance.

COMMISSIONER CHAMBERS: Okay. I'll do that.

MR. BUXTON-TETTEH: Yeah.

COMMISSIONER CHAMBERS: Another question. I don't know if it's you or someone can answer that. Island Drive, those tree that was cut down.

MAYOR MESSAM: I was just -- we were just talking about that.

VICE MAYOR COLBOURNE: And it's three of us that were going to ask.

MAYOR MESSAM: We were just talking about that.

MR. BUXTON-TETTEH: We are working on it.

COMMISSIONER CHAMBERS: Okay.

MR. BUXTON-TETTEH: We'll -- we'll be coming forward, you know, with -- with some proposals, but it's --

COMMISSIONER CHAMBERS: I just want an update in the future.

MR. BUXTON-TETTEH: Yes.

COMMISSIONER CHAMBERS: Maybe not tonight, but, you know.

MR. BUXTON-TETTEH: Absolutely.

COMMISSIONER CHAMBERS: Thank you.

MR. BUXTON-TETTEH: Thank you.

VICE MAYOR COLBOURNE: Actually, if we could get an update on -- I'm sorry, I wasn't recognized.

MAYOR MESSAM: Yes.

VICE MAYOR COLBOURNE: Tonight.

MAYOR MESSAM: That was really my -- my comment. Actually, -- before even getting to Island Drive, I'd just like to commend staff for, you know, just searching every option for funding. We always know it's a chore dealing with FEMA and getting reimbursed for these -- for these items, but definitely would like to commend, you know, staff for finding those additional resources and grant funding to assist us, you know, in these type of situations. The last we heard of our trees in -- on Island Drive, where the contractor, inadvertently, cut down those trees, and we were going after the contractor for re -- for -- for -- to reimburse us, you know, for the -- for the cost of -- of replanting, you know, those trees. So at least give us an update to what we know at this point.

MR. CROSS: Good evening, Mr. Mayor, Vice Mayor, Commissioners, Randy Cross, Interim Human Resources Director. You're correct. The last update that you were provided, the City was trying to achieve a settlement agreement with the contractor, Grubbs, to come in and replace the 70 or so trees that were removed. Over the summer, we worked with developing a landscape improvement plan that would pass through our permitting process that includes enough trees that mat -- is equal to or close to the caliber of trees, the inches of trees that were removed from the location. We had a meeting with a representative from Grubbs last week. We're still -- haven't yet reached a final settlement on the number of trees. Aside from that piece of it, the settlement agreement has been drafted, and most of the conditions in the settlement agreement, aside from the number of trees that will actually be replaced has been agreed to. In the meantime, the City has withheld about \$670,000.00 in payment that is owed to them for the services that

they rendered during the hurricane; we still have not released that payment, and that's part of the condition of the settlement agreement.

COMMISSIONER CHAMBERS: Okay. Okay. Good -- good work. In terms of the -- the number of trees being agreed to, I'm sure we can do a simple tree survey to see the actual trees that they cut, you know, so that should be kind of straightforward, but -- but - - but thanks for leveraging our contractual options of withholding payment until we get that settlement, so thanks. Alright. If there are no other questions on this item, may I have a motion.

COMMISSIONER BARNES: 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 Barnes, seconded by Commissioner Riggs, to approve Resolution #R6755, the Commission voted:

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

**ORDINANCES**

MAYOR MESSAM: Item number 17, please.

- 17. FIRST READING** of Temp. Ord. #O1693 **amending Land Development Code** Chapter 4, zoning, relating to use regulations, specifically regulating Sections 405.8, clothing donation bins, related to permitting textile recycling; application and amendment procedures; renumbering and relettering provisions; providing for severability; providing for inclusion in the Code; and providing for an effective date. ***(Staff recommends continuance to the meeting of 09/05/18) (Community & Economic Development Director Eric Silva and Public Works Director Bernard Buxton-Tetteh)***

CITY ATTORNEY COLE: Item 17 is an ordinance of the City Commission of the City of Miramar, Florida, amending Land Development Code Chapter 4, zoning, relating to use regulations, specifically regulating Sections 405.8, clothing donation bins, related to permitting textile recycling; application and amendment procedures; renumbering and relettering provisions; providing for severability; providing for inclusion in the Code; and providing for an effective date. Staff has requested a continuance until September 5<sup>th</sup>.

MAYOR MESSAM: May I have a motion to continue to September --

CITY ATTORNEY COLE: Fifth.

MAYOR MESSAM: -- 5<sup>th</sup>.

COMMISSIONER BARNES: Motion for a continuance

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 Commissioner Chambers, to continue Ordinance #O1693, the Commission voted:

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

**Cont'd to 09/05/18**

SECOND READING SCHEDULED FOR September 17, 2018

## **PUBLIC HEARINGS**

MAYOR MESSAM: Item number 18, please.

- 18.** Temp. Reso. #R6765 approving an amendment to the **2008-2009 Fiscal Year Community Development Block Grant Program Action Plan** for the **Neighborhood Stabilization Program**; authorizing submission of the Action Plan Amendment to the U.S. Department of Housing and Urban Development. (*Client Services Manager Deborah Stevens*)

CITY ATTORNEY COLE: Item 18 is a resolution of the City Commission of the City of Miramar, Florida, approving an amendment to the 2008-2009 Fiscal Year Community Development Block Grant Program Action Plan for the Neighborhood Stabilization Program; authorizing submission of the Action Plan Amendment to the U.S. Department of Housing and Urban Development; and providing for an effective date.

MS. STEVENS: Good evening, Mayor, Vice Mayor, Commissioners, Deborah Stevens, Client Services Manager. This item is an amendment to our CDBG program 2008-2009 Action Plan. The Housing Economic Recovery Act of 2008 established a Neighborhood Stabilization Program, which we will refer to as NSP, to address the housing foreclosure crisis. The City received 9.3 million NSP funding, and 24 properties were acquired and



sold by the City. Our purchase assistance strategy amount was subsequently increased to \$140,000.00 for households with income at or below 30 percent AMI. The amendment was approved by this Commission on October 7, 2015. The challenges we are facing are: households with income at or below 50 percent AMI face obstacles in qualifying for a mortgage. The inventory of foreclose and short sale properties has drastically decreased since the housing foreclosure crisis. Investors are also acquiring available foreclosed properties with cash. Our proposal is to acquire and rehabilitate two foreclosed or short sale properties, and then to reallocate the funds to the acquisition and rehab strategy. We will be taking \$400,578.00 from rehab, purchase assistance, rehab, and planning admin, and moving it to the acquisition and rehab strategy. Our citizen participation included putting a notice in the Miami Herald, as well as the Sun Sentinel on July 8. We had a (unclear 1:28:49) July 9 to August 7<sup>th</sup>. Public hearing is tonight. No comment has been received to date, and any comment received will be included when the amended action plan is sent to HUD. 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 dais. We have a speaker. Commissioner Chambers.

COMMISSIONER CHAMBERS: Thank you, Mayor. Steven, thank you. Thank you for all you do. It's a fantastic job.

MS. STEVENS: Thank you.

COMMISSIONER CHAMBERS: And I appreciate you.

MAYOR MESSAM: No question? Okay. May I have a motion, please?

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner 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 #R6765, the Commission voted:

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

**Resolution No. 18-168**

MAYOR MESSAM: Item number 19, please.

- 19. SECOND 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. ***(Passed 1st Reading on Meeting of 07/03/18)***  
***(Procurement Director Alicia Ayum)***

CITY ATTORNEY COLE: Item 19 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.

MAYOR MESSAM: Thank you. This passed first reading. Are there any changes since the first --

MS. AYUM: No changes at all. The only -- we will comply with Commissioner Riggs' request to provide a quarterly report of all the purchases between 50 and 75.

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

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 Ordinance #O1694, the Commission voted:

Commissioner Barnes	Yes
Commissioner Chambers	Yes
Vice Mayor Colbourne	Yes

Commissioner Riggs  
Mayor Messam

Yes  
Yes

**Ordinance No. 18-12**

MAYOR MESSAM: Item number 20, please.

- 20. 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) (Continued from the Meeting of 07/03/18)***  
***(Community & Economic Development Director Eric Silva)***

CITY ATTORNEY COLE: Item 20 is an ordinance of the City Commission of the City of Miramar, Florida, 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.

MAYOR MESSAM: Silva. Any changes.

MR. SILVA: No changes since first reading. No changes.

MAYOR MESSAM: Are there any members from the public that wish to comment on this item? Hearing and seeing none, back to the dais. Any questions or comments? I'll entertain 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 #O1689, the Commission voted:

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

**Ordinance No. 18-13**

## **QUASI-JUDICIAL PUBLIC HEARING**

MAYOR MESSAM: Item 23, please.

CITY ATTORNEY COLE: Thank you, Mayor. Item 23 is part of the quasi-judicial agenda, so I'll read the quasi-judicial proceedings. Florida Courts have determined that if there are certain types of matters, including items 23, 4 and 5 on this evening's agenda, 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 shall 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 City staff, City 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 record of the hearing. 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 items, please stand and raise your right hand. Do you solemnly swear or affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth? Thank you. Please move forward to receive a colored dot. Move forward, please.

- 21. FIRST READING** of Temp. Ord. #O1700 considering **Application No. 1800931, Rezoning** a 49.223-acre parcel from Rural (RL) to Single-Family Residential-6 (RS6), located the west of the southwest corner of Bass Creek Road and Southwest 172 Avenue; and providing for an effective date. (*Community & Economic Development Director Eric Silva*)

**REMOVED**

- 22. FIRST READING** of Temp. Ord. #O1701 considering **Application No. 1800932, Rezoning** a 69.140-acre parcel from Rural (RL) to Single-Family Residential-8 (RS8), located at the southwest corner of Bass Creek Road and Southwest 172 Avenue; and providing for an effective date. (*Community & Economic Development Director Eric Silva*)

**REMOVED**

23. Temp. Reso. #R6766 considering **Conditional Use Application No. 1707510**, **Site Plan Application No. 1707509**, and **Community Appearance Board Application No. 1707514**, for a 128,008 square foot **medical office building**, located within the **Memorial Miramar Hospital Campus**, at the southeast corner of Southwest 172 Avenue and Pembroke Road. (*Community & Economic Development Director Eric Silva*)

CITY ATTORNEY COLE: Item 23 is a resolution of the City Commission of the City of Miramar, Florida, considering Conditional Use Application No. 1707510, Site Plan Application No. 1707509, and Community Appearance Board Application No. 1707514, for a 128,008 square foot medical office building, located within the Miramar -- Memorial Miramar Hospital Campus, at the southeast corner of Southwest 172 Avenue and Pembroke Road; and providing for an effective date. There are three applications here. The hearing will be one hearing, but you will need to take separate votes on each application, as well as one for the resolution as a whole.

MAYOR MESSAM: Hello, Mr. Silva.

MR. SILVA: Good evening again, Mr. Mayor, Madam Vice Mayor, Commissioners, Eric Silva, Community and Economic Development. This application is for the Memorial Medical office building to a proposed four story. It's just a 125,000 square feet, just about, medical office building. It'll be the second medical office building on the hospital campus. Also proposed here are two -- three new parking lots on the south side, south boundary. They'll be for employees and visitors, and it is permitted as a conditional use application. The application has been reviewed by the Development Review Committee on April 4<sup>th</sup>. It was recommended for approval. A community meeting was held on May 29<sup>th</sup>; there were no members from the public in attendance, and the Planning and Zoning reviewed it and recommended approval on June 12<sup>th</sup>, and the Community Appearance Board also recommended approval on March 19<sup>th</sup>. The location of the proposed project; you can see Pembroke Road to the north, SW 172<sup>nd</sup> on the left-hand side, and then the hospital is shown in red. First click, please; three clicks, please. In blue, that's the location of an existing medical office building. The new building will be shown in red there in the middle, on top of an existing parking lot. The new parking lots will be constructed on the south side; that's shown with the black outline. Three clicks, please. Thank you. This is the show of the site plan. If you overlay that, you can see the parking lot on the south, the outline and the connections to the office building. And then in red, the outline of the building, and the existing -- existing structure -- the character and style is basically the same as the existing buildings to fit in with what's there. And the recommendation is for approval with conditions. There are five conditions, including the recommendation to obtain all state and federal permits. Have to amend the note in the plat to make a contribution towards the Pembroke Road widening, sustainability to -- sustainability letter to confirm the implementing of best practices. That means future renovations will have to come back to the City for approval. And the applicant is here for any questions also.

MAYOR MESSAM: Thank you. Do we have any questions for staff by the dais? Any questions or comments for staff? Okay. Alright. Does the applicant wish to -- okay. Go ahead, Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: The construction improvement for Pembroke Road, how much portion of it going to be --

MS. VEMPALA: Good evening. Bissy Vempala, City engineer. What they're contributing is toward a proportionate share based on their traffic impact. This is for widening Pembroke Road from Dykes Road to 172<sup>nd</sup> Avenue, so they'll be contributing \$192,000.00.

COMMISSIONER CHAMBERS: Okay. Thank you. I'm excited. Badly needed. Thank you so much, and thank Memorial for participating.

MAYOR MESSAM: Okay. Does the applicant wish to speak, present?

MS. CALHOUN: Good evening. Hope Calhoun here on behalf of the applicant. I'm here only to answer any questions. We've read the staff report and the conditions of approval, and we have no objections.

MAYOR MESSAM: Thank you. We like to hear that. Do we have any questions for the applicant from the dais? Alright. Are there any questions or comments from the public on this item? Don't all raise your hand at the same time. Alright. Okay. Alright, back to the dais. Just a brief comment. I think this is -- this is just a testament of this growing sector in our city, in terms of medical, the medical sector. Whenever a hospital sees the need to either expand or to -- to build a medical office building, not only does it increase the ability for outpatient services and preventative care, but it's also an economic development opportunity, because now you have private practices and physicians that will be occupying the space. So -- and that creates jobs, provides additional options for our residents to get medical care. So it's something that, although not sexy in title, but when you really think about the -- the impacts and the growth of not just this medical office building, but also with the -- the -- the acute emergency room that's -- will be breaking ground soon at the intersection of Miramar Parkway and Red Road, it just goes to show the -- the -- the -- the growth of this city, as well as the health and the strength of Memorial to be able to respond to that growth and the growing demands on medical services that's needed in our community. I see we have -- Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Just to -- a comment here to express our gratitude to this entity that continues to show incredible faithfulness and belief in our city. And I think it is clearly understand abroad that the medical provision sector is going to continue to grow. And I think Memorial is showing its -- its confidence, it's ongoing confidence in the City of Miramar. I think it's just a classic example of the kind of relationship that can develop between a -- a community, the -- the private sector in the community, and the public sector. And -- and we just wish Memorial all the very best going forward.



MAYOR MESSAM: Thank you, Commissioner Barnes.

COMMISSIONER CHAMBERS: Go Memorial.

a) Conditional Use Application No. 1707510

MAYOR MESSAM: May I have a motion on this item?

COMMISSIONER CHAMBERS: Motion to approve.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Record the votes -- well, actually, on Application -- Conditional Use Application -- we have -- we have three votes on this item. May I have a motion on Conditional Use Application No. 1707510.

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 #R6766: Conditional Use Application No. 1707510, the Commission voted:

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

**Approved**

**b) Site Plan Application No. 1707509**

MAYOR MESSAM: Now may I have a motion on site plan, Application No. 1707509.

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 Chambers, to approve Resolution #R6766: Site Plan Application No. 1707509, the Commission voted:

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

Mayor Messam

Yes

**Approved**

c) Community Appearance Board Application No. 1707514

MAYOR MESSAM: And now a motion on Community Appearance Board Application No. 1707514.

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 #R6766: Community Appearance Board Application 1707514, the Commission voted:

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

d) Resolution #R6766 - Complete item

MAYOR MESSAM: And finally for the overall item 23.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: One moment, please. 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 #R6766, the Commission voted:

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

**Resolution No. 18-169**

MAYOR MESSAM: Item number 24, please.

24. Temp. Reso. #R6781 considering **Application No. 1805439, Marketplace Partnership Center Plat waiver**, for a 17.2-acre parcel, located at the northwest corner of Miramar Parkway and Southwest 145 Avenue. (*Community & Economic Development Principal Planner Michael Alpert*)

CITY ATTORNEY COLE: Item 24 is a resolution of the City Commission of the City of Miramar, Florida, considering Application No. 1805439, Marketplace Partnership Center Plat waiver, for a 17.2-acre parcel, located at the northwest corner of Miramar Parkway and SW 145 Avenue; and providing for an effective date.

MAYOR MESSAM: Mr. Alpert.

MR. ALPERT: Good evening, Mayor, Vice Mayor, Commissioners, City Manager, City attorneys, City clerks, Michael Alpert, principal planner. Marketplace Partnership Center plat was approved by the Commission in February of 1997. June of this year, the Broward County Planning Council determined that replatting is not required in order for them to subdivide this parcel further. However, the City Commission is required -- approval is required to do this subdivision. The Development Review Committee recommended approval with conditions on July 25<sup>th</sup>. The parcel is located at the corner of 148<sup>th</sup> and Miramar Parkway. A portion of the parcel is vacant; it's the parcel that is being split right now. It is the property that is outlined in red. Next. So this diagram shows the division of the parcel to the west, which is currently vacant. Staff recommends approval with conditions, as is noted in your backup. I'd be happy to answer any questions you may have.

MAYOR MESSAM: Thank you, Mr. Alpert. Do we have any questions for Mr. Alpert by the dais? Seeing none, would the applicant like to present or have a comment?

MS. DAVIS: Hi, good evening. Heidi Davis with the law firm of Gunster, here on of the applicant, and we agree with staff's report and conditions, and we're here to answer any questions.

MAYOR MESSAM: Thank you. Are there any questions of the applicant? Seeing none. Now are there any members from the public that wish to comment on this item? Seeing none, back to the dais.

COMMISSIONER CHAMBERS: Thank you, Ms. Davis, for representing your company.

MAYOR MESSAM: Are there any other comments or questions? Seeing none, may I have a motion, please, on item 24.

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 Commissioner Vice Mayor Colbourne, to approve Resolution #R6781, the Commission voted:

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

#### **Resolution No. 18-170**

MAYOR MESSAM: Item number 25, please.

- 25.** Temp. Reso. #R6782 considering **Conditional Use Application No. 1804389**, and considering **Variance Application No. 1804391**, from **Land Development Code** ("LDC") Section 804.6(A), Driveway Side Setback, and **Variance Application No. 1804392**, from LDC Section 402.7 Tables, Table 402-4, Minimum Floor Areas, for the expansion of a duplex to a five-unit Multi-Family Residential Dwelling, located at 6314 Southwest 25 Street, and providing for flexibility unit allocation. (*Community & Economic Development Principal Planner Michael Alpert*)

CITY ATTORNEY COLE: Item 25 is a resolution of the City Commission of the City of Miramar, Florida, considering Conditional Use Application No. 1804389, and considering Variance Application No. 1804391, from Land Development Code ("LDC") Section 804.6(A), Driveway Side Setback, and Variance Application No. 1804392, from LDC Section 402.7 Tables, Table 402-4, Minimum Floor Areas, for the expansion of a duplex to a five-unit Multi-Family Residential Dwelling, located at 6314 Southwest 25 Street, and providing for flexibility unit allocation; and providing for an effective date. Once again, we will have one hearing, but note there are three applications; each will need to be voted on separately, and then the item as a whole.

MAYOR MESSAM: Mr. Alpert, welcome back.

MR. ALPERT: Evening again. Next slide, please. This is a preexisting duplex that was converted into a four-unit residential dwelling. Later on, the garage building was constructed and converted into a residential unit as well. The zoning of this property is RM4. It's located in the transit oriented corridor in Historic Miramar. Therefore, it allows additional units to be approved on this property. Conditional use is required for the expansion of the nonconforming use. The two variances, as noted in your backup, are for a minimum floor area, and the side setback for one of the driveways. The Development Review Committee recommended approval of these applications on May 30<sup>th</sup>. A community meeting was held on June 26<sup>th</sup>; only one resident was in attendance, and she didn't have any concerns about this application. The Planning and Zoning Board recommended approval on July 10<sup>th</sup>. The property is located at 6314 SW 25<sup>th</sup> Street. And here are some photos of the -- the original building, as well as the garage, which is located in the rear. Staff recommends approval with conditions as noted in your backup. Be happy to answer any questions.

MAYOR MESSAM: Thank you, Mr. Alpert. Are there any questions, comments? Okay. Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Mr. Alpert, you -- we -- we have dealt with this kind of situation over the years, where, basically, what we're talking about in a number of cases is a conversion of garages, and that has always been a challenge to our resident, especially in the historic section of the City. Attempts have been made over time to adjust our demands and requests of -- of the residents who make this kind of amendment. Are we looking at authorizing this and, by extension, all who seek to make this kind of change? If so, if not, what kinds of impacts are there going to be on residents seeking this kind of approval going forward?

MR. ALPERT: In this particular case, the garage is a separate building, it's not a conversion in the normal sense of -- what we normally see in the front of the -- the building. The conversion of the duplex into four units, it was subdivided, was not known by the City until years later after it happened. We've been working with the applicants to get a permit for all the work that was done, both on the existing residential building, as well as the garage -- the separate garage building in the back. We are not able to approve the permit

unless the City Commission approves these variances and the conditional use. If we -- if that is granted, then we can approve the permit from the zoning perspective. The plans will be adjusted to meet all the staff comments from the building disciplines, and then we will be able to inspect the property to make sure it meets building codes and so forth. If it is deemed that the garage building, for example, is -- doesn't have the structural integrity to become a habitable unit, then they will have to demolish that building. If it is deemed that the subdivision of the duplex into four units doesn't meet code, and it was not done with proper structural standards, then they will have to restore it back to the original condition. So we're here tonight to ask for the Commission's approval to allow us to approve the building permit to move forward that way, and if not, then they have to restore it to the way it was.

COMMISSIONER BARNES: Thank you so much.

MR. ALPERT: You're welcome.

MAYOR MESSAM: Thank you, Commissioner Barnes. Does the applicant wish to address the Commission at all? Please state your name and address for the record, please, sir.

MR. WILLIAMS: My name is Andrew Williams. I live at 18581 Serena Pointe Lane in Boca Raton, Florida, and this is an investment property that we purchased in 2004, only to later find out that none of the work was permitted, so we just came here to ask you guys for approving the permit, so we can legalize all the modifications that was done. Thank you, very much.

MAYOR MESSAM: Thank you, sir. First, I'd like to commend you for working with the City to correct the situation. Oftentimes we have investors that don't live in the City, that buy properties and try to exhaust all options to try to be invisible or get away with noncomplying actions, for lack of a better term, so thank you for working with our staff. And you're setting a good example for others, in terms of showing that we do have a willing staff that will work to our best ability, as long as it's within, you know, the building code in our -- and when there is no option, to come to the Commission to seek remedy. So I'd just like to commend you for coming forward.

COMMISSIONER CHAMBERS: I just want to say, Mr. Mayor.

MAYOR MESSAM: Commissioner Barnes, then I'll come back to you, Commissioner Chambers.

COMMISSIONER BARNES: To highlight some of what you said, Mr. Mayor, but also to the -- the attitude that the property owner has brought to the situation. As I've said, this is a situation -- not exactly, but this whole matter of -- the purchase of property, where alterations were made in the past, and the new owners were never informed of the changes. And I'm hoping that the kind of example that is being set by this -- this -- this



property owner is something that our residents will get a better understanding of what is needed under the circumstances. And I hope we can proceed with this accordingly, and deal with whatever eventualities come up. And if I'm to -- to understand any of the attitude I've seen from the land own -- the property owner, there's a willingness on their part to -- to accept and understand what it is that they're going to be asked to do, if there are major changes that are going to take place.

MAYOR MESSAM: Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you, Mr. Mayor. I think this should be an example, moving forward. We have to put things in place, not just wait until this come before us, because this is a situation I have a discussion about in my office this afternoon, and from my stand --point of view, this is something that I've gone through in the City with three properties. I wasn't quite as lucky with the one -- I had to take everything down and start over. It was so much things that was never permit -- a permit was never pulled for the roof, driveway, addition in the back, fence, and shed. And there are so many of our resident are put in this position where they purchase a home, and they have to deal with this thing. And, I must say, what happen when you do -- some of these of these lien company do a lien search, they've seen the problem, know the -- know the problem was there. My situation, the code officer know the problem was there, and would even tell me I didn't do anything wrong, it was before I purchased the home. But what I find is that the title company are creating a hold harmless agreement, and buried it into the package, and these people sign for this hold harmless agreement, and now they own the problem. So we're going to have to work with all these resident and do something about this. Thank you so much.

MAYOR MESSAM: Thank you, Commissioner Chambers. Are there any members from the public that wish to comment on this item? Yes. Come forward, please, ma'am.

MS. FORSYTHE: My name is Agnes Forsythe again.

MAYOR MESSAM: Address? And pull that mike --

MS. FORSYTHE: 7625 Juniper Street; is that better?

MAYOR MESSAM: Thank you.

MS. FORSYTHE: With reference to what the gentleman was talking about, with people building illegally, and this and that, there's been somebody on my area who's -- who's built about three, what I should call it, not -- rooms illegal -- rooms illegally, and I've reported it to the City about 100 times, and nothing has been done. If they continue doing that, that means other people are going to do the same thing, and they're only lowering the value of other people's property, so something needs to be done with these people. Every six months they have somebody new moving into the building, and nothing has been done. Okay.

MAYOR MESSAM: Thank -- thank -- thank you for -- thank you for your comment.

CITY ATTORNEY COLE: Mayor. I don't -- I don't see a yellow sticker. I don't know if she was sworn in. Were you sworn in before you -- before? If not, --

MAYOR MESSAM: No, no. This is a quasi-judicial portion of the meeting, and you have to be sworn in.

CITY ATTORNEY COLE: We can do it now, though.

MAYOR MESSAM: We'll just swear you in.

CITY ATTORNEY COLE: We just have to swear you in, if that's okay. City Clerk.

CITY CLERK GIBBS: 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?

MS. FORSYTHE: Yes, I do.

CITY CLERK GIBBS: Thank you.

MAYOR MESSAM: Thank you. Are there any other members from the public that wish to comment on this item? Seeing none, back -- back -- back to the dais. Are there any other additional comments or questions on this item? I'll entertain a motion.

COMMISSIONER CHAMBERS: Motion to approve.

VICE MAYOR COLBOURNE: Second.

**a)** Conditional Use Application No. 1804389

MAYOR MESSAM: Okay. Well, actually the application -- the community -- the Conditional Use Application No. 1804389. I need a motion on that item.

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 #R6782: Conditional Use Application No. 1804389, the Commission voted:

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

**Approved**

**b) Variance Application No. 1804391**

MAYOR MESSAM: May I have a motion on Variance Application No.1804391, please.

COMMISSIONER CHAMBERS: Yes. 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 #R6782: Variance Application No. 1804391, the Commission voted:

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

**Approved**

**c)** Variance Application No. 1804392.

MAYOR MESSAM: And may I have a motion on Variance Application No. 1804392.

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 Resolution #R6782: Variance Application No. 1804392, the Commission voted:

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

**Approved**

**d)** Resolution #R6782 - Complete item

MAYOR MESSAM: And a motion on item 25.

COMMISSIONER CHAMBERS: Motion to approve.

VICE MAYOR COLBOURNE: 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 Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Resolution #R6782, the Commission voted:

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

**Resolution No. 18-171**

MAYOR MESSAM: On to Other Business.

**OTHER BUSINESS**

**26. Reports and Comments:**

**Commissioner Reports:**

MAYOR MESSAM: Commission reports, starting with Commissioner Riggs, and moving down.

COMMISSIONER RIGGS: No report. I just want to go home.

MAYOR MESSAM: No report?

COMMISSIONER RIGGS: No report. I just want to go home.

MAYOR MESSAM: Commissioner Barnes? Any reports, Commissioner Barnes?

COMMISSIONER BARNES: Just -- just a thank you to -- to staff for the prompt and efficient response to water/sewage challenge that a resident in Avalon had at the start of the summer. He was effusive in his praise for -- for staff that apparently came almost immediately, and took care of the challenge that he was facing.

MAYOR MESSAM: Okay. Commissioner Chambers?

COMMISSIONER CHAMBERS: Thank you, Mr. Mayor. I just want to say to all the teachers, students, and staff returning back to school for the 2018/2019 school year. Welcome back. We miss you. Much success and safety in your school. And, for me, it's the first time in ten years I don't have a child at Silver Shores Elementary. My daughter, Hailey just started Glades Middle, so -- but I'll still going to go back and volunteer at that school. I'm not going to stop -- don't volunteering there. I have built a lot of relationship there over the years, so I'll continue to be there. We had a great success this summer

with all different events. At Shirley Branca, we had celebration in the park, Jamaica Independence, and our Mayor had a wonderful Emancipendence right here in the banquet hall, another great success. And one thing this prove is that we should have a little bigger space right there at the City Hall, maybe in the open lot for the Mayor, so we can continue to grow that Emancipendence, and have more resident attend it. So I just want to thank everyone for that, coming out and celebrating. I have the pleasure of attending a pageant in -- I think it's Lauderhill at the amphi -- the theater, and this is a friend of mine, Mr. Baker, that started this pageant 29 -- 29 years ago, and his wife was being honored. She -- Mr. Baker had passed away years ago, and this pageant is still running, doing a lot of good things in our Caribbean community. It was fantastic. Vice Mayor Colbourne was there, and I just want to say kudos to those people who keep it going, the wife and so forth.

COMMISSIONER BARNES: If I may interrupt, I was affiliated with that organization from it started. I was MC for those -- just to insert that.

COMMISSIONER CHAMBERS: Thank you so much, Mr. Barnes.

VICE MAYOR COLBOURNE: That's why they awarded it.

COMMISSIONER CHAMBERS: Many thanks to all the HOA for National Night Out, our PD officers. It was fantastic. I think the rain held, I believe, in most areas, so it was a wonderful event. Looking forward to the next one, and I think I'm going to leave it there, but everyone had fun. Thank you.

MAYOR MESSAM: Thank you, Commissioner. Vice Mayor.

VICE MAYOR COLBOURNE: Thank you so much, Commissioner Chambers. Indeed, it was a great summer. In fact, there was really a lot of events. We had the privilege and honor to attend some of them sponsored by the City and some of them not. But, all together, we celebrated quite a bit this summer. I had the pleasure of having interns in my office at the same time, and I just wish all the kids a great school year: children, teachers, principal, you know, make it your best school year. I do have Adopt-a-Street cleanup coming up on September 15, so anyone who is interested in participating, I ask that they call my office, 954-602-3131. Also, talking about celebration, we do have Hispanic Heritage celebration coming up here in the City of Miramar, September 22<sup>nd</sup> at the Miramar Amphitheater from 6:00 to 11:00, so I'm looking forward to that. And I'm inviting the public to come on out and enjoy some salsa, merengue with us. And that's it for me.

MAYOR MESSAM: Thanks, Vice Mayor.

COMMISSIONER CHAMBERS: Mr. Mayor, if I may real quick.

MAYOR MESSAM: Quickly.

COMMISSIONER CHAMBERS: I just want to encourage everyone -- it's voting time, to exercise their right to vote. Please go out and tell your neighbor, your friends, your family, and just exercise that right to vote. For me, there's one item I will not be voting for, and that's increase for the School Board. I -- I -- based on what we have here in Miramar, I think the State and the NRA, the gun company, should provide security for the school. I don't think we should be increasing that property taxes. That's just how I feel. Thank you.

MAYOR MESSAM: Alright. Couple of announcements. I'd like to thank everyone on the Commission that attended the ICE hall -- the ICE town hall meeting. I thought it was important for us to get the facts out about what the City's efforts have been to date. There've been a lot of misinformation that did not have the City in the -- in the best positive light, and that town hall was -- provided the City an opportunity to get the facts out to discuss the City's position, what we could do, legally, and what we have done in regards to the ICE facility that's located in our City. This past Saturday, I had the opportunity to partner with the Trayvon Martin Foundation, Circle of Fathers, where we had a town hall meeting, discussing the issues of violence, as well as resources to -- to provide to the community, in terms of education in the father's role, and that with their children, financial literacy, and a number of topics that took place right there in the -- in -- in Town Hall. And what's kind of significant about the Trayvon Martin Foundation, they actually have a national documentary of Trayvon's life and his -- his killing, as well as the trial that comes on BET on Monday evenings at 10:00. So his story and his life is getting national attention. And for those of you who may not be aware, Trayvon actually was active in our Miramar Optimist program as a Miramar Wolverine, playing football, where his father, to this date -- to this date is still very active with the -- with -- with that program, continuing to be a positive impact in our young boys' lives that participate, as well as our young girls who are cheerleading for Miramar Optimist. The City -- the Florida League of Cities Conference was held in South Florida at The Diplomat. What was significant with this -- obviously, the City of Miramar has always been very active with the Florida League of Cities, but of note this year, we were asked to nominate a band, to be a part of the 50<sup>th</sup> anniversary of home rule, which we'll be bringing forward a resolution for the City to -- to present. And Miramar High School Patriots Marching Band led a procession at our Florida League of Cities, and represented our city very well, in terms of the procession. They played the national anthem, and did one of their marching routines at The Diplomat. And they stole the show. They were the talk of the conference throughout the conference, and we're very proud of our Miramar High School Patriots for their participation and shining so bright for the City of Miramar. And, I'm sure they enjoyed getting a half day out of school last Friday to participate. And, finally, as mentioned earlier before, we celebrated Jamaica Emancipendence, which is observance of emancipation in an island -- on the island, as well as the independence on August 6, and we recognize -- gave four recognitions. A Corporate Citizen Award was awarded to Victoria Mutual Building Society. The Business Award went to Mr. Errol Morrison, owner of Sam's West Indian Grocery Store. The Education Award went to Miramar resident, Karen Lee-Murphy, who is the associate vice president of Broward College, so if any residents that need admissions and registration assistance, one of your very own residents leads that for



Broward College, and can be an assistance. And the Community Service Award went to Ms. Norma Martin and Mr. Roland Abel, and we had a very vibrant, spirited musical performance by Willie Stewart and Friends, literally had to kick the people out of the Cultural Center, because they wanted to continue to party all night. So it was a great event. Thanks to Vice Mayor Colbourne, Commissioner chambers, who came out and ate up all the food, but it was a really good time. And that concludes my report. Mr. Attorney, do you have a report?

### **City Attorney Reports:**

CITY ATTORNEY COLE: Yes, Mayor. I do have two items. First I want to announce a couple of executive sessions. Pursuant to Florida Statute section 286.011(8)(a), governing public meetings, I, as the attorney for the City of Miramar wish to advise the City during the public meeting that I desire advice concerning two lawsuits. The first is Georgina Cid vs. the City of Miramar, Florida, Case No. 16-CV-60844; and the other is Shirley Millington vs. the City of Miramar, Case No. 15-006056. The dates and times of those sessions will be put up on the board after we coordinate the times with you, and attending the session in the Cid matter will be the Mayor and Commissioners, the City Manager, myself, Alison Smith, Matthew Mandel, and Brooke Ehrlich; and the Millington matter will be the Mayor and Commissioners, the City Manager, myself, Alison Smith, Eric Hockman, and Justin Luger.

- a) Temp. Reso. #R6803 amending the agreements between the City of Miramar, Klass-Ex, LLC and Holsen, Inc., for **general management services** at the **Miramar Regional Park** to have both agreements reflect the terms of five years and four-fifths vote to terminate. *(City Attorney Cole)*

CITY ATTORNEY COLE: The second item was -- in a prior meeting, there was a little bit of confusion as to the Commission's action regarding the amphitheater contracts. And I just wanted to try to clarify those, so we could get those contracts signed. As to the general manager contract with Klass-Ex, there was a motion made to reduce the term from five years to three years, and it was unclear whether that motion by Commissioner Chambers was just for the Holsen contract, or for the Klass-Ex contract also. Klass-Ex felt that their contract is still supposed to be five years, so they have signed a contract at five years and I just wanted to clarify with the Commission whether or not you intended for that contract to be five years or three years. So that's the first issue. And then the second issue deals with the four fifth's vote. The Klass-Ex contract has a four fifth's vote to terminate it, and Holsen felt that their contract was also supposed to have a four fifth's vote to terminate, so they've signed a contract, but the contract they signed had the four fifth's vote, so both those contracts are sitting, waiting to be signed. And the City Manager and I are prepared to sign them, but we want to make sure that what the Commission's intent was as to those two issues. So first issue is whether or not the Klass-Ex contract was also intended to reduce to three years, or whether it was supposed to stay at five years.

MAYOR MESSAM: My understanding was Klass-Ex was -- was normal, that was my understanding.

COMMISSIONER RIGGS: Me too. Five years for Klass-Ex.

COMMISSIONER CHAMBERS: I'm not sure why it was so much confusion. But I thought this was done. Maybe to make it simple, we just revert back to what the City Manager originally recommend.

CITY ATTORNEY COLE: Well, they've signed the contract with the five years, so -- the question is, do we want --

VICE MAYOR COLBOURNE: So --

CITY ATTORNEY COLE: And I think that is what the City Manager originally wanted, so if the Commission is okay with the five years, we'll just go ahead and sign it with the five years, but if there's a problem with it, you know, I just want to --

COMMISSIONER CHAMBERS: Well, my intention was not to make it complicated.

CITY ATTORNEY COLE: Okay.

COMMISSIONER CHAMBERS: I was trying to simplify it, but it seems like it's been -- gotten out of hand here. So can we just revert back to what the original recommendation was from the City Manager?

COMMISSIONER RIGGS: I don't believe that's what they wanted.

CITY ATTORNEY COLE: I don't know if that would work. I think we just either need to -

VICE MAYOR COLBOURNE: I thought -- I -- I thought both of them would be -- would have the same -- the same terms. I didn't -- I didn't think they were going to have different terms, so if there are -- if we're going to five years, I thought they would both have five years.

CITY ATTORNEY COLE: Well, Holsen was reduced to three years, and the questions was Klass-Ex also reduced to three years.

VICE MAYOR COLBOURNE: Okay. Well, Commissioner Chambers is saying --

COMMISSIONER CHAMBERS: What was changed to three years?

CITY ATTORNEY COLE: Well, the Holsen con -- your -- your motion clearly -- you made comments that you wanted the Holsen contract at three years, and then there was a

motion to reduce the term to three years, and it was unclear whether it was for both Holsen and Klass-Ex, or just for Holsen. So Klass-Ex thought that you were just talking about Holsen, and they thought their contract is still five years, and that's the -- that's the issue that's outstanding.

COMMISSIONER CHAMBERS: Yeah. My -- my intention at the time was for Holsen to be three years.

COMMISSIONER RIGGS: That's what I understood as well.

CITY ATTORNEY COLE: Just -- just Holsen?

COMMISSIONER RIGGS: Not Klass-EX.

CITY ATTORNEY COLE: So is it --

COMMISSIONER CHAMBERS: But, at this point, I thought this was done, so I'm not sure where the confusion comes in. So what I'm saying is maybe we should just leave it the way it was originally recommended by the City Manager.

VICE MAYOR COLBOURNE: What action would need to be done for -- for -- for the Commission to reverse his -- his -- his motion, because that's what I'm hearing.

MAYOR MESSAM: We would -- a couple of options.

VICE MAYOR COLBOURNE: Okay.

MAYOR MESSAM: Because we have to make the decision, so a couple of options. I think the original item had a five-year term.

CITY ATTORNEY COLE: For both.

MAYOR MESSAM: For both. Okay. And, through the discussion, there was a recommendation for the three-year adjustment -- three-year term. So I -- I would suggest that we just make it five years -- make it five years across the board, that was what was presented by the City Manager -- by the Interim City Manager for approval, Alright. We voted on it to move the item. So to make it simple, just make it five years. We have provisions, if there's no -- if -- if -- if there are performance issues with either side, there's provisions in the contract to address nonperformance; that's in place. That wasn't, you know, a situation that was debated at the time. So I just think, to keep it simple, I would just recommend we just make it five years across the Board, and if there's performance issues, our staff can manage those performance issues, and -- and enforce the contract. And anything that needs to come back to the Commission will come back to the Commission. That would be -- unless there's objection.

VICE MAYOR COLBOURNE: That's --

MAYOR MESSAM: Any other comments?

VICE MAYOR COLBOURNE: That's fine.

COMMISSIONER RIGGS: Fine.

COMMISSIONER BARNES: Fine.

CITY ATTORNEY COLE: So you want to make both contracts five years?

VICE MAYOR COLBOURNE: Yes.

MAYOR MESSAM: --, sir.

CITY ATTORNEY COLE: Okay. And then the second issue is whether or not you need a four fifth's vote to terminate the contract. Is that you -- Klass-Ex has that four fifth's vote, the Holsen does not have the four fifth's vote, and Holsen wants the four fifth's vote as well.

VICE MAYOR COLBOURNE: I think they should both have the same terms. I mean I don't know that we -- we have issues with contracts in the City what -- that would require four -- four fifths. We generally don't have an issue with -- with our contracts.

CITY ATTORNEY COLE: Well, generally, our contracts allow --

VICE MAYOR COLBOURNE: Terminating any contracts.

CITY ATTORNEY COLE: -- termination for a three fifth's vote.

VICE MAYOR COLBOURNE: I'm sorry?

CITY ATTORNEY COLE: Generally, the Commission can terminate contracts for a majority vote.

VICE MAYOR COLBOURNE: But I'm saying we generally don't terminate --

CITY ATTORNEY COLE: But here, this will require a four fifth's vote, which is --

VICE MAYOR COLBOURNE: Right. We generally don't terminate contracts. I mean that's -- it's --

CITY ATTORNEY COLE: That is true.

VICE MAYOR COLBOURNE: It's -- it's generally -- it's not generally an issue. I -- either way, I would like to see them have the same terms.

CITY ATTORNEY COLE: So is everyone okay with having them both five years with four fifth's vote? Then -- I'm sure they'll be happy with that, so I'm sure it won't be a problem with them, so if the Commission is okay -- if it -- just to make it -- just for the record, we probably should just have a vote to confirm that, and then we'll go ahead and confirm -- conform the documents accordingly.

COMMISSIONER BARNES: Motion to make these changes.

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 Barnes, seconded by Commissioner Riggs, to approve Resolution #R6803, the Commission voted:

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

**Resolution No. 18-172**

CITY ATTORNEY COLE: Thank you.

**City Manager Reports:**

MAYOR MESSAM: Mr. Manager, do you have a report? Alright.

**FUTURE WORKSHOP**

<b>Date</b>	<b>Time</b>	<b>Subject</b>	<b>Location</b>
09/05/18	5:30 p.m.	Miramar Economic Fund and Opportunity Zone	Commission Chambers
09/17/18	5:30 p.m.	Disparity Study Implementation	Commission Chambers

**ADJOURNMENT**

MAYOR MESSAM: Alright. On that note, this meeting is adjourned, and we beat 9:30.

The meeting was adjourned at 9:30 p.m.

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Denise A. Gibbs, CMC  
City Clerk  
DG/cp