



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

**August 21, 2019**

**7:00 P.M.**

The regular meeting of the Miramar City Commission was called to order by Mayor Messam at 7:06 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 Alexandra P. Davis  
Commissioner Winston F. Barnes  
Commissioner Yvette Colbourne  
Commissioner Maxwell B. Chambers

The following members of staff were present:

City Manager Vernon E. Hargray  
City Attorney Jaime 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: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Here.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Here.

CITY CLERK GIBBS: City Manager Hargray.

CITY MANAGER HARGRAY: Here.

CITY CLERK GIBBS: City Attorney Smith.

CITY ATTORNEY SMITH: Here.

CITY CLERK GIBBS: City Attorney Cole.

CITY ATTORNEY COLE: Here.

## **PLEDGE OF ALLEGIANCE**

MAYOR MESSAM: Let us all rise for the pledge of allegiance. (Pledge recited)

## **A MOMENT OF SILENCE**

MAYOR MESSAM: At this time, we will observe a moment of silence for any condolences we may be experiencing in the community. I would like to read a commemoration list of Miramar city employees that have bereaved families and deceased relatives. Employee Deanna Allamani, Community & Economic Department, lost her husband; driver engineer, Robert Manza, Fire Department, lost his mother and aunt; Lieutenant Nicholas Wydra, Fire Department, lost his grandmother; Lieutenant Jaime Torres, Fire Department, grandmother; Captain Timothy Hester, Fire Department, lost his niece; driver engineer Bo Dixon, Fire Department, lost his mother; Alison Toussaint, Social Services, lost her mother; Daryll Johnson, Support Services, Administration, lost his grandmother. And from Miramar Police Department, we recently lost two of our retired police canines, Officer Champinos, canine Boss, end of watch, June 27, 2019; Officer Lonnie Nix lost his canine Cammo, end of watch August 7, '19. And for the public, end of watch means the day they died, the canine died. So, at this moment, let us all observe a moment of silence. Thank you.

## **PRESENTATIONS & PROCLAMATIONS**

MAYOR MESSAM: We have a couple of presentations to begin our Commission meeting.

Presentation: U.S. Conference of Mayors Youth Summit (Representatives Jayden and Justin Gadson)

MAYOR MESSAM: And our first presentation is on the topic of U.S. Conference of Mayors Youth Summit presented by representatives Jayden and Justin Gadson of Everglades High School, and then there's My Brother's Keepers Program. Good evening, gentlemen.

MR. GADSON: Good evening, Mayor, Vice Mayor, Commissioners, City Manager, City Attorney, City Clerk, my name is Justin Gadson.

MR. GADSON: And my name is Jayden Gadson.

MR. GADSON: So a little about myself. My name is Justin Gadson, I say from before. I'm a senior at Everglades High School. Outside high school, I'm a City of Miramar Police Explorer. I'm also a part of the Mayor's My Brother's Keeper Program.

MR. GADSON: Hello, my name Jayden Gadson. I am a senior at Everglades High School. Outside of school, I'm a City of Miramar Fire Cadet. I am also a part of the Mayor Wayne Messam's My Brother's Keeper Program.

MR. GADSON: This year, Mayor Wayne Messam afforded my brother and I the opportunity to go to the 2019 Conference of Mayors Youth Empowerment Summit. This summer -- this summit is based on the idea that the mayors from across the country and the youth advisory board council members come together and share -- share and develop ideas on the way they can better their community, and their youth advisory board councils themselves.

MR. GADSON: Our experience at the Conference of Mayors. Overall, we had an amazing experience. We were able to network when meeting mayors from across the country from City of Calabasas, Oregon, and even from South Florida area. And we were able to meet a lot of youth advisory board council members, and hear the ideas, what they're using at their youth advisory board council to make their cities and communities better. So at the 2019 Mayor's National Youth Summit, there were three breakout sessions. The first one was building effective youth councils, fostering youth engagement and youth involvement. And here are key notes. So the first one, building effective youth councils, keynotes are: make sure everyone has a voice; be bold, be honest, speak about problems that interest you, and act upon them. Give youth councils power and responsibility to act on problems that we're facing as a nation. We need true leadership. Leadership that empowers our nation and the next. Next is fostering youth engagement. They decided to make it a national holiday or suggested making a national holiday where people go out and vote for federal elections, starting a civic education class, teaching students about city municipal,

federal government and state government. Next, sending out -- sending out information packets involving citizens -- informing citizens on how to vote, and the candidates that are running for position. Finally is youth involvement. Our keynotes are don't be a leader of tomorrow, but be a leader today. Go out there and be the change that you like to see in your community. Next is activism; without action, it's just a meeting. Believe in love, humbleness, and be fearless. Think about the next generation, and the others to follow. And, lastly, respect drives the future. So here's a recap of the Mayor's National Youth Summit. Here's all the pictures. In the middle, we have the panel; that was our panel of the Mayor's National Youth Summit. It consists of different consists of different youth council board members, and different mayors across the United States. On the bottom right is me and my brother, and the founders of the United States Conference of Mayors. The president, Bryan K. Barnett, and the vice -- vice president, Greg Fischer. And, finally, what -- we'll thank Mayor Wayne Messam and United States Conference of Mayors once again.

MAYOR MESSAM: I would like to thank Justin and Jayden for participating in this event. It was a initiative that was launched by the U.S. Conference of Mayors while we were at this annual's U.S. Conference of Mayors Conference this year, and I was -- was very fortunate to have Justin and Jayden to be able to represent the City of Miramar. I received, even after the event, numerous text messages and emails from some of my colleagues from across the country on how well you represented, not only yourselves and your family, but the City of Miramar. We could not be more proud of you all. And I think we didn't state where was this summit.

MR. GADSON: It was in Los Angeles, California.

MAYOR MESSAM: Yes, good. So -- and the trip was actually underwritten by the U.S. Conference of Mayors and sponsors for -- for the summit, and it's a wonderful opportunity to have youth interface, not only with corporate leaders, but mayors across the country, as well as their peers from across the country. So thanks so much, and for giving us just a few days of your summer to be able to broaden the horizons, and, as well, thank you so much for your participation in our -- being -- be a fire cadets and police explorers here in the City of Miramar, and all the volunteer hours that you put in the community. Thank you so much.

MR. GADSON: Yes, thank you, sir.

MR. GADSON: Thank you.

Presentation: Recipient of the Distinguished Budget Presentation Award for the Fiscal Year 2019 Operating Budget from the Government Finance Officers Association (GFOA) (Director of Management & Budget, Norman Mason)

MAYOR MESSAM: Our next presentation, recipient of the Distinguished Budget Presentation Award for the Fiscal Year 2019 Operating Budget from the Government

Finance Associate -- Officers Associations, GFOA. I'd like to call forward Director of Management & Budget, Mr. Norman Mason.

MR. MASON: Thank you, Mayor. Good evening, Mayor, Vice Mayor, Commissioners, City Manager and the other staff as well. Thank you. I'll be brief, because you'll hear a lot from me over the next seven weeks standing right here. So, today, I would like the Management & Budget team to stand, wherever they are. I couldn't surprise them. I had to tell them to come here. So I'd like to recognize them. The next slide, please. But, mostly, the budget team accomplishments that they have put forth over the last four years, specifically. There's been no operating budget amendments. There's been expenditures within the adopted budget, not the revised budget, the adopted budget. Most importantly, I can say those things, and people think, "That's nice." The budget culture through the City has changed since 2016. In 2010 through '15, the City of Miramar did \$40 million of budget amendments. Since then, you've taken \$0.0 from your reserves from changes to your budget, because we haven't changed your budget, we've delivered. We had to do one for a hurricane. Other than that, we have done no or zero budget amendments. What you may not know is there's a constant, for the most part, march into our office for funds needed by departments, but we're able to help them, and that group is the group that assist them to find ways to make savings. You may ask, "How do you do that?" In your own personal life, I don't plan for my garage door to breakdown, so I don't call the kids and cancel the Disney World trip because it breaks down in April. I figure out how to come up with that money, so we help the departments. Don't get me wrong, they follow our lead. But without the Manager, without your leadership, those people, this budget culture wouldn't exist. And one other thing, other cities are watching the City of Miramar in terms of their budget. We are a leader in what we're providing in terms of living within our budget. Very few cities do that, and you can compute that \$40 million in six years was done here. The last four years, zero, so that's about a \$24 million savings. So, with all due respect, when you tell us to sharpen our pencil, we're sharpening it every day, not just once a month, like some cities in September. So I thank you for your constant support, the Manager, and all the departments, of course, working with this team in creating a new budget culture in the City, and we look forward to continuing the success that we've had the last four years, so thank you.

MAYOR MESSAM: Thank you, and well -- and job well done by our budget team through the leadership of our City Manager. I know it's not an easy task, in terms of keeping and making sure that our budget is maintained and adhered to on behalf of the -- our ultimate bosses, which are the taxpayers. So thanks so much for your leadership in that, and it's nothing better than to be recognized by your industry peers in your work, which this distinguished honor does. So thanks so much for all that you do for the City of Miramar.

Presentation: U.S. 2020 Census Complete Count (U.S. Census Bureau Partnership Specialist Ana Maria Diaz)

MAYOR MESSAM: Our next presentation, which will be followed by a proclamation -- we'll do the presentation first, will be a U.S. 2020 Census Complete County, followed by

a proclamation requested by Commissioner Yvette Colbourne, which we'll present after the presentation. And I'd like to call forward Ms. Jacqueline Hill-Arroyo. Welcome ma'am.

MS: ARROYO: Good evening. Thank you, Mayor, City -- Vice Mayor, Commissioners and City Manager. Thank you for inviting me here today to speak to you about the importance of the census, and the benefits of being counted. My name, again, is Jacqueline Arroyo, I'm a partnership specialist with the U.S. Census Bureau. In this capacity, I help create partnerships with organizations, governments, businesses, and the community to increase awareness, motivate people, and promote Census participation. As you might know, the U.S. Census Bureau is the federal government's largest statistical agency, and we are dedicated to providing current facts and figures on America's people, places and economy, and we achieve this by one thing, is to conducting surveys of households and businesses across the nation annually. In addition, the United States' Constitution, Article One, section two, requires that once a decade we conduct a count or census of America's population. The first census was conducted in 1790, and on April 1<sup>st</sup>, 2020, we'll conduct our 24<sup>th</sup> census. The purpose of the census is to count every person living in the United States once, only once, and in the right place. You might ask why is it important that everyone be counted; that boils down to two reasons: power and money. And when I talk about power, I'm talking about political power. As a result, census results determine how many seats we get in -- in Congress; specifically, the number of seats we get -- the number of congressional seats we get in the House of Representatives is adjusted based on census population. In 2010, Florida received or picked up two seats because of the population shift in the north. When I talk about money, I'm talking about economic impact. So responding to the census allows our community to get its fair share of federal funding, so census results guides how more than \$675 billion in federal funds are distributed annually to states and local communities. And that equates to more than \$4 trillion over a decade, and these funds are used by communities to create jobs, builds roads and schools, have a fair share of Medicaid and Medicare, Head Start, Title I programs, just to name a few of them. But it's not just power and money that's important here. Responding to the census is our way of participating in our democracy, and saying that: I count. But because of the constitutional importance of the census, federal law requires that we respond. But you don't have to worry, because the -- the responses to the 2020 Census are safe, secure, and protected by federal law. Title 13 of the U.S. Code requires the Census Bureau to protect personal information and to keep it confidential. In addition, the information that you share with us is -- only can use -- can be used for statistical purposes. As a matter of fact, census employees are required to take an oath to protect personal information for life, and if we violate that oath, we can be charged up to \$250.00 -- \$250,000.00 in fine, and up to five years in prison. In addition, your responses to the census can never be used against you, not by any fellow agency, not by any court, not by the FBI, CIA, Homeland Security, or Immigration. And, finally, under Title 44, census data must be sealed for 72 years. So responding to the census is important, and it's safe, and it's also easy. Prior census cycles, households were -- 90 percent of the households were given a paper questionnaire, asked to fill it out, and then send it back. But for the 2020 Census, households have the option of responding online, my mail, or by telephone. So what does that look like? So any instrument that you have

that can access the internet can be used to respond to the census. I'm talking about cellphone, iPad or laptop. If you're not technically inclined, you can call our toll free number and give your information over the phone. And we have census employees who speak up to 13 different languages, and that includes English. In addition, if you want to go old school, you can complete the census by paper, pencil, questionnaire, and we even pay for the stamp to send it back. I'll just give you information on timelines. Invitation to respond online or by phone, we would go out to households beginning March 12<sup>th</sup>, 2020. All household who don't respond will receive reminders in the mail, and eventually a paper questionnaire. Final -- finally, postcards will be sent out between April 20<sup>th</sup> and 27<sup>th</sup>. And June and July of 2020, census takers will go door to door to count individuals who did not respond. So what is it I'm asking of you? I'm asking if you could join us in spreading the word. Help us educate the community on how the census is easy, it's safe, and it's important. Become a census partner; use your trusted voices to bring awareness by including census information in your newsletters, your websites, your podcasts and your mailings. Share your ideas on how we can work together to achieve a complete and accurate count in the community. Create or join a complete count committee, and partner with other trusted voices and influential leaders in ensuring -- who are there to ensure that we have a complete count. And I understand that you will be doing a complete count committee, correct?

MAYOR MESSAM: We will -- would you repeat that, please?

MS. ARROYO: You'll be doing a complete count committee in Miramar. And we also have available jobs and positions on our website, the link of [2020census.gov/jobs](https://2020census.gov/jobs), and you can share that with your community as well.

MAYOR MESSAM: Yes.

COMMISSIONER COLBOURNE: Thank you.

Proclamation: U.S. 2020 Census Complete Count Committee Formation (Requested by Commissioner Colbourne) (Mayor Wayne M. Messam)

MAYOR MESSAM: So if there are questions -- before I have any questions, I know Commissioner Colbourne requested a proclamation in regards to the efforts for the City of Miramar to have a complete count, so if she can provide some brief remarks if there are any questions from the Commission, I invite the Commission to pose any questions. Commissioner Colbourne.

COMMISSIONER COLBOURNE: Thank you very much. I just want to thank you for the presentation. The census is very important, and that is -- that is why I have taken an initiative, and I brought it to the Commission. I've attended Broward County meetings, and we are -- our City employees are -- are now involved, and City staff. And we've made -- we've made the first step, which is to -- to do a proclamation, and we'll be forming the complete count committee, and getting information out to our residents on that, so thank

you so much.

MAYOR MESSAM: Thank you, Commissioner. I do have a question. Obviously, you being here today is a great step in terms of providing public information regarding how the Census work, what it would do, and how the information would be used. Will there be any additional resources available, especially in light of some of the concerns regarding the -- the citizenship status question that was in doubt until the courts settled and the Administration decided not to, ultimately, put that question on the ballot. It may have some impact on the count. So as you expressed today in terms of what the information can be used for, quite frankly, there may be individuals in the community that still may be wary or apprehensive, just due to the -- to the lead up to this point right now. So are there going to be, for example, any available resources that will emphasize, in terms of how this information is used, what can it be done or what it can't be used for in terms of immigration status and enforcement?

MS. ARROYO: We're doing several things. We're -- Census employees are going out to the communities to talk about how -- how this information is going to be used, who we don't share it with. We hoped to achieve individuals within the community, through hiring in Census positions, and through your complete count committees, so that you can go out into the community, the trusted voices. I, as a Census employee, can stand out in your streets and talk all day about how the information can't be used or how we don't share it with anyone, but a trusted voice, a clergy person, someone who helps someone with the social security information or with children care would be believed much quicker than I will. As we get closer to 2020, there will be a lot of PSAs on TV and radio from the corporate office in D.C., talking about the Census and assuring people about the safety and confidentiality of the Census.

MAYOR MESSAM: Thank you. So, at this time, I'd like to invite Commissioner Colbourne forward for the presentation of the proclamation. May I have the entire Commission come forward, please. Proclamation, U.S. 2020 Census Complete Count Committee Formation Day, August 21<sup>st</sup>, 2019, requested by Commissioner Yvette Colbourne and:

Whereas, every ten years, the U.S. Census Bureau counts residents across the country; Whereas, April 1<sup>st</sup>, 2020, is nationally recognized as Census Day by the United States Census Bureau; and, Whereas, the City Commission deems it to be the best interest of the City to approve the formation of a U.S. 2020 Census Complete Count Committee; and, Whereas, the purpose of the 2020 Census Complete Count Committee is to raise awareness in the City of Miramar of the importance of Census 2020 to aggressively reach out to to enumerate groups and encourage participation; and, Whereas, the information collected by the Census is confidential and protected by law; and, Whereas, the Complete County Committee is comprised of a united voice from business, government, community-based and faith-based organizations, educators, media and others to enable the 2020 Census message to reach more of our citizens; and, Whereas, the complete count ensures accurate census data that is critical for government programs, policies and decision making, including federal



representation and the funding of programs, along with the American Community Survey. It is a vital tool for economic development and increased employment; and, Whereas, the appropriate City officials are authorized and directed to execute what is necessary to comply with this proclamation. Now, therefore, I, Wayne Messam, Mayor of the City of Miramar, on behalf of Commissioner Yvette Colbourne and the City Commission, do hereby proclaim August 21<sup>st</sup>, 2019, as the official start of the U.S. 2020 Census Complete County Committee Formation Day.

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

MAYOR MESSAM: All right. The time is now 7:32. It is the time we've set aside for public participation. Before I call individuals up who have signed in to the sheet, if you have signed onto the sheet to discuss or to make public comment on an item that is on the agenda, you will be heard when the item and agenda number has been called, so you will have an opportunity to speak on that item, just not during the public participation, which is open -- for open public comments. We reserve specific public comment time during each respective item. So if you signed in for an item number on the agenda, you will not speak during the public comment portion, but you will have an opportunity to speak during the item number. And first on the list is Ms. Debra Scialabba.

MS. SCIALABBA: Good evening. Debra Scialabba, 6490 SW 26 Street. I'd like to respond to Commissioner Colbourne's comment June 12 Commission meeting after my comments and statements. First, let me say that I have lived in Miramar for 26 years in the same house and have been actively involved from that time in the government of our City. When I come up before you and speak on behalf of several residents, it is simply just that. Yes, we know that you are a city official, and elected officials and some residents are your constituents that voted you in that office right where you sit there this evening for two terms. Residents I speak on behalf know me, know I research and report my findings. They do not want to make an appointment with any specific Commissioner, or stand before you at a Commission meeting, at any meeting. Residents know me a long time, they know I would never mention their names. I am not campaigning for any election, and I am their voice at City Hall. Again -- now I wanted to speak about the janitorial services where we hired 200 -- where it cost us 260 plus thousand dollars to include Miramar residents getting the -- the living wage. Do we have anybody monitoring this, the name and addresses of the employees, that they live in Miramar for this company that are working for janitorial services, so that we can at least monitor that, the -- the cost of the increase. Thank you.

MAYOR MESSAM: Thank you. Mr. Richard Taylor.

MR. TAYLOR: Richard Taylor, 3900 East Lake Terrace. Good evening, Mayor, Vice Mayor, Commissioner, City Attorney, City Manager. I wanted to speak to you today regarding a situation involving one of my neighbors. They're an elderly person, and I'm a real estate professional, and they asked me about selling their home, because they can

no longer afford it. It concerns me that we have residents that need to leave the area because they can no longer afford their home, and they're are not able to get the assistance that they need through Social Services. My ask is how can we get more information to these people, or provide them with more services, in lieu of some of the other activities that I see going on, such as a pavilion at Shirley Branca Park?. Shirley Branca Park was updated in November and reopened in 2017. Currently, the splash pad does not work, and the park is in need of some updating, some painting, and also some pressure washing. On Wednesday, I went to River Run Park, only to find that some of the picnic tables are rusty, painting is peeling, and, quite honesty, they're a danger to the people who use them, because they can be cut. And the last thing that I want to ask the Commission to do is enact a plastic bag ban for the entire city. In the State of Florida, only Coral Gables currently bans plastic bags, and I think that this would put us ahead of the curve, especially in Broward County. Thank you.

MAYOR MESSAM: Thank you, sir. Mary Raynor.

MS. RAYNOR: Good evening. Mary Raynor, 5025 SW 35<sup>th</sup> Terrace in Fort Lauderdale. First of all, I have a few things to say. We will be dissolving United Neighbors of East Miramar as of October of this year due to the people being very upset and disgusted with the City now, and no one wants to take it over. It's a shame, but the funds that are left, we are going to be purchasing gift certificates for the seniors for Thanksgiving. We will file the papers with the State for dissolving the organization. We spent a lot of money on National Night Out this year and feel that the City did not work together with us. My suggestion is, in the future, is to have one event on the east side and one on the west side, because it is so divided, just like the Commission are. Public Works was supposed to give us the barricades to close off the street at 69<sup>th</sup> Avenue -- of course, never showed up with them. Luckily, my community officer, Julie Bermudez parked her car and put up whatever she could, cones she had to -- to block off the street. The message boards were supposed to be put up early to advertise our event. Instead, they were still out by Palm Avenue saying not to text and drive. The splash pad was supposed to be on. Eight City workers, like department heads, were -- were there, could not put it on, because it was not put in correctly. If I recall, at a Commission meeting, a woman engineer with the City was asked who added the splash pad, and was -- which was not on the original plan, so she decided to put it in herself. What is wrong with this picture? More money that the City has wasted on stupid things. What is going on with the Commission with all these different activities. It's like you're competing against each other to see who -- who can do the best. What happened to the City of Miramar having these events, and what about Miramar Days? It seems thought it's either Caribbean, Haitian events, or Reggae music events. The impression you have made with the City is that if you are not black, you do not belong. When I sent some emails, I don't get a response. A lot of the City employees that are white have left the City. What's wrong? I have gone through many of the sewer projects on the east side, owning many properties, and this phase has been the worst, with the water that's being disconnected so many times, and for hours. How many times are they going to dig up one street? Some of these people that you have put on these

City boards do not understand the purpose of the board, and what they are allowed to do. Thank you.

MAYOR MESSAM: Angel Gomez. Hello, sir.

MS. GOMEZ: Good evening, Mayor, Vice Mayor, Commissioners, City staff. I'm Angel Gomez, 600 SE 3<sup>rd</sup> Avenue in Fort Lauderdale. I come to you to introduce myself. I am the -- I work in the Office of Governmental Affairs in the School Board of Broward County. I work on your liaison with the Superintendent and the School Board members. Also, I work with you. I'm actually -- I work with your Education Advisory Board, and I'm a -- the superintendent appointee for your Miramar Citizens Blasting Committee. And just met with Mr. Collins, who set me straight on when the next meeting will be. I'm happy to be here. I just wanted you guys to put a face with the emails, and a -- and the name. I'm happy to be here. Come to you with a little bit of experience. I'm a former city commissioner for 11 years in the City of Weston, but, most importantly, I am -- very recent former proud principal of one of our high schools. So anything that you guys need, you know where to get me, but I just wanted to come introduce myself, and make myself available for whatever you may need. Thank you. Have a great day.

MAYOR MESSAM: Thank you so much, Mr. Gomez. Look forward to working with you, sir. If you've signed on the list, and I see that it's an item on the agenda, you know you'll speak during that item. And that concludes our public participation. There are four other signers, but --

FEMALE SPEAKER: (Inaudible).

MAYOR MESSAM: No, you do not have to sign for items that are on the agenda; during their presentation, I will present to -- I will provide an opportunity for the public to speak.

MAYOR MESSAM: All right. Now onto Consent Agenda. Items listed on the Consent Agenda are viewed to be routine, and the recommendation will be enacted by one -- oh, that's right, that's right. I will do -- we have a -- we're going to move up the firearm presentation, actually, before we go to the Consent Agenda for an update by the City Attorney regarding the update on the firearm case.

CITY ATTORNEY COLE: Thank you, Mayor. On -- as you know, the City of Miramar and its elected officials were lead plaintiffs, some of the original plaintiffs in a lawsuit that was brought by 30 cities, three counties, and 78 elected officials in Tallahassee, challenging the onerous penalties that can be imposed if any of you vote for and enact or enforce any local regulations of firearms. Specifically, if you -- under the statute, if you act to enforce a local regulation of firearms, you can be thrown out of office by the Governor, you can be personally fined \$5,000.00, and the City can be sued for damages up to \$100,000.00 per person. This was enacted by the Legislature. It was an unprecedented thing in Florida. And it's really the only situation where you could actually do something and be thrown out of office and fined because of the way you vote. So Miramar took the lead,

along with several other cities filing this lawsuit. I'm very happy to report on July 26, Judge Charles Dodson ruled in favor of the cities and invalidated all the penalties. In the 20 years I've been here, we've handled lots of lawsuits for the City, we've won a lot of lawsuits, and some have even brought in millions of dollars, but I don't think any are as significant as this. This is an extremely important decision, as far as home rule power, and the ability of cities to do what you think is right for your community, as opposed to what Tallahassee tells you. It was hard fought by the Attorney General and the Governor, and a certain group with three initials; I'm sure you'll figure out who that three initials would be. And I'm very happy to report that they have appealed the decision, so the decision is stayed for now, and you can't -- you still face those penalties if you take action, so there's really no actions that you should take. I did also mention that you each received an email, as did every, probably, State official, elected official in cities from Mayor Dan Stermer from the City of Weston, who is one of the leaders in this group. Talking about another effort that he's putting together and asking for you to join. Specifically, there is a petition drive going on to put a ballot question on the -- on the ballot in November 2020 to ban assault weapons. Right now, you cannot as a city, ban assault weapons, even if you want to. The only way this could change is if the Constitution is amended. On July 26<sup>th</sup>, the same day that Judge Dodson entered his order, the Attorney General filed a request with the Florida Supreme Court to take that off the ballot, even though 90,000 residents have already signed petitions, and they're still in the process of getting the rest. So when this process goes forward in the Florida Supreme Court, any interested parties can file briefs. The -- there's a strong expectation that certain interest groups will be filing briefs, and the City of Weston has determined that the cities should get together, and also file a brief giving the positions of the cities, so that you will also be heard. This does not take a position on the ballot question itself, this is just whether or not the voters should get to vote. So that, based on the email that you received, the City of Weston has asked that you join in this group. Just like the other lawsuit, it will be a flat fee, and it is distributed - - divided by all the cities, so the amount of expense will be relatively small. But the City is trying to -- of Weston is trying to get lots of cities together quickly, because this is going to be a very quick briefing process. So I did want to bring this to your attention, if you wanted to act on it, but most importantly, I did want to give you the results of the -- of the lawsuit.

MAYOR MESSAM: Thank you. I'll open the floor for discussion regarding the request by our neighbor, Weston, to get a group of cities to ensure that the question -- to file a brief to this -- to this case in support of having this question placed on -- on the ballot. The City of Miramar, we've been in a leadership position in regards to the suit that we just was successful in, along with our fellow municipalities. And I think it's appropriate for us to continue to press this issue. I have one speaker, recognize -- Vice Mayor Davis, you're recognized.

VICE MAYOR DAVIS: Thank you, Mayor. So, Attorney Cole, the Mayor of Weston? Is that commissioner or mayor of Weston who's starting this process?

CITY ATTORNEY COLE: It's Mayor Stermer from the City of Weston, --

VICE MAYOR DAVIS: From -- from Weston.

CITY ATTORNEY COLE: But they voted -- they voted as a Commission to -- to do it on Monday night.

VICE MAYOR DAVIS: Has he gotten any buy in from other cities yet?

CITY ATTORNEY COLE: Well, he sent out the email this afternoon. The City of Miami Beach, however, has indicated that they're interested in joining, and Broward County's attorney has contacted us with interest. But, like I said, it just, just started.

VICE MAYOR DAVIS: Just started. Okay. And the -- as in the other cases, roughly how much are the fees involved?

CITY ATTORNEY COLE: Well, this case is going to be a lot less than the other case.

VICE MAYOR DAVIS: Okay.

CITY ATTORNEY COLE: It's not much involved -- it's going to be a flat fee of \$25,000.00 divided by all of the cities, so if there's 25 cities, it'll be \$1,000.00 each. If there's ten cities, it would be \$2,500.00 each. If you want to move forward, one thing you may want to do is say you'll move forward, but only if the maximum amount is X, so that if -- you know, if -- if just you and Weston -- you don't want to spend \$12,500.00, but if you say that you're willing to do it, so long as the total amount that the City is paying is not more than three or four thousand dollars, then you -- you could do it that way to -- so you're not in a position that you're really at risk.

VICE MAYOR DAVIS: And in your opinion, the more cities that join in, the better the outcome?

CITY ATTORNEY COLE: Absolutely. I think it was very telling in -- in Tallahassee, when I argued this, when I went up there and I said we're representing 30 cities, three counties, and 78 elected officials, it was -- you certainly have a lot more impact than if you're just representing one or two cities.

VICE MAYOR DAVIS: Okay. Thank you.

MAYOR MESSAM: Commissioner Colbourne, you're recognized.

COMMISSIONER COLBOURNE: Yes, thank you. First of all, I wanted to say thank you so much for the work that you did on -- on the lawsuit, concerning -- concerning the gun issue. And I'm very happy with -- with the results. Unfortunately, it's been -- on appeal, so it's my understanding, we can't do anything -- we can't do anything yet. I was one of the commissioners that -- that personally put my name on -- on the list as well, so -- in

terms of -- of what Weston is asking now, I guess my question is, does it have -- do we have to decide right now on this?

CITY ATTORNEY COLE: You don't have to do --

COMMISSIONER COLBOURNE: Okay.

CITY ATTORNEY COLE: -- do it now. There's a -- a very short time period though. The brief's going to have to be done quickly, and to get the momentum going, we're hoping that some early cities take the lead, just like you did last time. Last time you were, I think, the second city after Weston to do it; it really got the momentum going, so that's why I brought it up this evening. You don't absolutely have to do it this evening, but, you know, if you did, I think it would get the momentum going.

COMMISSIONER COLBOURNE: Thank you.

MAYOR MESSAM: Are there any other comments or questions? Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Just to indicate my unswerving support for us going forward under the lead of Weston. It is essential for us to make statements that indicate that we stand for a number of principles, and if the ruling that is now being appealed is any indication there are people who think that maybe, just maybe, we're on the right track.

MAYOR MESSAM: Thank you, Commissioner Barnes. As stated that -- as mentioned earlier, I'm in complete support of this. Obviously, when you talk about assault styled weapons, it's not only a local issue that we are dealing with here, but it's also an issue that is discussed nationally. And with the inaction in Washington that's apparent in terms of addressing this issue, this is another opportunity for us, as local elected officials to take the leadership, as it relates to meeting the overwhelming majority of Americans across the country that wants us to act on this -- at least on this -- this matter with assault-styled weapons. And this is an opportunity to put the question to the people. And I think whatever efforts or whatever support that we can give as a municipality, that we do so just as we stepped up with the -- with the lawsuit. Now, at this time, based off of comments from Mr. Cole, I will entertain a motion in support of this, but if we want to place a cap, in terms of --of -- of the -- of -- of expenses that we would be willing to incur to move this forward, I would ask that that motion be placed in it. Question -- quick question for you, Mr. Cole. How many cities were in the initial lawsuit, just so we can have a gauge?

CITY ATTORNEY COLE: There were nine. So I would think if you say \$3,000.00 cap, I think you're probably going to be safe.

MAYOR MESSAM: Okay.

CITY ATTORNEY COLE: Hopefully, it will be a lot more cities, so it will be a lot less than that.

MAYOR MESSAM: Okay. All right. So we have an idea of what to, I guess, anticipate, based off the initial lawsuit, in terms of participation, not a guarantee, but at least we'll have a cap. So if anyone wants to move forward a motion.

VICE MAYOR DAVIS: I make a motion to move forward with the cap of the \$3,000.00.

COMMISSIONER BARNES: Second.

MAYOR MESSAM: Right. Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Davis, seconded by Commissioner Barnes, to approve moving forward with the City supporting the City of Weston's ballot question initiative as detailed by City Attorney Cole, with a \$3,000.00 cap on the City's fee contribution, the Commission voted:

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

**Approved**

## **CONSENT AGENDA**

MAYOR MESSAM: All right. 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 any members from the public that wish to speak on any of the items that are listed under Consent Agenda, items one through four? Seeing none, back to the dais. Are there any items the Commission -- any Commission member would like to pull? If not, I'll entertain a motion.

COMMISSIONER COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes, please.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

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

Commissioner Barnes	Yes
Commissioner Chambers	Yes
Commissioner Colbourne	Yes



Vice Mayor Davis  
Mayor Messam

Yes  
Yes

1. Minutes from the Workshop and Regular Commission Meetings of July 10, 2019.

**Approved**

2. Temp. Reso. #R6893 approving the award of Request for Quote No. 19-PR037, entitled "**Temporary Landscape Maintenance Services**" to Prestige Property Maintenance, Inc., for 14 City of Miramar park properties, in an amount not-to-exceed \$58,083, for a total expenditure of \$189,639 to date for Fiscal Year 2019 with the provider. *(Parks & Recreation Administrator Billy Neal and Procurement Director Alicia Ayum)*

**Resolution No. 19-156**

3. Temp. Reso. #R6999 approving the renewal of **Fire Apparatus Maintenance and Services Agreement** with Hall-Mark RTC, in the annual amount of \$200,000, for the second one-year renewal period, commencing October 1, 2019. *(Public Works Director Anthony Collins, Fire-Rescue Chief Robert Palmer and Procurement Director Alicia Ayum)*

**Resolution No. 19-157**

4. Temp. Reso. #R6999 approving the renewal of **Fire Apparatus Maintenance and Services Agreement** with Hall-Mark RTC, in the annual amount of \$200,000, for the second one-year renewal period, commencing October 1, 2019. *(Public Works Director Anthony Collins, Fire-Rescue Chief Robert Palmer and Procurement Director Alicia Ayum)*

**Resolution No. 19-158**

***End of Consent Agenda***

## **RESOLUTIONS**

MAYOR MESSAM: Item number five, please.

5. Selection of **City Attorney**; RLOI No. 19-06-26 entitled "City Attorney Services". *(City Commission)*

CITY ATTORNEY SMITH: Item number five states Selection of City Attorney; RLOI No. 19-06-26 entitled "City Attorney Services".

MAYOR MESSAM: At this time, I'd like to call Assistant City Manager Gill for a brief -- for a brief presentation.

ASSISTANT CITY MANAGER GAYLE: Good evening, Mr. Mayor, Madam Vice Mayor, City Commissioners, I'm Shaun Gayle, Assistant City Manager. This presentation is to provide a background and process for the selection of city attorney services. At the City Commission workshop on May 15, the Commission instructed staff to solicit new proposals for city attorney services. On June 6, 2019, a request for letter of interest or ROLI was advertised in a newspaper of general circulation, on DemandStar, and emails to local firms. The RLOI requested that proposals demonstrate experience, qualifications, a fee structure, and references to serve as counsel on behalf of the City of Miramar. Four proposals by the due date of June 20<sup>th</sup>, 2019. We also want to point out that additional letter was sent to the four proposers due on July 8<sup>th</sup>, 2019, to advise them that the City Commission could contact them regarding the LOI -- the RLOI, and to request additional information. The four proposals were -- received were as follows in alphabetical order: Austin Pamies Norris Weeks Powell, PLLC; Bryant Miller Oliver; GrayRobinson; Weiss Serota Helfman Cole & Bierman. The City's internal auditor, S. Davis & Associates, P.A., reviewed the proposals, and prepared a matrix for the responses, which was provided to the City Commission on August 16<sup>th</sup>, 2019. Shaun Davis and members of his team, along with the City's procurement staff are here this afternoon to answer any questions that you may have during the discussion. After tonight's selection, the City Manager will issue a letter of intent to negotiate with the selected firm, start transition activities, if necessary, for the proposed transition period of up to 90 days. Negotiate and submit that negotiated contract for approval. Provided for your convenience tonight on the dais is a copy of the matrix that was prepared by S. Davis & Associates. We tried to place it on the screen, but it proved to be illegible at that time, so we made it large and placed it in front of you. Thank you so much.

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

MS. SCIALABBA: Good evening. Debra Scialabba, 6490 SW 26 Street. There's only one commissioner that I can remember had never said I vote at the will of the Commission, and I -- and as I have done in the past. I can check the minutes. Previous commissioners before you, and all of you at one time or another had said this. The perception is your vote is not your own, and you are voting the majority with the Commission at this time when you do this. How about this evening, instead of voting the will of the Commission, vote for the will of the people? Your constituents who voted you into and elected you into office you hold. To a quote in National Weekly Thursday, March 14<sup>th</sup> through March 20<sup>th</sup>, the quote said, "I plan to work hard fulfilling my campaign promises, and I will continue to engage the Miramar community, hear their concerns, and provide solutions wherever possible." Let me bring this to your attention. Hard fulfilling campaign promises is the number one priority, according to that quote. Miramar community, number two. Specific of comments residents spoke up before, supporting our current law firm, and remained puzzled as to why you want to change for no other

reason, except they were with us for 20 years. They were number eight as a diversity law firm. They -- they are -- they are outstanding, impeccably qualified to handle our City's high volume legal services, and you want to terminate their contract for no other reason than they are with us 20 years, as quoted at the May 1<sup>st</sup> meeting. For the -- for only one commissioner to meet with this law firm, as stated -- for the only -- for May 1<sup>st</sup> meeting, only one commissioner met with Pamies Norris Powell; what happened to transparency? Again, I say, instead of fulfilling campaign promises, vote to the will of the Commission, vote what you constituents would like. They don't want you to change and fire our attorneys. We're at a critical juncture with the current projects throughout the City and future projects coming up, and possible pending recession, economic downturn, this is not cost effective, nor does this benefit your constituents. Will this law firm have to subcontract to other law firms to handle our City's high volume? What are the charges there? Thank you.

MAYOR MESSAM: Thank you. Yes, ma'am, good evening.

MS. BROWN-ALFARO: Dorothy Brown-Alfaro with Country Club Ranches, and also, I just want to say that I served on the City of Miramar Blasting Advisory Board, and I would like to say that each and every meeting that we had, the current attorney has stopped there with us after hours, so they were very supportive of that committee.

MR. ABEL: Good evening, Roland Abel, 7606 Harbour Boulevard. I am here this evening, Commissioners, and Mayor and Vice Mayor, because over the past months, quite a number of residents of this City have been questioning why is it we are changing our attorneys. And, quite frankly, I could not even answer, because I've been asking myself and have not been able to receive any cogent answer as to why. One of the suggestion was that they have been here too long. That is as absurd as my wife saying to me, "We've been together for 54 years. It's time for us to go." You know, that seem not to make any sense at all. If it's a question of diversity, I would like to state that the only City Attorney that I have dealt with over the many years is one attorney that speaks patois when I want to speak patois, and one attorney that understanding perfect English when I'm speaking perfect English, because it so happen that she's fluent in both. I cannot understand -- you know, in the absence of getting any reasonable, cogent answer, it forces me to be cynical and to attribute motives, which may or may not correct. You know that the manipulator in chief, he knows that the way to get what you want is to control your judges or your attorney generals. I suspect that that could well be, and I hope I'm wrong, that it's the idea of having your own attorney in your own back pockets that you can do what you please, and having no consequence as a result. It is very sad, because when we go about changing people for wrong motives, we give the City a black eye. What would happen if we go about doing things that are not on the up and up? What do we say to vendors in the future, people who would need to work for us in the City? It would be very sad. And so I am suggesting, and I'm hoping, and I'm almost pleading that, in the absence of --

MAYOR MESSAM: Thank you, sir.

MR. ABEL: Okay.

MS. KELLY: My name is Sharon Kelly, and I would respectfully submit that, pursuant to Florida Statute Chapter 119, I am exempt from providing my home address, thank you. So, good evening, Mayor, Vice Mayor, Commissioners, and City staff. In 2018, I was fortunate to secure a spot in the Library for Miscellaneous Consultants with the Human Resources Department, a spot I am honored to hold. With that said, I am here this evening to offer my perspective and experience of working with Alison Smith. My perspective is twofold. First, it comes from my over 35 years of work experience in employment law, both as an attorney, and as a practitioner. Alison is one of the most knowledgeable, professional, hardworking, well-reasoned, pleasant, and affable attorneys I have ever met and worked with. Second, I had seen firsthand Alison's interaction with upper and midlevel management, as well as rank and file. The relationships she has established are truly remarkable. There are relationships built on trust and respect, essential components in being able to establish and implement needed HR programs and policies. This report is not just with the HR staff. She has garnered positive relationships with the staff of other departments, including union officials, which, as you know, is a very important relationship to maintain in a unionized workforce. Also, in meetings with upper management, Alison is thoughtful, practical, and provides management with the necessary and relevant information they need to make decision and informed decisions on their own. Together, Alison and I have conducted numerous employee training sessions. She keeps the employees engaged, enthusiastic about learning, and encourages them to be willing to follow what they have learned. Through this, I believe, Alison has been extremely instrumental in protecting the City from employee mishaps. I know that the City's mission is -- and I'm going to paraphrase this a bit -- to improve the quality of life for the residents by maintaining a clean, safe, economically viable and innovative community. I believe that the employees are at the heart of this mission. A key to keeping our employees invested and on the right track, in part, perhaps, could be to continue employing Alison to guide human resources in the best strategies to maintain employee productivity and job satisfaction. In addition, Alison's law firm of Weiss Serota Helfman Cole & Bierman is skilled and well respected in the area of employment law, which I see as an added resource to this City. I have no reason to believe that the firm you may ultimately choose would not represent the City with the same expertise. I can only speak to what I know and what I believe is important to continue maintain a reasonable and responsible human resources department.

MAYOR MESSAM: Thank you.

MS. KELLY: Thank you.

MAYOR MESSAM: Next speaker, please.

MR. TAYLOR: Richard Taylor, 3900 East Lake Terrace. Mayor, Vice Mayor, Commissioners, that this is even on the agenda concerns me greatly. I can't believe that

in the City of Miramar, experience is detrimental. I've heard that all far too often from different commissioners, both in this dais and in workshops. I just don't understand how anybody that can provide us with the level of service that our current City attorneys have needs to go. Nobody's been able to explain why this has been brought up, or how it benefits the City, so I'm going to challenge you all before you make your decision tonight to think about those. How is it a benefit to the City or, potentially, how does it benefit you, because that's the only thing that I can think of when this comes up on the agenda. Thank you.

MAYOR MESSAM: Thank you. Next speaker.

MS. RAYNOR: Yes. Mary Raynor, 5025 SW 35<sup>th</sup> Terrace in Fort Lauderdale. First of all, I don't understand and have not gotten an answer as to why you are even looking for another law firm to represent us in the City. First of all -- second of all, I have been with Attorney Smith, Alison Smith, and very knowledgeable, knows everything about the concerns and issues that we have in the City. I just don't understand why you want to bring somebody new into the City, and do you think that you don't have to pay top dollar for those attorneys working per hour to even get the knowledge of what we're about in our City, and what concerns and lawsuits and whatever that you have to deal with in the City. So I wish that you would think about it, and don't cost us more money. Only just got our tax bills; you know, and they're gigantic because of the fees here in the City. Please don't add any more expense to our residents. Thank you.

MAYOR MESSAM: Thank you. Are there any other members from the public that wish to comment on this item? Good evening, ma'am.

MS. AKINS: Good evening, Mayor and Commissioners. My name is Marcia Akins, 8505 Windsor Drive. I've lived in the City for 46 years, and I'm very upset about this change. I don't think the City is even thinking of the tenure that this law firm has endowed with us. It's not a financial issue, because it's going to cost more. I don't think any one law firm will cover all the law firm, legal aspects that the City needs. If they have four attorneys that is only going to represent four legal aspects; outsourcing is not going to help the financial aspect, because outsourcing, it will cost double, and the rates are not cheap. So I'm also asking as a resident to think of the financial aspect, and all that they have done for us in the last 20 years. Thank you.

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

MS. JAWER: Good evening. Judy Jawer, 3120 SW 187<sup>th</sup> Terrace. Good evening to all of you. It's been a while since I've seen you. I don't understand why this question has come up either. And, as I think you've all heard, everyone is consistently saying we need to stay with what we have. It's working. We have experienced attorneys, that is the reason to keep the attorney, not to get rid of them. There are tremendous efficiencies from the history that our current attorneys carry about the City. And the quality of the

attorneys and the depth of the attorneys, they have a significant number that they provide to help the City. If you look to change, you're going to be bringing in, obviously, less experienced people who are going to have a steep learning curve, which will be very costly. If you don't have depth of representation in a replacement firm, and they're subcontracting again, it's going to be a huge increase in cost, not just for subcontracting fees, but the learning curve. It's absurd to think that all of the current activities that are underway can be assumed by another firm, and not have an extremely negative impact, both in terms of financial and, potentially, its success as well of the lawsuits and -- and various cases that are underway. We would do tremendous damage by going forward with a less experienced, potentially, less expensive, but, ultimately, much more expensive firm. I would ask any one of you who is going to vote for any firm other than our current one to state your reason other than they've been here too long. That is the reason to keep them, not to get rid of them, so I'm going to ask that much of anyone who votes for someone else. Explain in detail what's wrong with what we have, and how we are going to improve with someone else. Thank you.

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? I want to provide an opportunity -- all right, seeing none, back to the dais. Any -- open the discussion from the Commission. If you all can press your buttons, so I can have the order, please, thanks. Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Not much of what I'll say is going to be new from what I've said in the past on this particular matter. My disappointment lies in the fact that the resolution did not have any backup notes for our residents to take a look at what has developed since our last discussion on this particular issue; that suggests, implies something. I submit, as I have in the past, that it is counterproductive to even to appear to be taking the path of reverse racism. I make no apologies for using those words. I have spoken to enough residents who have expressed that sentiment to me in the strongest of terms over the last many weeks. I am not going to be party to a situation where we want to change a law firm simply because it is not black or, alternately, simply because we have to get a black firm in here. I suspect that my comments would change no minds on this dais. I speak, though, from a number of perspectives. Being the longest serving commissioner on this dais, but also as someone who has certain bona fides, some of you in this room weren't even born in the spring of 1968, when I, as a student, in New York, demonstrated in the streets of Harlem the morning after the execution, the killing, the assassination of Martin Luther King, Jr. I was barely on a student's visa. I remember being snatched by my neck out of the street, 125<sup>th</sup> Street and Lexington Avenue in Harlem, because we were blocking the streets, demanding that anyone who drove through the streets of Harlem turn on their headlamps in respect of the killing of Martin Luther King, Jr., so I have nothing whatsoever to prove that I'm black enough. I have no such desire. This has been part of my life. Please, I beg of this Commission, do not make it seem the way it has seemed to a number of residents. I speak from the perspective of being insulted that, as it were, in my -- I think it was my second campaign, by someone who has come to, I think, appreciate the principled positions that I have taken

over the years. There has to be an understanding of what we are seeking to do in these United States, late summer, 2019, with a current racial, ethnic climate that we are residing in. I submit that these are considerations that we need to make, as we go forward this evening. I have said this on the dais, I have said it publicly, I've said it on my radio program, I'm not beholden to a single person in this room other than the residents of the City, much less to any member of this Commission. I'm beholden to the voters of this City and nobody else. If we want to maintain the credibility and the integrity of not only this Commission, but this City, we are going to have to find a reason that is deeper, more solid, more instructive than simply: this firm has been here for 20 years. We know it is absurd to even say it. I beg, I plead that good sense prevails this evening, as we make this decision. I have said in a number of different fora that there's no black candidate anywhere in this country that can get elected through only black votes. We're talking -- we're not even talking politics. We're talking about common sense. I also subscribe to the notion that there are no pure races. Stay with me on this. So I see no grand differentiation between people. One of the things I've asked my listeners, for example, is to look at the number of times the word Ethiopia or Ethiopian is mentioned in the Bible. I say if you see the Bible as simply and merely as a historic document, it suggests that black folk been around for a while. And once a camel, once a mule his or her master to another district, he didn't come back home that night. We've all been mixed up from the beginning from God's time. Again, I'm pleading with this Commission, as I have in the past, do not see this simply as a decision that is made in August of 2019, look down the road. The commissioners that will come after us, our children and our grandchildren, how will we explain to them these arbitrary decisions we are seeking to make? Look, also, at a number of cities across this country, which have been led by a commission that looks like us. And I've no illusions or delusions about the fact that problems and challenges were created when they were not necessary to quash and crack -- crush municipal bodies that look like us. I'm old enough to understand that these realities exist in this world. I am saying we cannot make a selfish decision in a vacuum tonight. We have to look down the road, and ask ourselves if we want to be judged by the history of this City, of this County, this State, and this nation? Do we want to be judged as a commission that not only unceremoniously fired the first ever black female city manager we ever had -- and I'm going to step out of turn again -- who I suspect is getting ready to dump the current City Manager? I'm saying it. A lot of people are thinking it; I'm saying it. What kind of legacy are we prepared to leave the City, our children, and our grandchildren?

MAYOR MESSAM: Commissioner Colbourne, you're recognized.

COMMISSIONER COLBOURNE: Thank you. First of all, I'd like to thank staff for the work that they did on the request for letter of intent. And, also, I'd like to thank those who spoke and gave us feedback on our current attorneys. I read the proposals that were submitted. I have gone through it and, frankly, I am prepared for us to -- for us to take a vote on this issue after we have heard from -- after I've heard from all my colleagues. Thank you.

MAYOR MESSAM: Vice Mayor Davis, you're recognized.

VICE MAYOR DAVIS: Thank you. Once again, I'd like to thank those involved in preparing this document. It was well prepared. I'd like to thank the Shaun Davis organization, your firm, for getting involved and making it, you know, simple for us to read and understand. A lot has been said tonight. People have given their opinions and their ideologies, and all that sort of jazz. However, this is not the first time that I have made the motion to go out and seek attorneys. I did that before, and I did it this time, and I have my reasons. Back when I did it the first time, there were some issues there with the current attorney that's sitting here. We had a city manager that was able to get their contract renewed time and time again; the City Attorney was not working on behalf of this Commission, but clearly working on behalf of that city -- city manager. He walked away with over \$2 million, two million. And, instead of looking at that and advising this Commission, which the attorney is supposed to do, that didn't happen. And there were other instances that I can name. Nobody is perfect here. And attorney firms are out there that can do just a good a job. We want to ensure that we get the best attorneys to do the work that we need in the City. I don't care what color they are. That's not an issue here. However, I do believe that we have the opportunity to go out and seek better representation, just as good a representation, and I -- I believe we will find that here this evening.

MAYOR MESSAM: Commissioner Chambers.

COMMISSIONER CHAMBERS: Thank you, Mayor. Seems like our attorney, Alison Smith, there's a lot of love in the house for you tonight. I love you too, but Jaime is my guy. I just want to thank you guys for the services, level of service you've provided over the years, over the last 20 years to City of Miramar has been impeccable. You guys provide a good service, good job so far. I also want to thank the resident and staff that are here tonight to support one way or another, to voice their opinions, to write, and it's always good to come out and let your voice be heard; thank you. I want to thank staff for work on this project, putting together and bring it back to us. One thing I'm not sure if it's a process to hire an attorney or it's just a process to -- to debate civil right, black issue, a colored issue, I'm not sure. I mean I'm not sure why we always going back to this black issue, black city manager, and so forth. I remember when we proposed to get rid of the previous city manager, the sky was going to fall, and we were going to be bankrupt and so forth, and I think we're doing very well right now. Even the last time when we came with the billboard and we sent it back, it was a big outcry as to what we're doing, and we gave up -- giving up money and, you know, all kind of nonsense. But guess what, the billboard came up with more money. So I must say I disagree with my colleague with the black issue, the racist issue, and I think it's nonsense, and we need to stop. You know, I don't want to hear that anymore. Because I know what color I am, I know what I -- what I'm about, and we are here to hire a professional firm that can provide legal service, and I think all the firm -- applicant have minority representing in their firm. We have four firm responding to the ROLI, and they all qualify, so with that said, I'll rest and hear from the Mayor.



MAYOR MESSAM: Thank you. First, I'd like to thank the residents for coming out this evening to do your civic duty to respond to this public meeting or commission meeting regarding an item that is of interest and importance, not only to the City but to yourselves. Also, I would like to thank my colleagues for their comments regarding this -- this item. And, you know, as the mayor and chairing these meetings, I try to provide an atmosphere where, not only the public can address their comments and -- and be heard, as well as create opportunities for the Commission to -- to voice their concerns, regardless of -- of the time it would take for them to articulate their -- their -- their thoughts on a particular item. One of the charges by the Charter for the City Commission is to hire the City manager, pass a budget, and to hire the City attorney; those are three principal responsibilities for the Charter, along with other responsibilities, but those are the three. And it's not my hire, it's not any one individual commission's hire. And -- and how our rules play on this Commission is that majority vote wins the discussion on respective items we will vote on. I think, however, that when it comes to the three principal responsibilities of this Commission that, at a minimum, there should be at least a minimum level of, I guess, Commission courtesy, professional courtesy in regards to those specific issues. If we're hiring or firing a city manager, hiring or firing a city attorney, personally, you know, I would like to understand the disposition of my colleagues, as we all collectively come together to -- to make -- to make the decision. I cringe when I hear racial comments, in terms of this Commission and this leadership. In fact, to a point, I get the sensitivity, and in terms of the environment that we're in, but I'll be clear and say this. Yes, all of us on this Commission are black. We can't hide the fact. We're black, and of African ancestry. That shouldn't matter. We're elected to govern, to represent everyone, despite racial hue, origin; ice is ice. If a black, man or woman produces ice, it's just as cold if a brown, yellow or white person produces ice, so let's get past that. There are days on this Commission when all the Commission was of Caucasian ancestry; no one was counting then. No one was counting how many white professionals were being hired by an all-white commission. Decisions just were made on their merit; that's just a fact. So I give the benefit of the doubt, if this point all-black Commission hires a black anything, that they're hiring off merit, so let's just get that -- past that. Although I do recognize the -- the optics and some of the concerns that have been raised, and I don't discount them, especially when they come from a colleague on the Commission, because everyone has their own life experiences, and they articulate them based off their own personal experiences. And they should be heard, and they should be acknowledged, whether you decide to respect them or not, at a minimum they should be heard as colleagues on the Commission. So now that I've gotten past that, get the elephant out of the room; we're all black, okay. When this issue was first brought up, I took exception, because it was very abrupt, acute, and there was no opportunity for this body to discuss if there was an issue with our current attorneys. Ideally, I would have hoped -- I would have wished we would have had a workshop to discuss what some of these concerns are, and then if enough of us, as a commission, had some issues, then we would go through the process of formally testing the market for additional service or legal counsel for the Commission. I personally have an issue with the process. I know each of these four firms, or at least some individuals from these four firms, including our own attorney, and from the other three firms that have presented. Many of the associates and principals of these firms I

know professionally, and I know personally and have no doubt that they are capable jurists, capable legal professionals that could provide legal work for the City of Miramar, but the process is what I take exception to. If I'm hiring -- as a business owner, when I hire employees, I sit down with them, I interview them, I ask questions of them, I get to kick the tires, so it can address some of the issues, and I brought this up that night when it was brought up. Let's formalize this process if we're going to do it. I support going out for legal services, because, as a commission, I think we have a fiduciary responsibility to provide fair opportunity for -- contracting opportunities for the business community. No one is owed a contract, no one has birthright to a perpetual contract. Even if they are performing exceptionally well, we have to provide a public opportunity for others to compete on behalf of the residents to decide what's in the best interest of the residents. So I have no problem with us going out to seek other firms, or to at least test the waters to see what else is out there, so that we can provide equitable opportunities. So the issue I have tonight is that, in good faith, despite having nothing but professional respect for every firm that is on this sheet, that I can't, in good conscience, vote for legal services for a firm that I have not even sat down with to ask them a question. There was no formal process that was put before us, and I urged the Commission at the time, "Let's do this process." That's just what I wanted. Whether minds were already made up, and who knows where my ultimate decision would be, but if I'm hiring counsel for this City, I have to not only interview everyone, I have to be able to ask questions. I would also like the benefit of knowing my colleagues sat down and interviewed with them, because they may raise some questions that I may not have thought of, that I would be able to understand that perspective as well. So I'm in support of having a procurement process, but we need to have the right process, so that at least I can have the benefit of having an objective process that all of us are following, that the community is aware of, that's transparent, in terms of the process, because this is one of our three principal charges. Now that is not -- it doesn't have to -- like whatever is happening right now, it's not -- it's not illegal. It's not illegal. It's perfectly permissible, just for the public knowledge, so -- so that I can just put that out there right now. Because I don't want my colleagues or anyone to interpret that if this item should move forward, and attorney is selected, or a different attorney is selected, it's the will of the Commission that that item moves forward and the prerogative of the majority of the Commission. But for me, personally, our process would only afford individual action, in terms of communicating with the respective firms. And it would have just been one way, me speaking to all four firms, without any perspective of what communication was by my colleagues, and what questions were asked by my colleagues, so that I can a -- a breath, because it is a commission decision. We all have one vote. So I thank all the firms for -- for responding, and I would just -- I would have wished if we would have had a -- a more through process that would have been inclusive of the community, as well as the Commission, and that did not take place in this -- in this instance. So whatever the decision is of this Commission, if we keep our current Commission, fine -- I mean attorneys, fine. I'll live with the decision of the Commission, and we'll work with whoever is selected by this Commission. I'll go 110 percent, just like I would -- like I have with our current attorneys, if -- if -- if -- if there should be a change. But I just felt that I should share with the community, in terms of not liking the process in

which we -- that has gotten us to this point. So those are my remarks. I have two more speakers, Vice Mayor Davis and followed by Commissioner Chambers.

VICE MAYOR DAVIS: Thank you. I just wanted to comment on processes, and as the Mayor rightly stated, this Commission is responsible for the hiring of our city manager, the city attorney, and dealing with our budget. Now I've been on the Commission long enough to see -- to have seen changes on -- on this Commission, in terms of our city manager, and different methods were used. On one occasion, we went out and got resumes and interviewed people, and they came and spoke before us, and we did all that. That was all well and good. The other occasion, it was, basically, the person left, somebody was chosen, we didn't go out for resumes and, you know, somebody just got the job. And that was fine. And so for us to sit here and say or whomever to say that I don't like this process, I don't like that process, again, it's the will of this Commission, and the processes do work. We have a current city manager that's doing a really good job clearing up the mess that was made by the former one, who was chosen by that exact process, going out and taking resumes and doing through all that. So, at the end of the day, it's who is chosen, the best person for the job that we feel, in our capacity, and we hold them accountable. No job is forever. And -- and that's my take on it right now. And when there's a motion on the table, I will go ahead and -- and vote.

MAYOR MESSAM: Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: I just want to set the record straight for those of you who were here and wasn't here in the process of the previous City Manager, who was a black female city manager, and it was a black elected official female, who is no longer here, but initiate the process of replacing the city manager. Just want to set that straight. Everybody was black that was involved. There was nothing racist about that, but I'm not sure, because it keeps coming back. In any administration or management, when a new team comes in, they normally make changes, and they need, sometime, want to bring in a team in that they're comfortable working with. You seen it with the -- on the city manager side, and -- and -- and the management side, and so forth, in any form of government. So an entity due to make changes, it's just what it is. The Mayor ask to go out, to have a process, and he was insist on having a process, and we did went out and have a process, and the process come to -- back to the dais to where we got to make a decision, so this is where we are. And I think we're not going to spend the whole night, we're going to move forward, and my colleague, Commissioner Colbourne want to speak, so I'll wait until she speak, and then I'll make a motion. Thank you.

MAYOR MESSAM: Next speaker, Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes. Thank you. I -- I really just wanted to echo that we did to a pro -- we did go through a process to get to this point, and as a result of the letter of intent, solicitation by the City, we have applicants. That information was presented to us, and we've had an opportunity to go over it. And if anyone -- if anyone wanted to speak to any of those individuals, they certainly could have done so. As a

result of my review of it, I can tell you that all of the attorneys are qualified, they're all part of the Bar Association, they're all members of the bar, and I feel that any of them could do the job. Whichever one that we select tonight, I can tell you, I certainly hope that they will earn confidence of -- of this community, as our current attorney. They were given an opportunity, and I certainly hope that whoever is selected tonight will be -- you know, will be able to demonstrate that they -- that they are part of this city, and that they can do the job. Thank you.

MAYOR MESSAM: All right. Seeing no other speakers on this item, we have four firms that have -- that have responded to the RLOI #19-06-26 to provide city attorney services for the City of Miramar. So how we will determine the -- the selection, what I'll do is I'll start with -- with Vice Mayor moving down and ask which firm is each respective Commissioner's selection. So you can either state the name of the firm, or just state retain our current attorneys. Vice Mayor Davis?

VICE MAYOR DAVIS: Austin Pamies Norris Weeks Powell, PLLC.

MAYOR MESSAM: Thank you. Commissioner Colbourne.

COMMISSIONER COLBOURNE: Austin Pamies Norris Weeks Powell, PLLC.

MAYOR MESSAM: Thank you. Commissioner Chambers.

COMMISSIONER CHAMBERS: Pamies Weeks Powell, PLLC.

MAYOR MESSAM: Excuse me, could you repeat -- it's for the record. It didn't come out clear, so can you repeat it.

COMMISSIONER CHAMBERS: Austin Weeks Powell, PLLC.

MAYOR MESSAM: Thank you. Commissioner Barnes.

COMMISSIONER BARNES: I vote to retain our current law firm.

MAYOR MESSAM: Thank you. And, Mayor Messam, retain our current law firm. So it goes, congratulations to Austin Pamies Norris Weeks Powell, PLLC, for your selection in response to RLOI #19-06-26 to provide city attorney services for the City of Miramar. As was mentioned by the presentation by Assistant City Manager Shaun Gayle, we will take a -- we'll have to take a vote in regards to -- we have to take a vote our just a selection? I'm not sure what's the -- the process. So it's on the record on who was selected, so I don't think we'll have a vote, but we would need to have a motion to direct our City Manager to negotiate with the selected firm, which will bring back a resolution with the terms of the contract, which was illustrated on a lot of the -- the items located on -- on -- that was attached to the RL -- RLOI. And -- and there will be a transition period, a professional one from our current attorneys to the newly selected attorney. So may I

have a motion from the Commission to direct the City Manager to negotiate the contract with the newly selected firm for --

COMMISSIONER CHAMBERS: Mr. Mayor, I'd like to add that the City Manager come back with a contract for our next Commission meeting also.

MAYOR MESSAM: For --

COMMISSIONER CHAMBERS: For the new attorney.

MAYOR MESSAM: Well, before we -- before we say that, I think that we should ask the - the parties involved -- well, have the -- have the Manager meet with our current attorneys and the newly selected attorneys in regards to what the professional recommendation from the stakeholders involved with the negotiations, in terms of the time period that would be needed, as opposed to just saying by the next Commission meeting, because I'm not sure if -- if it's back by then, then -- then fine, but at least we want to make sure that they have the adequate time, which may extend beyond the next Commission meeting. I'm - I'm not sure. So I just think that it would be best for our City Manager to get back with us, definitely by next -- by next week or by the end of the week to let us know after having a conversation on how much time. It may come back next meeting, but if it doesn't, it's - perhaps -- I don't see it extending, you know, beyond at least, perhaps, you know, probably two meetings. I know we just want to make sure we have enough time for them.

COMMISSIONER COLBOURNE: For Mr. -- Mr. Mayor? Mr. Mayor, I wasn't clear on what you're asking for, but I would like to see that we take an official vote on this, so that it can be properly recorded. So I would like to make a motion on this selection Austin Pamies Norris Week law firm.

MAYOR MESSAM: Okay, there's a motion. Do I have a second?

VICE MAYOR DAVIS: I second the motion.

MAYOR MESSAM: All right. Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: No.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: No.

On a motion by Commissioner Colbourne, seconded by Vice Mayor Davis, to approve selecting Austin Pamies Norris Weeks Powell, PLLC, to provide city attorney services to the City of Miramar, the Commission voted:

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

**Approved**

MAYOR MESSAM: Now may I have a motion to direct the City Manager to negotiate with the newly selected firm to be brought back as soon as possible for adoption by the Commission with the City Manager notifying the Commission on the anticipated time that all parties involved would state that -- that it will take.

VICE MAYOR DAVIS: I'm not sure how that would work, since the attorneys report to us. I'm not understanding this process. So the -- the issue that we are hiring the attorney, and now we give it to the manager to -- to kind of sort stuff out. And maybe we need some direction on that, but --

MAYOR MESSAM: Well, the reason why I made the recommendation is because we, as individual elected officials, are not directly negotiating and drafting the contract language between the City of Miramar and the selected law firm. So I think that with the -- that the City Manager, as well as with our Procurement Department, and we could also even include our internal auditor as well could also be a part of that process, so that we ensure that we have the correct contract in place, based on the commitments that were submitted with their response proposal. There has -- there's a -- there's a -- there's a technical aspect, in terms of the drafting of the contract that would be brought back with us that we don't do. That's why I'm saying for the Commission to direct the City Manager to negotiate or to negotiate the contract based on their submission to bring back for approval by the Commission.

VICE MAYOR DAVIS: Okay. So now It's a little clearer. Simply because the City Manager did involve the Davis accounting firm, our auditor, --

MAYOR MESSAM: Yeah.

VICE MAYOR DAVIS: -- and they did get involved in procurement, so I would include them in the discussion for the City Manager to involve these folks in the decision making, and so it's clear on the record.

MAYOR MESSAM: Yeah, because we don't have a contract. The contract was not a part of the solicitation documents, so one has to be developed. Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yeah, I guess the only thing I don't understand in is why we're voting on it. Generally, we just direct -- we just, you know, have consensus and direct the City Manager to follow up on --

MAYOR MESSAM: Whatever is the will of the Commission, I just -- we have to direct the -- the City Manager to act on our behalf as our -- our hirer, whether it's a vote or by consensus, it really doesn't matter. So let's -- I just want to get direction to the City Manager, so that we can move the agenda.

COMMISSIONER COLBOURNE: Yeah.

VICE MAYOR DAVIS: Yeah. So the direction, I think the consensus will work, based on what we just said.

COMMISSIONER COLBOURNE: So the direction would be for the City Manager to go ahead and -- and negotiate a contract with the -- with the attorneys' firm that was selected.

MAYOR MESSAM: Yes. So he'll come back with the resolution and a contract for us for approval.

COMMISSIONER COLBOURNE: Is the attorney -- is the attorney that was selected present? I -- yeah. Could we -- is it possible for -- for them to come up and introduce themselves?

MAYOR MESSAM: If it's the will of the Commission.

VICE MAYOR DAVIS: Yes, please.

MAYOR MESSAM: Good evening, welcome. Congratulations.

MS. NORRIS-WEEKS: Thank you, Mr. Mayor, and thank you, Vice Mayor and Commissioners. We really appreciate the opportunity that you've afforded our firm from Austin Pamies Norris Weeks, PLLC. We believe that we're going to continue with the quality services that you have become accustomed to. And we believe that we will consistently deliver a quality product. We also intend to gain the respect of all of the

Commissioners on the dais, and we commit to working with everyone in a very professional way, and one that you can be proud of. This is the type of work that we do. We're excited about this opportunity, and -- and we welcome the opportunity to represent the City of Miramar. Thank you.

MAYOR MESSAM: Thank you.

VICE MAYOR DAVIS: Thank you.

COMMISSIONER COLBOURNE: Thank you.

- There was a City Commission consensus to direct the City Manager to negotiate and draft a contract for approval for the law firm of Austin Pamies Norris Weeks Powell, PLLC, to provide city attorney services to the City of Miramar.

MAYOR MESSAM: We're onto item number six, please.

6. Temp. Reso. #R7001 relating to the City of Miramar **Other Post-Employment Benefits ("OPEB") Trust**; adopting a Declaration of Trust for the Funding of Retiree Health Benefits; providing for the selection of ICMA Retirement Corporation for the provision of Administrative Services; adopting the ICMA Administrative Services Agreement; adopting the VantageTrust Participation Agreement for the Investment of Trust Assets; providing for a Trustee; providing for Execution of all documents incidental to the Administration of Trust; providing for a Trust Coordinator. *(Human Resources Director Randy Cross)*

CITY ATTORNEY SMITH: Item number six is a resolution of the City Commission of the City of Miramar, Florida, relating to the City of Miramar Other Post-Employment Benefits ("OPEB") Trust; adopting a Declaration of Trust for the Funding of Retiree Health Benefits; providing for the selection of ICMA Retirement Corporation for the provision of Administrative Services; adopting the ICMA Administrative Services Agreement; adopting the VantageTrust Participation Agreement for the Investment of Trust Assets; providing for a Trustee; providing for Execution of all documents incidental to the Administration of Trust; providing for a Trust Coordinator, and providing for an effective date.

MR. CROSS: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners. Randy Cross, Human Resources Director. So the City has several post-retirement benefits that it pays for for employees that have successfully retired from City service; it's usually referred to as "other poster-employment benefits" or OPEB. These are serv -- these are benefits that the employee, the retired employees receive outside of their pension. They usually are related to health insurance costs. At the end of last fiscal year, the City had a liability that exceeded \$46 million for OPEB liabilities. To that end, the City's Budget Director, Mr. Mason, had recommended to the Commission last year that the Commission set aside \$500,000.00 in the current FY '19 budget to help seed the trust fund that would help offset that liability over time, and that was done. The Commission approved that in



the budget for the current fiscal year. So the next step in that process was to do something with that money, to take it out of the assigned fund balance, and put it into some sort -- some form of a trust. To that end, the staff, the Finance staff met with GRS, the City's actuary to explore different options, and after looking at the different options, the one that they're recommending is to move forward with ICMA RC. The City has a contract with ICMA RC that goes back to the early '80s. The City has about \$26 million in the 457 Deferred Retirement Fund that many of the employees participate in. ICMA provides a -- an option, a vehicle in the form of a trust that allows for this type of money to be stored there. It would be in addition to the Master Agreement that the City Commission had approved back in the '80s and again in the '90s when it was revised. So the Master Trust was approved by the Commission by Resolution No. 83-45. As I said, it's part of the Defined Contribution Plan, and it allows us to diversify the funds, and also it -- ICMA is waiving the administrative fee that goes into managing the funds. So staff recommends approval.

MAYOR MESSAM: Thank you. Are there any members from the public that wish to comment on this item? Any members from the public that wish to comment on this item? Hearing and seeing none, back to the dais. Are there any comments? If none, then I'll entertain a motion.

COMMISSIONER COLBOURNE: Motion to approve.

VICE MAYOR DAVIS: Second.

MAYOR MESSAM: record the votes, please.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Colbourne, seconded by Vice Mayor Davis, to approve Resolution #R7001, the Commission voted:

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

**Resolution No. 19-159**

**ORDINANCES**

MAYOR MESSAM: Item number seven, please.

7. **FIRST READING** of Temp. Ord. #O1724 amending Chapter 8 of the City Code entitled “**Elections,**” to include a new Section 8-4 “Swearing in of Newly Elected Mayor or Commissioners”; and providing for an effective date. ***(Requested by Commissioner Yvette Colbourne) (City Attorney Alison Smith)***

CITY ATTORNEY SMITH: Item number seven is an ordinance of the City Commission of the City of Miramar, Florida, amending Chapter 8 of the City Code entitled “Elections,” to include a new Section 8-4 “Swearing in of Newly Elected Mayor or Commissioners”; and providing for an effective date. Commissioner Colbourne requested this.

MAYOR MESSAM: Is there a presentation, comments?

CITY ATTORNEY SMITH: Commissioner Colbourne requested --

COMMISSIONER COLBOURNE: I asked for this item to be placed on the agenda after election.

MAYOR MESSAM: Okay.

COMMISSIONER COLBOURNE: I don’t have a presentation. This is a follow up. We had asked the City -- the City Attorney to put some -- a process in place for after election, and that’s what has come before us.

MAYOR MESSAM: Madam Attorney, can you give a highlight of what these provisions are.

CITY ATTORNEY SMITH: The reason this was requested was so that we don't have to have people sworn in, necessarily, at a ceremony. They can get sworn in at the Clerk's Office. That was the primary goal of the ordinance change.

COMMISSIONER COLBOURNE: Actually, it's -- they're always able to get sworn in at the -- at the Clerk's Office, but what happens at this point, is that they're encouraged to go ahead and get sworn in at the Office. This way they can actually take their place at the time of the swearing in -- at the time of any -- any ceremonial activities that we have, --

MAYOR MESSAM: Okay.

COMMISSIONER COLBOURNE: -- rather than having the -- the former commissioner sit in. That other -- the new commissioner can take their place.

MAYOR MESSAM: Okay. So with this -- with this proposed change, would we -- I guess the semantics of -- for example, if there's a change in persons for respective office, do we want to have some provision, in terms of the time period of, let's say, physical move, and those types of things? Because, obviously, once -- let's say if that person swears in two days after the election, the other person -- let's say if it was someone who is, maybe, stepping down, or if the person was defeated, transition, or do we want to handle that as a commission outside of this or -- because someone who's swears in may say, "I want to take my office now." Or -- but we have to have some reasonable time for folks to transition.

COMMISSIONER COLBOURNE: I would think they need access to the building, --

MAYOR MESSAM: Yeah.

COMMISSIONER COLBOURNE: -- first and foremost. They wouldn't necessarily have access to the office or anything like that.

MAYOR MESSAM: Okay.

COMMISSIONER COLBOURNE: So I think there are things in place that would prevent something like that. So I didn't think we needed to go down to that detail. I think it's something we can handle.

MAYOR MESSAM: So when would they go in? The next day, two days? Do we want to state the time period, or they have the option, or what -- what's the -- so it's clear?

COMMISSIONER COLBOURNE: Once -- once they have -- currently -- I mean I'm not changing that. Currently -- and the Attorney can -- the attorneys can correct me. Once the person has been elected and the votes are certified, they can be -- they can be sworn

in, so that's generally not the following morning, I suppose. But once the votes are certified, that -- that would give some time.

MAYOR MESSAM: So we -- we -- we should put once certification by the Supervisor of Elections Office, the person can then go in to be sworn in at the Clerk's Office.

COMMISSIONER COLBOURNE: I want to say that's already in there.

CITY ATTORNEY SMITH: It's in -- it's in the ordinance.

COMMISSIONER COLBOURNE: It's -- it is -- it is in there.

MAYOR MESSAM: Okay. All right. Are there any other comments or questions? If not, I'll accept a motion.

COMMISSIONER COLBOURNE: Motion to approve.

VICE MAYOR DAVIS: Second.

MAYOR MESSAM: Record the votes, please.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: No.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Colbourne, seconded by Vice Mayor Davis, to approve Ordinance #O1724, the Commission voted:

Commissioner Barnes

No

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

**Passed 1<sup>st</sup> Reading**

SECOND READING SCHEDULED for September 18, 2019

MAYOR MESSAM: Item number eight, please.

8. **FIRST READING** of Temp. Ord. #O1728; amending the Land Development Code of the City of Miramar, pursuant to Section 302 of said Land Development Code and Section 166.041, F.S.; more specifically by amending Chapter 3 entitled “Processes” to add a new Section 324 to be entitled “**Public Art**,” prescribing a Citywide Program for the inclusion of public of art into public and private development, creating a Public Art Fund consisting of all public art assessment collecting pursuant to the Program, and providing for the future adoption of a Public Art Master Plan to better leverage the power of art to visually enliven the City and stimulate economic prosperity; and by amending Chapter 7 entitled “Use Regulations,” Section 715 entitled “Transit Oriented Corridor District Code” to delete and repeal Subsection 715.3.4 entitled “Public Art and Amenities”; making findings; providing for repeal; providing for severability; providing for correction of scrivener’s errors; providing for codification; and providing for an effective date. ***(Staff recommends continuance to the meeting of 09/04/19) (Requested by Vice Mayor Alexandra P. Davis) (Community & Economic Development Director Eric Silva)***

CITY ATTORNEY SMITH: Item number eight is an ordinance resolution of the City Commission of the City of Miramar, Florida, amending the Land Development Code of the City of Miramar, pursuant to Section 302 of said Land Development Code and Section 166.041, Florida Statute; more specifically by amending Chapter 3 entitled “Processes” to add a new Section 324 to be entitled “Public Art,” prescribing a Citywide Program for the inclusion of public of art into public and private development, creating a Public Art Fund consisting of all public art assessment collecting pursuant to the Program, and providing for the future adoption of a Public Art Master Plan to better leverage the power of art to visually enliven the City and stimulate economic prosperity; and by amending Chapter 7 entitled “Use Code -- Use Regulations,” Section 715 entitled “Transit Oriented Corridor District Code” to delete and repeal Subsection 715.3.4 entitled “Public Art and Amenities”; making findings; providing for repeal; providing for severability; providing for correction of scrivener’s errors; and providing for codification, and providing for an effective date. This was requested by Vice Mayor Davis.

MAYOR MESSAM: This item has been requested by staff for continuance to September 4<sup>th</sup>, 2019. May I have a motion for continuance to September 4<sup>th</sup>, 2019.

VICE MAYOR DAVIS: Motion to continue to September 4<sup>th</sup>, 2019.

COMMISSIONER COLBOURNE: Second.

MAYOR MESSAM: Record the votes, please.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Davis, seconded by Commissioner Chambers, to continue Ordinance #O7128 to the Commission meeting of September 4, 2019, the Commission voted:

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

**Cont'd. to 09/04/19**

## **QUASI-JUDICIAL PUBLIC HEARING**

MAYOR MESSAM: On to Quasi-Judicial Public Hearing. Item number nine, please.

CITY ATTORNEY SMITH: Before I read item number nine, I'll now read the announcement for quasi-judicial proceedings. Florida Courts have determined that there are certain types of matters, including the following applications, which 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 to a factual situation and is, therefore, acting like a judge or a jury in a courtroom. In such cases, the courts have decided that due process and fundamental fairness requires that more formal procedures be followed. The City of Miramar's procedures for quasi-judicial hearings are as follows: all who wish to speak shall be collectively sworn in by the 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 of 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 shall 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 at the hearing. All approvals will be subject to the staff recommended conditions, unless otherwise stated in the motion for approval. The City Clerk shall now swear them in.

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? Please move forward, remain standing to receive a colored dot.

9. **FIRST READING** of Temp. Ord. #O1710 considering **Application No. 1701999, Rezoning** a 4.62-acre parcel, a 4.81-acre parcel, and a 4.81-acre parcel from Rural (RL) to Residential 1 (RS1), located at 14200, 14299 and 14201 Southwest 41<sup>st</sup> Street, respectively; making findings; and providing for an effective date. *(Continued from the Meeting of 1/16/19) (Community & Economic Development Director Eric Silva)*

CITY ATTORNEY SMITH: While everyone is receiving their dot, I'll read number nine. Number nine is an ordinance of the City Commission of the City of Miramar, Florida, considering Application No. 1701999, Rezoning a 4.62-acre parcel, a 4.81-acre parcel, and a 4.81-acre parcel from Rural (RL) to Residential 1 (RS1), located at 14200, 14299 and 14201 Southwest 41<sup>st</sup> Street, respectively; making findings; and providing for an effective date

MAYOR MESSAM: Silva? Silva, you're recognized.

MR. SILVA: Thank you. Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners. Eric Silva, Community & Economic Development Department. This application is first reading for Coconut Palms Estates. It's a rezoning application. The location is shown here on this map. It's located between Miramar Parkway and the bend of the Florida Turnpike, and it's just over 14 acres. This map zooms in on the property to show the three lots along SW 41<sup>st</sup> Street that a proposed rezoning. You can see there are currently three houses on those three lots. This map is our Future Land Use Map. The Future Land Use Map designation for this property is Low 2, which means the Future Land Use map would allow two units per acre. It's shown here in the darker, yellowish color. This area has the same Future Land Use Map designation as the property across the water, Windsor Palms. To the east, in Country Club, and to the south, you have a lower Future Land Use Map designation. The current zone for the property is RL. RL allows for one unit per two and a half acres. The proposed zoning is residential RS1, and that would allow one unit per one acre. So staff feels those -- this would be consistent with those properties to the east, which are already zoned RS, and to the west, there are properties that received variances in the past to allow for smaller lots. The Planning & Zoning (P&Z) Board did recommend denial of this last November and, throughout the process, we've probably had about 25 or so emails or so against the application, and a couple emails in support of the application. As shown here on this map, this zooms in on the zoning map. The property that's proposed for change is shown in purple on the left. The current designation one unit per two and a half acres. Right next to it, you see a blue area that's zoned residential RS1, so that's to the east, and that property is already RS1, which will allow for the one unit per acre. And then to the south in the green area and to the east in the green area, those would allow for one unit per two acres, and then the purple to the left -- to the right, I'm sorry, would be one unit per two and a half acres. On the left, you have lots that were previously zoned, went through a variance process to allow for smaller development on one unit per one acre. So right in the middle on orange, those are properties proposed for zoning. It's for a similar designation, one unit per one acre, and then the RS1, which is already there at one unit per one acre. And you'll see here -- you can see SW 141<sup>st</sup> Avenue, which is basically sort of the barrier or the divide between the higher zoning and the lower zoning. This property is basically like a hole in the middle of a doughnut, in between areas that are already zoned for one unit per one acre. Some of the differences between the two districts; the rural designation, as I mentioned earlier, allows for one unit per two and a half acres. The other difference is in the lot width. So the width for the rural designation requires 200 feet for the lot width in order to build. This new designation would require 150 feet, so there's a 50-foot difference. The other difference in other setbacks, if it was a corner lot, then there would be a difference in setback of ten feet. In this case, we don't have any corner lots, so that really wouldn't apply, but those are the only two differences in the two zoning districts. This application before you tonight is for a rezoning; it's the first reading of a rezoning. On September 4<sup>th</sup>, this application has been advertised for second reading of the rezoning, and also for the plat, so the subdivision of the land would come before you on September 4<sup>th</sup>. This shows what they're going to be proposing at that hearing, which will be a total of four lots, so four homes could be built on the property. Whereas, right now, the current designation, they



can only have one home. And the recommendation from staff is for approval. The applicant also has a presentation.

MAYOR MESSAM: Are there any comments for staff from the dais? Seeing none, would the applicant like to speak?

MS. CALHOUN: Yes, we would. Good evening. Hope Calhoun, attorney on behalf of the applicant. Thank you for the opportunity. I'm going to go through this very briefly. I'm probably going to skip most of the slides, because you saw a lot of the information in Mr. Silva's report, and I know that you've read your backup from Planning & Zoning, along with the materials that we presented in connection with our application. As I said, I'm going to go through these -- not at all. Okay, very quickly. This slide is very important, just because it talks about what we're asking for, and then, as specifically, the rezoning. It's a little difficult to see on the slide, excuse me, but, again, Mr. Silva went through it when he spoke with you about the application that's before you. The current proper -- currently, the property is zoned RL. The properties directly adjacent or closest to us are zoned RS1, then to the south -- to the south of us are estate. You can see, hopefully, better closer on your monitor that we're not asking for anything that's unusual for the area. Our property is the one that has the RL. It's kind of at the top of your screen. You can see the properties to the west of it are already, about one acre, I think. Mr. Silva said they got their designations through variances. They got the approvals they got through variances. You can see to the south of us, just by looking at it, they are estate zoned parcels, but by the size of them, just looking, you can tell that they are not. They're required two acres. They're clearly less than that. They're approximately one acre each. You can see again, as Mr. Silva presented, to the east of us, there also are small parcels. So, really, what we're asking for is that our property be zoned consistent with and compatible with the areas that surround us. Again, you have nine criteria that had to be met in your zoning code. Again, in your backup, you have what we've presented as our evidence that we satisfy those nine criteria. I went through them at Planning & Zoning; I'm happy to go through them again, but you all have been sitting for quite a long time. Needless to say, I will just say that our zoning application does satisfy the nine criteria. We've heard a lot through Planning & Zoning meetings and our public meetings with the residents that they're concerned about setting precedent and allowing this to kind of create opportunities for others in the area. And I just want to submit a few things. Number one, your professional staff has indicated that this is filling a hole in a doughnut; again, making the parcel consistent with the areas around it, as you can see on the aerial before you. Number two, this is not setting precedent. Again, if you just look at the map, the one-acre lots already exist. In fact, they exist in the estate zoned parcels where they shouldn't. How they got there, I can't tell you, but they're there, and making us one unit per acre doesn't change that, meaning we're compatible with what's already there. I think there have been concerns raised about traffic and how rezoning this parcel could, maybe, lead to additional traffic and, perhaps, opening up of 144<sup>th</sup> -- if you could -- yes. Those are all of the criteria; again, we've satisfied those. I can -- we -- we are consistent with the area. We don't adversely impact -- those really just go through what Mr. Silva did. But this -- I just want to show you. This is the road at the end of the street where my

client's property is. We can't go through; we can't create additional traffic on the right of way. We're adjacent to a canal, and the existing single family homes on the -- on the right of way. So to connect that to the street going further east is just not possible, so further traffic is not going to be created throughout the neighborhood and impact the neighbors around us. So that's, again, really not a reason. Again, in terms of setting a precedent, every application, as you know, has to stand on its own merits. We believe our application does satisfy the criteria. I think I've said that five times now. I'm happy to answer questions about those particular criteria or any other question that you may have and, lastly again, Mr. Silva did show you the proposed site plan. If this is approved, that will have to go before the City for approval. It doesn't just automatically happen, as you all know. Just because the rezoning is approved tonight, there still has to be a plat application, which, hopefully, will come to you during second reading, and so you'll have an opportunity to consider that at the appropriate time. And, again, any site plan for any development in this particular case is going to have to be approved, obviously, through the City anyway, nothing is a given. So there will be plenty of opportunities to further consider any impacts created by any -- anything constructed on the property. Tonight, again, we're just asking for a rezoning of the property, it's consistent with what's around the parcel, it doesn't guarantee what will be built, just because we have the opportunity to build one unit per acre. Again, everything still has to be approved and go through the process. I have a tendency to speak fast, but if you have any questions, I'm happy to answer them. I spoke fast, because I know it's late, and you've been here for a while. I'm happy to answer any questions.

MAYOR MESSAM: Thank you. Do we have any questions or comments for the applicant? Seeing none, now back to the public. Are there any members from the public that wish to comment on this item? Yes.

MS. KILBURN: Good evening, Mayor and Commissioners.

MAYOR MESSAM: If you could just state your name and -- and address for the record, please.

MS. KILBURN: My name -- my name is Margaret Kilburn, and I live at 14399 SW 48 Court or Bass Creek Road, Miramar. And I've lived there for approximately 43 years. Excuse me. And I'm here to ask you please not to approve this rezoning. We have in our neighborhood -- it's one of a kind. It's a little bit of country in the middle of the City of Miramar, and I don't know how many people have been out there and taken a look, and to see how beautiful it is. It's something Miramar should be extremely proud of, extremely proud of. We are. Our kids have grown up. Our kids now are 50 years old, they're bringing the grandchildren back to ride horses, to ride carriages; it's a country feeling, and they love it. And we are still in the middle of everything that's going on. If you're a shopper, we've got shops galore, beautiful shopping centers in Miramar. If you're a serious shopper, you've got the big one up on Sunrise Boulevard. Excuse me. If you want to go to a football game, we're ten minutes away from a stadium. If you want to gamble, we've got two casinos now; we've got Calder and we've got the Hard Rock within

minutes. We're in between two major, major highways, the Turnpike and I-75, so any direction you want to go, you're two, three minutes from getting onto that major highway. And it's just -- if you want to go to the races, it's Calder Racetrack too, if you want to watch the horses, but we would like to keep it as it is. On our way over here, we passed seven peacocks walking down the street, and we are ten minutes from City Hall. Now where else can you be right in the middle of the City and live like this? Nowhere. And people buy out there, because they want to raise their kids out there where they've got room to ride horses. They've got room to run, play, they're not hanging out on the street corner; they've got other things to do. So we would just like to keep it like that, keep the zoning as it is. There are smaller lots for the people that don't want to mow that much grass, because it is a lot of grass on two and a half acres. So we've got something for everybody as it is zoned right now, so please don't -- if it's not broke, don't fix it.

MAYOR MESSAM: Thank you, ma'am.

MS. KILBURN: Thank you.

MAYOR MESSAM: Thank you. Next speaker, please. Good evening, welcome.

MS. MARIN: Good evening. My name is Sonia Marin. I'm from 4801 SW 143<sup>rd</sup> Avenue in Country Club Ranches, Miramar, Florida. I purchased my property in 2004 for that same purpose. It was a little bit of paradise in such large cities, so congested, houses one beside each other. Your neighbor could see what you're cooking. I don't like that. That's why I purchased my property in 2004. My grandchildren were lucky enough, which a lot of children aren't, to have a pony in their own backyard because of the two and a half acres. Now they say, yes, we have smaller properties already there, so why not a few more. This is where it creates a domino effect. Once they grant this, somebody else will come and say: well, they already granted this; they have smaller properties, why not more. Next thing I know, we're going to have a very congested Country Club Ranches with houses piled on top of each other, and that is the reason why I moved out of Miami and into my little piece of paradise. It's true what she said, you are driving down Miramar Parkway, you have the City, you have the shopping, it's wonderful. You make that right turn, and you're in another world. Please, let's keep it that way. If they want to build homes for their family members, I had my father move in with me when he was elderly; I could have built and in-law quarters, I chose not to, but I could have. Let them do that. Let them buy other properties. There's plenty of properties that are for sale if they want to have their family members close to them, but don't change our beautiful Country Club Ranches by making it into smaller and smaller pieces of parcel, so they could create homes. Like I said, it's a domino effect. We already have homes with one acre, so it's perfectly okay to get another 14 acres with one acre. Next thing I know, somebody else is going to say: well, let me divide my property, so forth and so on. Please, don't let this happen. Thank you.

MAYOR MESSAM: Thank you.

MR. RANJAD (PH): Good evening. My name is V J Ranjad, 4300 SW 141<sup>st</sup>. Sorry about my attire. After coming out of the office today, this is what I put on. My son and I went for a nice bike ride, and we came over here. This is a great neighborhood. We saved, worked hard, my wife and I, and we were able to purchase a property here. When we first heard about it, it was brought to us -- we're building property for our kids. No problem. Build your property. But now it wants to be subdivided, and you need a legal whatever the terms are to subdivide it in folios, but you could build there now, and you don't need that detailed work. Which makes me question the agenda behind what they're doing. I have not investigated this, but commonsense tells me what's going on. I work in the industry as well. Once this starts, I promise you it will continue, because it's only fair and consistent to grant someone else with equal and more property. Okay. There are other people with larger pieces and parcels in there that can do the same thing; they're choosing not to. It's a -- it's my heaven. You guys vote for this project, you're taking my heaven away. Please, I'm begging you all don't do it. Okay. I'm here. I will support everything that we do, but not this one. This is my -- my peace, and when -- when we were -- Max - - when we were -- my son, not you, when we were riding today seeing the cars and -- and just the peace and tranquility, we don't have anyone zooming past us. It meant the world to me. That's my child, that's my legacy. Having several homes, and this guy is building stuff, and it's going to lead to more. I know that. Please stop it. That's all I'm asking. I'm asking as a -- as a human, not as a -- not -- not as a financial decision. It seems to me that this is a financial gain for someone. But you are talking my home. Okay. You're talking my home. So I'm begging you all, please protect it. Thank you.

MS. SCIALABBA: Debra Scialabba, 6490 SW 26 Street. Country Club Ranches has been an agricultural and equestrian community since the beginning. The streets are narrow, some of the roads are dedicated highways, high -- roads that -- roads, because of the horses. Canals make the streets very narrow. Also, there's one-way in. We got Blue Gill Road, you've got -- I -- I entered information regarding all of this in the records, I mean I -- I'm just not going to repeat myself again. It's in the records. There was an ordinance -- a resolution at the time to make -- to block the entrance, because of -- of -- of one -- because it being a one-way road into there. This is a unique community, always has been, and to do this, just have one property -- you want to -- one property for the family. Why does -- why do you have to change the zoning for the three -- for the three properties. What they're saying, you've heard everyone, but that's not everyone. The majority of Country Club Ranches residents feel exactly the same way. Maybe they couldn't have come here tonight, so please deny this application, yet again, because it's been months. I -- I -- I mean I could email you everything I've found on Country Club Ranches if that's what you need, but to go ahead and approve this is just -- it goes against the uniqueness of Country Club Ranches. Thank you.

MAYOR MESSAM: Thank you. Next speaker, please.

MS. MARQUEZ: Good evening. My name is Tiffany Marquez. I live at 130 -- on 137<sup>th</sup> Avenue. I too apologize for my attire. I just came from football practice with my kids. But I wanted to just speak about -- I don't really want to talk about how I feel about things,

because I think facts need to back this up and, as Ms. Calhoun has stated in other meetings, she has met the criteria for the nine items that are on this application. However, one thing she can't do, she can't predict the future. And part of this application includes adjacent properties, so we're not just talking about the five or actually less than five acres that the applicant has, we're talking about adjacent properties as well. Meaning that if they subdivided, and as we've all stated, and it's been stated in previous meetings, if they wanted to build something for their children, they could do that. They could submit whatever needs to be done and build an additional structure on the property, like a lot of people have. And they can go through code compliance, everything that needs to be done to do that. This isn't about building additional properties, this is about three separate folios. This is three separate addresses, three additional homes on this property. That means we don't know how many people are living there, so there's really no way to tell what the impacts will be on the community. Then if the adjacent properties that are being included, because the City doesn't do spot zoning, from what I understand, if they do the same things, now we're talking about an additional what, ten homes; how many people will live there? So there's truly no way to know how that'll impact not only our community, but I think we've stated before, we have issues trying to leave our neighborhood, because there's no light on Miramar Parkway, and it's extremely dangerous. But I believe there's been some studies done, and I think it needs to be done again, but, again, there's truly no way to predict the future. In one of our previous meetings that we had, I believe it was you, Mayor, that stated that there would be a study that would be conducted to see how those parcels that people were living -- or how that would affect our neighborhood. So was that study done? Can -- can emergency vehicles get into that narrow road? That's a pretty narrow turn, so if all those homes are added with God only knows how many people are living there, how will that affect the community and emergency vehicles. So I'd like to know if that was done as well and, if so, was it based on just those three additional folios, or were those additional properties included? And, if that's the case, were all the other properties that are over two acres, were they included in that study if everybody else decides to subdivide as well. And if you're not familiar, the Town of Country Club Ranches have the same issue several years ago; I don't remember the exact year, I apologize. But if you call them, you can file a request. They'll give you all the documentation. They had to stop developer -- developers from coming in and subdividing all the land there, and they made a pledge to be the only rural community, and if I'm not mistaken, we're the only rural community in the City of Miramar, and I think it needs to be kept that way. So, as everybody else has said, this is also my dream for my children, and the last thing we need are more people living there, more people coming in. Again, I know he's saying this is for his family, but there's other ways to go about it, as opposed to possibly making a profit off of it, and then what's to come after that, because it's going to be a landslide. So I'd like you guys to vote no on this application.

MAYOR MESSAM: Thank you. Next speaker. Good evening, sir.

MR. PEDRAZA: How are you? Luis Pedraza, 3901 SW 141<sup>st</sup> Avenue, Country Club Ranches. I second what she said. Besides Country Club Ranches being a hidden jewel, it's the effect that we're going to have in the future. It's not just those four houses; that

equals to what, 20 cars. And it's the lot that they're -- that's next to the Perez, which is the applicant. It's a bigger lot, and that owner, which I hope is not the Perez, is going to do the same thing that he's doing, so that's going to be about six or seven other houses, so multiply that by four cars per house. And the issue is that there's no -- there's no access for a firefighter, for a truck, for police officers, for -- there -- there's no streets in that -- in -- in that road, in that -- in that plan. So it's like what she said, it's not the Perez project is what's coming up in the future, and it's what the -- all the neighbors are going to be doing. As you know, there's a boom in real estate construction, and I see that GCs are looking into Country Club Ranches, because it's the only place in Miramar that there's empty lots, because Miramar is pretty much loaded with apartments one on top of the other. So we can see that these GCs are getting into our community, Country Club Ranches, and that's why you guys have to kind of look into the future. You guys are planning to be here long, I assume, so it's -- it will be the problem that we're going to be facing, just like the Hialeah Gardens is facing with that -- those houses on the west side of the turnpike. They didn't think about the traffic, they didn't think about the -- the access roads, and that's what's going to happen with this -- with this project. So I'm against this -- you know, this project as well.

MAYOR MESSAM: Thank you, sir. Next speaker.

MS. BROWN-ALFARO: Dorothy Brown-Alfaro, 14699 SW 47<sup>th</sup> Street. Commissioners, Mayor and staff, I would like to thank you for this opportunity, but our community, as you heard, is one of a kind. It's the only rural area, basically, left in the City of Miramar. And, for the record, the Zoning Board voted 100 percent against this rezoning, because they understood the impact that it's going to have in the future. And our homeowners' association and homeowners, we've been meeting. And I want to go on record to say that we're prepared to use all of our personal resources and all of the legal processes that are available to us, including appeal, if you vote yes for this and, also, to stop the current rezoning that you're going to be handling if you do and any future ones. Because we feel that our community should stay just as it is, because it will impact, and we've -- you've had other homeowners that came before this dais previously to state that they have ten acres, they have two and a half acres, and they -- if you grant this rezoning, they are going to come before you too. So you may not see what your vote will mean today, but you can't foresee the future. It will impact our community. So we ask this Mayor and the Commissioners to vote a resounding no, just as the Zoning Department did, because that Board had members on there that were very familiar with our community, and I would encourage, sometimes, when you're dealing with the construction industry, you have to do site visits to get a feel. The picture that Ms. Hope show where that entry comes in, it's only one way in, and when you come out, and you approve this one, then the next two adjacent properties, who are going to be included in this due to spot zoning, they're going to come before you too. And I live in the back, and I only have one way out, so when I come up 143<sup>rd</sup> Avenue approaching the Perez property, 14200 SW 41<sup>st</sup> Street, you're going to have traffic coming in. it's going to be a bottleneck. And I think that more emphases, and more detail needs to be gone in there, and not just take status quo what is there. You need to truly look at our community, it is one of a kind, and we are prepared

to fight all the way to stop it, because we know what's coming, because we have met with our homeowners at our homeowners' association meeting, and we know what they are proposing. Because they're saying, instead of selling two and a half acres, or 4.8 -- four acres, what do you have at one price, if they multiply, it's dollars, and so I know that it will be more tax dollars for the City, but you have to look at the long-term impact. And if it were your family, you would want to keep it the same way as we do, okay. And we're asking you all to vote no, Mayor and all the Commissioners. Thank you.

MAYOR MESSAM: Thank you. Are there any other speakers on this item? Good evening, sir. Welcome.

MR. TORO: Good evening. Derick Toro from 4150 SW 141<sup>st</sup> Avenue. I'm new to the area. I moved to Miramar about three, four years, first time to Vizcaya Park, and about a year ago -- actually, last week was a year that I moved to the Country Club Ranches. It was a dream for me. It was a dream to be able to have a piece of what I grow up with in my country, Colombia. I don't want you guys to take this away from me or my children when they come home to enjoy their afternoons. There's people my age that we're not looking to be a South Beach, partying, having the crazy life. There's people my age that we want to have a country life, that want to give our kids a quality that we no longer have. If you guys approve this project, you guys will be taking something unique from Miramar, that when my friends come from other sides of the country or some other sides -- from other sides of the World, they're like, "I cannot believe I'm in Miami -- that I cannot believe I'm in Broward." You guys have something unique in those acres around that area. I think Southwest Ranches is the only place I can think of and southwest -- somewhere down in Coral Way in Miami, so you guys have something that is right in the middle of everywhere, it's unique, and it's what creates -- what makes those parcels the magic for Miramar. When everybody says: I cannot believe I'm in Country Club Ranches inside Miramar." You got Miami, 30 minutes away; you got Fort Lauderdale, but you still have that feeling of being in the country, which I agree with -- she's no longer here. But it's a dream for probably the ten families that we live -- the 100 families that we live there, but it's our dream, it's my dream, it's a dream for my kids. We have a dream to have two, three horses in my acre; don't take it away, please. Thank you.

MAYOR MESSAM: Thank you. Are there any more speakers, public speakers? Any other public comment on this item? Seeing none, back to the dais. Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you, Mayor. Mr. Silva.

MR. SILVA: Yes.

COMMISSIONER CHAMBERS: Did this went through Planning & Zoning?

MR. SILVA: It did.

COMMISSIONER CHAMBERS: Was it approved?

MR. SILVA: No, they recommended denial.

COMMISSIONER CHAMBERS: Can you put up the chart as to the layout.

MR. SILVA: The chart showing the zoning districts?

COMMISSIONER CHAMBERS: The property, Country Club Ranch.

MR. SILVA: The property? Okay. Commissioner, the aerial photo showing the whole big area? Is that the one you're looking for? That one there?

COMMISSIONER CHAMBERS: Yes, sir.

MR. SILVA: Okay.

COMMISSIONER CHAMBERS: Good. Now from what I know and what I remember, do you know how many -- the layout of this area, the property was one acre -- the smallest I've seen in a three quarter acre in the back, and most of it is one, the majority is two, and two and a half. Am I correct?

MR. SILVA: That sounds about right. There's a mix of lots sizes.

COMMISSIONER CHAMBERS: Okay. Now some people have five acres, because they purchase two, two and a half, and some people have four acres, because they purchase two two-acre, and some have two acres that's separate, because it's two one-acre that they purchase. Now they spoke about an area where it would not be changed beyond one 141<sup>st</sup>.

MR. SILVA: If I could ask the Clerk, could you bring up the slide that has the official zoning map on it. Commissioner, I think that was the slide there.

COMMISSIONER CHAMBERS: Right.

MR. SILVA: The blue rectangle on the right, the little rectangle, that is 141<sup>st</sup>.

COMMISSIONER CHAMBERS: So there's a restriction there?

MR. SILVA: Right.

COMMISSIONER CHAMBERS: Now this property in question, is this two separate acre or two point something acre?

MR. SILVA: The -- the rezoning application includes three different lots, and each of --



COMMISSIONER CHAMBERS: Three?

MR. SILVA: Yeah, three different lots. And each of those three lots is about 4.8 acres or so. So it totals just over like 14 acres, --

COMMISSIONER CHAMBERS: Okay.

MR. SILVA: They're different lots.

COMMISSIONER CHAMBERS: So it was never one lot before, from what you're saying. It's three different acre -- three different lot.

MR. SILVA: Three different lots.

COMMISSIONER CHAMBERS: Correct. Now, in terms of the layout over there, how much lot can be changed from a two-acre to a two one-acre, or a two and a half to a two one and a quarter acre? Do we know?

MR. SILVA: For the whole large area, or just specific to this part?

COMMISSIONER CHAMBERS: The whole area.

MR. SILVA: The whole area?

COMMISSIONER CHAMBERS: The complete -- right.

MR. SILVA: Frederika, can you bring up that last map, that City map. No, the official zoning map.

COMMISSIONER CHAMBERS: Can you go back?

MR. SILVA: Right. That one there. Okay. Commissioner, this one here, the -- the green area that's designated currently estate, so one unit per every two acres, and then the purple area is designated one unit for every two and a half acres.

COMMISSIONER CHAMBERS: Two and a half acres.

MR. SILVA: So in order to do something different, they would have to -- any property owner would have to come to us for a change in those areas.

COMMISSIONER CHAMBERS: So if we're looking at the purple area, it's not possible to convert that into two one-acre, based on the layout? That's not possible?

MR. SILVA: Anybody can make an application to us, and since this application was started a couple years ago --

COMMISSIONER CHAMBERS: Can you keep the chart up, please.

MR. SILVA: Okay. Anybody can make an application to us in that area, in that purple area, to go to the one unit per one acre, and since this application started a couple years ago, we have -- a couple months ago, we met with somebody who was kind of in that middle -- that purple area, and we told them that we -- we didn't -- we wouldn't support it.

COMMISSIONER CHAMBERS: Okay.

MR. SILVA: Staff wouldn't support that, because of where it was located basically.

COMMISSIONER CHAMBERS: So it's very unlikely that that area can be converted into two separate lot?

MR. SILVA: I would agree with that.

COMMISSIONER CHAMBERS: Now, over here in the green area, those already -- those are what, one acre?

MR. SILVA: The green are one unit per two acres.

COMMISSIONER CHAMBERS: Okay, good. And -- and the one in question is isolated in the back there?

MR. SILVA: It's isolated; the small purplish area, that's got kind of an odd shape to it.

COMMISSIONER CHAMBERS: So, as of now, with the way it is, with the change in the land use, this applicant, without making any changes right tonight, they -- can they build on their property?

MR. SILVA: Currently, right now, on this property, they have just under five acres, --

COMMISSIONER CHAMBERS: Right.

MR. SILVA: -- and they have one house. So being that they have just under five acres, the zoning is one unit per two and a half acres, they cannot build any additional houses right now on their property.

COMMISSIONER CHAMBERS: Okay. But can they put two more house in the property without going through what we're trying to do here tonight? Is that possible?

MR. SILVA: If they wanted to build one or two more houses, they -- they could have it rezoned tonight, and then there could be a declaration of restricted covenant based on the property that would only allow them to build two or three houses total, or they could come in for a lot size variance, as a separate application, which is what happened to those lots way at the end in the purple area. There were two lots 20, 30 years ago that received lot size variances.

COMMISSIONER CHAMBERS: Right. So with -- to change from a RL1 to a RLS1, that would not be a big impact. We would still in compliance with the other acre -- one-acre lot that are there.

MR. SILVA: It's still in compliance with our Future Land Use Map, which is the -- the guiding document for the City's overall development plan.

COMMISSIONER CHAMBERS: So -- but as of now, having -- dividing this up into four lot, it -- if the -- it wouldn't change much, in terms of the number of cars that would be -- let's say we don't do anything tonight, and they went ahead and build two homes, additional homes on this lot, and plus put two in-law quarter in the back, that could have increase in the number of people living at this property, right?

MR. SILVA: Correct.

COMMISSIONER CHAMBERS: So -- and if we make the change, it would be the same increase, more or less, in the amount of people living at the property?

MR. SILVA: Correct.

COMMISSIONER CHAMBERS: All right. All right. Thank you.

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

COMMISSIONER BARNES: Mr. Mayor, I've been asked to ask for a bathroom break.

MAYOR MESSAM: Okay, that's the second request, bathroom break. I ask everyone to return in three minutes -- three minutes? Okay. Recess, three minutes.

### **Recess/Reconvene**

MAYOR MESSAM: The Miramar City Commission recess has concluded, and well the names -- you have the floor, Commissioner -- is it Colbourne, you had the floor? Who --

COMMISSIONER COLBOURNE: Ah, yes, yes.

MAYOR MESSAM: Yes.

COMMISSIONER COLBOURNE: Thank you. Yes. I don't have any questions. I did have the opportunity to speak to Ms. Calhoun, and actually, I spoke to Ms. Brown as well, but the City of Miramar is built on neighborhoods, and, you know, every neighborhood has its own special -- special thing about it, and unique in its own way. And I -- I sit here many times, and I've heard so many -- sometimes I hear such negative comments about the City of Miramar, and, you know, it just -- it just burns me up inside. So, tonight, I'm excited to hear that someone is saying there's a place in Miramar that's a piece of their paradise. The word heaven was used, your dreams. And, you know, I -- I am -- I'm very hopeful to hear that -- to hear those words, and -- and very happy about it. I'm -- I'm excited to hear that the people have great things to say about the City that we live in, because it is a beautiful city. It is a progressive city, but it's -- it is a beautiful city, and there are many good things that we have to share in this city. I think this neighborhood that we are referring to, Country Club Ranches, it does have a very unique setting, and it is set right in -- in the middle of Miramar, and you get the best of -- of both worlds. I wouldn't want to do anything to change that. I would -- I would like to see that that neighborhood remains the way it is. And if changing the zoning and approving this zoning will change that, then -- then I cannot support this item here tonight.

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

VICE MAYOR DAVIS: Thank you, Mayor. I certainly appreciate the presentation from staff, and appreciate neighbors coming out and fighting for a cause that they feel passionate about. And, you know, I remember just recently, before I got elected, I was in your situation. I was fighting for the Commission not to approve an opening onto Monarch Lakes Boulevard. And we were able to get, maybe, like 30 residents out. And, at that time, we were fighting against -- I would say fighting, because it was a battle, against an owner of a company that, in fact, filled the Chambers, and we were, basically, drowned out; our voices were not heard. And, unfortunately, -- well the commissioner is no longer here right now, but, you know, the will of the Commission at that time was to allow that opening. And it really hurt us as residents, and we feel today that it wasn't the correct decision, but then, again, it's the majority that carries. So -- but I -- I -- I am in empathy with you, and I do feel it, because, again, I live there, as you had mentioned. You wouldn't want that to change. And the -- the folks that bought into that community knew what they were buying. You know, when I moved to Monarch Lakes, we never had that opening on Monarch Lakes Boulevard, and I wanted it to remain that way. Again, I mean, our voices weren't heard at that time, so I'm certainly hearing your voices, only simply because, again, I've been in that situation, and I do like Country Club Ranches. I do appreciate the fact that you come out here and speak on behalf of your community, and you are active and seeking support for what you believe in, and to preserve that slice of -- of -- of -- of your paradise that you purchased into. And, so, I will wait at the appropriate time to -- to -- to do my vote. Like I said, I certainly feel your pain, because I've been in that situation, and probably more than once. Thank you.

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

COMMISSIONER BARNES: Thank you, Mr. Mayor. I think what has happened here this evening is a classic example of democracy at work. Our residents come out and speak passionately about what they believe, and what they're convinced about. I have a number of reservations though, because it is my understanding that there are a number of plots that were divided without coming to ask this Commission's permission to do that. I agree that no one can predict what will happen in the future. What I hope though is that the passion that we see here tonight will again play itself out when an application comes in the future, because it will. You know it will. So if you want us to understand your passion this evening, your -- your -- your wish, your hope, your dream, you have to assume the responsibility of maintaining this position going forward. If not, you would have set a different precedent. And I speak from the perspective of -- of living in a neighborhood where we were asked to provide for the placement of a stealth cell tower. It would not represent itself as a cell tower, it would be a flagpole. I also understand the science behind it and what it will not do to people in the matter of cancer, etc. But in that instance, I said not only are these people my neighbors, but if you come to us and you are as articulate as you have been this evening, your voices cannot be ignored. But I'm charging and demanding of you that you maintain this position going forward. I came here this evening prepared to vote for this resolution. Your -- your -- your voices have -- have changed my mind; I'm being very frank. And I also hope that you will share this kind of information with all of your residents, and in speaking directly to the larger Miramar community, I want to see the residents from the various communities come in here and speak the way you guys have spoken. You could do us a favor by convincing them that this is the way it's done, because your -- your case has been well represented. I still, though -- I still, though, have this nagging little problem with the fact that there are people with subdivisions inside of your development who didn't come to us and ask, but they do, in fact, de facto, have subdivided lots. And -- and because of that, I -- I -- I, too, have a certain amount of empathy for the applicant. So I -- I'm begging you to be guided by my observation going forward.

MAYOR MESSAM: Thank you, Commissioner. I have a question for staff. What precludes, let's say, this applicant or any other property owner in Country Club to just going to the County and just dividing the land?

MR. SILVA: Sometimes that happens. They go to the Property Appraiser's Office and they divide the land.

MAYOR MESSAM: And if that is done, and they decide to come to the City with a site plan, and construction documents to build, --

MR. SILVA: That's when we would catch it. So they would -- they could go to the County, and the County subdivides land all -- all the time, and we don't know about it. And then when they came in for their building permit application, that's when our zoning staff would -- would catch it. Say, for example, they had a lot that didn't meet the -- the lot size requirement, or didn't have enough frontage, it was being that 200 feet or that 150 feet

that we talked about earlier, and that's when staff would catch it when they came up for building permit.

MAYOR MESSAM: So the adjacent lots that would also accompany this zoning, if they met the criteria that, for example, they did have this -- this -- the lot width?

MR. SILVA: Correct. If they did have the lot width -- if those adjacent lots, those long narrow lots, if they wanted to do something, they would have to come to us, first of all, to get access. Because the way those two lots are, they're long and narrow. There's a house in the front. The only way, really, to build more houses would be to have an agreement with this main applicant here to get a road through his property to get to the back there. And, of course, we would all review that as part of the platting process, and fire and engineering would look at those applications.

MAYOR MESSAM: Okay. And you -- you touched on it briefly. Then how are those other lots able -- they just got a variance for the specific -- individual lots?

MR. SILVA: There are some -- two adjacent lots next to this application that received variances for their lot sizes, correct.

MAYOR MESSAM: Okay. All right. Thank you. Are there any other questions for staff? If not, -- okay. Commissioner Chambers, you're recognized. I think your mike is not on, Commissioner. Turn your mike on -- is your mike on? Okay.

COMMISSIONER CHAMBERS: Mr. Silva, I just want to ask -- I'm not sure if we could go back -- I mean the one-acre lot is consistent with the area. We already established that, right?

MR. SILVA: Can we go back to the zoning map. On this map here, staff's opinion is that this parcel is in the middle of lots that are already at one unit per one acre, so that's the main reason that we were supporting it.

COMMISSIONER CHAMBERS: Right. Okay. And I think on the other backside, there is -- I think, maybe, five or six one-acre lot on that side. Now let me ask you, is there anything that we could put in place, legislation wise, to make sure no one try to subdivide two and a half acre or a two acre, if needed to?

MR. SILVA: You mean a code amendment in the future?

COMMISSIONER CHAMBERS: Pardon?

MR. SILVA: Are you talking about an amendment to our zoning code?

COMMISSIONER CHAMBERS: Right.

MR. SILVA: Right. We could do a zoning code amendment.

COMMISSIONER CHAMBERS: Right. So if we approve this lot to divide into the four one-acre, can we also ask for like a square footage of the home that would be built? Can we put like a restriction in place that it's a certain size?

MR. SILVA: We have -- we have some requirements --

COMMISSIONER CHAMBERS: Is that -- is that a possibility?

MR. SILVA: We have requirements in our code now for minimum square footages for homes. If you want to do something specific for this property, then the applicant would have to agree to record a declaration of restrictive covenants that would lay out those specific requirements. It could be number of units; it could be related to square footage; it could be related to, you know, whatever the board chooses to do.

COMMISSIONER CHAMBERS: I -- I understand the area, and I -- and I know both sides, you know. I mean if I own a lot and wanted to divide it up, I'm pretty sure that I would want the opportunity to do that. And I understand the people that are here tonight speaking against it. But I don't know. Do you -- I want to ask the applicant, do you want to go back and give it a shot and see if we can put some things in place, in terms of -- yeah. Ms. Hope. I mean I could ask to table the item.

MR. SILVA: Commissioner Chambers, if I could just go back to one slide, the first slide in the presentation, the aerial photo. The one before that, Frederika. Yeah. I just wanted - there was some confusion during the break, Commissioner Chambers. You asked a question about the different lot sizes on this map here. I just want to be clear that I -- my response was referring to all the lots on this map here. I just want to -- to clarify that.

COMMISSIONER CHAMBERS: Okay. Thank you.

MAYOR MESSAM: Ms. Calhoun.

MS. CALHOUN: Thank you. Thank you for the opportunity, Commissioner Chambers. I want to first say -- and the Mayor actually made the point, which Mr. Silva made earlier, and that is my client is a one-property owner, little bit less than five acres, and we were asked to join -- to request our neighbors to the east of us join our application, so that there would -- this application wouldn't be considered spot zoning. I think you all know that, because I think you've heard that a few times before. And those lots, as you heard, are very narrow, so any -- any development on those parcels, obviously, would have to be approved by the City. With regard to this particular parcel, again, we're asking for a rezoning of the parcel, so that we would have the opportunity to build additional lots on the parcel if we wanted to. So, at the second reading -- if this passes on first reading, which I'm still hopeful that it could, I, yes, could come back on second reading and we could probably present a plat that looks different, as opposed to the four units that we're

proposing now. We can propose less. And we can do that again if we get past this first reading, and go to second reading. I heard you mentioned tabling, but, again, I'd rather if we can just continue to move this forward. We have timing issues with the plat at the County; if we can, hopefully, move this forward on first reading tonight, and second reading, show you a plat with fewer units on it.

MAYOR MESSAM: Any other questions for the applicant?

COMMISSIONER CHAMBERS: No. Thank you.

MAYOR MESSAM: Thank you. All right. So in terms of moving this item, the -- staff is recommending approval of first reading, so we either vote up or down, or if there's another option, then a motion would have to be made with -- with that proposal. So, if at this point, there's no other additional questions for the applicant or for staff, I'll entertain a motion.

COMMISSIONER BARNES: Motion to move ahead on first reading.

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: Commissioner Colbourne.

COMMISSIONER COLBOURNE: No.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: No.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Barnes, seconded by Commissioner Chambers, to approve Ordinance #O1710, the Commission voted:

Commissioner Barnes

Yes



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

**Passed 1<sup>st</sup> Reading**

SECOND READING SCHEDULED for September 4, 2019

MS. CALHOUN: Thank you.

MAYOR MESSAM: So for -- for the -- for the audience, this is just a first reading, and if there are any changes, which was suggested that the applicant make, in terms of their due process, they -- that will be presented at the second meeting, and then that's when that final decision will be made affirmative or no. Item number ten, please.

**10. SECOND READING** of Temp. Ord. #O1726 considering **Application No. 1901434, Rezoning** a 33.84-acre property from Community Business (B2) to Mixed-Use Low (ML), located at the northeast corner of Miramar Parkway and Flamingo Road; and providing for an effective date. ***(Passed 1st Reading on 07/10/19) (Community & Economic Development Director Eric Silva)***

CITY ATTORNEY SMITH: Item number ten is an ordinance of the City Commission of the City of Miramar, Florida, considering Application No. 1901434, Rezoning a 33.84-acre property from Community Business (B2) to Mixed-Use Low (ML), located at the northeast corner of Miramar Parkway and Flamingo Road; and providing for an effective date.

MAYOR MESSAM: Mr. Silva.

MR. SILVA: Evening again. Eric Silva, Community & Economic Development. This is on the second reading of a rezoning to go from B2 to mixed use low. There have been no changes since the first reading.

MAYOR MESSAM: Thank you. There are no changes. Do I have any comments from the applicant?

MR. MELE: I'm Dennis Mele on behalf of the applicant. Just to answer any questions you may have, then you.

MAYOR MESSAM: Okay. Are there any questions from the dais for staff or the applicant? Seeing none, are there any members from the public that wish to comment on this item? Welcome back, ma'am.

MS. SCIALABBA: Right. I bet you wish I was gone. Debra Scialabba, 6490 SW 26 Street. First, I want to say again that there's a year, sometimes two years waitlist to get into

Sorrento, which is right -- right -- right there. This project has 84 affordable rentals, 13 percent would allow people to rent, especially if they fall into the category of waiting to get into Sorrento, as well as other -- other people wanting to lease affordable rentals. Then I want to make mention that Chick-fil-A was a concern addressed at the previous denial of P&Z of this application at the -- at that P&Z meeting. I did want to mention that August 13<sup>th</sup> P&Z meeting, the quick restaurant, which was Chick-fil-A, was unanimously approved by P&Z. Thank you.

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

COMMISSIONER BARNES: Motion to approve.

COMMISSIONER 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: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Barnes, seconded by Commissioner Colbourne, to approve Ordinance #O1726, the Commission voted:

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

Mayor Messam

Yes

**Ordinance No. 19-21**

MAYOR MESSAM: Item number 11, please.

11. Temp. Reso. #R6998 considering **Conditional Use** Application No. 1900388, **Site Plan** Application No. 1900384 and **Community Appearance Board** Application No. 1900385, for **Casa Sant'Angelo Senior Housing**, located at 16800 Miramar Parkway. *(Continued from the meeting of 07/10/19) (Community & Economic Development Director Eric Silva)*

CITY ATTORNEY SMITH: Item number 11 is a resolution of the City Commission of the City of Miramar, Florida, considering Conditional Use Application No. 1900388, Site Plan Application No. 1900384, and Community Appearance Board Application No. 1900385, for Casa Sant'Angelo Senior Housing, located at 16800 Miramar Parkway, providing conditions of approval, and providing for an effective date.

MAYOR MESSAM: Thank you. Before we have the presentation, just a reminder to the Commission that this will be a multiple vote item. We'll be voting on the Conditional Use Application No. 1900388, and the Site Plan Application No. 1900384, and the Community Appearance Board Application 1900385. Mr. Silva, you're recognized.

MR. SILVA: Thank you. Good evening again. Eric Silva, Community & Economic Development. This application is for Casa Sant'Angelo. The location of the project; it's located across from Regional Park, and east of SW 172<sup>nd</sup> Avenue, and sought of Miramar Parkway. The application; you have three applications before you. One is for a conditional use, one is for a site plan, and one is for Community Appearance Board application. The request is for a special residential category three facility, which is permitted in the CF zoning. The conditional use; the request is for 113 units. It's consistent with the land use and the zoning. There was a community meeting held on March 18<sup>th</sup>, and the Planning & Zoning Board recommended approval of this on March 19<sup>th</sup>. This application was before you in 2015, and it was approved by the Board. The applicant has come back to us to make some changes to the site plan. You'll see on the left, that's the previously approved site plan, which included two buildings. One was a three-story building close to the street, and the other was a four-story building located behind it, and it also had 112 units; this application is 113, so it's one more unit, and they've decided to build one L-shaped building located right on the street, and this will be a five-story building. This would be the view from the southeast, so if you're looking into the building, you can see the grassed area behind it here from the southeast. This would be the drop off and the entrance area with the covered shade, and the drop off there, the covered walkway for people to get in and out of their cars. And you can see here that it's five stories, and it's a typical Mediterranean-type of design with a barrel tile roof. Recommendation is for approval with the same conditions that we had in the past; 11 conditions total. I just want to point out one condition in particular, number eight, which

is a shuttle and van service to, you know, local amenities. You've got the -- the park across the street, the shopping plaza across the street, so it really is a good location for senior affordable housing. And the applicant is here for any questions.

MAYOR MESSAM: Thank you. Good evening.

MS. JENNINGS: Good evening. My name is Moira Jennings. My address is 110 Merrick Way, Coral Gables, Florida 33134. I want to thank you all for giving us the opportunity to present our application today. I have members of our development team, including our architect and engineer that are here today to address any questions that you may have. Very briefly, because I know it's late. The Archdiocese of Miami has built, developed and managed over 16 low-income, elderly housing facilities throughout South Florida. We have been successfully developing and operating, so we have both the development and the continued operation of these elderly housing facilities in Miami-Dade and Broward Counties, and we've been doing this for well over 50 years. We are excited to, hopefully, have the opportunity to expand this experience here in the City of Miramar, and to provide a similar service to the residents here. We have had the opportunity to review the City's conditions and accept them as proposed. Thank you.

MAYOR MESSAM: Thank you. I do have a couple questions for the applicant. This is elderly housing. In terms of the -- what is the anticipated, I guess, rates for -- to rent a unit, or is there a -- or the application process? Who are eligible tenants?

MS. LECOUR: Good evening. My name is Lindsay Lecour, I'm with Atlantic Pacific Communities. We're the partner with the Archdiocese, the developer partner. And so our plan, hopefully, if we can get the approval tonight, is to apply for low income housing tax credits in the fall. I believe this application is due in early November. And in terms of the rent levels, the State agency, Florida Housing, regulates that and requires that the rents average to about 60 percent of the area median income, and I have the exact numbers if you'd like to hear those.

MAYOR MESSAM: That's fine, that's fine. Once you told me it was a low income tax credit project, then -- okay. Which was going to be my next question, is was this going to be a low income tax credit application, so, all right, thank you.

MS. LECOUR: Yes.

MAYOR MESSAM: Are there any questions for the applicant before I go to the public for comments? Hearing none, are there any members from the public that wish to comment on this item? Any member from the public? Back to the dais.

**a) Conditional Use Application No. 1900388**

MAYOR MESSAM: If there aren't any other questions or comments, I'll take a motion for the first item, which is the Conditional Use Application No. 1900388. May I have a motion.

COMMISSIONER 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: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

On a motion by Commissioner Colbourne, seconded by Commissioner Barnes, to approve Resolution #R6998, Conditional Use Application #1900388, the Commission voted:

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

**Approved**

**b) Site Plan Application No. 1900384**

MAYOR MESSAM: Yes. May I have a motion on item number 11, Site Plan Application No. 1900384.

COMMISSIONER 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: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

On a motion by Commissioner Colbourne, seconded by Commissioner Barnes, to approve Resolution #R6998, Site Plan Application # 1900384, the Commission voted:

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

**Approved**

**c) Community Appearance Board Application No. 1900385**

MAYOR MESSAM: And now may I have a motion on item number 11 for the Community Appearance Board Application No. 1900385.

COMMISSIONER COLBOURNE: Motion to approve.

VICE MAYOR DAVIS: 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: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

On a motion by Commissioner Colbourne, seconded by Vice Mayor Davis, to approve Resolution #R6998, Community Appearance Board Application # 1900385, the Commission voted:

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

**Approved**

**d) Overall Application**

MAYOR MESSAM: Now may I have a motion on the overall project.

COMMISSIONER COLBOURNE: Motion to approve.

VICE MAYOR DAVIS: Second.

MAYOR MESSAM: record the votes, please.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

On a motion by Commissioner Colbourne, seconded by Vice Mayor Davis, to approve Resolution #R6998, the Commission voted:

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

**Resolution No. 19-160**

**OTHER BUSINESS**

**Reports and Comments:**

**Commissioner Reports:**

MAYOR MESSAM: On other business, item number 12.

- 12. SECOND READING** of Temp. Ord. #O1727 amending the City Code at Chapter 2 "Administration," Article III "Boards, Committees and Commissions," Division 6 "**Teen Council Advisory Board**," Section 2-105.5 to provide for additional members; and providing for an effective date. ***(Requested by Vice Mayor Alexandra P. Davis) (Passed 1st Reading on 07/10/19) (Parks and Recreation Administrator Tennille DeCoste)***

CITY ATTORNEY SMITH: Item number 12 is an ordinance of the City Commission of the City of Miramar, Florida, amending the City Code at Chapter 2 "Administration," Article III "Boards, Committees and Commissions," Division 6 "Teen Council Advisory Board," Section 2-105.5 to provide for additional members; and providing for an effective date.

MS. DE COSTE: Good evening Mr. Mayor, Vice Mayor and Commission, Tennille DeCoste, Human Resources Administrator. This is the second reading. No changes.



MAYOR MESSAM: Thank you. Before I open up for public discussion, Vice Mayor, do you have any comments?

VICE MAYOR DAVIS: No, no comments.

MAYOR MESSAM: Okay. All right. Any members from the public that wish to comment on this item? Seeing none, back to the dais. May I have a motion, please.

VICE MAYOR DAVIS: 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: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

On a motion by Vice Mayor Davis, seconded by Commissioner Barnes, to approve Ordinance #O1727, the Commission voted:

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

**Ordinance No. 19-22**

MAYOR MESSAM: All right. On to Commission reports. I couple of items I'll go through quickly. Over the summer, I held my annual Mayor's Aviation Summer Camp; we had over 80 registered kids that participated that received an opportunity to learn more about aviation, to build aircrafts, and 30 of those students were selected to go airside of the Fort Lauderdale International Airport. This is our first visit to Fort Lauderdale International Airport. We've -- in years prior, we've gone to MIA, so I know it's a great experience to also partner this year with Broward County Aviation Department. As the public may know, the City of Miramar has a very large aviation sector from aeronautical engineering to repair/maintenance, to aviation support companies, and we want to expose our children to this dynamic and lucrative industry, so this is just a part of that effort. The beginning of this month, we celebrated a couple of -- with the Jamaican Diaspora, the Mayor's Emancipation -- Emancipendence Celebration took place at the Miramar Cultural Center. We recognized community members from the community. It was a great event that actually was headlined by Willie Stewart and friends. We recognized members from the community, and the Business Award recipient was Dr. Venessa Walker with Walker Chiropractic & Wellness Center. Our Community Service Award was given to Pastor Michael Hutchison of the Power Faith Ministries. Our Cultural & Entertainment Award went to Eddie and Bridget Edwards with Riddims Marketing. And our Education Award went to Doctors Joy and Ray Gordon of the New Mirawood Academy. I would like to thank our sponsors that made the event possible for this celebration. And then later, a couple days later, we celebrated the City's official Jamaican Independence Celebration. I'd like to thank staff for your proactiveness, because we had a very -- there was a forecast of inclement weather that was anticipated over the weekend, and your advisement and - - and promptness, we moved that event over to the Cultural Center, which was a wonderful event, instead of being rained out at the band shell, so thanks for your proactiveness and your support, and ensuring that we had a successful event to a full house at the Cultural Center. I also had the opportunity to partner, again, with the Father of Trayvon Martin, Tracy Martin right here in the Commission Chambers for the Circle of Fathers: Redefining Fatherhood event, where it was a panel discussion with men with -- with youth from our community. We had the entire Miramar High School football team, along with members from the My Brothers Keepers Program, and the 5,000 Role Models. For those of you who know, the 5,000 Role Models have come to Broward County with Broward County Public Schools, and we had a great turnout at the Commission. And the great thing about it was that we had a very real and blunt conversation with -- with our young men in the community, and it was a well-attended event, and I would like to commend the Trayvon Martin Foundation for all of their work, and how they -- how they've been able to persevere and take a family tragedy to impact the lives, of not just in South Florida, but across the country. The National Night Out; the City did another marathon. As each of us know, on the dais, it's a marathon going from east to west or west to east to hit all of the communities. I think that it's something -- an event the City should continue to support and joining our municipality peers across the country to recognize public safety. We get a chance to showcase our public safety professionals and all the great work that they do in our community. There was a comment made during the public comments about consolidating these events, but if you -- each of us who go to each one of the locations, it's just something special about each community and each neighborhood is unique event

that they have. Because each neighborhood is unique, and I will continue to support the City supporting any community that wish to have their own, individual event, and it may be more difficult for us to visit all of them in that time period. But it was a -- a great -- great event, and I would just like to thank our Police Department and our fire rescue for your participation in showcasing our services that we make available to our residents to keep them safe. We had an opportunity to join one of our investors and developers in east Miramar, Najibe Gardens. I was accompanied by Commissioners Yvette Colbourne and Maxwell Chambers to celebrate with Miramar residents that has developed affordable housing in east Miramar. And it was a great event, and it's -- we're beginning to see the fruit of our investments in ourselves, you know, of improving our infrastructure, and showing the public that we believe in Miramar. That's why we're willing to put our dollars in our community to increase and upgrade our infrastructure, and the development community is beginning to respond, and we are transforming Historic Miramar, so that we can provide exceptional housing options, especially affordable housing, which we are in such dire need. Last year, we were the least affordable city in all of Florida. We did improve a little bit, and now we're the second least affordable. You know, Fort Lauderdale surpassed us, but barely, so we have a lot more to do, and we know what our challenges are not having public housing, as well as not having a CRA that we can use to be more aggressive. But we do have -- have begun to put resources in place to continue to address this issue, so this is just one example of the investor community responding. And last couple of items. I would like to invite the public to our -- to a Fall Job & Career Fair hosted by myself and State Representative Shevrin Jones, which will take place Friday, September 27<sup>th</sup> at the Miramar Cultural Center from 2:00 -- from 10:00 a.m. to 2:00 p.m., and you can get information regarding opportunities from local employers. Individuals are always in need and searching for either a job or a better job, and this is an opportunity to -- yet again in the City of Miramar, to attend the career fair. It's the second year I've joined Representative Jones in hosting this event, and we look forward to individuals having an opportunity for available opportunities. And I'm also partnering with the Indemnities Security, a firm that is a -- one of the security firms that has secured a contract with the upcoming 2020 big game. And they will need hundreds of security officers. But we've partnered with Broward College, where this is a great opportunity for individuals who want to get their security license. It is totally free. And this will be a license that you will have and can keep beyond the big game, so it's a great opportunity for those who are looking for an opportunity to either participate in the big game as a security officer, or for someone who may have an interest in becoming a licensed security officer. You can take the courses for free. It's in partnership with Broward College and Indemnities Security, and it's a great opportunity for those individuals. Classes start September -- the first class begins September 9<sup>th</sup> from 6:00 p.m. to 10:00 p.m. for two weeks, and Monday -- Monday through Friday, or there will be a weekend option from Septem -- for two weekends, September 21<sup>st</sup> and 22<sup>nd</sup>, and the following weekend, the 28<sup>th</sup> and 29<sup>th</sup>, and the -- and the auditorium holds 300 per class. And we'll be releasing the October date by the next meeting. And this is an announcement for the Annual State of the City, which will take place Thursday, October 24<sup>th</sup> at the Miramar Cultural Center at 6:30 p.m. You'll get great information about the progress of the City and where we're headed, what our challenges are, and what we're doing about them. I look forward to providing more information in the

upcoming weeks about our annual October 24<sup>th</sup> State of the City. And, finally, the -- get ready for the Aviation Expo, which will take place again on Friday, December 6 at the Miramar Amphitheater. There's children school day will be on that Friday, and the community day will be on December 7<sup>th</sup>. Thanks so much. Pardon the length, but it's been a long and very busy summer. So starting with Vice Mayor Davis, working down.

VICE MAYOR DAVIS: Thank you so much. I do have a presentation, but before I get into that, I do have a letter of recognition that I would like to give to the Police Chief to give the officer, who will remain nameless. He was involved in the incident that was captured recently on the newly acquired body cameras. It occurred somewhere around July. And I wanted to -- to recognize him for his bravery, and how he -- he acted. And, again, it was all captured on camera, and I think this could be used as -- as a good learning tool. As I know it, the officers -- this is in its pilot phase, and officers can decide to wear it. They volunteer to wear it, and in this instance, it did really prove valuable. And I just want to have this letter in his personnel file. Many times you'll find that your personnel file -- and I used to work for government myself, and a lot of times a lot of negative things will end up in your file, so I'd like this to be in his personnel file, and it's a positive move for him and for the Police Department. Yes, if you could come up. Thank you so much. Once again, I will not name names, but this -- I'm going to read a little bit of it, because it did occur on July 19<sup>th</sup>, and it was an incident where this officer was in -- basically, in a pursuit situation, and finally when he did, you know, get the suspect in his sights, it ended up where the suspect fled the area, and the officer was able to try to apprehend him by holding onto the suspect's vehicle door. But, unfortunately, the suspect got away at that point, and the officer was injured. In fact, the officer is currently on light duty. But thank goodness for the -- the body cameras that was on, and this officer was able to -- he was able to be apprehended later on. And he will face the appropriate charges. And so I did want to, again, put this letter of recognition in the officer's file, so that he can be -- it will show as a record for him in his future in the Police Department. I understand he's only a two-year officer. He has a long, you know, career ahead of him, and it will be good to have this in his personnel file. Thank you. And, again, before the presentation, I would like to ask my colleagues -- I have a request for a resolution for the -- well, the naming of our netball fields at Ansin Sports Complex after Grace Bailey, who passed away recently. She was very instrumental in bringing netball to our area, and we have a couple of netball fields now, one at Ansin, I believe one is at -- over there at Sherman Circle, and we have some fields over there at the Vernon Hargray Complex. And so if I could get this resolution done -- now it may have to be done once we have our attorneys who will be taking over, but I do want to see if we can have consensus to -- to read -- actually, to name the fields over at Ansin after Grace Bailey.

MAYOR MESSAM: That's all the --

VICE MAYOR DAVIS: Well, yes. But if --

MAYOR MESSAM: We could do it now or do it then.

VICE MAYOR DAVIS: Well, I'd -- I'd rather do it now.

COMMISSIONER COLBOURNE: You have my -- you have my --

MAYOR MESSAM: I don't have an issue with it.

COMMISSIONER COLBOURNE: You have my support on it.

VICE MAYOR DAVIS: Thank you. Go three? All right.

- City Commission Consensus to direct the City Attorney to draft a resolution naming the Ansin Sports Complex Netball Court after Ms. Grace Bailey.

VICE MAYOR DAVIS: And then final is the -- is the report. It's a little lengthy, but we'll try and go through. Is there any sound? Anyway, what's on there right now is the Book Bag Bonanza that took place on July 20<sup>th</sup>. This was over at Sherman Circle, very well attended. We were able to give out over 700 book bags, which included (sound went out 3:26:43 TO 3:26:51) --

MAYOR MESSAM: Up top -- there it is. Mine is on, yours in on now.

VICE MAYOR DAVIS: Okay. Yeah. So we gave up -- gave out over 700 book bags with supplies, and we were really pleased with how that turned out. Moving along, if you can click, maybe, to the next -- there's some -- some footage there. We had all ages. And here, speaking of affordable housing, I was able to attend, along with some of my colleagues, the Habitat for Humanity -- they built three duplexes, I believe it was, and able to break ground over there in the historic neighborhoods, and we're grateful for their partnership, along with -- there was WSVN-7 at the time. I see my whole sound system has been sabotaged here. (Video shown) And, as you can see, Habitat for Humanity is still accepting applications now, and that information, you can call my office and get further information on Habitat -- now it's too loud. (Video shown) Okay. And so this -- as we celebrated Jamaican independence, we did have our street festival inside, due to the weather issues. Staff was able to accommodate this location here in our historic neighborhoods to have the street dance in -- indoors. Very well attended, and we were pleased with all the vendors. We thank all the sponsors for their support, to include Grace and I think Victoria Mutual was there and, of course, WZOP, Digicel, so we had a lot of support in that area. Moving onto the Career & Education Fair, some of the photos there. (Video Shown) Clearly, this is at a school; preplanning week. And there we visited Sunshine Elementary, Miramar Elementary, and Fairway Elementary and were able to treat the teachers to coffee and doughnuts, as they begin the school year. Let's see, this was -- this was Somerset Academy doing carpool again. This was the first week of school. And up to -- onto upcoming events. And you'll see more of these as we go along. This starts in September, Bizfit; we have the Gospel Grove, September 22<sup>nd</sup>; all these events can be found on [www.miramarfl.gov](http://www.miramarfl.gov) on my page. Latin Nights is also in October, and a Community & Cops Forum in October. In addition, we're celebrating Black British

Heritage Month in October. We're featuring Maxi Priest, and, again, all of this information can be found on the website in the City of Miramar. Thank you.

MAYOR MESSAM: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Thank you. Okay. First, I want to thank all the interns that worked in my office. I should say work, I should say volunteer and got community hours in my office over the summer, and helped out at many of the events that we attended. So I just want to wish them well on their school year. Over the summer, I had the opportunity to be part of the Broward MPO and the Miami TPO delegation to Asia to look at a number of different types of trains system. Next week, I will -- next Commission meeting, I will have someone here from Broward MPO office to speak on it, and I will also have a video presentation for you, providing you more information on that. I do have -- I am hosting this year Miramar Latin Music Festival. It will be held at the Miramar Amphitheater; we're very excited that we were able to get Rey Ruiz. He is a -- a very well known, Spanish singer, and the event will be held, Saturday, September 21<sup>st</sup>, 7:00 p.m. to 11:00 p.m. at our Miramar Amphitheater. It is a free event. Look forward to everyone come dance some salsa, meringue, and all of that good stuff, great foods as well. The last thing I wanted to tell you about, the Census. I had come to this Commission early on and asked to direct staff to begin to prepare for a Census count -- Census -- Census count committee -- complete -- complete count committee for the Census. And, you know, today we -- the next step in the process was for the proclamation, and City staff, with the leadership of Mr. Baker, have been working on putting the committee together. I have been working with -- closely with them to provide guidance. And I do want to ask consensus -- consensus from this dais that I will be the representative on that -- on the - - on the Census count committee once it is fully created. So if I can get consensus on that, as your representative for this Commission.

VICE MAYOR DAVIS: That's fine with me.

COMMISSIONER COLBOURNE: Anyone else?

COMMISSIONER CHAMBERS: Thank you.

COMMISSIONER COLBOURNE: Thank you. That's it for me.

- City Commission Consensus to appoint Commissioner Colbourne as the City Commission's Representative on the 2020 Census Complete Count Committee.

MAYOR MESSAM: That's it? Commissioner Chambers?

COMMISSIONER CHAMBERS: Thank you, Mayor. I just want to ask staff to -- to look into a property just west of Flamingo and north of Miramar Parkway, that new development for the Publix Plaza. The businesses that's adjacent to that are experiencing their cars towed, because of lack of parking space. I know we approve

those building variances for them to develop with less parking space, and it's very -- not nice for patrons to come to see a dentist, and then to have their car towed away, and, you know -- so we have to look to work with the new developer that developing that property. I already reach out to Mr. Dennis Mele to see if there's something we could do by talking to that new property owner, to see if we can give up a little piece to increase the parking space for those businesses there. So I'm asking staff to look into that. I have a question for the Mayor real quick. I'm asking -- I know we had the ribbon cutting of Najibe, that development on east Miramar went well, great family, and stuff like that. Welcome them in Miramar to build this property. But I notice we put up the pictures, and I'm not in the picture. I know I'm not the best looking guy, but I just want to know if there's an additional charge when you have a professional photographer, for us to be included in the pictures. I'm willing to pay the difference to be included in your picture, so just let me know. Also, I would like to thank the -- all the summer camp and the staff that run the summer camp over the summer, helping our resident, our children. I know Little Broadway did a fantastic job. The PAL "Hangin' with 5-0". We have the Youth Enrichment Center, and PD with the children. So I want to thank you for all for what you do for our family and children here in Miramar. We wish we have more facility to accommodate our children and at a low cost, so our kids don't have to stay home while their family go to work by themselves, and play with their gadget all day. So good to get out. We have so many parks here in Miramar, and, like I said, Florida is not a retirement state anymore. We have real family here with real children with real needs, so it's something we have to look into, how we can improve summer camp for our children here. I believe I had a slide, and -- this was the event that host by a local restaurant here in Miramar, D&G Restaurant. This is a family owned restaurant in east -- Historic Miramar, and Mr. Richard, one of the brother work with me to make this event happen. We were able to give back to our community, by providing a lot of free food, brown stew chicken, jerk chicken, hot dog and -- and -- and so forth. And not just food, but also book bags and school supplies, we were able to give back. Okay. Now this is from one of our special camp here. Thanks to the Chief and his staff by running this camp, "Hangin' with 5-0", right here in Miramar, New Renaissance Middle School. These kids are so appreciative. And despite how they behave and stuff at the end of it, I really, really miss the officers, and I really appreciate them, and tell them how much -- they though no one cared, but these officers care about them, and it goes over a long way. And National Night Out was another event here in the City of Miramar. We had some rain, but a few different locations, we were able to -- went off well, so it's always a good thing to have our officers and firefighters and our community come together to celebrate and acknowledge National Night Out, so thank you once again, Chief Dexter Williams. And I just want to share a little bit of the Emancipence that our Mayor put on every year. This one was really, really fantastic, so thank you, Mr. Mayor, for hosting that every year. I think I out dance you a little bit, so don't be mad at me. This coming Saturday, right here at Palm Avenue and Miramar Boulevard, we have a community here which is Mirabella Plaza. We have quite a few small businesses there, and they are struggling. So I'm hosting this event, Rock the Block, from 10:00 a.m. to 3:00 p.m. Everyone, as much as possible, come on out and spend some money with these businesses. It's been hidden with the trees, and all different type of issues, but I'm trying to see if I can keep them afloat, and support these small businesses in this area to give

them some life support. We have a lot of raffles. I know I went on Hot 105 this morning, and I was fortunate enough also to get some support from McDonald's, Sam's, and even Cooper's Hawk, and so forth, so, please, if you can assist, spend a couple dollars in this community this weekend, or even before the weekend or after, please do so to assist these small business that put their own hard earned money into this complex. All right. Coming up next, we have a multicultural festival, going to be right here, September 7<sup>th</sup> at the Town Center, so looking forward to that experience. We -- it's free. We'll have some food trucks and different kind of vendors, so I'm really, really looking forward to that. For those of you who like to dance a little salsa and so forth, please come on out and have a wonderful time. Also, in the theater, we have Mr. Charles from Trinidad, a saxophonist. He's a fantastic brother, so this ticket is on sale, so please look forward to that one. And just want to remind us about texting and driving. I'm guilty myself, but I'm -- I'm improving. And the advisory out there with the tropics. We're going to have -- experiencing some tropical weather, so please take heed whatever you need to get, do and purchase and put inside. And I know how our wonderful Fire Department put out an advisory of flooding. I know there's construction going on around Miramar, and different areas experiencing flooding, so we want to encourage our resident not to drive in a big puddle of water for fear of their car getting flooded or get injured or hurt or end up in a lake. Florida made up of different water all around us, so please be careful. I hope everyone have a fantastic rest of the week and the weekend, and I love you all. Thank you.

MAYOR MESSAM: Thank you, Commissioner. Commissioner Barnes.

COMMISSIONER BARNES: Very quickly. I offer congratulations to our staff members who were recognized earlier. I also, with a lot of pride and humility, ask you to congratulate my brother who has now been awarded the Order of Distinction in Jamaica for his contribution to sports. I'll tell you why it's relevant. He's a part-time resident in the City of Miramar, and years ago when we had the NACAC Athletic Meet, he was one of the facilitators that made it happen in our city. My sister, who lives in the parish of St. Mary is also being awarded this year, a national honor, for her service to public -- service to local government in Jamaica -- my big sister, Rose, who my daughter is actually named after, is going to be awarded the Badge of Honor. So on National Heroes Day this year in Jamaica, two of my siblings are going to be awarded -- if I disappear for a month, see with me. We'll be celebrating -- no, not that long. I also want to say thank you to our outgoing City Attorneys. We wish you God speed. We thank you for your professional and conscientious service to our City over the years. I wish you all the best. Thank you.

MAYOR MESSAM: Thank you, Commissioner Barnes.

COMMISSIONER CHAMBERS: Mr. Mayor, I just want to thank the Chief for Long Lake Park. I got some pictures from -- you guys make sure the park was cleaned up and so forth, so thank you, staff, and also the parks for (unintelligible). Thank you so much.

MAYOR MESSAM: Thanks, Commissioner. We have a couple minutes for this -- you have a report as well? City Attorney.



### **City Attorney Reports:**

CITY ATTORNEY SMITH: I'd like to announce an executive session. Pursuant to Florida Statute 286.0118A, governing public meetings, I, as the Attorney of the City of Miramar, wish to advise the City during this public meeting that I desire advice concerning the litigation of People's Trust Insurance Company, a Florida corporation, ASO, Barbara Warger vs City of Miramar, in the City -- in the Circuit Court of the Seventeenth Judicial Circuit, and for Broward County Florida, Case No. CACE19-01218405. I ask that we hold an executive session on September 4<sup>th</sup>, 2019, at 6:30 p.m. Attending this session will be the Mayor and Commissioners, the City Manager, myself, Alison Smith, Justin D. Luger, and Joseph R. Natiello.

MAYOR MESSAM: Thank you.

### **City Manager Reports:**

MAYOR MESSAM: Mr. Manager.

CITY MANAGER HARGRAY: I know everybody feel like me, ready to get out of here, but I need to bring two things to the Commission, One, I'd like to acknowledge the Engineering Department, particular Sal -- Salvador of writing a grant for the A.C. Perry's area, K through H, which we have been -- has been acknowledged as being receiving \$1 million for the sidewalk project. This is the first time this has ever happened. What's most significant about it, is because that is the area that we're concentrating on in Phase IV, so I just want to give a shout out to the Engineering Department, shout out to the staff that they're still consistent in what's going on. Sometimes the staff don't get an opportunity to express the things they do, and everyone thinks that everything may be centered around events. But we want to make sure, in the future, that everybody understand that we have a great working staff, and its time for us to start making sure that the real videos is what the staff is doing every day and appreciative. One of the things that took place in here during the -- the -- the Commission meeting was a contract dealing with Waste Pro, and that Waste Pro contract in here, we came back and negotiated for \$125,000.00 to go with events. There's something significant about that, and what triggered me was Commissioner Maxwell Chambers' Rock the Block. When I realized that he was trying to be the savior of small business, you know, we have the departments and we have the staff. At some point in time, we have to recognize that -- give us the chance, give us the challenge and let's do it, and not have you all trying to -- to, you know, bust yourself out at trying to find monies and stuff. The department has -- we have diversity in here, we have economic development, we have community development, they're things. I'm recommending for the consideration, but it's up to the Commission, of the \$125,000.00 that's been set aside for this year here, that at least 50 percent of that will be utilized for -- for small business or economic development in there, to help support these small businesses, which we're conscious about it. There are a lot of businesses going out, and I know in particular Palm Avenue, we do have some

challenges, and -- but -- but we have so many challenges in the City, period, in here. So I'm putting it on the table. I know that I have no control over that, because that money is really yours in here, but I just feel that it's necessary for me to bring up that there are business out there. So it's up to the Commission to get back with me, and talk with me about the use of that, but I'm -- I'm conscientious about the fact that there are business that's going through some changes.

MAYOR MESSAM: Thanks, Mr. Manager. I would propose that if it's \$125,000.00 available, that all of it be sent to the Economic Development Fund, in terms of helping to support sustainability of business, so. Because of the hour, we're actually beyond 11:00. This is something we can discuss, perhaps, at the next Commission meeting. If we have -- just to talk about this, because, obviously, we can't solve it at this item. Because, actually, if we have any more business, we're going to have to take a motion to extend the meeting, because we're beyond 11:00. So we'll take up the matter at the next meeting to determine what to do with the one -- the 125.

COMMISSIONER CHAMBERS: Motion to extend the meeting for ten minutes.

COMMISSIONER COLBOURNE: Second.

VICE MAYOR DAVIS: Motion to approve -- I mean -- well --

MAYOR MESSAM: Record the votes to extend the meeting ten minutes.

VICE MAYOR DAVIS: Ten minutes you need?

MAYOR MESSAM: What are we going to solve? What are we -- what are -- what are we going to discuss?

VICE MAYOR DAVIS: Do you want to vote on this?

COMMISSIONER CHAMBERS: Yes.

VICE MAYOR DAVIS: Okay, ten minutes to vote on the item.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: I want to go home.

MAYOR MESSAM: That's a yes or no?

COMMISSIONER BARNES: No.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Commissioner Colbourne, to approve extending the meeting by ten minutes, the Commission voted:

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

**Approved**

MAYOR MESSAM: So the proposal from the City Manager was 50 percent of the 125. I suggest we do all of it, so what is the pleasure of the Commission?

COMMISSIONER CHAMBERS: I think we divide up the money.

VICE MAYOR DAVIS: I'm in agreement with the 50, and the rest to go as the -- as Waste Pro had assigned it to go.

MAYOR MESSAM: Which is where, Mr. Manager; the other 50 percent goes to what? It's for events?

CITY MANAGER HARGRAY: Yes.

MAYOR MESSAM: Okay. What -- what -- what events?

CITY MANAGER HARGRAY: For --

MAYOR MESSAM: City events?

CITY MANAGER HARGRAY: Yeah. With City events or -- or co-sponsorship or grants.

MAYOR MESSAM: For this fiscal year?

CITY MANAGER HARGRAY: For this fiscal -- because they have another --

MAYOR MESSAM: So we have a --

CITY MANAGER HARGRAY: They have -- (Inaudible).

MAYOR MESSAM: All right. So we'll determine -- can we agree to determine where the 50 percent will go -- but the main thing the Manager is requesting is 50 percent to go to the -- to support small business, so we will go -- so we have -- okay. So that is the --

COMMISSIONER COLBOURNE: So we're saying 50 percent will go to support small businesses, and we have a fund where that's going to go into of some sort?

MAYOR MESSAM: Economic Development Fund.

CITY MANAGER HARGRAY: Economic Development Fund.

MAYOR MESSAM: The Economic Development Fund.

COMMISSIONER COLBOURNE: Okay. And then the other 50 percent will be going to, you said grants and events?

VICE MAYOR DAVIS: What it was assigned to do.

MAYOR MESSAM: Through its contractual designation, which was four events.

COMMISSIONER COLBOURNE: Okay. Grants and events, okay. Is that to support our Commission events?

CITY MANAGER HARGRAY: Yes.

COMMISSIONER COLBOURNE: Okay. Thank you. I'm good.

VICE MAYOR DAVIS: You ready? Motion?

COMMISSIONER CHAMBERS: Yeah. I -- I want to support -- to use my money to support small businesses.

COMMISSIONER COLBOURNE: Okay.

VICE MAYOR DAVIS: Okay. Are we ready?

COMMISSIONER CHAMBERS: For small businesses.

VICE MAYOR DAVIS: Motion to approve as stated; 50 percent to go to Economic Development Fund to help small business, and the rest to go as assigned by Waste Pro initially for events, Commission events, grants, etc.

COMMISSIONER 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: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Vice Mayor Davis.

VICE MAYOR DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

On a motion by Vice Mayor Davis, seconded by Commissioner Colbourne, to approve dividing the Waste Pro's contribution of \$125,000 as follows: 50 percent to go to the Economic Development Fund to support small businesses; and 50 percent to the City Commission's events & grants., the Commission voted:

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

**Approved**

## **FUTURE WORKSHOP**

<b>Date</b>	<b>Time</b>	<b>Subject</b>	<b>Location</b>
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08/28/19	5:30 p.m.	Fiscal Year 2020 Preliminary Budget	Commission Chambers
11/13/19	5:00 p.m.	Financial Focus Meeting	Commission Chambers

## **ADJOURNMENT**

MAYOR MESSAM: Meeting's adjourned.

The meeting was adjourned at 11:06 p.m.

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Denise A. Gibbs, CMC  
City Clerk  
DG/cp