



MINUTES OF THE CITY OF MIRAMAR REGULAR COMMISSION MEETING

November 13, 2019

7:00 P.M.

The regular meeting of the Miramar City Commission was called to order by Mayor Messam at 7:10 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 Michelle Pamies
City Attorney Norman Powell
City Clerk Denise A. Gibbs

MAYOR MESSAM: Good evening. 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 Powell

CITY ATTORNEY POWELL: Here.

CITY CLERK GIBBS: City Attorney Pamies.

CITY ATTORNEY PAMIES: 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 condolences we're experiencing in the community. As of note, this meeting's commemoration list includes the recognition of a deal of one of our City employees, Jeffrey Bruno from Public Works lost his daughter, so let's keep Mr. Bruno and his family in our prayers, in addition to all other condolences we're experiencing in the community. Thank you.

PRESENTATIONS & PROCLAMATIONS

A Proclamation: Ismaili Community Day (Commissioner Maxwell Chambers)

MAYOR MESSAM: We have one proclamation this evening requested by Commissioner Colbourne -- excuse me, Commissioner Chambers, so I would like to ask Commissioner Chambers to join me on the dais, as we -- as we invite Saima Menhani (ph), Sam Chigani (ph), Faheem Hamani (ph), Fareeda Lakdeer (ph), Faahad Hudboi (ph), Naheed Gulamali

(ph) to the dais, please. If I can ask my colleagues to join me as well. Welcome everyone. This proclamation in recognition of Ismaili Community day:

Whereas, on September 28th, 2019, the Shia Ismaili Muslim community of Florida partnered with the City of Miramar in seeking to assist people and communities affected by natural disasters; and, Whereas, the recent Hurricane Dorian devastated the Bahamas, caused much destruction to property, and left thousands of residents without food and shelter; and, Whereas, the Hurricane Dorian Bahamas Relief Initiative was organized by the City of Miramar to assist the people of the Bahamas; and, Whereas, organizations and individuals in the State of Florida were encouraged to support this initiative; and, Whereas, the Ismaili Council of Florida initiated a drive to support this relief effort; and, whereas, the Ismaili Muslim community supported this relief initiative by donating 27 portable generators, several tents, and sleeping supplies, pallets of water and food, and personal hygiene products; and Whereas, it is fitting and proper that the City of Miramar congratulate Ismaili Council of Florida and the Ismaili community of Florida for their exemplary civic and humanitarian response to this crisis, which will serve to improve the lives of those affected by this natural disaster. Now, therefore, I, Wayne Messam, Mayor of the City of Miramar, and on behalf of the -- on behalf of Commissioner Maxwell Chambers and the City Commission, do hereby proclaim the 28th September 2019, as Ismaili Muslim Community Day in the City of Miramar.

MAYOR MESSAM: So, at this time, before we let our recipients receive -- I'll pass the mike to Commissioner Chambers for a few brief words.

COMMISSIONER CHAMBERS: Thank you so much, Mayor. Good evening everyone. This was a tremendous outpouring of support from the Muslim community, and it really touches my heart. Not only that, they were able to brought so many children that participate in that relief. The children work so hard, from a very small child to a teenager, so it's just fitting that we recognize our community right here in Miramar, and the surrounding community for their effort in supporting our friends and family in the Bahamas. So, once again, I want to thank you so much, and I know my colleagues, they join me in thanking you, and I want to give them a chance to say a few words. Commissioner Colbourne.

COMMISSIONER COLBOURNE: Thank you so much, appreciate it. Absolutely. Thank you so much. You know, the Bahamas was a disaster that none of us want to live through, and it's really -- it was really an opportunity for many people to shine, and that's exactly what they did, and these folks certainly did by stepping up and helping them. Thank you so much for bringing it to the Commission.

VICE MAYOR DAVIS: Thank you, Commissioner Maxwell Chambers. And certainly to this group, we certainly appreciate -- when I heard the proclamation mentioned about all those generators, I mean that was very helpful. Most people can't afford one, and you

donated what, 27? So that was an excellent thing for you to do for those folks in the Bahamas. I'm sure it went a long way, so thank you so much to you and your organization. Hope to work with you in the future.

COMMISSIONER BARNES: Special thanks to our Commissioner Chambers, but a special thanks to this group. You remind us not only of the diversity of our City, of our State, of our country, but you also remind us that no one is an island unto themselves. I thank you on behalf of our friends and relatives in the Bahamas, and make -- helping to make our community look even better. Thank you so much.

COMMISSIONER CHAMBERS: Special thanks to Mr. Sam for spearheading the whole thing.

FEMALE SPEAKER: To the Commission here, thank you, and to the City of Miramar, this is quite an honor, and I'm proud to represent the Ismaili community, and all the volunteers. Part of what we believe in, which is Islamic, it's part of our faith, and I believe it's part of the City, it's the concept of service, and service to others, service to better the quality of life of the people amongst whom we live, and those who are in need. This concept of civic engagement is instilled in our faith to the very small and the young that you've seen, Commissioner Chambers, and to the very old, and in everything that we do, because we believe that it's not just our role, but our responsibility to be responsible citizens of the communities in we live. And we hope that the City continues to partner with us, and take us along on the journey, so we can contribute to the City, and to contribute to the betterment for people everywhere. Thank you. Thank you for the honor.

A Presentation: Ed "Santa" Braxl Lifetime Achievement Award Presentation (Police Chief Dexter Williams)

MAYOR MESSAM: We now have a presentation; Ed "Santa" Braxl Lifetime Achievement Award Presentation, Police Chief Dexter Williams.

CHIEF WILLIAMS: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners, City Manager, City legal and City Clerk, Dexter Williams, Police Chief. As we approach our holiday season, there's a lot of work that the Police Department does, a lot of work when it comes down to our community during the holiday season. A lot of it costs us a lot of money, but some people do things just for the mere fact of the love of service. So there's no person that is more busy or more important than Santa Clause during the holiday season, and all of us who are adults know exactly how expensive Santa Clause can be. So service to others is the charge of God, and we try to mirror, as best we can, in God's image. This person is a Godly man, and a childhood idol of many of us, so without further ado, I'd like to please put a quick video up just to give you a brief overview of the person we are about to recognize this evening. (Video shown) So, as you saw, the Police Department, we do during the holiday, we go to any of the streets in Miramar, and we go with a truckload of toys that we receive from donations from throughout our community. And when we go in the middle of the street and open up the doors, and Santa Claus is

standing in there with all the toys, it's just an amazing feat to watch the kids just come and storm the truck, so we usually have to protect Santa while we're there, while he's dishing out these toys and so forth. So what I'd like to do is just read a quick bio of -- of Santa Ed Braxl's accomplishments. Longtime Miramar resident Ed Braxl has been the heart of the South Florida community for many years, volunteering not only with the Miramar Police Department, but with many other organizations as well. When Christmas comes around, Ed dons his Super Santa costume and makes the wonderment of the season come alive, especially for those that need it most. Several years ago, our department started Operation Blue Squad; its premise was simple: help as many children as we could to have a magical holiday. Santa Ed, as we lovingly call him, volunteered to assist us delivering toys to children. In our first year of the Operation Blue Squad, no one could predict that it would be an outpouring of love, but we pressed on while Santa stood in the turret of the BearCat, which is the armored vehicle and braved the elements, because the children came out to see us. Stop after stop, hour after hour in the pouring rain, Santa pressed on bringing true joy wherever we went. Although the holiday season is a busy time of year for everyone, for Santa it really is the busiest, yet Santa Ed finds the time to help us with several of our projects. Every Christmas Eve, he accompanies our officers to Joe DiMaggio Children's Hospital, delivering toys to those kids who are too ill to be home. Santa Ed's volunteering spans beyond the holiday season; he spends most of the year volunteering as Ed, and has been doing so at Joe DiMaggio for over 25 years. He knows all the children who come in, but more importantly, they know him, and they love him. Whether he's facing a torrential downpour, or running in 85-degree heat, all while dressed in a Santa outfit, Ed has been instrumental in assisting our department with helping families and children feel better, despite their circumstances. The Doug Lockard Lifetime Achievement Award was (named) after a retired Miramar officer who dedicated his life to serving this community, and helping children in need. Because of this commitment and continued service, Santa Ed Braxl is deserving of this very prestigious award, so I'd like to invite Santa Claus Ed to please come forward to receive this award. God means nothing when Santa Claus is around, so. Doug Lockard was -- a part of our force. We named this award after him for all the services; he was a Miramar resident as well. He was one of my field training officers dog ages ago, and he was just the epitome of a -- of a true officer of a community, and we named this award after him, and we don't give this out often. I think we might have given out one other to the -- to the receive this, so this is a very special award to be given out. He knew Doug Lockard as well, and it takes a team to serve our community, and Ed is definitely part of our team. So congratulations, sir, on this honor. Please.

MR. BRAXL: I just came here for the cookies, actually. I did not expect any of this. This -- I don't know what to say. I'm never speechless. And you can trust me, I'm never speechless. People all over the -- all over the County know that. Thank you very much. I don't know what you -- that you guys -- how much you guys mean to me. Without a doubt, and I've been doing this for almost 30 years, and I've continuously -- for the last - - Miramar has never ever let us down in the big events we do. At Joe DiMaggio's Hospital, they're there two, three times a year. What we do on Christmas Eve for these guys, they take their own time away from their families, and they go up and they spread the love with

their kids. The kids that are really doing -- are really doing real bad. If they don't -- if they're there Christmas Eve, they're in bad shape, and these guys do so much for them. What we do going out to these houses and these kids that would never have anything. There's no other -- and I can guarantee you -- I'm talking about any other City, and I know them all, there's no other city I'm prouder to live in, and the guys that work for this police department are by far, and they always have been the best guys I've ever met, bets guys and ladies, I'm sorry, I've ever met in my life. And I didn't expect this. Thank you very much. Thanks -- thank you very much.

CHIEF WILLIAMS: Ed is also a longtime Miramar resident as well, so -- so he's blessed. And I just want to make sure I gave a personal privilege to his -- shout out to his wife as well, Pat, that's sitting right here --

MAYOR MESSAM: Yes.

CHIEF WILLIAMS: So it takes a -- so to my Commission, I thank you for this time.

MAYOR MESSAM: Thank you so much, Chief, and thanks, Ed, for all that you do, and congratulations again.

COMMISSIONER COLBOURNE: I'm sorry, is Santa --

MAYOR MESSAM: You may want to leave early before commissioners start giving you their Christmas lists.

COMMISSIONER COLBOURNE: I was just finishing up my list, Santa.

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. Seeing none, back to the dais. Are there any items to be pulled? If not, I'll take a motion.

COMMISSIONER COLBOURNE: Item number two.

MAYOR MESSAM: Item number two, Commissioner Colbourne. Any other items?

VICE MAYOR DAVIS: Number -- number five.

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

COMMISSIONER COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: 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, 3, 4, 6, 7, 8, 9, 10, 11 and 12, the Commission voted:

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

1. Minutes from the Workshop and Regular Commission Meetings of October 16, 2019.

Approved

MAYOR MESSAM: Item number two, please.

2. Temp. Reso. #R7060 approving the award of Invitation for Bid (IFB) 19-008, entitled "**Wi-Fi at Regional Park**", to the lowest responsive, responsible bidder, Acordis International Corp., for the installation and maintenance of Meraki Wi-Fi

Access Points, with an amount not-to-exceed \$149,171.00. *(Information Technology Director Clayton Jenkins)*

CITY ATTORNEY POWELL: A resolution of the City Commission of the City of Miramar, Florida, approving the award of Invitation for Bid (IFB) 19-008, entitled "Wi-Fi at Regional Park", to the lowest responsible -- responsible bidder, Acordis International Corp., for the installation and maintenance of Meraki Wi-Fi Access Points, with an amount not-to-exceed \$149,171.00, authorizing the City Manager to execute an appropriate agreement and providing for an effective date.

MAYOR MESSAM: Commissioner Colbourne, you need a presentation or just a couple questions?

COMMISSIONER COLBOURNE: Well, I really have a question as to what -- why the spread in the bid numbers. So, with that being the case, I'm thinking, maybe, the presentation will answer my question.

MAYOR MESSAM: Okay. Presentation, please. Good evening, sir, welcome.

MR. CASTELLI: Good evening, Mayor, Vice Mayor, Commissioners, City Manager, Joseph Castelli, IT Network Manager. And on this item we went out to bid --on July of 2018 went out for bid for Regional Amphitheater coverage. Before this happened, Acordis had won that bid, they did a very stellar job at that point. That was completed by September of 2018. Since then, the park use has grown. In May 2019, we met with Cisco, which is the manufacture of the system we use and to do a survey of our park and to tell us what we need to cover the entire park, to enhance the coverage across the park, and to provide us with more information about our visitors and an opportunity for Marketing to actually generate additional businesses. In June of 2019, a brand new bid was put out, 19-008 and that was to provide Wi-Fi to mainly areas of the Regional Park. We had ten companies attend, only three bids were received. Three bids in this (unintelligible) score, Comcast was over \$1 million. Their bid was to do a survey. We had the survey done by Cisco, and a solution designed by Cisco. The second bidder, they came in and they wanted to introduce some brand new technology on the fiber side and that drove the price of their bid up. Acordis -- is the only one that actually met our bid specs and actually responded with a solution we wanted. The total cost not-to-exceed \$149,000.00, a five-year license, including all maintenance, and per the procurement code, any -- any procurement over \$75,000.00 we need Commission approval. We would like to recommend 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? Seeing none, back to the dais. Commissioner Colbourne.

COMMISSIONER COLBOURNE: My question was answered during the presentation. I'm good.

MAYOR MESSAM: May I have a motion.

COMMISSIONER COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: 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 Resolution #R7060, the Commission voted:

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

Resolution No. 20-25

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

MAYOR MESSAM: It is now 7:36, and it's time for Public Participation, and we have to -
-

VICE MAYOR DAVIS: You're doing that, and then you're coming back to me after?

MAYOR MESSAM: Yes, it's time certain on the Public communication --

VICE MAYOR DAVIS: Okay, perfect. Thank you.

MAYOR MESSAM: Yes, so I'll -- I'll have that item. Our first speaker is Rayner Washington. Good evening, sir, welcome. Could you state your name and address for the record, please?

MR. WASHINGTON: Good evening. My name is Rayner Washington. I live at 14883 SW 38 Court in Miramar, which is in the Huntington development. I'd like to thank you for the opportunity to do my presentation. Keep in mind one thing, I am not here in any way to complain about anything. There are a couple of reasons for that, and the number one reason is that complaining never really gets anyone anywhere. I've been around long enough to know that. What I'm here to do is seek information and to also make myself heard. I have been a bandleader in South Florida since 1978; most of my time, I have played in the Florida Keys. If anyone here is old enough, they will remember the Tiki Bar. I played there for 11 years straight. I also am now currently playing, actually, in the same place. I've done most of my work in the Florida Keys. Someone suggested, "You live in Miramar; Miramar does a lot of entertaining, why don't you get involved with Miramar and do entertainment. A lot of people would say why don't you come into South Florida on the mainland and do your entertaining business there. There are a couple of reasons for that. Number one, in the Jamaican community that I belong to, a lot of times when you do work for people, you have a hard time getting paid. I've never not paid a musician, and in that instance, I would be paying out of my own pocket. But I do know that the City of Miramar pays their bills. I've lived here for 17 years. So I decided to see if I could get my business done in Miramar. I was told, "Okay, you have to register as a business." I did register as a business. In order to get registered as a business, I had to have liability insurance, which I went and got, then I was told to please log into DemandStar and you'll get bids; and I did that, and that didn't work. And I made appointments to see members of the committee, and since I'm not making any complaints, I won't single out anyone, but that didn't get anywhere either. I've always told my children that if you try you may fail, if you don't try, you already have, so I am trying. Please tell me what I can do in order to get some entertainment done in the City of Miramar, because I've tried everything else, and this is my last hope. My time is up I see. If someone might direct me in which direction to go.

MAYOR MESSAM: Thank you, sir. If you can have one of the assistant city managers, in lieu of the absence of the City Manager, to speak with Mr. Washington, and -- and thanks for coming forward and bringing your issue to us, and City administration will speak with you in regards next steps. Thank you, sir. Our next speaker, Ms. Debra Scialabba.

MS. SCIALABBA: Good evening, Debra Scialabba, 6490 SW 26 Street. First let me say,

as long as I've been here in Miramar, we have always had a top-notch community-involved police department, and I'm here 26 years. It should be city-sponsored events, one per month, not all these separate initiatives, sometimes three in a month, and now \$20,000.00 is allocated to each Commissioner. Residents should be aware that the free events, actually, is paid by them in the budget. Regarding the wraparounds, and County-owned electrical boxes in the historical side of the City, we desperately need them here. The chronic placement of the large posted advertising events in other counties and cities -- one occasion, they were advertising a gentlemen's club in Hallandale for quite a while; that was on several of the boxes. This has been going on since 2012. It has been progressively gotten worse through the years, that's why I wanted it brought up at the Miramar Advisory Board. I saw them -- I -- I -- I had Mary Raynor bring it up at -- at them, because I can't be in -- on two boards within the City, and had seen them in Hollywood at the time. It was 2018 we were told by former ACM, Natasha Hampton there was money allocated for them. It was in design. Three designs were chosen for us to decide to go with the spirit of -- of the Historic Miramar side. There's only 12 or 13 on this side; total citywide is 61. We need them here. The problem is here. Myself and Ms. Raynor have repeatedly brought this up, now we were told by the former law firm that County will not approve Miramar, as it is the potential to become a fire hazard. Meantime, Hollywood, Cooper City, Pembroke Pines, Hallandale, Fort Lauderdale, Coral Springs, Davie, they all have them installed. These cities set a precedent. We request a resolution be drawn up, if necessary, authorizing our City attorney to speak with the County attorney, authorizing Miramar to install wraparounds on all electrical boxes on the Historic side of the City, citing the precedent set by other numerous cities that already have them in place. Thirdly, I wanted to discuss regarding Legacy software and Munis; is there any way that our IT Department can merge the two together, so that residents can see all the permits that are pulled on their home on the website. Currently, in order to check a property previous years, I guess the City has to check Legacy software; they're not merged together. I happen to know an inspection company that he can look back in the '80s and '90s. He -- he can check permits on any -- the software is there. We possibly lease the software, but there's got to be something that we can do to combine the two. Thank you.

MAYOR MESSAM: Thank you, Ms. Scialabba. City Manager will be in touch with you regarding the -- a couple items that you brought up tonight.

3. Temp. Reso. #R7064 approving the purchase of a Rubrik centralized data storage equipment, license and implementation of a cloud-based **backup solution with disaster recovery to the cloud and enhanced ransomware protection**, for a total amount not-to-exceed \$192,650.00 over a three-year period, utilizing NCPA Contract #01-96 with Alturna Tech. (*Information Technology Director Clayton D. Jenkins*)

Resolution No. 20-26

4. Temp. Reso. #R7053 approving the purchase of **fire-rescue supplies and equipment** from the Broward Sheriff's Office in an amount not-to-exceed \$184,900.00 for Fiscal Year 2020. *(Fire-Rescue Chief Robert E. Palmer)*

Resolution No. 20-27

MAYOR MESSAM: On to resolutions. Item number 13, please. I'm sorry.

CITY ATTORNEY POWELL: Item five.

MAYOR MESSAM: I -- no. Item number 5, please.

5. Temp. Reso. #R7054 considering additional **Community Development Block Grant** funding in an amount not-to-exceed \$150,000.00 for the **commercial rehabilitation** of 3190 South State Road 7. *(Economic and Business Development Director Anita Fain Taylor)*

CITY ATTORNEY POWELL: A resolution of the City Commission of the City of Miramar, Florida, considering additional Community Development Block Grant funding in an amount not-to-exceed \$150,000.00 for the commercial rehabilitation of three -- 3190 South State Road 7, and providing for an effective date.

MAYOR MESSAM: Vice Mayor Davis, you need a presentation or have questions?

VICE MAYOR DAVIS: Yeah. I mean if I can get a presentation. I'm not familiar with the location, and I do have some questions with regards to the general -- the Block Grant.

MAYOR MESSAM: Okay. Good evening.

MR. HUGHES: Good evening, Mayor, Vice Mayor, Commissioners, City Manager, Richard Hughes, Economic & Business Development Department. This item originally appeared before you this past April for the property located at 3190 South State Road 7. At that time, you allocated \$200,000.00 in CDBG money for the commercial rehab of that property. At the time, we anticipated the cost of the project to run around 450 to \$500,000.00. However, the two contractor bids that came in were much higher than that, almost double, around \$1 million. That made the project really infeasible for the property owner, so, together with the City, his architect and -- you know, they went back and looked at the scope of work to eliminate certain items to help bring the price down, the largest of which was the reroof. That was a big-ticket item on this. The other two things -- we're reducing the size of the awnings, and eliminating tenant signage. So that resulted in contractor rebids, and it lowered it down to about \$700,000.00. The property owner is requesting an additional \$150,000.00 in Block Grant funds for a total funding from our side of 350. He has committed to providing any additional funding necessary, including any change orders that might arise during construction. The permit plans are ready for issuance, pending the approval of this request, and contract execution with the lowest

bidder. I have a couple aerals here. This is just showing the location. As you see, it's a pretty sizeable building. That re-roof that you see, you can tell that would have been a pretty big item for cost purposes. The other images you're going to see here are of the existing façade, east and the left-hand side here, and right on the southwest side. The front has some retail businesses, and the site has some auto-related uses, and then some more images here of the west and northwest sides. This is the rendering of the project that will result -- if you give the additional funding. As you -- I could point out something about that rendering, is that the re-roof is, obviously, the flat as you saw in the aerial image, this will still occur. The re-roof, he's going to do to it another time under his own dollar. So what you see here is what will be the result; it will be quite an improvement on the structure. You wanted some information about the process?

VICE MAYOR DAVIS: Yeah, I mean I'm -- I'm glad to see this is going to look really nice, and I'm familiar with where it is now, and it will certainly improve that -- that area. I guess the question I had separately from that would be another plaza, which is the Tower Plaza, as I was just there recently; we were there for the Biz Fit Tour. And I see where, previously, they got funding to do one side of the plaza, but the other side is not done. Have we reached out to them, and what was the cause -- you know, why was that side of the plaza not done.

MR. HUGHES: The -- that particular project was always intended to be multi phased, because of the size of it.

VICE MAYOR DAVIS: Okay.

MR. HUGHES: At the time, it was done -- and this is going on probably four or five years now. The owner is -- could only afford that initial phase, so we worked with them to get that done, with the intent that they would come back, you know, after that was done, and -- and finish it. We did reach out to them a couple of times after the first phase was done and not heard back from them. We need to continue to do that to try to get them to commit to it. The only thing about this now is that we would have to reallocate more money, because this is going to use up a substantial amount of what's in that program allocation. So we will work to try to reach those -- that owner. I know that one of them passed away. It was a three-person ownership, and they were out of New York, so I have -- I don't know what's become of that situation, and we need to find that out. But the reality is we would have to anticipate, should they be willing to move forward with their share of the cost to finish that, with more money being allocated to the commercial rehab program, which would have to take place next year as an annual allocation that we go through.

VICE MAYOR DAVIS: Okay.

MR. HUGHES: When we know the money is coming.

VICE MAYOR DAVIS: Thank you. So if you -- if you could, maybe, give -- give an update on that for me, maybe to the City Manager, who I'll just follow up with on that. And then

the second thing is, which is not related to the CDBG, but to our own internal grant program and, Anita, I know you were working on a policy. So I -- I just want to find out where it's at. You know, we've been talking to small businesses, and we've been advising them that there's money in this pot, but I don't want it to be that next year or the end of the year, we're at the same spot saying, "Oh, there is money, but nobody can have access to it." So what I would like to see, if my colleagues would agree, is that the since we spoke about it back -- was in September, we are now in November. At that point, the policy was almost ready to go; if we could bring back something for our review, and so we can add or delete or whatever at the next Commission meeting, if it's okay with my colleagues.

MS. TAYLOR: Yes, yes, we can do that, Madam Vice Mayor. I confirmed with the City Manager.

VICE MAYOR DAVIS: Is everybody okay with that?

MAYOR MESSAM: Yeah.

VICE MAYOR DAVIS: That we can review it and see what that policy is about, because, again, I just don't want it to linger, linger, and then I'm out there telling people that there's a pot of money, and nobody knows how to access it, and we have no policy in place, and it's just, you know, lingering, lingering out there somewhere. So --

COMMISSIONER COLBOURNE: Can we get -- can they send it to us ahead of the meeting, so that we can take a look at it when we have that discussion?

MS. TAYLOR: Yes, we can do that. Thank you.

COMMISSIONER COLBOURNE: Thank you.

VICE MAYOR DAVIS: Yes, yes, I appreciate that, if we can get it ahead of time, yes, so we can make the notes and then send it back. That's it for me, thank you.

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

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Davis, seconded by Commissioner Barnes, to approve Resolution #R7054, the Commission voted:

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

Resolution No. 20-28

6. Temp. Reso. #R7056 approving the **purchase of liquid polymer** from Polydyne, Inc., for the **Wastewater Reclamation Facility**, in an annual amount not-to-exceed \$150,000.00 for Fiscal Year 2020, and approving the third one-year renewal option for the period commencing on November 23, 2019. (*Utilities Director Roy Virgin, Ph.D. and Procurement Director Alicia Ayum*)

Resolution No. 20-29

7. Temp. Reso. #R7058 approving the award of the Request for Letters of Interest (RLOI) No. 19-10-35, entitled “**Risk Assessments and Emergency Response Plans Services**”, to Hazen and Sawyer, P.C., and authorizing the execution of the Project Agreement in a lump sum amount of \$200,814.00. (*Utilities Director Roy Virgin, Ph.D. and Procurement Director Alicia Ayum*)

Resolution No. 20-30

8. Temp. Reso. #R7059 ratifying the purchase of **Emergency Repair Services** for **Town Center Twin-Cell Cooling Tower** from Trane Florida in an amount of \$137,500;00 utilizing U.S Communities Contract No. 15-JLP-023. *(Public Works Director Anthony Collins and Procurement Director Alicia Ayum)*

Resolution No. 20-31

9. Temp. Reso. #R7061 approving an agreement with Metro Express, Inc., for **sidewalk replacement and installation** in the amount of \$100,000.00, utilizing the Southeast Florida Governmental Purchasing Cooperative Group Sidewalk Replacement and Installation Contract, ITB No. 15-16-039(A). *(Public Works Director Anthony Collins and Procurement Director Alicia Ayum)*

Resolution No. 20-32

10. Temp. Reso. #R6994 approving and authorizing the City Manager to execute the **proposed Park Agreement** - fee in lieu of land with Miramar Red Rd West Owner LLC, for payment of a fee in the amount of \$1,443,992 in lieu of park land dedication for the residential development known as **Altis Miramar**. *(City Engineer Bissy Vempala)*

Resolution No. 20-33

11. Temp. Reso. #R6995 approving and authorizing the City Manager to execute the **proposed Park Agreement** - fee in lieu of land with Miramar Red Rd East Owner LLC; for payment of a fee in the amount of \$1,425,082.00 in lieu of park land dedication for the residential development known as **Park Homes**. *(City Engineer Bissy Vempala)*

Resolution No. 20-34

12. Temp. Reso. #R6996 approving and authorizing the City Manager to execute a **Traffic Signalization Agreement** between the City of Miramar and Miramar Park Place Associates, LLC, Miramar Red Rd West Owner, LLC and Miramar Red Rd East Owner, LLC for the **design and installation of a traffic signal** at the 100' access opening on Miramar Parkway for the **Altman Development Plat**. *(City Engineer Bissy Vempala)*

Resolution No. 20-35

End of Consent Agenda

RESOLUTIONS

MAYOR MESSAM: On to resolutions. Item number 13, please.

13. Temp. Reso. #R7070 approving the award of Request for Proposals No. 19-08-31 for **bus benches, bus bench and bus shelter advertising** to Martin Gold Coast, LLC, the highest rated responsive, responsible proposer; authorizing the City Manager to execute the appropriate agreement between the City and Martin Gold Coast, LLC, for a term of five years with the option to renew for one additional five-year term for various locations throughout the City for the installation, management, and maintenance of bus benches, bus bench and bus shelters for the purpose of advertising revenue enhancement, in an amount of \$377,500.00 for the term of the agreement. *(Assistant City Manager Kelvin L. Baker Sr., Chief Financial Officer Susan Gooding-Liburd, and Procurement Director Alicia Ayum)*

CITY ATTORNEY POWELL: A resolution of the City Commission of the City of Miramar, Florida, approving the award of Request for Proposals No. 19-08-31 for bus benches, bus bench and bus shelter advertising to Martin Gold Coast, LLC, the highest rated responsive, responsible proposer; authorizing the City Manager to execute the appropriate agreement between the City and Martin Gold Coast, LLC, for a term of five years, and with the option to renew for one additional five-year term for various locations throughout the City for the installation, management, and maintenance of bus benches, bus bench and bus shelters for the purpose of advertising revenue enhancement, in an amount of \$377,500.00 -- \$377,500.00 for the term of the agreement, and providing for an effective date.

MAYOR MESSAM: Good evening, sir.

MR. BAKER: Good evening, Mayor, Vice Mayor and Commissioners, City Attorney -- City Attorney, City Clerk and City Manager. We have before you here this evening the bus bench and shelter advertising -- advertising. On November the 15th, 2018, the City Manager launched a new management initiative entitled C.A.R.E. C.A.R.E. is an acronym for a comprehensive assessment of revenues and expenses, and it's designed to maximize input, as well as participation for overall -- for the overall organization. The C.A.R.E. program was implemented to maximize the City overall effectiveness and efficiencies of the human capital, capital assets, as well as natural resources. As part of the C.A.R.E. revenue and public/private partnership initiatives, the City researched the feasibility of the implementation of a bus bench -- bus bench/bus shelter advertising program. If you tour our -- our City's -- specifically driving down Pembroke Road, you will notice that our businesses are advertising in the City of Pembroke Pines, because they are unable to advertise in our City. Also, as you drive throughout our community, you'll find many of our bus stops without a place for our riders to sit while they're waiting on a bus. Why is this program so important? It promotes messages to attract residents, businesses, and in our overall marketing bandwidth. It promotes City -- the City outreach efforts, as we reach out to spread the word throughout the areas of what's happening in our City; it affords us that opportunity. It allows us to communicate effectively with

travelers, with no financial impact to our city. It provides sustainable financial benefits to the City, and is another way of leveraging our assets. In -- in this program also, there are advertising kiosks. If you had an opportunity to frequent Pembroke Gardens, you will see some of the kiosks on sidewalks that, again, allow you to advertise businesses and what's -- what's happening in -- in the area. At this time, we'll hear from our Purchasing Director.

MS. AYUM: Good evening, Mayor, Vice Mayor, Commissioners, City Manager, City Attorney, and the Clerk. So, as a result of this initiative, on May 15th, the ordinance, No. 19-17 was revised and updated to advertise on bus benches and bus shelters. As a result, RFP No. 190831 was advertised on August 29th, 2019, to -- to solicit an entity that would install, manage and maintain bus benches, and provide bus bench and shelter advertising throughout the City. A pre-proposal conference was conducted, and we had two proposers show up, and the RFP closed on October 8th with a total of three proposals from Creative Outdoor Advertising, Fuel Media, and Martin Gold Coast, LLC. The proposals were then reviewed and evaluated by a three-member selection committee. They discussed and scored the proposals. As a result, one proposal was deemed nonresponsive, and Martin Gold Coast was the highest rated responsive, responsible proposal.

MR. BAKER: Thank you. Here are some of the deal points in this particular project here. This project provides for a onetime signing bonus. It provides us with an opportunity of - to utilize for City advertisement without any cost to the City. It also allows us to advertise in other cities, highlighting that we have facilities for rent, our Cultural facility, our amphi - facility, many other facilities we have in our -- in our city. It provides us with 20 percent of the total gross revenues, the greater of. It provides us with up to ten freestanding kiosks, which is what we presented before you, providing us with an opportunity to raise some additional revenues for its utilization and its advertising. In addition to all of that, we will receive \$20,000.00 advance payment up front for -- of the -- of the annual -- of the annual revenue. At this time, we'll hear from our Financial Director -- Financial Officer, I should say, Ms. Susan Liburd-Gooding.

MS. GOODING-LIBURD: Thank you, again. Good evening. Susan Liburd, Chief Financial Officer. This is how the revenue will be broken down. As was stated, we have the \$5,000.00 sign on bonus. The community engagement initiative of \$3,000.00 annually for five years would be \$15,000.00. The minimum guarantee for the bus benches at an amount of \$52,500.00 annually will result in in \$262,500.00 over the five-year period. The bus shelter will net us 74 -- \$447,500.00 over those five years, as well as the kiosks. Next slide, please. At our previous workshop earlier today, I stated that one of the upcoming reserve policies that will be implemented will be our C.A.R.E. revenue reserve policy, and this is establishing the benefit of what a reserve fund will do. It will protect us from any unexpected changes in financial condition, assist with our long-term forecasting, eliminate the potential drain on the General Fund, and will also make resources available for other funds if needed. So the overall fiscal impact for this agreement. The first year will be \$79,500.00; of \$71,500.00 as the minimum guaranteed, \$3,000.00 as community engagement initiative, \$5,000.00 as our sign on bonus, for a

total of the five years for \$377,500.00. I want to emphasize here that this is the minimum amount that we will receive, even if zero advertisement goes on the kiosk or the bus benches. So our potential for revenue increase as we advertise, and as more advertisement come on, this revenue will increase with that, so this is the minimum of zero advertising that we'll receive. Thank you.

MR. BAKER: Thank you, Ms. Liburd. City Manager recommends approval. Thank you.

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

MS. SCIALABBA: Debra Scialabba, 6490 SW 26 Street. I'm supporting this. But we have to be vigilant with the -- we just had an issue with psychic reading phone number; they were plastered on several of the bus benches inside the shelters, not on the bus benches, but inside the shelters. So there's vandalism going on in this side of the City, which will be taken care of, I'm sure. As far as the advertising revenue enhancement, also, we've got to be vigilant about the graffiti, you know, and I don't know how we can stop that, but thank you.

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

VICE MAYOR DAVIS: Thank you. We certainly appreciate every effort that the City is making to provide additional revenues. You know, at this point, we can no longer continue to just depend on the ad valorem taxes. Just a couple of questions. I know we mentioned bus bench and bus shelters, so are we saying that every bus stop will now have a bus bench?

MR. BAKER: That is the goal. That is the goal.

VICE MAYOR DAVIS: Okay. And it will be put there by the -- the applicant?

MR. BAKER: Yes, ma'am.

VICE MAYOR DAVIS: Now what input does the County have, because they generally provide that, correct?

MR. BAKER: The -- the --

VICE MAYOR DAVIS: The County.

MR. BAKER: The County, obviously, provides the bus --

VICE MAYOR DAVIS: Bus shelters.

MR. BAKER: Yeah, the bus and some bus -- some bus shelters, and some of them are ours, and we are adding some additional ones with this -- with this project. However, the County does not tell us if we want benches at certain points. If we desire to just have the bus stop there, and have the patrons wait on the bus, that's, you know, really been our prerogative.

VICE MAYOR DAVIS: Okay. So in terms of the -- the bus shelters, are there any more coming on stream from the County, or do we know?

MR. BAKER: Not -- not that I'm aware of.

VICE MAYOR DAVIS: And, generally, we request that from them?

MR. BAKER: That's correct.

VICE MAYOR DAVIS: So the -- just to clarify, the -- the bus benches -- we'll have advertising on the bus benches, and then the shelters that are already in place -- because they're not going -- the company is not going to provide a bus shelter, correct?

MR. BAKER: Correct. I -- I know we have some in place that they may look to retrofit to include the digital advertising in them. But, for the most part, most of them will be new.

VICE MAYOR DAVIS: You mean the -- not the ben -- not the bus shelter, but the -- the retrofit?

MR. BAKER: Yes. Some of our existing bus shelters have space --

VICE MAYOR DAVIS: For it?

MR. BAKER: -- available for advertising.

VICE MAYOR DAVIS: And the others that don't?

MR. BAKER: And the new ones we will roll out will, obviously, have them in place.

VICE MAYOR DAVIS: And when you say we'll roll out, you're talking about the bus shelter or the bus bench?

MR. BAKER: Both.

VICE MAYOR DAVIS: And who's paying for the bus shelters?

MR. BAKER: The company is providing the bus shelters.

VICE MAYOR DAVIS: Okay. That's what I wanted to find out. Okay. So the company is going to provide the bus shelters and the bus bench, which is -- which is good, and then you're going to decide where to place the benches, as opposed to the shelters?

MR. BAKER: Yes, ma'am.

VICE MAYOR DAVIS: How is that going to be decided?

MR. BAKER: Well, primarily, at this -- at this point, is wherever we have a bus stop, ideally, we want to have a -- a bus shelter there or a bus bench there. There are some strategic locations where bus shelter will be ideal, and we'll make those decisions in the field.

VICE MAYOR DAVIS: Okay. Thank you for that. What about in terms of the actual buses that we have, bus advertising? Is that another source of revenue on our buses that we have in the City?

MR. BAKER: That's coming to you real soon.

VICE MAYOR DAVIS: All right.

MR. BAKER: It's not part of this.

VICE MAYOR DAVIS: Another one. All right, perfect. And then, I think, additionally -- I know you mentioned the minimum amount that we can realize. Is there a maximum amount, and how would that be determined?

MR. BAKER: The maximum amount will be determined on the -- on the sales, which we anticipate being very -- very high, since this is, you know, one of those untapped areas. Because all our businesses that desire to advertise, you know, prior to -- you know, providing where if this is approved tonight -- have had to advertise outside of our city limits.

VICE MAYOR DAVIS: And we get a percentage of the advertising?

MR. BAKER: Twenty percent.

VICE MAYOR DAVIS: Okay. I think I did see that; sorry about that. Thank you. I think the last thing was the actual -- you call them the -- the freestanding signs.

MR. BAKER: Digital kiosks.

VICE MAYOR DAVIS: Yeah. Have you determined where they would go? You said ten, SO --

MR. BAKER: Yeah. We -- we, obviously, would want to strategically place them where it's -- we get the best visibility. City Hall is, obviously, one of the spots we'd like to place them, since we only have ten, we are, you know, somewhat limited, so we would want to place them at the best locations in the City. We've not reached a decision exactly where all ten will go.

VICE MAYOR DAVIS: And they'll be on -- at facilities on -- that we own.

MR. BAKER: Public right of way.

VICE MAYOR DAVIS: Okay. And then, just finally, in terms of the policies that you're formulating, is it going to be one policy for all of this digital material, or several different policies, and once that's determined and you draft that up, if we could see that. I know you have one that you're doing right now for the marquee that needs to be brought back to the Commission based on some recommendations, and so, as we move forward, I -- I'd like to see what these other ones are, if not -- if they -- if they're not mirrored after the marquee.

MR. BAKER: Okay. Yes, ma'am.

VICE MAYOR DAVIS: All right. Thank you.

MAYOR MESSAM: Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Just some comments. In 2005, this kind of potential was brought to me, and I'm here figuring the reasons why we never jumped on it, because it is an idea that I like, because, basically, it was in -- in today's terminology, it's a win/win for the City. Because, basically, you're talking about an advertiser coming in and setting up the medium for advertising, installing it, giving us a piece of the action, as it were, when the advertising is done. So I -- I'm very pleased that after all this while, we have come around to -- to -- to acceding to this kind of request that has been made of us, and -- and -- and I want to also commend staff for the changes to our codes that have been put into place over the years to make this a possibility. There was a time when this kind of advertisement was a little free and loose and wild, but it has grown into a more sophisticated medium of advertising these days, and it must be very hard, at least it has been for me, to -- to travel on some of our roadways and see just across the road these guys are making some of that money, and we have not been. So I -- I -- I thank staff for jumping on this, and making this happen at this time.

MR. BAKER: Thank you, Commissioner.

MAYOR MESSAM: Commissioner Chambers, followed by Commissioner Colbourne.

COMMISSIONER CHAMBERS: Thank you. My question was going to be about the buses, but Vice Mayor asked, so my question is, for the buses, would we keep that in house, or we do have to outsource -- outsource to a company for --

MR. BAKER: Commissioner, it would be more cost effective to use an outside company that does it all the time, and has a system set up where they can change out advertisements, and -- and do all of the -- all of the tracking and marketing, and all those pieces to get businesses. And many of them already have clients and things of that nature. So day one we roll it out, we got, you know, lists of businesses that will be able to advertise on our -- on our buses. If we had to do that in house, the overhead would be tremendous.

COMMISSIONER CHAMBERS: Thank you. Thank staff, thank you for bringing this item for the bus bench, and looking forward to the buses also. Thank you.

MAYOR MESSAM: Commissioner Colbourne, you're recognized.

COMMISSIONER COLBOURNE: Thank you. Also like to thank you for bringing in all these revenues under the C.A.R.E. program. I know you say it's from the bottom up, so I know pretty soon I'm going to hear how these employees are being rewarded and awarded for this, and I'm waiting patiently. But I do have a question specifically on the kiosks. How does -- you say we get ten kiosks, freestanding? How does -- what does that look like? How does that work?

MR. BAKER: It's a digital -- it's a -- like a -- it's digital advertisement. Someone selling shoes or --

COMMISSIONER COLBOURNE: Where do we place those? Where we would -- where do you foresee us placing those?

MR. BAKER: We would, strategically, place them where it ties in with the community. Obviously, we would not want to be, you know, too close to a residential area, but -- for example, this is my favorite spot, that's why I keep using it as an example. But we have various shows at the -- at the theater and, obviously, during the daytime or nighttime, you pass them by, you can see all the different shows flipping. It's digital, so we are able to show multiple -- multiple things. And I would want to put something on the east side of town as well to sort of let those pedestrians know what's happening throughout the City. So we would want to strategically -- since there's only ten, we want to strategically place them where there's sufficient traffic.

COMMISSIONER COLBOURNE: Okay. And they're -- they're -- you -- you can't move them from one location to another? Once you place them, that's really a permanent location?

MR. BAKER: I --

COMMISSIONER COLBOURNE: Is that's how it's set up?

MR. BAKER: I think they're -- the --

COMMISSIONER COLBOURNE: Because I'm wondering at the Regional Park, like when we have concerts or something, is that something you can have within the reason -- within the Regional Park in the amphitheater area, which would be great when we have shows, but when we're not, I guess you're not getting much visibility. So that's why I asked about moving it around.

MR. BAKER: We would look very closely at the possibility of placing one there, but it's a partnership with the City and the contractor. Obviously, they're interested in traffic.

COMMISSIONER COLBOURNE: Right. Okay. Thank you.

MAYOR MESSAM: Thank you, Commissioner Colbourne. If no other questions, may I have a motion, please.

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 Resolution #R7070, the Commission voted:

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

Resolution No. 20-36

MAYOR MESSAM: Item number 14, please.

14. Temp. Reso. #R7071 approving the ranking for Request for Proposals No. 19-03-21 for the **Employee Onsite Health Center** and authorizing staff to enter into negotiations with CareATC, Inc., the highest rated responsive responsible proposer for an agreement to be approved by the City Commission. (*Human Resources Director Randy Cross*)

CITY ATTORNEY POWELL: A resolution of the City Commission of the City of Miramar, Florida, approving the ranking for Request for Proposals No. 19-03-21 for the Employee Onsite Health Center and author -- authorizing staff to enter into negotiations with CareATC, Inc., the highest rated responsive responsible proposer for an agreement to be approved by the City Commission, and providing for an effective date.

MR. CROSS: Good evening, Mr. Mayor, Madam Vice Mayor, members of the Commission. Randy Cross, Human Resources Director. A little background on the item. The City provides health insurance to approximately 2,000 full-time employees, some part-time employees, retirees and their dependents. And, as we discussed throughout the workshop and other times throughout the year, you know that the City is faced with ever-increasing costs for health insurance, just like other organizations in the private and public sector. So to help combat that, we developed a strategic health insurance committee that's comprised of staff from Human Resources, the Manager's Office, and leadership from each of the unions. We worked with our benefits consultant to look at different ways to try to reduce healthcare costs and improve wellness of the City employees. One of those recommendations was to explore options to bring an onsite healthcare center to the City for employees. So the committee worked with the City's benefits consultant to prepare and RFP, which we advertised in March; it closed in May; we received six proposals from the firms that are listed there. So the selection committee for the purchasing process was comprised of staff that sit on that health insurance committee that I discussed, that strategic health insurance committee, and we took a little road trip. Somehow, I got nominated to drive the City van, and we drove around the State, and we visited different healthcare sites that were managed by the proposers that were shortlisted. We made a tour at each of sites; we met with the proposer's staff, and also, which was really important to us, we met with the -- the management staff and the

union staff of the government agencies that hired those particular contractors to run their sites to get actual insight on what worked, what didn't work, what the challenges were, so we could talk shop a little bit, and get a better understanding on how that worked. Here are some pictures of us on our road trip. So we went up to Tampa to Haines City, to Fort Lauderdale, and here in Miramar, we visited the Memorial site. So when we returned back on -- in October, we met and ranked, and CareATC was ranked as the highest responsive, responsible proposer. So the item before you tonight is -- we decided to take this in a two-part process, because of the involvement that's going to be here, and we want to make sure the Commission was onboard with the direction we're moving in. So what we would like to do is get authorization from the Commission to award the ranking, and authorize the -- authorize the staff to enter into negotiations with Care ATC. The original proposal was a cost of about \$700,000.00 a year; comes out to about \$1.9 million over the three years of the contract. Excuse me. But there's other items that are in the RFP and things that we would want to negotiate, such as their help with designing the actual layout of the office sites, maybe sharing some of those costs, getting their expertise in other areas with developing the engagement for the program, which is really critical. Because you need to have the employees engaged and attend the -- the center in order for it to be viable. And also other conditions with management and operating the site. Those would be the main items that we would negotiate during the process. And if -- if - if we get the go ahead from the Commission tonight from the Commission to do that, we anticipate coming back to the Commission in the first meeting in January with a contract that we could present for approval.

MAYOR MESSAM: Thank you for the presentation. Are there any members from the public that wish to comment on this item? Any members from the public? Seeing none, back to the dais. Any questions, comments? I'll take a motion. Any comments? Questions? Commissioner Chambers.

COMMISSIONER CHAMBERS: In terms of square footage of space, what square footage are we looking at?

MR. CROSS: We're looking at something around 2,000 square feet. We're actually looking at the site across the street above the Dunkin' Donuts. We've been in conversations with the property manager there; they have an office site there that we were looking at going into negotiations with that site.

COMMISSIONER CHAMBERS: Thank you.

MAYOR MESSAM: Any other comments or questions? If not, I'll take a motion.

COMMISSIONER CHAMBERS: Motion to approve.

COMMISSIONER COLBOURNE: Question. Wait, question.

MAYOR MESSAM: All right, just --

COMMISSIONER COLBOURNE: Is that the only site we're looking at?

MR. CROSS: That's the main one. It seems like it's the best location; its proximity to City Hall, central in the City. It's a little offsite, out of the way, which is important to the -- some of the feedback we got from the membership, from the leadership from the unions is that, you know, the employees want to have some privacy when they -- when they go to the site. So that site's kind of tucked away, it's upstairs. You'd have to go into the parking garage and use an internal elevator to get up to the site, so it's not exposed. So it seems like it's a very viable option. The price looks good for the location, some other factors. But, no, it's not the only site. I mean we might explore others, but that is the primary one.

COMMISSIONER COLBOURNE: Okay.

MAYOR MESSAM: Any other questions or comments? Now may I have a motion.

COMMISSIONER BARNES: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: 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 Chambers, to approve Resolution #R7071 as amended, the Commission voted:

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

Resolution No. 20-37

ORDINANCES

MAYOR MESSAM: Ordinances. Item number 15, please.

- 15. FIRST READING** of Temp. Ord. #O1735 relating to **Comprehensive Planning**; making findings; considering the annual update of the Capital Improvements Schedule, as set forth in Table 6.1 of the Capital Improvements Element of the City of Miramar Comprehensive Plan to account for Fiscal Years 2020-2024, pursuant to Section 163.3177(3)(B), Florida Statutes, and Policy 1.1 of Objective 1 of the Capital Improvements Element of the City Comprehensive Plan; providing for adoption; making findings; providing for the deletion of the Capital Improvements Schedule for Fiscal Years 2019-2023; providing for the inclusion of the **Capital Improvements Schedule for Fiscal Years 2020-2024**; providing for correction of scrivener's errors; providing for severability; and providing for an effective date. *(Community Development Director Eric Silva)*

CITY ATTORNEY POWELL: An ordinance of the City Commission of the City of Miramar, Florida, relating to Comprehensive Planning; making findings; considering the annual update of the Capital Improvements Schedule, as set forth in Table 6.1 of the Capital Improvements Element of the City of Miramar Comprehensive Plan to account for Fiscal Years 2020-2024, pursuant to Section 163.37 -- 3177 (3)(B), Florida Statutes, and Policy 1.1 of Objective 1 of the Capital Improvements Element of the -- the City Comprehensive Plan; providing for adoption; making findings; providing for the deletion of the Capital Improvements Schedule for the Fiscal Years 2019-2023; providing for the inclusion of the Capital Improvements Schedule for Fiscal Years 2020-2024; providing for correction of scrivener's errors; providing for severability; and providing for an effective date

MAYOR MESSAM: Thank you. Silva.

MR. SILVA: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners. Eric Silva, Community Development Department. This is our annual update to the Comprehensive Plan capital improvement element. Section 163.3177 of the Florida Statutes requires that each city adopt a capital -- capital improvement element as part of the Comprehensive Plan. This covers our growth and population and development for all of our infrastructure facilities: water, sewers, solid waste, traffic, parks. Per statute, in our Comp Plan, we have to update this every single year. This is our amendment. We, basically, take what

was done as part of the budget process, and just cut and paste it into the Comprehensive Plan. And this is the sheet from the budget. So we'll take this sheet and the other pages associated with it, and add it to the Comprehensive Plan, then just delete the old sheets. And recommendation is for approval, and to find it consistent with our Comprehensive Plan, and authorize the change to Table 6.1 of the Comprehensive Plan.

MAYOR MESSAM: 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? Seeing none, back to the dais. Any questions for comments? If not, I'll take a motion.

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.

MAYOR MESSAM: Yes.

On a motion by Commissioner Colbourne, seconded by Vice Mayor Davis, to approve Ordinance #O1735, the Commission voted:

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

SECOND READING SCHEDULED for January 15, 2020

PUBLIC HEARINGS

MAYOR MESSAM: Onto Public Hearing. Item number 16, please.

- 16.** Temp. Reso. #R7047 approving the Program Year 2018 **Consolidated Annual Performance Evaluation Report** for Community Development Block Grant Programs. (*Community Development Assistant Director Deborah Stevens*)

CITY ATTORNEY POWELL: A resolution of the City Commission of the City of Miramar, Florida, approving the Program Year 2018 Consolidated Annual Performance Evaluation Report for Community Development Block Grant Programs, and providing for an effective date.

MS. STEVENS: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners, Deborah Stevens, Community Development Department. This item is a Consolidated Annual Performance Evaluation Report, which is referred to the CAPER. It's for program year 2018. Each year, we must create and submit to the U.S. Department of Housing & Urban Development an annual CAPER. It includes all the expenses for our grants, SHIP, CDBG, NSP, and HOME. It also outlines our performance against a Five-Year Consolidated Plan, our Annual Action Plan, and our three-year Local Housing Assistant Plan. During program year 2018, which is the City's fiscal year '19, we spent approximately \$1.9 million in grant funds. Of that amount, CDBG was almost \$838,000.00, SHIP \$758,000.00, and the rest was for HOME and NSP1. The \$1.9 million was spent across several programs. The Home Repair Program, we spent over \$1.2 million, and we were able to help 22 families. For purchase assistance, we helped two homeowners, first time homeowners, with down payment assistance for a total of \$70,000.00. We were able to acquire a foreclosed property for \$260,259.00. We had one small commercial rehab project for \$3,230.00. We had homeownership counseling; we had eight workshops that had 328 participants, and we also had 21 one-on-one foreclosure prevention counseling for a total of \$29,500.00. For community outreach, we spent \$85,695.00, which was salary for the social worker, and for administration, we spent a little over \$200,000.00. The CAPER does citizen participation. A public notice was published. There was a 15-day public comment period. There's a public hearing tonight, and any comments received would be included when the CAPER is submitted to HUD. The City Manager recommends approval.

MAYOR MESSAM: Thank you for the presentation. Are there any members from the public that wish to comment on this item? Any members that wish to comment on this item? Seeing none, back to the dais. Any comments, questions? May I have a motion.

COMMISSIONER COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: 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 Resolution #R7047, the Commission voted:

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

Resolution No. 20-38

MAYOR MESSAM: Item number 17, please.

- 17. SECOND READING** of Temp. Ord. #O1732 approving the **end-of-year amendment** of the **Fiscal Year 2019 Operating and Capital Improvement Program Budget**; and providing for an effective date. *(Passed 1st Reading on 11/06/19) (Management & Budget Director Norman Mason)*

CITY ATTORNEY POWELL: An ordinance of the City Commission of the City of Miramar, Florida, approving the end-of-year amendment of the Fiscal Year 2019 Operating and Capital Improvement Program Budget, and providing for an effective date.

MR. MASON: Norman Mason, Management & Budget. Rafael, the Assistant Director, is going to present those adjustments. This is the second reading for 2019.

MR. SANMIGUEL: Mayor, Vice Mayor, Commissioners, sorry about that; back from break. Rafael Sanmiguel, Management & Budget, Assistant Director. I'm here to present the fiscal year 2019 final budget amendment. Per State statute, we need to pass this budget amendment before the 28th of November, and so today is the last day. Starting with the General Fund, in the revenues, we have just a -- a couple of changes from the first reading. We're still going to recognize the \$125,000.00 revenue from Waste Pro Community Engagement Program. We are adding 4752 in CARE revenue from the business application fee, and 7462 CARE revenue from textile recycling revenue, for a total of \$137,214.00 in the revenues. For General Fund expenses, half of the funds are still going to the City Commission for initiatives, and we're adding \$10,000.00, because of higher than anticipated healthcare costs. In the transfers, we're going to transfer \$94,714.00, that includes half the Waste Pro Community Engagement revenues, \$20,000.00 for billboard, that's CARE revenue, and the \$12,214.00 from the textile recycling, and the business application fee revenue that was talked about. For the Office of the City Manager, \$95,000.00, for the compensation related to the former city manager, for the department restructuring. HR, \$50,000.00 due to salary -- salary attrition not being realized as anticipated. Office of the City Clerk, still the increase in election costs from the Broward S of E to cover the costs incurred during the last election. Procurement of savings of \$71,000.00 in savings in salary vacancies. Our department, Management & Budget, \$289,600.00 due to savings in healthcare costs, salaries, and consulting services. Police; we're going to increase that budget by \$609,800.00; that's due to overtime costs from various anticipated operational needs, staffing shortages from extended leaves, and overtime related to Hurricane Dorian. A similar scenario in the fire rescue; we're going to increase that budget by just over a million dollars due to overtime costs, due to staffing shortages, extended leaves, overtime related to Hurricane Dorian, and drop transfers. Moving on to community and economic development, increase that budget by \$60,000.00 due to salary attrition that's being realized as anticipated. Public Works; during the first reading, we showed an overrun, but in the second reading we're showing, actually, a savings of \$108,000.00, and that's contractual services, savings in some contractual services. Parks & Recreation still showing a savings of \$228,700.00, that's from salary and vacancies. Social Services still a savings, so \$404,100.00; those are savings in vacancies and lower than anticipated costs for program supplies. Cultural Affairs, going to increase that budget by \$110,000.00 due to higher personnel costs for additional duties and responsibilities. Debt service, still the accelerated agreement in terms for the fire rescue scuba equipment, so that's going to be booked at \$83,219.00. Last, but not least, non-departmental savings of over a million dollars; those are savings in retirements -- retiree stipends and other operating costs, including appropriate fund balance. So that totals up to equal revenues of \$137,214.00. Over in the Economic

Development Fund, we're going to recognize the transfer of the -- those monies, those C.A.R.E. revenues, and the Waste Pro monies of \$94,714.00, and in '19, that's going to still close into fund balance, and in the fiscal year '20 amendment, we're going to appropriate these funds into the Economic Incentive Account. Public Safety; due to higher than anticipated public safety detail use in the public safety outside services fund, 145, we're going to recognize increased revenues of \$8,800.00 in police service details, \$30,000.00 in -- in the special detail administrative fee, \$37,400.00 in fire, special details, and \$27,000.00 in appropriating fund balance for a total of \$104,000.00 to pay for the special duty pay of the same amount. Utility fund; for ten CIP reprogramming, we're going to take one million dollars, precisely, from the construction of the West Water Plan Process Improvement CIP project, transfer that into -- or reprogram that, rather, that into the construction of the Historic Miramar Drainage Improvements Phase IV. And in this one item, there's no change from the first reading; we're still going to take \$319,373.00 from the Historic Miramar Hydrant Lines, and into the Historic Miramar Infrastructure & Improvements Phase III project. And approval is recommended.

MAYOR MESSAM: Thank you. Are there any members from the public that wish to comment on this item? Any members from the public that wish to comment on this item? Seeing none, back to the dais. Any questions, comments? If not, I'll take 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 Chambers, to approve Ordinance #O1732, the Commission voted:

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

Ordinance No. 20-03

MAYOR MESSAM: Item number 18, please.

- 18. SECOND READING** of Temp. Ord. #O1734 approving the **first amendment** of the **Fiscal Year 2020 Operating and Capital Improvement Program Budget**; and providing for an effective date. *(Passed 1st Reading on 11/06/19) (Management & Budget Director Norman Mason)*

CITY ATTORNEY POWELL: An ordinance of the City Commission of the City of Miramar, Florida, approving the first amendment of the Fiscal Year 2020 Operating and Capital Improvement Program Budget; and providing for an effective date

MAYOR MESSAM: Welcome back.

MR. SANMIGUEL: Mayor, Vice Mayor, Commissioners. Rafael Sanmiguel, Management & Budget, Assistant Director. I'm presenting the second reading of the Fiscal Year 2020 first budget amendments. So the first item -- so the first item hasn't changed from the first reading; we're still going to do a transfer of funds from Public Works and Parks & Recreation to fund the (unintelligible) to the landscape services that we have discussed. In the Economic Development Fund area, we're going to now recognize the \$94,714.00 from the appropriation fund balance; those are the funds that we transferred in '19 into this fund, and we're going to appropriate that into the economic incentive line for the appropriate use. This is a new item. We're going to reprogram some of our development fund monies from the Cultural Affairs -- or Cultural Arts facility expansion CIP project; that's \$1.19 million to the -- a new project, that's the corporate expansion at Miramar Regional Park (MRP), and that entails that the sign and construction of a 22,000 square foot multiuse conference center and the MRP. Similarly, we're going to take \$200,000.00 from the Cultural Center breezeway enclosure CIP project into the same -- that new project, the corporate pavilion expansion at MRP. This here, it looks like a change, but it's not. We're just going to -- we created a new fund to house the taxable loan for the -- the -- the (unintelligible) taxable approaching of the loan, which is \$5 million, and it's basically taking the -- the Miramar Innovation Technology Village project from this non-actual fund 391 into -- next slide -- into this fund, into the fund number 392. So that's

basically being done in order to separate the accounting track and reporting of the taxable and nontaxable portions of the bank loans. And approval is recommended.

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

VICE MAYOR DAVIS: Thank you. Just have a question on the issue with the pavilion, and moving the monies from here, the Cultural Arts. So I was under the understanding that that project was going to go ahead, and it's just changed now? It's not going to go ahead?

MR. SANMIGUEL: So the issue at hand was that we are not cancelling the -- the breezeway project or the expansion of the Cultural Arts Center project; we're delaying it, and we're using those immediate funds in 2020 to construct the -- the pavilion or the conference center, rather, at the -- at Miramar Regional Park.

VICE MAYOR DAVIS: I'm not opposed to that pavilion, but I thought one of the ideas was to expand what we have here now. I mean, despite the breezeway, expanding the actual Cultural Arts, the banquet halls --

MR. SANMIGUEL: Correct.

VICE MAYOR DAVIS: -- to mirror the actual theater, in terms of capacity. And so I would think that would be more of a pressing need than to build something else, because most folk -- this is already to capacity. If you're going to move folks from the theater to the -- the -- the banquet halls, it's just -- it can't hold. So this is the whole new facility that you're going to have to, what, rent of do some things with, but then you have this one that's inadequate.

MR. SANMIGUEL: So, as I understand it, and Mr. Hargray -- I want to pass the microphone over to Mr. Hargray.

CITY MANAGER HARGRAY: Vice Mayor, this was our challenge in here. We just investing a lot of money for the entertainment. I think you all would be pretty mad at me if I started some construction over there in the midst of that, if you can think about it. Anything that we do over there now with shows already booked, all right. And then we know that -- what we did is, we made plans for the following year, so that we could buy shows in advance, so you know in the next two years, we don't want to do any kind of damage, and it gives us enough time in there to sit down with the Commission and really lay out what we're going to do. I don't want to take a chance of that project -- now we have -- we -- we -- we will have the money to do it, but I don't think you want to start doing any construction in the midst of the shows that you already booked. And I know that the previous year -- we're going to do something different, is that we're going to have them buy shows two years early, so that we can be able to get the kind of shows that we want.

By doing that, we know that at least two years, we don't want tear up anything, and we want to make sure we sit down with you to lay this out. Because whatever we do there, it's going to have an impact.

VICE MAYOR DAVIS: Yes. And I get you. So, at some point, you're going to have to do construction, you're going to have shows, but delaying it, I want to make sure that that's something that we will do. And as far as the pavilion goes, I know when I was here before we talked about it, so I'm not sure what has changed.

MAYOR MESSAM: It was repurposed. They --

VICE MAYOR DAVIS: Well, I'm just saying is that I don't know if something has changed with the corporate pavilion. Is it -- was -- as it was four years or five years ago, and if it isn't, can I see what -- what is proposed? I don't -- have we seen that yet?

CITY MANAGER HARGRAY: Yeah. We have -- Vice Mayor, we have the design. What happened was -- is that we ended up repurposing the money to build the fire station, so we'll get a chance to sit down and talk and walk and feel it. It will have an impact. It will be something positive, but, again, we're not going to lose focus on MCC. There probably will be some items in here that -- that -- when we already passed it, but every time -- every time you see a -- a residential development come in, you can just figure out \$600,000.00 per acre of that location. Tonight what you're approving is about \$3 million of new impact fees, and then if you look at the projection, you're going to get another \$7 million the following year, so that won't be an issue for us.

VICE MAYOR DAVIS: You mean to expand the Cultural --

CITY MANAGER HARGRAY: Right.

VICE MAYOR DAVIS: The banquet halls; okay.

CITY MANAGER HARGRAY: We just need to make sure that we're all on one accord.

VICE MAYOR DAVIS: All right. So I guess I'll get with you as far as, you know, to get me up to speed on the corporate pavilion --

CITY MANAGER HARGRAY: Yes.

VICE MAYOR DAVIS: -- after this. Thank you.

MAYOR MESSAM: You're good. Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you, Mayor. Mr. Manager, I -- I think I have a problem with the corporate pavilion and what we're trying to do. I remember we repurposed the money, but has happened since the corporate pavilion has been very

much utilized by residents enjoying the open space. And I'm not sure if we should be moving forward with building another indoor facility there that going to be inadequate in terms of the size. So I think we need to have a --

CITY MANAGER HARGRAY: 22,000 -- 22,000 square feet. Let me give you an idea of what that looks like.

COMMISSIONER CHAMBERS: That's the -- that's the new number?

CITY MANAGER HARGRAY: No, you -- you're adding 10,000 square feet to an existing ten. If you think about the police substation, that's 22,000.00.

COMMISSIONER CHAMBERS: Okay.

CITY MANAGER HARGRAY: If you're think of the childcare facility that we have, that's 5,000, multiply that times four.

COMMISSIONER CHAMBERS: Right.

CITY MANAGER HARGRAY: That's what you have.

COMMISSIONER CHAMBERS: Okay. So is -- is -- is there a plan to -- to repurposing another pavilion that size somewhere else or another park that we -- resident can rent?

CITY MANAGER HARGRAY: We're not -- we will sit down with you and -- and show you the design, how it was originally laid out, because, actually, what we were considering was having the two stories, all right. Well, the bottom floor in here still gives the residents the opportunity to rent that while you still have the top. And if -- and we'll give you pictures of it.

COMMISSIONER CHAMBERS: Okay. All right. Thank you, sir.

MAYOR MESSAM: Thank you, Commissioner. Are there any other comments or questions? Seeing none, may I have a motion, please.

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.

MAYOR MESSAM: Yes.

On a motion by Commissioner Colbourne, seconded by Vice Mayor Davis, to approve Ordinance #O1734, the Commission voted:

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

Ordinance No. 20-04

MAYOR MESSAM: Item number 19, please.

- 19. SECOND READING** of Temp. Ord. #O1737 amending Ordinance No. 16-11 establishing the **salary and benefits** of the **City's Elected Officials**; providing for conflicts; providing for severability; providing for inclusion in the Code; and providing for an effective date. ***(Requested by Commissioner Maxwell B. Chambers) (Passed 1st Reading on 11/06/19) (Human Resources Director Randy Cross)***

CITY ATTORNEY POWELL: An ordinance of the City Commission of the City of Miramar, Florida, amending Ordinance No. 16-11 establishing the salary and benefits of the City's Elected Officials; providing for conflicts; providing for severability; providing for inclusion in the Code; and providing for an effective date

MAYOR MESSAM: Is Mr. Cross here to do the presentation? Did he step -- he may have stepped out. We'll take this time for our, hopefully, one and only bio-break for tonight. Meeting is recessed.

Recessed/Reconvened

MAYOR MESSAM: Welcome back, everyone. Commission meeting is now called back to order. Item -- did we already call that? I think I called -- you all had read it for the record, right?

CITY ATTORNEY POWELL: Yeah, but I can read it again.

MAYOR MESSAM: Yeah. Item number 19, please again.

CITY ATTORNEY POWELL: An ordinance of the City Commission of the City of Miramar, Florida, amending Ordinance No. 16-11 establishing the salary and benefits of the City's Elected Officials; providing for conflicts; providing for severability; providing for inclusion in the Code; and providing for an effective date

MR. CROSS: Good evening again, Mr. Mayor, Madam Vice Mayor, Randy Cross, Human Resources Director. So this is the second reading for this item. As was discussed at the first reading, the COLA was removed from the language that's in the proposed ordinance. Language was added to the business stipend to allow for either one of two options; one, where it would be received as compensation that would be applicable to any appropriate taxes or it would be up to the Commission to decide to add it into an expense line that would be subject to any applicable policies and procedures for use of those funds. And the item adjusting the compensation for the vehicle allowance matching the Manager's as stated. So those are there for you to -- for your consideration and -- and debate, and then any items that need to be added or removed, we can do that in the ordinance.

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

MS. SCIALABBA: Debra Scialabba, 6490 SW 26 Street. Through the years, former commissioners had commented, as some of you have, that you want the City Commission to have all the benefits the City Manager, administration and City staff have. It isn't right to your constituents, taxpayers, business owners in Miramar to compare yourselves as equal to the degrees, the knowledge, the experience, the expertise of the City Manager, administration, officers, directors. They manage the budget, oversee City personnel, negotiate contracts, projects, day-to-day operations of managing a city. You are elected officials, and the City Manager side is not within your purview, and beyond your scope -- and is beyond your scope. Let me just -- for some of you, purview, it is beyond your scope as a commissioner to do this. Purview is the part of a statute or law that delineates it's purp -- its purpose and scope. Collective bargaining negotiations will begin with police department fire department and G.A.M.E. As elected officials, are you -- ask yourselves how, in good faith and conscience, to the police department, fire, City staff, can you increase your benefits and salary and, during negotiations, request them to compromise and give up certain items. Without them, we would not have a great managed city with all it entails. Maybe residents need to get a petition going, and place a referendum on

the ballot that any increase in salary, benefits and the like is up to the voters to approve. This is getting out of control. Please do not approve this. It isn't right to anybody in the City, but it is for you. Thank you.

MAYOR MESSAM: Thank you. Are there any other members from the public that wish to comment on this item? Any other members that wish to comment -- from the public that wish to comment on this item? Seeing none, back to the dais. Any questions or comments? I see we have -- Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you, Mayor. Well this item was brought forth by me, and I'd like to offer a recommendation, a third option from what -- where we was the last time. Since some people were confused with the stipend and the business stipend; I know we already have an existing stipend of \$2,500.00. We could merge the business stipend with the \$2,500.00 and make it one stipend to eliminate more confusion. So I want to offer that to my colleague; if they like, they could vote on that. If not, they could pick one of the two options on the book. Thank you.

MAYOR MESSAM: Thank you, Commissioner Chambers. Any other comments on this item? Any other comments on this item?

VICE MAYOR DAVIS: I guess the comment --

MAYOR MESSAM: Vice Mayor Davis.

VICE MAYOR DAVIS: Sorry, thank you. I guess the comment would be the issue of the stipend, how it's been presented. So is it that someone can vote -- you have to have consensus for one or both options or --

MR. CROSS: The way it's written -- oh, I'm sorry.

VICE MAYOR DAVIS: Go ahead.

MR. CROSS: The way it's written would be at the discretion of each Commissioner to elapse, how they would take that stipend for the year, --

MAYOR MESSAM: That's it --

MR. CROSS: -- so if it ran from -- I think we said it was going to from January 1st, you would have the option prior to that beginning for that year to elect to take it as either a stipend in your salary, or as an expense line that would be in your budget.

VICE MAYOR DAVIS: Okay. So both are -- both are on the table. We would be voting to do both, and then, at some point, the individual would select how they want to receive it?

MR. CROSS: That's how it's currently written, yes, ma'am.

VICE MAYOR DAVIS: Okay.

COMMISSIONER CHAMBERS: Can the attorney explain my suggestion as to create one stipend?

CITY ATTORNEY POWELL: Basically, the third -- the second option that you're proposing would simply eliminate paragraph C of the reso. -- of the ordinance, and merge it into paragraph B, and it would read simply that the Commission would receive an annual stipend of \$12,500.00, and there would be an election that was just described. You can elect to take it as income, split into 12 months at the beginning of the year, if that's what you'd like to do, or have it in a separate account, operating budget account.

MAYOR MESSAM: That concludes your questions? There's more? Okay. No or yes? I was saying does that -- well, do you have any further questions or comments?

COMMISSIONER CHAMBERS: Well, I'd like to offer the third option.

CITY ATTORNEY POWELL: The option --

COMMISSIONER CHAMBERS: Pardon?

CITY ATTORNEY POWELL: The option I just described?

COMMISSIONER CHAMBERS: To merge the business stipend with the existing stipend.

CITY ATTORNEY POWELL: Right, so -- so if I'm clear or to be clear, you would simple be offering an amendment to the ordinance that would simply provide for just a stipend of \$12,500.00, and there would be an election that each Commissioner and the Mayor could do at the beginning of the year to either take that stipend on a monthly basis or put it into a operating account.

COMMISSIONER CHAMBERS: So can we vote on that now.

COMMISSIONER COLBOURNE: I have some comments.

MAYOR MESSAM: Commissioner Colbourne, you're recognized.

COMMISSIONER COLBOURNE: Okay. Thank you. First of all, I just want to say that I'm -- I'm glad that my colleagues agree to drop the COLA, the yearly COLA on this. And also to add the option, so that we could use this for a scholarship program or -- or other - other intended -- other public service use. So I do appreciate you changing the language to that. In terms of combining the stipends, I don't see a lot of difference between the stipend and the business stipend, so I'm okay with -- with combining -- combining that as

well. I do -- I do want -- the last time something like this came before us for a salary increase for -- for our -- for -- for our assistants, there was a provision in it that if you didn't vote for it, if the elected official didn't vote for it, their assistant would not -- would not -- would not get the increase. I'm just wondering did that take place, and is that -- is that something that would be applied to this as well?

MR. CROSS: I'm not sure I understand. So you're saying that the last time the stipend was offered, that if an elected official didn't --

COMMISSIONER COLBOURNE: No, it wasn't a stipend. It was an increase for the elected officials' assistant, and I -- I believe it might have been the Mayor that asked that if -- whoever on the dais didn't vote for it, that their assistant wouldn't receive this, if I -- if I recall correctly. And my question is whether or not that ever took place, because you're -- I -- I do recall someone did not vote for it, whether or not their assistant was penalized, and is something like this considered for this?

MR. CROSS: I'd have to research that specifically, but I can tell you that the ordinance or resolution that establishes the benefits for the secretaries for the Commission has no language in it that differentiates one aide from another, depending on who they're employed by, so if a -- if the pool of money that's available to them was increased at any point, it's up to each official to determine out of that pool of money how much to offer them, out of that salary money, that ceiling you have of -- I think it's \$83,000.00; I think it was just increased now.

COMMISSIONER COLBOURNE: Okay.

MR. CROSS: It would be up to you to determine if and how much to give to each of your employees.

COMMISSIONER COLBOURNE: Okay. So regardless of how -- however you vote on this, if this item passes, all the elected officials will -- will have that option?

MR. CROSS: The stipend?

COMMISSIONER COLBOURNE: The option of the stipend and -- and -- would the car allowance as an option as well?

MR. CROSS: I think so. But if -- but if I could just clarify that. If you wanted to say that you elect not to take the stipend, I -- I don't know, legally, if the way it's written right now, it would give you that option. I guess you could take it as a expense and just not spend the money, and it would return back into the Fund Balance, but it -- it -- it doesn't clearly say that you have the option to just refuse the money or not take the money and, therefore, it wouldn't be programmed into the budget for you.

COMMISSIONER COLBOURNE: Okay.

MR. CROSS: Am I being --

COMMISSIONER COLBOURNE: That's fine. Okay. I'm good, thank you.

MAYOR MESSAM: Are there any other comments or questions on this item? Seeing none, record the votes.

COMMISSIONER CHAMBERS: Can -- can we -- I'm going to make a motion adding the \$10,000.00 stipend to the \$2,500.00, make it one stipend. Motion to approve.

VICE MAYOR DAVIS: Second.

MAYOR MESSAM: Record the votes.

COMMISSIONER COLBOURNE: I think we need a clarification. Is -- is -- from the attorney. Are we -- is this an amendment that we're voting on, --

CITY ATTORNEY POWELL: Yes.

COMMISSIONER COLBOURNE: -- and then vote --

CITY ATTORNEY POWELL: Yes.

COMMISSIONER COLBOURNE: -- on it?

CITY ATTORNEY POWELL: Correct.

COMMISSIONER COLBOURNE: Okay.

CITY ATTORNEY POWELL: You're voting the amendment first.

COMMISSIONER COLBOURNE: The -- the amendment to combine the two stipends?

CITY ATTORNEY POWELL: Correct.

COMMISSIONER COLBOURNE: Okay.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: No.

CITY CLERK GIBBS: I'm sorry, Mr. Mayor. Are we voting electronically, or is this a manual vote?

MAYOR MESSAM: This is -- this is a manual vote for the amendment to combine the stipends. Then once that amendment should prevail or be defeated, then we would move onto the item number 19 vote as either amended or as recommended.

CITY CLERK GIBBS: Okay. 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 Chambers, seconded by Vice Mayor Davis, to amend Ordinance #O1737 as amended, the Commission voted:

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

Approved

MAYOR MESSAM: May I have a motion on the item number nine -- 19 as amended.

COMMISSIONER CHAMBERS: Motion to approve.

VICE MAYOR DAVIS: Second.

CITY CLERK GIBBS: Would you like me to --

MAYOR MESSAM: 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 Chambers, seconded by Vice Mayor Davis, to approve Ordinance #O1737 as amended, the Commission voted:

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

Ordinance No. 20-05

QUASI-JUDICIAL PUBLIC HEARING

MAYOR MESSAM: Item number 20, please. Quasi-Judicial --

CITY ATTORNEY POWELL: Yes.

MAYOR MESSAM: -- Public Hearing.

CITY ATTORNEY POWELL: May I read the announcement into the record?

MAYOR MESSAM: Yes.

CITY ATTORNEY POWELL: Okay. The 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 pub -- policymaking body. In contrast, quasi-judicial matters -- excuse me one second my computer is acting up on me. In contrast, 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 shall be conducted in an informal manner. I will read the title of the item to be considered; City Staff shall present a brief synopsis of the application and make a recommendation, next there will be a presentation by the applicant. The Commission will then -- the Commission will then hear from participants in favor of and in opposition to the application. All witnesses are subject to cross examination by the City staff, City Commission and the applicant. A participant may request that the Commission ask questions of the witness. The applicant and staff will -- may conduct closing -- concluding remarks. Could you swear everyone in, please?

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 remain standing to receive a colored dot. Thank you.

CITY ATTORNEY POWELL: Mr. Mayor, do you -- do you want me to read item 20 in?

MAYOR MESSAM: Yes, I called item number 20.

- 20.** Temp. Reso. #R7065 considering **Conditional Use Application No. 1906891** for a hotel use, considering **Variance Application No. 1905611** from Land Development Code ("LDC") Section 405.11(A) and Table 403-4, for the 2-acre minimum lot size requirement for hotels and the 300-foot minimum lot width requirement for Planned Industrial Development-Zoned properties, considering **Variance Application No. 1905615** from LDC Section 808.1.6, to allow for a reduced parking setback, considering **Site Plan Application No. 1904314** and **Community Appearance Board Application No. 1904315** for a 5-story, 97-room **Tru by Hilton Hotel** located at 14505 Southwest 27 Way. (*Principal Planner Michael Alpert*)

CITY ATTORNEY POWELL: A resolution of the City Commission of the City of Miramar considering Conditional Use Application No. 1906891 for a hotel use, considering Variance Application No. 1905611 from the Land Development Code ("LDC") Section 405.11(A) and Table 403-4, for the 2-acre minimum lot size requirement for hotels and the 300-foot minimum lot width requirement for Planned Industrial Development-Zoned properties, considering Variance Application No. 1905615 from LDC Section 808.1.6, to allow for a reduced parking setback, considering Site Plan Application No. 1904314 and Community Appearance Board Application No. 1904315 for a 5-story, 97-room, Tru by

Hilton Hotel located at 14505 Southwest 27th Way; provided for repeal; providing for severability; providing for corrections of scrivener's errors; and providing for an effective date.

MAYOR MESSAM: Good evening, sir.

MR. ALPERT: Good evening, Mayor, Vice Mayor, Commissioners, Mr. Manager, City Attorneys, City Clerks. Michael Alpert, principal planner. Before you tonight are several applications required for the approval of the proposed hotel. City Commission approval is required for site plans, Community Appearance Board, conditional uses, as well as variances. Location of the property, as at the -- just west of 145th Avenue off of 27th Street, which is also known as Progressive Way. The land use and zoning designations for this property is industrial. Progressive Claim Center was approved by the City Commission in 2016, and construction completed in 2018. They only developed six and a half acres of the eight and half -- 8.4-acre site. Therefore, the applicant before you tonight is developing the remainder of that site. They're proposing to build a five-story, 97-room, 46,000-square foot hotel on a 1.86-acre portion of the site. This is a graphic to show you the completed construction of Progressive, and the subject site for the hotel. The applicant submitted applications for site plan, Community Appearance Board, conditional use, as well as variances for lot acreage, minimum lot width, and parking setback. The conditional use is required for hotels in PID zoning. Staff found the use to be consistent with the existing and proposed development pattern. There are several hotels in this area. The hotel use is desirable and appropriate for this particular site, and the use is consistent with the Comprehensive Plan. First variance is from the two-acre size minimum requirement, per Land Development Code section 40511(a). As I've noted before, the site is 1.86 acres, and from the 300-foot minimum lot width requirement. This represents about a seven-percent deviation on the lot size, and about a 28-percent deviation on the lot width. The applicant would have to conform to the existing conditions created by the already constructed Progressive building. The other variance is regarding the parking setback requirement of 12 and a half feet from the Land Development Code section 808.1.6. The southern property line of this property has a curved linear shape due to roundabout off 27th Street. In order to account for this, certain parking spaces are encroaching up to three feet, seven inches into the parking setback. Staff felt that this variance is warranted in order to maintain the minimum parking requirement of 97 spaces, as well as to keep the drive aisle width throughout the site consistent, and to provide enough circulation for regular, as well as emergency vehicles. The DRC recommended approval of the conditional use on September 11th. The community meeting was held on September 23rd, but no member of the public was present. The Planning & Zoning Board recommended approval of this conditional use on October 15th. The DRC recommended approval of the site plan and variances on October 7th, and the CAB also on October 7th. This is the site plan. The -- there's one main entry to the site from 27th Street for both ingress and egress, and the parking surrounding the building. There's also an emergency access on the northern part of the site that connects to the progressive development. And here's the proposed rendering, looking -- the graphic shows you the direction that's

looking from -- from 27th Street. Approval is recommended with conditions. Be happy to answer any questions. The applicant is here with their design team as well.

MAYOR MESSAM: Would the applicant like to speak at this time?

MS. CALHOUN: Good evening, Hope Calhoun, attorney on behalf of the applicant. Mr. Alpert did a very thorough presentation. I'd be happy to answer any questions. Your staff report listed all of our requests tonight for a 97-room hotel. Thank you.

MAYOR MESSAM: Thank you. Are there any questions for the applicant from the dais? Seeing none. Is there anyone from the public that wish to comment on this project? Anyone from the public that wish to comment on this project? Seeing none, back to the dais. Any other overall comments or -- all right. I see speakers. Commissioner Barnes followed by Vice Mayor Davis.

COMMISSIONER BARNES: As I mentioned earlier, I want to, again, thank staff for the upgrade. And Michael knows something about this -- for the upgrade of the code, which up to not so long ago restricted the kinds and sizes of hotels that we wanted to come into our city, the kinds of amenities that they -- they should, if they wanted to become a part of our city. That code has -- has made a major diff -- that change in code has made a major difference in -- in a situation like this. And I think it also helped to underscore the belief amongst some of us that we really are this really small, little city, and probably were -- were never in need of a convention-sized hotel. And as was said at the time when we looked at these changes in the code, these people were knocking on our doors for years in wanting to come in. And -- and I think the fact that we made those changes in the code has been justified by the fact that yet another hotel is -- is -- is seeking to -- to -- to join what is sometimes called hotel row. In addition, I remember speaking with the -- the representative for the -- the developer. There are a number of amenities in -- not in physical ways, but we're talking here about employment, and investment by a large chain of hotels. We've -- we've -- we've gotten these large chains getting into what sometimes are called boutique hotels, if only because of the size. This, I think, is a little more important than we think it is, and I -- I'm also suspecting that it is going to help to make our city, at least that specific sector of our city, more attractive to potential investors in this kind of sector.

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

VICE MAYOR DAVIS: Thank you. Just a question to the applicant regarding this particular hotel. You already have a Hilton property here in Miramar, correct?

MS. CALHOUN: I'm not sure.

CITY MANAGER HARGRAY: Yeah.

MS. CALHOUN: Yes. Yes. Yes.

MAYOR MESSAM: The Garden Inn.

VICE MAYOR DAVIS: Yeah. How does this one differ? I mean, if you don't know.

MS. CALHOUN: So this particular hotel is a -- more of a boutique -- boutique type hotel or limited service hotel. This isn't your typical hotel, where you have a large pool and a large type resort type feel. This is more for the traveler who is maybe just coming into town to go to a football game or a concert. They're not extended stays. They don't have a full restaurant. It's more of a convenience location, so not as -- again, not that resort feel that you would get from a typical hotel.

VICE MAYOR DAVIS: And in terms of the brand, it is on the lower cost of the brand, the Hilton brand?

MS. CALHOUN: It's more in line with like a Holiday Inn.

VICE MAYOR DAVIS: Okay. All right. Thank you.

MAYOR MESSAM: Are there any more comments on this item, questions? Hearing none, may I have a motion.

COMMISSIONER BARNES: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Actually, we're going to have a motion on the variance application 1905611, and the conditional use, and all the other items, and then the project overall, because there are several applications in this item.

a) Conditional Use Application No. 1906891.

MAYOR MESSAM: So may I have a motion on item 20, Conditional Use Application 1906891.

COMMISSIONER BARNES: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: 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 Chambers, to approve Resolution #R7065, Conditional Use Application No. 1906891, the Commission voted:

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

Approved

b) Variance Application No. 1905611.

MAYOR MESSAM: May I have a motion on item 20, Variance Application No. 1905611.

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 Vice Mayor Davis, to approve Resolution #R7065, Variance Application No. 1905611, the Commission voted:

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

Approved

c) Variance Application No. 1905615.

MAYOR MESSAM: May I have a motion on item 20, Variance Application No. 1905615.

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 Resolution #R7065, Variance Application No. 1905615, the Commission voted:

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

Approved

d) Site Plan Application No. 1904314.

MAYOR MESSAM: May I have a motion on item 20, Site Plan Application No. 1904314.

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 Resolution #R7065, Site Plan Application No. 1904314, the Commission voted:

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

Approved

e) Community Appearance Board Application No. 1904315.

MAYOR MESSAM: May I have a motion on item 20, Community Appearance Board Application No. 1904315.

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 Resolution #R7065, Community Appearance Board Application No. 1904315, the Commission voted:

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

Approved

f) Overall Project

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

COMMISSIONER BARNES: Motion to approve the over --

COMMISSIONER CHAMBERS: Second. Second.

MAYOR MESSAM: Record your electronic votes. 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 Barnes, seconded by Commissioner Chambers, to approve Resolution #R7065, the Commission voted:

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

Resolution No. 20-39

MAYOR MESSAM: Item number 21, please.

21. Temp. Reso. #R7057 approving Application No. 1905331, for the **vacation of a traffic control device Easement** and certain **landscape buffer Easements** in the **Miramar Central Plaza Plat**, as recorded in Plat Book 182, Page 80, Public Records of Broward County, Florida, located at the northeast corner of Miramar Parkway and Flamingo Road. (*Principal Planner Michael Alpert and Assistant City Engineer Salvador Zuniga*)

CITY ATTORNEY POWELL: A resolution of the City Commission of the City of Miramar, Florida, approving Application No. 1905331, for the vacation of a traffic control device Easement and certain landscape buffer Easements in the Miramar Central Plaza Plat, as recorded in Plat Book 182, Page 80, Public Records of Broward County, Florida, located at the northeast corner of Miramar Parkway and Flamingo Road, and providing for an effective date.

MAYOR MESSAM: Welcome back.

MR. ALPERT: The applicant, FCI Residential Corporation has requested a vacation of easements, including a vacation of a traffic control device easement, as well as several landscape buffer easements. Pursuant to Land Development Code section 307, City Commission approval is required for vacation of easements. The applicant plans to build a mixed use residential and commercial development known as Miramar Station on the Miramar Central Plaza plat. You may recall this was on your October 16th Commission meeting with the site plan and the other applications. In order to construct the project, the property owner needs to vacate the traffic control device easements, and several landscape buffer easements, which are in conflict with the proposed improvements. Project location is at the northeast corner of Miramar Parkway and Flamingo Road. The next graphic shows you a rendering of the site plan with the location of the subject easements. City Manager recommends approval. Happy to answer any questions you may have.

MAYOR MESSAM: Any questions for staff? Hearing none, would the applicant like to say anything?

MS. ISHMAEL: Jordanna Ishmael, 200 E. Broward Boulevard, on behalf of the applicant. Thank you, Mr. Alpert, for the very thorough presentation. We're happy to answer any questions you all may have.

MAYOR MESSAM: Any questions for the applicant? Hearing none, 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? Seeing none, back to the dais. Are there any overall comments? If not, I'll take a motion.

COMMISSIONER BARNES: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: 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 Chambers, to approve Resolution #R7057, the Commission voted:

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

OTHER BUSINESS

Reports and Comments:

MAYOR MESSAM: On to reports.

Commissioner Reports:

MAYOR MESSAM: Commissioner Barnes, do you have a report?

COMMISSIONER BARNES: Not at this time.

MAYOR MESSAM: Commissioner Chambers, you have a report?

COMMISSIONER CHAMBERS: Yes, I do. Just want to report that this coming Saturday, Miramar United Methodist Church will be hosting a garage sale for anyone want to stop by and purchase item from Miramar United Methodist Church. It's on the corner of Utopia and Miramar Boulevard. Also, this coming Saturday, we have a first annual Give Back to Heroes Home Advantage. We will be helping teachers, government employees, medical personnel, police, fire, and military; we're giving back to help them with their closing cost when they're purchasing a home or when they're selling their home. So, please, come on out. It's a festival for the whole family; bring your children this coming Saturday, right here from 4:00 p.m. to 9:00 p.m. on the plaza. Tell a friend, tell a neighbor, everyone can come on down and have a fantastic time. Next, please. We have a video. Play the video. (Video shown) Also, this coming Saturday -- well, just could play the video. (Video shown) And -- and this one is at Shirley Branca from 2:00 p.m. to 10:00 p.m. I want to encourage everyone to bring a toy or bring food for Thanksgiving, and toys for Christmas. Also, my college workshop is up and ready; we want to get student with below average GPA, we want to tutor them from now until graduation next year, so please check out that program. Also, once again, PAL is having their annual golf tournament this coming Friday at the Bonaventure Golf Club, so please -- for those of you who have raffle items or want to come by and participate in the golf tournament, please do so. Also, Glade Middle School will be having their Thanksgiving Drive for families in need. We will be giving back seven bags of grocery, and gift card to families in need who have identified through the Social Services program in school, so anyone want to come by and volunteer, please do so. Or even if you want to donate something, you might have time, maybe until tomorrow to drop something off at the school, so. Once again, December 14, I will be -- another benefit concert in Martin County for the Bahamas Relief, so they have quite a number of artists going to be featured. They have reached out to me; we got -- I got the Jamaican American Bar Association on board to assist them with their funds for the Bahamas, so what they were asking if the City of Miramar could participate in advertising down here on our media platform, so it wouldn't cost us anything, just to get the word out to folks who want to go

up there to their concert on December 14. So I'm going to pass that over to the City Manager; I hope we can accommodate them by lend a hand in advertising the event right here in the City of Miramar. Also, this morning, I have the pleasure of -- I got a phone call last night, I should say, from a resident wanting to write to the Family Court in Fort Lauderdale, and I assist Ms. Ina McNeil and Mr. Roland Abel. I drove them up to the Family Court, and they were trying to assist a -- a resident, well, a veteran and -- with getting a home. And it was very refreshing, even though it was a little bit emotional to see our judge, Florence Barner and the Fort Lauderdale Commission, and the County Court. What it is, they set up a -- a -- a court inside the Fort Lauderdale Chamber, and they assist homeless folks to -- who have been issued citation throughout the city to get them back on their feet, to make it more humane and a nice way to treat them to get them the assistance that they need. And it was very touching for me to be there and, you know, sometime we have much, and some people have nothing. So I just want to say humane and humanity goes hand in hand, and sometimes we have to be grateful for what we have. There's so much folks out there going through difficult times. Just to see a gentleman who has been homeless for 25 years just got back on his feet and got into a home. There was one gentleman who, today was his first day of sobriety, so sometimes, really, stuff like that, just think outside the box, and try to help our fellow citizens; it goes a long way. And I just want to thank God, thank all of you here for being healthy and to find ways to give back to our community. Thank you.

MAYOR MESSAM: Thank you, Commissioner, Commissioner Colbourne, you have a report?

COMMISSIONER COLBOURNE: Yes, thank you very much. I think I may have a video or some photos of -- of a recap. On third of November, we celebrated Panamanian Independence Day at the Regional Park. The -- the event was very festive. We had a great turnout, and it actually was a really nice event for the community. As a secondary benefit, there is a national Panamanian reunion that happens every year in different locations and, as a result of this event, they are actually planning to bring the national reunion here. They're already planning to bring it to Miami, but now they're added event here in the City of Miramar, so I think that was actually a very good thing for the City. Other than that, Thanksgiving turkey giveaway, I will be putting out a flyer, and I will be hosting a turkey giveaway on November 23rd. You must register prior to it. The flyer will have registration details, and I will be sending that out with the City advertisement tomorrow. And it is limited. It is first come, first serve basis. Other than that, I just want to say I know this is our last meeting, so I want to say thank you to staff for the wonderful job all year long, thank you for your service. To my colleagues and attorneys, thank you so much, and happy holiday to everyone.

MAYOR MESSAM: Thank you, Commissioner. Vice Mayor Davis, you have a report?

VICE MAYOR DAVIS: Yes. A brief report, a few slides. So we continue with our Guns for Funds. We've been doing pretty well. We have upwards of over 60 firearms that have been turned in. We have our last event coming up this Saturday over by St.

Bartholomew's and the Catholic Church. We hope that folks will come out again, and turn in those unwanted weapons. Biz Fit Tour is going well. We were there at the Tower Plaza this -- actually, yesterday, and we had folks that we helped. I'd like to thank staff for being a part of this, which was Economic Development, of course, Community Development, BID. Also, I neglect to mention our Fire Department and Police Department who are also onsite, and in addition to that, we had SCORE yesterday, as well as the Miramar/Pembroke Pines Chamber, so thank you for participating in this venture. The businesses are very pleased with us going on tour and bringing this information to them where they actually work. Upcoming events; we do have, I mentioned, the gun buyback for this Saturday, 10:00 to 2:00, St. Bartholomew's Church, which is 8005 Miramar Parkway, and we will be -- the League of Women Voters will be issuing free gun locks. And then we have our Biz Fit workshop, the last in that series. For now, it's on Tuesday, and it's about finance matters, and that's at the Multi-Service Complex from 6:30 to 8:30. And in the spirit of Thanksgiving, I, too, will be doing a turkey giveaway, and this is focused on our seniors. That turkey is cooked; these turkeys will not be cooked, so just bear that in mind, but it will be turkey and a little gift basket. And, unfortunately, it will be frozen, because I'm only doing this on the 26th, two days before Thanksgiving, but I'm sure folks will use that, if not for this Thanksgiving, then at least for Christmas they'll have a turkey in their possession. To RSVP, you would call the Senior Center, 954-889-2742, and it's while supplies last. Thank you.

MAYOR MESSAM: Thank you, Vice Mayor. Couple of announcements. First announcement is just to congratulate a very successful Jerk Fest that took place at the Miramar Regional Park, the Miramar Amphitheater, this past weekend. It was a sold-out event. It was the first year that the organizers moved their very successful and long running festival to the City of Miramar. I know I personally received a lot of rave remarks about the -- the amphitheater, the ambiance, just the -- the whole experience. So I'd just like to give kudos to all of the City staff, as well as the operators and -- and -- operators and ownership of the Jerk Festival for doing such a class act. And just a -- a small note. I was -- I participated in the celebrity quick fire cook off against Cat Coore from Third World band, and was miraculously chosen as the winner, so it was a fun event. And for those of you who know, that -- that -- well, you -- the thing is -- is you don't know what you're cooking until you show up, and the 30-minute clock starts, and they open the basket, and we had to cook -- we had our -- you had to season, cook, and prepare and present your meal within 30 minutes. So we had a chicken thigh, a sweet potato, green plantain, and a pita bread. And the only caveat was that you had to use jerk sauce, and you could use whatever other ingredients and vegetables to make your meal, so we had to be very creative. So it was fun. Cat was a great sport, and we really had fun doing the -- the event. And one thing of note, the long running winner of that contest was Channel 10 anchor, Todd -- I forget his last name, who -- yeah, who -- yeah, who -- who, you know, tragically passed away earlier this year, was the reigning champ for many years, and Channel 10 did a tribute to him in honor of his -- his participation in the festival. So the festival not only got a lot of media coverage, but it also enhanced and -- and -- and further publicized the City of Miramar and -- and Miramar Amphitheater. Coming up on December 6 is the community day -- December 7th, the community day for the Aviation

Expo. On December 6 will be the school day, where we'll have over 2,000 Broward County students at the amphitheater, which will be transformed into an aviation experience. They'll get an opportunity to fly drones, meet engineers, pilots, flight schools, Broward County Aviation Department, also known as Fort Lauderdale International Airport, will bring in a security check -- checkpoint, as well as ticket counter. And Saturday will be the community day, where all of the community is invited. So if you want to get an opportunity to sit inside of a live, real helicopter, BSO will have their chopper there. iFLY will be there as well, and it is sponsored by Spirit Airlines, as well as -- I'm going to get all of my sponsors, make sure that we recognize them. Broward County, Miramar Park of Commerce, Broward County Public Schools, and Richard P. Hall Foundation, and it's just a really great event. And, also, during the community day, we'll have the -- the robotics, the VEX Robotic competition scrimmage. There'll be over 20 plus teams scrimmaging for their upcoming VEX Robotics competition. So if you've never seen one of these robotics competition, you'll see some of our brightest students around Miramar and Broward County programming and assembling and competing with robotics. And it's a great STEM opportunity for the community. And I would like to wish everyone a Happy Thanksgiving later this month, as well as a very joyous Christmas, Happy Hanukkah, and Happy Kwanzaa, and all of the observances we have during the holiday season. I am not ashamed or abashed that we enjoy 70-degree weather, while everyone else is freezing their bottoms off, so. And I will be remiss if I did not give kudos to my friends on the other side of the field from the University of Miami, congratulations on the butt kicking you gave Florida State a couple of weeks ago, so I did it, now leave me alone. And my final -- final item is from our last meeting last week, we have to submit our representation for the Solid Waste -- for -- for the Solid Waste group for -- to -- to Broward -- to Broward League of Cities for our representation. There are -- there's a city designee and an alternate for the City of Miramar. So I've -- I expressed at the last meeting that I have chosen to continue the role that I've played as the Mayor representing the City in this -- in this issue, and, at this time, we need to select an alternate for the City of Miramar.

VICE MAYOR DAVIS: Let me just say something about the item that you presented last time. We had asked -- myself and Commissioner Colbourne had asked the City Attorney to come back with some clarification, and I'd like for that to be presented. What I'm curious to know, however, is that this memo was dated yesterday, and it says it was sent to myself and my colleagues, but we're just now receiving it. And so, for future, I would like that if our attorneys are sending us a memo, that they send it to us. This did not make its way to me until I came on the dais, yet it was addressed to me, so I don't know who it went to, why they received it, and only chose to give it to me now on the 13th.

MAYOR MESSAM: We can have the attorney to present their response. And, for the record, I just received this today too, because I had not received it by email as well. I don't think any of us had received -- I'll let the attorney explain. He will give a report on those inquiries.

CITY ATTORNEY POWELL: First, I believe that there was a disconnect. It was delivered to the Clerk's Office yesterday. However, the email did not request that it be delivered to

the individually -- individually to the Commission, so that's our fault. We should have put in the email to the Clerk's Office to deliver it to each one of the Commissioners. Next time we'll send it to the Clerk and to all of you all. But since you did not have an opportunity to re -- read it, I'll just go through the contents of it in detail. If there's any questions afterwards, I'd be more than happy to answer them. And Ms. Pamies is here also; she's familiar with this issue; she may also have input. At the last meeting, we were requested to simply answer the basic question as to what is the duties of the mayor pertaining to the solid waste future working group, and in order to answer that question, we had to analyze the City's Charter. And section 2.03 of the Charter outlines what the powers and duties of the mayor are. Specifically, the mayor shall be the recognized head of the City government for all ceremonial purposes, for services of process by the Governor for military purposes, and shall be the City official designated to represent the City in all dealings with other governmental entities, which shall have no administrative duties. So to simply answer the question concerning this working group, we contacted the League of Cities, and researched the determination, as to whether or not the League of Cities falls into the category of being a governmental entity. As you can tell from reading the memorandum, a governmental entity does not include what the League of Cities organization is. So, simply put, there is no directive that the mayor has to sit on a nongovernmental entity; it's the will of the Commission to make a determination as to the membership or selection of the delegates for this particular committee.

CITY ATTORNEY PAMIES: However, just to clarify what happens after the initial working group is -- is appointed, meaning for now, while they have the initial working group appointed, that group is made up of representatives from all of the cities in Broward County. Then it'll end up resulting in a actual, designated working group that will be made up of much fewer individuals from the municipalities, and also from Broward County, which could be from five to ten individuals. So that working group will then end up designating a special district, and that special district will be appointed, basically, by the -- by the Florida Legislature and, therefore, will be a fully, developed government entity. As a result, today we can say that for this initial working group, it's not that -- it's not a governmental entity, it's just a group organized and coordinated by the Florida League of Cities, the Broward County version of it. But as it evolves, the ultimate entity will be a governmental entity, and for clarification, the first group that we're now contemplating appointing representatives of the City to, that -- that first group is not at all a governmental entity. It will evolve into a smaller working group, which will not be a governmental entity. But within a certain period of time, the final group will be a governmental entity, it will be a special district, and that group would have to be the Mayor at his sole -- at his discretion. But, right now, this provision that the mayor deals exclusively with governmental entities on behalf of the City is something that is in many charters and not just our interpretation. But as we've seen it evolve, this initial group is made up of mayors and a -- and an alternate or two commissioners who are not the mayor, because this is a group of 31 cities coordinated by the Florida League, and is not a governmental entity. So while we gave you this opinion just so the Commission could decide which way it wants to go for the initial working group of 31 -- and also know that the initial working group that we're talking about, since it's going to be reduced after discussions and -- and dealings between

the 31 to five to ten, it's not evident or clear that any representative of the City of Miramar will, ultimately, be on that working group of five to ten.

MAYOR MESSAM: The working group in communication and decisions and deliberation of the 31 municipalities will be interfacing with one another. Broward League of Cities is merely a convener. So Broward League of Cities has no play in terms of any actions that is -- that takes place between the 31 municipalities that will decide the ultimate working group, correct?

CITY ATTORNEY PAMIES: Yes. They're coordinating almost as if it's a committee of that group getting together.

MAYOR MESSAM: It's not almost, it's either is or it's not, so --

CITY ATTORNEY PAMIES: What I mean is that it's not -- the only thing we could say is that the group of 31 does not constitute a governmental entity, but the ultimate special district will be a governmental entity.

MAYOR MESSAM: The municipalities are interfacing with one another in the working group. The governmental entities or each respective municipality that is the work group, that is the interface, the decisions, because it's each city that is deciding its fate with solid waste. That is who is -- that is the business transaction, the decisions are being discussed between the 31 municipalities. Those are the governmental entities.

CITY ATTORNEY PAMIES: Mr. Mayor, I understand, but the -- the -- the group of 31, and this is an opinion that we've researched quite -- quite extensively, because, like I said, there are charters like that in every city providing the same type of language, practically. And all we're saying is that the group of 31 initial ones, even though they're all representatives of cities, all they'll be doing is selecting the smaller group of five to ten, so we, after review, looked at it as if it was not, itself, a governmental entity and, therefore, didn't require the representation of the City to a governmental entity or with a governmental entity. And we thought that over the course and evolution of it, it will ultimately be a -- a special district and a governmental entity. So, at this time, it could be that the Commission looks at it and says since it will ultimately evolve into a governmental entity, we might as well look at it this way and say, if the Mayor is going to ultimately be that person, then he could be that person now. Or we are voting on whoever is going to be the representative for the first 31. When it evolves to five or ten, whether City may or may not be present, it evolves to that, and when they have a special district, if there's a representative from the City of Miramar, then that special district being a governmental entity would necessarily have the Mayor have as his option --

MAYOR MESSAM: I just don't see --

CITY ATTORNEY POWELL: That's just the opinion that we came up with.

MAYOR MESSAM: I -- I just -- I just don't -- if -- if each city is represented -- because all municipalities have to make the decision, right. If each city is represented, who represents the City, according to the City of Miramar. We are making a decision, or we are interacting with other municipalities. It has nothing to do with what, ultimately, is decided by the 31 municipalities. Our Charter says who interfaces with other governmental entities. It's 30 other entities that the City of Miramar has to decide who it wants to represent it -- who's going to be the working group. But at the moment of this - - the -- the convening, it's 31 municipalities. Who represents the City of Miramar with the other 30 other governmental entities, which are municipalities, that is who the City will be interfacing with. So who represents the City according to our Charter. So you're saying you're not treating this as a governmental entity, but you're looking at the Broward League of Cities, who's just merely calling all the other cities together, so that they can get together, convene amongst themselves to decide the fate of who is going to be the ultimate working group. That is what's happening in terms of why the cities are coming together. Broward League of Cities has just called the meeting to bring everyone together as a advocacy organization for matters in the County and the State on behalf of Broward cities. So this is not a Broward League of Cities entity to even give it jurisdiction to give an interpretation that this is who is making the decision. It's each municipality that is represented, and each municipality is a governmental entity, and our Charter says that the mayor represents the City in dealings with other governmental entities. Broward League of Cities isn't making any decisions with this group. It's each municipality, so if each municipality is the deliberating amongst itself, working with itself, they are the governmental entities; it's not one entity. It's those municipalities working together.

VICE MAYOR DAVIS: Can I say something, please. Are we going to trust the result of our attorneys doing their due diligence to provide us the information, or are we now going to revert to each of us playing lawyer and contradicting what our attorneys have brought back?

MAYOR MESSAM: I'm not playing lawyer. I'm bringing up facts. I've not -- I'm not playing -- I'm not playing a lawyer. I brought up a fact. It's 30 other municipalities that's going to deliberate with itself with the City of Miramar, and that's who Miramar is dealing with, not Broward -- not Broward League of Cities. So I don't know how we are even using Broward League of Cities as not being a governmental entity as the venue or the jurisdiction of which we are drive -- you know, driving this or deriving this at this conclusion. It's the 31 municipalities deliberating amongst themselves. They are the entities.

CITY ATTORNEY PAMIES: We thought a -- a -- a good comparison would be the United Nations. Even though you would look at it like the head -- the president of a country would interface with other presidents of countries, when countries are at the United Nations, they are not being represented by their president. It -- it seems something like that and, honestly, as we looked at what other cities were doing, they were -- they are sending, even with the same charter language, they are sending representatives to that first group that may not necessarily be the mayor, but then --

MAYOR MESSAM: Maybe the mayor decided that they didn't want to represent their position, and they decided to pass it on to -- to other council people or commissioners. Without doing that information, you can't just --

CITY ATTORNEY PAMIES: But I'm just saying it seems consistent with --

MAYOR MESSAM: You -- you can't just make that determination.

CITY ATTORNEY PAMIES: -- our interpretation. It's not that what we're saying what happened with each one, we're saying it seemed consistent with our interpretation that the cities would choose to do that. But, Mr. Mayor, we gave you an opinion that we debated. We spent like two days on it, as a team, and came up with what we thought was reasonable. There are steps -- the first step seems benign; as it evolves into something that becomes an entity that is governmental, we thought that it would be clear that it was the mayor. Otherwise, it's not as clear, and that it would be up to you as a commission to decide.

MAYOR MESSAM: I'm the Mayor of this City. I will be representing the City of Miramar as the Mayor at the December 18th meeting.

COMMISSIONER CHAMBERS: Can we vote and let the staff go home?

MAYOR MESSAM: And if I won't be recognized as the Mayor of the City of Miramar in this matter, I will resume every position where the City of Miramar has a representative interfacing with a governmental entity as its representative.

COMMISSIONER COLBOURNE: May I be recognized?

MAYOR MESSAM: Yes, you may Commissioner. You're recognized.

COMMISSIONER COLBOURNE: Thank you. I -- I think it is -- it is very sad that we asked our attorneys to give us an opinion, and we refuse to accept the attorneys' opinion. I don't think the attorneys' opinion seem to have been written to favor anyone. I don't think that's what it was supposed to do. But they -- they wrote an opinion and, you know, I don't think that anyone here is above the law.

MAYOR MESSAM: Well, if that's the case, it's a done deal. I'm the -- I'm the rep -- I'm the Mayor of the City. But I've said what I've had to say. The Commission can choose to do what it wants to do. All I'm saying is that if I'm not recognized as the Mayor of this City representing this City on this matter, I will resume my Charter position on every appointment that I choose that the City of Miramar serves in this County, the State and this nation, according to our Charter.

COMMISSIONER COLBOURNE: Well -- well, first of all, I -- I think it's incumbent on us to listen to our -- to our attorney. And I -- I -- I don't -- I don't take threats lightly. And -- and I won't cave in to saying --

MAYOR MESSAM: That's not a threat.

COMMISSIONER COLBOURNE: Well, if -- if it's not a threat, I don't know what you would call it, because you're -- you're saying that if -- if we don't do this, then -- then you're going to do that.

MAYOR MESSAM: That's not a threat.

COMMISSIONER COLBOURNE: Well, it's -- it's not good. It's not a good statement, and it is not a good representation.

MAYOR MESSAM: Well, it's not good if I'm not recognized as the Mayor.

COMMISSIONER COLBOURNE: Because you're asking us -- I am speaking. I am speaking, and right now I am recognized to speak, okay. So I -- I -- I would assume that there's some other recourse that you have if you don't believe that what our attorneys are telling us are correct. But I don't believe the recourse is for you to say that you are not just not going to do what our attorneys says to do, and on top of that, if this Commission does something other -- then you are going to penalize us by doing something else. I think that is so inappropriate, Mr. Mayor.

MAYOR MESSAM: I'm not penalizing anyone.

COMMISSIONER COLBOURNE: And I am terribly disappointed of you to have that type of attitude on this dais.

MAYOR MESSAM: I'm disappointed --

COMMISSIONER BARNES: Mr. Mayor, may I add to this?

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

COMMISSIONER BARNES: I suggested the last time we had this debacle, I could volunteer for this posting, but there -- and I don't profess to have any expertise in law, but I think we need to have an understanding of what an opinion is. An opinion is not a rule. An opinion is not a judgment. An opinion is not a conclusion of any legal matter; it is an opinion. I think we need to come to terms with that fact. And the fact that it is an opinion -- and we watch courtroom dramas on television. Opinions are that. They are not a ruling. They don't make any final decision on anything, including this issue. So it -- it -- it -- it is not a questioning of a ruling, it is a questioning of an opinion that has been expressed by attorneys. There's nothing sacrosanct about an opinion from an attorney. It is, please

people, not a ruling, not a judgment, not a final argument, not a final conclusion, it is an opinion expressed by an attorney. A different attorney looking at the same set of facts could offer a completely different opinion. Understand what the word means, please.

VICE MAYOR DAVIS: All right. Can we decide amongst this Commission, based on -- I believe what the attorney is telling me that we need to be doing. And we need to choose someone to represent this City on this current working group. I'd like to propose that I would like to be on the committee. I have a background in solid waste. Spent many years working for the Solid Waste Department of Miami-Dade County, and would like to assume the role until they do decide to have a County Board, at which time the Mayor can decide to represent or delegate or -- it to someone else, if he chooses to. So if I can get a second on an appointment to the board.

COMMISSIONER COLBOURNE: I second.

VICE MAYOR DAVIS: Can we call the role?

MAYOR MESSAM: 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 Vice Mayor Davis, seconded by Commissioner Colbourne, to approve appointing Vice Mayor Alexandra P. Davis as the City's representative and Commissioner Maxwell B. Chambers as the alternate representative to the Solid Waste & Recycling System Work Group, the Commission voted:

Commissioner Barnes

No

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

Approved

MAYOR MESSAM: Who will be the alternate?

COMMISSIONER CHAMBERS: Commissioner Barnes.

COMMISSIONER BARNES: You're not in a position to volunteer for me, sorry.

MAYOR MESSAM: Who will be the alternate, please?

VICE MAYOR DAVIS: If somebody wants to volunteer.

COMMISSIONER CHAMBERS: I'll be the alternate.

MAYOR MESSAM: Do you have a second?

COMMISSIONER COLBOURNE: I second.

MAYOR MESSAM: 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 Chambers, seconded by Commissioner Colbourne, to approve appointing Commissioner Maxwell B. Chambers as the alternate representative to the Solid Waste & Recycling System Work Group, the Commission voted:

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

Approved

City Manager Reports:

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

City Attorney Reports:

MAYOR MESSAM: Attorneys, you have a report?

FUTURE WORKSHOP

| Date | Time | Subject | Location |
|----------|-----------|-------------------------|---------------------|
| 11/13/19 | 5:00 p.m. | Financial Focus Meeting | Commission Chambers |

ADJOURNMENT

MAYOR MESSAM: All right, this meeting is adjourned.

The meeting was adjourned at 10:04 p.m.

Denise A. Gibbs, CMC
City Clerk
DG/cp