



MINUTES OF THE CITY OF MIRAMAR REGULAR COMMISSION MEETING

NOVEMBER 16, 2020

7:00 P.M.

A virtual, regular meeting of the Miramar City Commission was called to order by Mayor Messam at 7:05 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 Maxwell B. Chambers
Commissioner Winston F. Barnes (Remote)
Commissioner Yvette Colbourne
Commissioner Alexandra P. Davis

The following members of staff were present:

City Manager Vernon Hargray
City Attorney Burnadette Norris-Weeks
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. Commissioner Barnes will be appearing remotely for this meeting. An opportunity was given to the public to register to participate or email the City Clerk 24 hours prior to the Commission meeting with any questions, comments concerns on items we will hear on this evening's agenda. Any person may be heard by the City Commission through the Chair, and upon registering pursuant to the published notice for not more than three minutes on any proposition before the City Commission, unless modified by the Chair. This meeting is being streamed live at miramar.gov/commissionmeeting, and televised on Comcast channel 78 for City of Miramar subscribers. As of November 16th at 3:00 p.m. 12 members from the public have registered to view and listen only to the meeting. If, however, a registered participant would like to speak, they can raise their hand, and at the appropriate time, and our IT staff will unmute their mic to allow them to speak. Please be sure to mention your name and address for the record prior to addressing the Commission. All comments submitted will be included as part of the

record for this meeting and will be considered by the City Commission prior to any action taken. All interested parties are required to abide by all State, County, and local emergency orders, and are urged to remain at home, and practice social distance. Madam Clerk, at this time, please call the roll.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Here.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Here.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Here.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Here.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Here.

CITY CLERK GIBBS: City Manager Hargray.

CITY MANAGER HARGRAY: Here.

CITY CLERK GIBBS: City Attorney Norris-Weeks.

CITY ATTORNEY NORRIS-WEEKS: Here.

CITY CLERK GIBBS: City Attorney Powell.

CITY ATTORNEY POWELL: Here.

PLEDGE OF ALLEGIANCE

MAYOR MESSAM: Let us all rise for the pledge of allegiance.

The Pledge of Allegiance was recited.

A MOMENT OF SILENCE

MAYOR MESSAM: At this time, let us reserve a moment of silence for any condolences we may be experiencing in the community. Thank you.

PROCLAMATION & PRESENTATIONS:

A Proclamation: 2020 Small Business Saturday (Mayor Wayne M. Messam)

MAYOR MESSAM: We have one proclamation for tonight's meeting, and it is in recognition of Small Business Saturday, which will be Saturday, November 28th, 2020:

Whereas, the City Commission of the City of Miramar, Florida celebrates our local small businesses, and the contributions they make to our local community and economy. According to the United States Small Business Administration, there are 31.7 million small businesses in the United States; they represent 9.9 percent of all firms of paid employees in the United States, and are responsible for 65.1 percent of net new jobs created from 2000 to 2019; and, Whereas, small businesses employ 47.1 percent of the employees in the private sector in the United States 62 percent of U.S. small businesses reported that they need to see consumer spending return to pre-COVID-19 levels by the end of 2020 in order to stay in business; 65 of U.S. small business -- small business owners said it would be most helpful to their business to have their regulars return and start making purchases again; and three quarters of U.S. consumers are currently looking for ways to shop small, and support their community; and, Whereas, 96 percent of consumers who shopped on Small Business Saturday agree that shopping at small, independently owned businesses supports their commitment to making purchases that have a positive social, economic, and environmental impact, and 97 percent of consumers who shopped on Small Business Saturday agree that small businesses are essential to their community; and, Whereas, 95 percent of consumers who shopped on Small Business Saturday reported that they make them want to shop, or eat at small, independently owned businesses all year long, not just during the holiday season; and, Whereas, the City of Miramar, Florida, supports our local businesses that creates jobs, boost our local economy, and preserve our community; and, Whereas, advocacy groups, as well as public and private sector organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday. Now, therefore, Wayne -- now, therefore, I, Wayne Messam, Mayor of the City of Miramar, and on behalf of the City Commission do hereby proclaim November 28th, 2020, as Small Business Saturday.

MAYOR MESSAM: And we encourage our Miramar community to support our local Miramar-based businesses, whether brick and mortar or online virtually to ensure that they can remain solvent, viable, and sustainable, and -- and they continue to create jobs in our local community.

A Presentation: Coceano Community Leadership Award to Commissioner Alexandra P. Davis (Miramar Pembroke Pines Regional Chamber of Commerce President/CEO Robert L. Goltz)

MAYOR MESSAM: Next on our agenda is presentation of the Coceano Community Leadership Award to our colleague, Alexandra P. Davis. And, at this time, I would like to invite our Chamber President/CEO Robert L. Goltz to begin the presentation. Welcome Mr. Goltz.

MR. GOLTZ: Mayor, Vice Mayor, Commissioners, City Manager, legal counsel and staff, I want to thank you, as always, when we're allowed to come here and just honor the leadership that we have in the City of Miramar. It is a very strong aspect that we have here in the two cities that we always have great leaders; and today is not, with a doubt that we, in June, acknowledged Commissioner Davis as the recipient of the Vicki Coceano Community Service Leadership Award. And so we wanted to make sure that we came here and presented, before the end of the year, with COVID and everything going on, for her great work that she's already started again in her new term as a commissioner. I think it was probably within a month of her coming into term, she called and had me come to her office, and we started talking about what we could do together, and I ended up from that meeting doing our Biz Tip, and Biz Tour throughout the area and has made a very big difference in the business community. And so we wanted to thank you, Commissioner Davis, for your service and for your leadership in the community.

MAYOR MESSAM: Yes, it's on. Just look and see if the green light is on.

COMMISSIONER DAVIS: Thank you so much. I am truly honored to be receiving this award, having been in the City since 2010 when I first got elected, and then coming back in 2019, there's always been something that I've always wanted, to get this award; I wasn't sure I'd ever get it. I've seen previous folks receive this award because it's such a prestigious award. However, when I did approach Robert Goltz about doing the Biz Fit Tour across the City of Miramar, it was really to help -- especially our eastern businesses in our historic neighborhoods to get access to what the Chamber can do. Many times, because they are small businesses, they don't really have the chance to go to the breakfast that you normally have, and so we wanted to make sure we could bring the Chamber to them. We were successful at doing that and, in fact, not only did we bring the Chamber to them, but we did workshops, and I'd like to thank staff who are involved, because they really made it possible for us to reach out in the community. I was speaking to Robert earlier about the other plan that I have to really start having our restaurants and places where you eat, to start looking at options to eat outside. This is something that I

would like staff to work with Robert; he's very good at this stuff. Robert travels across the country, probably the globe, and sees what's going on in other areas, to see if we can start rolling out where folks can sit outside rather than inside, especially with the pandemic, it's raging at the moment. And so I -- I -- I really asked staff, through the City Manager, to really utilize the resources we have in Robert Goltz and the Chambers, so that we can start rolling this out across our city, because it's going to come -- become very useful for folks to eat outside during this beautiful weather that we're having here in the fall. Thank you so much. Looking forward to working with you in the future.

MAYOR MESSAM: Thank you, Mr. Goltz, and Miramar/Pembroke Pines Chamber -- Regional Chamber of Commerce, and congratulations, again, Commissioner Davis for your recognition.

A Presentation: Volunteer Recognition - Food Distribution (Assistant City Manager Shaun Gayle)

MAYOR MESSAM: Next on the agenda will be a Volunteer Recognition for the City of Miramar and Feeding South Florida food distribution efforts. And, at this time, I'd like to bring forward Assistant City Manager Shaun Gayle. Welcome, Ms. Gayle.

MS. GAYLE: Good evening, Honorable Mayor, Vice Mayor and Commissioners, Shaun Gayle, Assistant City Manager. As the City of Miramar answer the call to combat the negative effects of COVID-19, feeding the community was a major component, and the impetus for the food distribution initiative at the Miramar Regional Park. We take some time out tonight, on behalf of our City Manager, the leader of our organization, to honor several community partners who have worked with us in this effort. And for those of us in our audience who don't know, our leader is Mr. Vernon E. Hargray, our City Manager. We will start the segment by having some comments from our City Commission, and we ask that you do this from the -- the confines of your own seat, so that you -- you can use your own microphone. And so, Mr. Mayor, we'll start with you, and we'll go down the dais.

MAYOR MESSAM: Thank you, Ms. Gayle, and we'll have brief remarks, so we can spend our time recognizing our wonderful community organizations. So, on behalf of the City and our residents, 150,000, and the tens of thousands of residents that have been blessed with receiving meals through the efforts of our City staff, and Feeding South Florida, and our wonderful community organizations who show up consistently. We say thank you.

MS. GAYLE: Thank you, sir. Vice Mayor Chambers.

MAYOR MESSAM: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Thank you so much, Mrs. Gayle. I just want to say thanks to all the volunteer. It's -- it's really give me great pleasure to see how something started out small have been -- come grown into such a big event. I remember starting this project

back on March 21st and -- east Miramar at my church, and to see it today, grown into what it is, it's -- you know, a little grab and go turn into a big thing. So to all the volunteers, for all the love that they put into it, their time, their effort, just want to thank them so much. Thank Mr. Baker for seeing the vision, and see what I wanted to do, and to take it and make it what it is today, so thank you, Mr. Baker, and the City Manager, staff, Park & Rec, it's amazing how -- how many family have benefited from this program here in Miramar, and outside of Miramar. To see folks come and participate and get their food, it's just an amazing thing. So I could not have thanked everyone enough, thank you.

MS. GAYLE: Thank you, Vice Mayor Chambers. Commissioner Colbourne.

COMMISSIONER COLBOURNE: Thank you. I'll just say thank you so very much. It is - - it is difficult to find the words to -- to show the full appreciation for what these individuals, as a group, have done, and -- and -- and the magnitude of this effort, because so many lives have been touched by this. Folks can volunteer at any time, but volunteering during a global pandemic; what makes this so much more important, so much -- so much more of a commitment that's shown. So I just want to say thank you to everyone today who have been out there and have assisted, and, you know, have -- have worked so hard to help our community. Thank you.

MS. GAYLE: Thank you, Commissioner Colbourne. Commissioner Davis.

COMMISSIONER DAVIS: I'd like to echo the same sentiments. We certainly thank everyone for taking time, despite this raging pandemic, to come out and really support this effort by the City of Miramar. I'd like to thank staff, the City Manager, and the deputy, and the assistants for continually doing this event, week after week. Many cities started out, they've all dropped, they say it's too tiresome, it's too much of a hassle, and here we are, week after week, distributing this food, and for our volunteers who do it without any monetary gain, we certainly thank you. We thank you for donning your mask, and coming out with your gloves, and really feeding the South Florida area, really. It's not just Miramar; folks come from far and wide to our distribution site, and there's been a lot of offshoots. Folks haven't seen me there, because I've been over by the Multi-Service Complex every Thursday with another set of really good volunteers that deliver these items straight to the doors of folks who are in need. So there's a lot that goes on, and we certainly appreciate your support. It sounds like we're winding down. I wasn't told that. Are we not having it next week? It's towards the end of the year, we're done? No? Okay. Good, because folks are still hurting; as you can see, the COVID numbers are rising, and there's going to be a lot more food insecurities until we get that second stimulus check, maybe, if ever. But thank you so much once again.

MS. GAYLE: Thank you, Commissioner Davis. Commissioner Barnes.

COMMISSIONER BARNES: I too -- I too want to say thanks to staff for coming up with the idea initially, and has been -- has been hinted for -- and a number of times when we thought it was going to end and, instead, because -- and we're now hearing it is going to

go on for a while yet. And the Mayor and I, one morning at the Regional Park, we talked about the -- the -- the crowds, and the be kinds of people who are coming to -- to do the pickups, and what we discovered -- at least I discovered was the manner in which the different needs were brought to bear on the community. And we -- probably, if we didn't provide this program, we wouldn't have found out about it. My -- my expressed thank to -- to my immediate group of volunteers, a lot of people that our church, ChristWay Baptist, our **(unintelligible 18:05)** assistant, Shari, has been supervising a couple months; my wife and I doing deliveries at homes and so on. This has been an incredible contribution that we've made to -- to the community, and thanks to everyone who made it a possibility.

MS. GAYLE: Thank you so much, sir. And one individual that has been relentless throughout this process, and at the Regional Park every morning before you're all awake is our Assistant City Manager, Mr. Kelvin Baker, and I'd like to call him to say a few words at this time. And while he comes, if we could ask the members of the Commission to position yourself on the stage with our City Manager, so that when our honorees come up after Mr. -- Mr. Baker speaks, we can do the awards.

MR. BAKER: Good evening, Mr. Mayor, Vice Mayor, Commissioners, City Manager, City Attorneys, City Clerk, and our general public that is listening in. Over eight months, our city has paused on -- on Thursdays to feed our -- to feed our community, and it's been done through the efforts of -- of partnerships. We've gained a great understanding of how significant, how important it is to have partners working -- working together. I've been privileged to work side by side with many of our partners that is here -- here this evening, and -- and I would say that if it wasn't for them -- there've been many times that we would have come up short, in terms of being able to do what we continue to do. So we week after week, we provide meals and -- and food for over 3,000 -- 3,000 families. We were sort of doing the -- doing the math, and -- and just using some basic accounting. We came to the conclusion that we were impacting roughly about 15,000 individuals on a -- on -- on a weekly basis. We -- as we've gotten into this whole process, we sort of became the largest food distribution site in all of Broward County. And cities that are sort of just starting to get into this have come to see how we do it, and do it -- do it very well. But I want to say to our -- to our partners this evening -- is that their -- their -- their efforts, and their -- their time, and their gratitude really make us one city. It -- it really brings us together as a city. If you look at most of our calendars on Thursdays, from -- from -- from 7:00 a.m. until about noon, we are -- we're out of the office distributing food throughout this community. And it's all been possible through the efforts of our -- our partners. Again, many of them are here, so with that, we'd like to, you know, tip our cap -- caps in saying thank you so much for showing such gratitude and such appreciation to the City, and to our residents. Thank you very much.

MS. GAYLE: Thank you, Mr. Baker. And if we can invite the members of the Commission and the City Manager. And just a little bit of instructions to our honorees. We're going to ask that you enter the stage to the right, and receive your award. After receiving the award, to exit on the left where a bag awaits you, just so we can keep a smooth flow as you graciously accept our token of appreciation. I will read some organizational highlights

for the org -- for the different organizations that are here today, so the community can know a little bit about who you are. We'll start with Alpha Kappa Alpha Sorority, Incorporated, Alpha Alpha Beta Omega Chapter, president, Dr. Rosa Simmons is here to accept the award on their behalf. Alpha Kappa Alpha Sorority, Incorporated, is a globally impactful organization of nearly 300,000 college trained members; bound by the bonds of sisterhood, and empowered by commitment to serve -- to servant leadership that is both domestic and international in its scope. The Alpha Beta Alpha -- the Alpha Alpha Beta Omega Chapter was chartered in 2018 in the beautiful City of Miramar, and they continue their passion for service to all mankind. Thank you so much, Dr. Simmons.

DR. SIMMONS: On behalf of Alpha Alpha Beta Omega Chapter of Alpha Kappa Alpha Sorority, Incorporated, Miramar, Florida, we would like to thank you for this award. It is our duty to serve all mankind, and we will continue to serve the constituents of Miramar. Thank you.

MS. GAYLE: Thank you so much. Next, we have the Alpha Phi Alpha Fraternity, Incorporated, the Beta Lambda Chapter, President Michael Grubbs. Since its inception eight years ago, Beta Beta Lambda Chapter of Alpha Phi Alpha Fraternity, Incorporated, has made a very positive impact on the growth of the South Florida community. The Call To Action Task Force of Beta Beta Lambda Chapter works with the faith and community-based organizations in Miami-Dade and Broward to organize, package, and distribute food supplies to the mostly -- most needy in our community. The Chapter's Voteless People is a Hopeless People Campaign work community -- work with the community on voter registration, as well as to push the 2020 Census. Thank you very much, President Grubbs.

MR. GRUBBS: On behalf of my brothers in Beta Beta Lambda Chapter, Miami, Florida, I want to say thank you to the City of Miramar. We have been engaged in food distribution since May, I believe, here, in the City of Hollywood, in the City of Opa-locka, and certainly in the City of Miami. Our motto is "First of All, Servants of All, We Shall Transcend All", and we are certainly servants to this community and South Florida, and if there's anything that we can do to make life better for our citizens, that is our charge. Thank you.

MS. GAYLE: Thank you, sir. Next, we have Alpha Phi Alpha Fraternity, Incorporated, Zeta Alpha Lambda Chapter, President Anthony **Aranja 25:45**. The Zeta Alpha Lambda Chapter of Alpha Phi Alpha Fraternity, Inc. was chartered in Fort Lauderdale in 1954 by 15 courageous, community-minded men. The charter members were comprised of educators, doctors, lawyers, and some of -- and one of the greatest jazz musicians America has known. They continue to focus on the call to service where empowering lives of many across Broward County. Thank you, President **Aranja**.

MR. **ARANJA**: Thank you. On behalf of the brothers of Zeta Alpha Lambda Chapter of Alpha Phi Alpha Fraternity, Incorporated, we would like to say thank you for this prestigious award, and the opportunity to serve the Broward community at large. Brother

Grubbs took my line, but we are, “First of All, Servants of All” and “We Will Transcend All” throughout this community and **(unintelligible 26:45)**. Thank you so much.

MS. GAYLE: Thank you, sir. Next, we have the Delta Sigma Theta Sorority, Incorporated, Ms. Erica Collins. Founded on January 13, 1913, Delta Sigma Theta Sorority, Incorporated, is a private non -- not-for-profit organization whose purpose is to provide assistance and support for established programs in a local -- in the local communities throughout the world. They have graciously served with us at the food distribution, among other major community activities, and we are so grateful to have you. Thank you, Ms. Collins.

MS. COLLINS: Good evening and thank you on behalf of the South Florida Women’s Chapter of Delta Sigma Theta. We want to thank you for this recognition. Since 1913, this is what we do, service to our community, and being in a part -- in a partnership with the City, and all the partners here thank you.

MS. GAYLE: Thank you so much. Next we have Jack and Jill of America, Fort Lauderdale, Greater Fort Lauderdale Chapter, Ms. Lisa Ivory. Founded in 1938, Jack and Jill of America, Incorporated, is the oldest and largest African American family organization in the United States. It is an organization of mothers with children aged two to 19 dedicated to nurturing and strengthening leadership skills in our youth to become future leaders through leadership development, community service, philanthropic giving, and volunteerism. And they have shown that through their partnership at the Regional Park. Thank you so much, Ms. Ivory.

MS. IVORY: Thank you. On behalf our president, Adrelia Allen, and our team president, Alexis Henderson, we are humbled and thankful for this award. This recognition really goes to our children and our team; I was just a supervisor. We instill leadership development and servant leadership skills in our children, and so this award I’m accepting on their behalf.

MS. GAYLE: Thank you so much. Next, we have Kappa Alpha Psi Fraternity, Incorporated, Miramar/Pembroke Pines Chapter, Mr. Anthony Henderson. Kappa Alpha Psi Fraternity, Incorporated, is the second oldest existing collegiate, historically black Greek letter fraternity, and the first intercollegiate fraternity incorporated as a national body. Through its worldwide prominence, the fraternity has a global impact on events which affect our local communities, as well as places around the globe. And our local community during COVID was one of those they impacted. Thank you so much to you and your organization.

MR. HENDERSON: To promote service in the public interest is one of the objectives of Kappa Alpha Psi Fraternity, Incorporated, and back when we started volunteering in March, little did we know that eight months later we’d still be at it, but to God be the glory. You know, service is something that gives life meaning and purpose. And as long as

there's a need, the Miramar/Pembroke Pines alumni chapter will be there. Thank you for this award.

MS. GAYLE: Next the owner of The Lynx, Incorporated. Established in 1946, the members of The Links, Incorporated, are influential decision makers and opinion leaders. The Links, Incorporated, has attracted many distinguished women for individual achievers, and have made a difference in their communities and around the world. And they took the time to also make a difference in the South Florida community. And here to accept on their behalf is vice president, Dr. Angela Lucas-Mumford, who is one of our own employees.

DR. LUCAS-MUMFORD: Thank you to the City of Miramar. On behalf of the North Broward County Chapter of The Links, I accept this honor on behalf of our chapter. They're many of us who are sitting here in this -- in this room today are grateful to have accept this award. As we look to continue to bridge the gap on programming, and cultivating partnerships, the North Broward County Chapter of the Links will be here for you. Thank you.

MS. GAYLE: Thank you so much. Next, we have the March of Dimes, Broward, and accepting today is the Miramar resident, LaTessa Dotson Hall, who was just honored as the March of Dimes 2020 Woman of Distinction. March of Dimes leads the fight for the health for all mothers and babies. They believe that every baby deserves the best possible start. For 80 years, the March of Dimes has helped millions of babies, and as the world began -- be forced to address the urgent needs of COVID-19 for mothers and babies, they Mom and Baby COVID-19 Intervention and Support Fund was established. And while they addressed those needs, they took the time out to come and work with us to address the other needs of our community, and we really appreciate you for that.

MS. DOTSON HALL: Very good. Thank you so much, on behalf of the Florida Chapter of March of Dimes, who works tirelessly to create life for healthy babies and healthy moms. We find it not robbery to give back, because so many people give to us. And so we also recognize to whom much is given, much is also required. And so when the call came to be able to serve, we stepped up, and just wanted to thank you, City of Miramar, for the opportunity to give back and serve.

MS. GAYLE: Thank you so much. Next, we have Memorial Hospital West, chief executive officer, Leah Carpenter. Since its inception in 1953, Memorial Healthcare System has been a leader in providing high quality healthcare services to the South Florida Community. Moving health forward to meet the needs of our community, Memorial is one of the largest public healthcare systems in the nation, and highly regarded for its exceptional patient and family centered care. That creates the Memorial experience. Memorial's patient, physician, and employee satisfaction rates are some of the most admired in the country, and the system is recognized as a national leader in quality healthcare, and also recognized for quality community partnership. Thank you so much.

MS. CARPENTER: Thank you very much, Mayor Messam, Commissioners, the City of Miramar; it's truly a labor of love for the Memorial Healthcare System, and specifically my special spot, Memorial Hospital West, to continue to serve side by side with you. I cannot tell you how much of an honor is, and it really -- the award goes back to all of you. We appreciate everything that you've done through this pandemic and continue to do, and we could not do what we do without all of you and your support, so thank you so very much.

MS. GAYLE: Thank you so much, Ms. Carpenter. And Memorial Miramar is also a dedicated partner. However, chief medical officer, Dr. Todra Anderson-Rhodes, could not be with us today, and so we honor her in her absence, and the dedication and devotion of her team. Pines-Miramar Composite Squadron, we have squadron leader, Ms. Victoria Valdivia. The Pines-Miramar Composite Squadron was started on September 11, 2005, by Lieutenant Colonel George Navarini. The group prides itself in maintaining a busy activity schedule to keep cadets engaged in community activities, aerospace education, cadet programs, and emergency services. And I wanted to read this. It says the program serves as a vessel for youth and adults, alike, to discover multiple opportunities, ranging from giving back to the community, to learning how to fly a Cessna 172 solo.

MS. VALDIVIA: On behalf of the members of my organization, I'd like to say thank you. It is an honor to have the opportunity to serve the community that has allowed us to be where we are, and to just give back to those who have gotten us to where we are now. Thank you.

MS. GAYLE: Thank you so much. We also have Zeta Phi Beta Sorority, Upsilon Alpha Zeta Chapter, president, Dr. Ebony Coney. Zeta Phi Beta Sorority, Inc. Upsilon alpha Zeta Chapter in Miramar/Pembroke Pines was chartered December 18, 2004, an award-winning chapter that prides itself in making a difference in the lives of others. As a community-conscious, action-oriented organization, Upsilon Zeta's -- Alpha Zeta Chapter adheres to the sorority service projects through their Zeta, helping other people excel. And initiative with robust programs under Adopt-A-School, social action, and elder care. Thank you so much for all you do, and thank you for working with us.

DR. CONEY: Good evening, everyone, it is a pleasure to greet you on behalf of the unstoppable women of Upsilon Alpha Zeta Chapter of Zeta Phi Beta Sorority, Incorporated. We are a community-conscious, action-oriented organization, and we are here to help other people excel. And we're glad that we're celebrating 100 years **(unintelligible 36:18)** right here in Miramar. Thank you.

MS. GAYLE: Lastly, but by no means least, the Miami Dolphins is another organization that is a dedicated partner. However, their representative, Ms. Leslie Nixon could not be here today, so we honor that organization in their absence, and -- and we recognize them for their devotion and commitment to the -- the efforts of the City of Miramar's food distribution program. Mr. Manager.

CITY MANAGER HARGRAY: I'd just like to say thank you to the staff. When you look back, and you just never know how powerful God is, until you witness it. There's something that Reverend Baker said to me; he said, "Before Jesus preached, he fed his folks." And that stuck with me. Commissioner Chambers, I didn't know what we were going to do, I didn't know how, but Baker had faith in what you were saying, and he took the baton, and I'm so proud of the staff. And let me assure you, every Thursday I just cringe, because I know that that's a pass for everyone getting up. They hear and see those emails coming through saying, "It's our times. It's Alpha time, it's Beta time." And then to -- to spend longer with this here. We -- we came back and start recognizing that we had seniors; and I didn't realize that we had so many seniors that had not been fed as well. I mean we're over 300 seniors that was not even in house with us in here, in our programs. So I am so -- I'm so -- I'm -- I'm so proud of this city, I'm so proud of everyone that has volunteered in here, and I can only think about one thing in here, as I -- as I -- as -- as I reminisce with my dad in here, and that is walking on that beach and seeing a footprint. Sometimes you think you out there and you're walking by yourself, and then you look down and realize that you're not even walking, it's somebody carrying you. And I -- I - I'm really pleased and honored to be a part of this program to acknowledge those that have given their time and efforts for those that are less fortunate. My grandfather always said: Have thy way, oh Lord, have thy way. Thank you.

VICE MAYOR CHAMBERS: I just want to say, the best is yet to come. I'm going to take it to the next level.

MAYOR MESSAM: Congratulations again to all of our volunteer recipients for our food distribution program.

A Presentation: Broward MPO Municipal Transportation Improvement Program (TIP)
 Projects in Miramar for FY 2021-2025 (Broward MPO Systems
 Planning Manager Peter Gies)

MAYOR MESSAM: Next on our agenda will be a presentation by the Broward MPO Municipal Transportation Improvement Program Projects in the City of Miramar fiscal year 2021 through '25; and we'll bring up --

MR. SANMIGUEL: Good evening, Mayor, Vice Mayor, Commissioners. Yes, we have the -- Peter Gies from the Broward MPO. He's attending virtually. He'll be doing the presentation. So you can put it up, and give permission to speak to Peter Gies.

MAYOR MESSAM: Is he here remotely?

MR. SANMIGUEL: Yeah. He's remotely -- he's virtual.

MAYOR MESSAM: Okay. All right. Is his -- you may proceed, sir. Is his mic unmuted?

MR. GIES: Good evening, everyone. Can everybody hear me?

MAYOR MESSAM: Yes, sir, we can hear you.

MR. GIES: Fantastic, great. Sorry about that. It looks like there may have been some trouble in finding my name in the attendee list. Thank you to Sal. My name is Peter Gies; I'm with the Broward Metropolitan Planning Organization. And, virtually, I'm also joined by our executive director, Gregory Stuart, and in an attempt to move things along, he's just messaged me online and said that he would like to extend his gratitude to the City of Miramar and -- for being a -- a tireless support of the MPO, and especially through our MPO board member, Commissioner Yvette Colbourne. She represents the City of Miramar on the Metropolitan Planning Organization, and is someone who's always very engaged; she always is curious about what transportation projects are going on in Broward, and, specifically, in the City of Miramar. And I can tell you as a staff member who participates in every single one of our MPO board meetings, I know that Commissioner Colbourne has a keen eye for what's going on in the City of Miramar, and is looking out for everyone there. And she is one of our longtime board members, and does a very good job at the MPO, and we certainly appreciate her support, and also appreciate the City's support. So I know, on behalf of our executive director, Greg Stuart, that's some of the words that he would share with you all. So for today, I just wanted to briefly bring some good news to you all about our Transportation Improvement Program, which is the equivalent of our budget, much like you all have, for projects, transportation projects in Broward. And before I jump into exactly what we're funding in the Transportation Improvement Program, I wanted to give everyone a little bit of an overview of what the Broward Metropolitan Planning Organization is. We are a transportation planning agency responsible for the expenditure of -- of federal and state funds for transportation projects in the Broward region. We have all municipalities represented on the MPO board, and there's one member from each of the municipalities, except for the City of Fort Lauderdale, who gets two members, as the largest city in Broward. And the MPO board members provide us guidance and direction on (unintelligible 42:59) projects here in Broward County. So if you look here at this slide, you'll see that there are three blue boxes at the top. Our first, main core product is known as our Metropolitan Transportation Plan; this is our long-range plan, our 25-year outlook on the projects that we are going to (inaudible 43:16). And this includes your large highway projects; say, like I-595 expansion, some of the I-95 (unintelligible 43:23). Maybe even the State Road 7 expansion. Projects like that that you would find at a large scale, and take place over many, many years. On the right-hand side that you see highlighted in the yellow box is the Transportation Improvement Program. That's our short-range, Five-Year Plan, which actually contains the projects that we are going to fund in the next five years; and that's what I'm going to be speaking to you about today, and what projects the City of Miramar has in that Five-Year program. The multilevel part is just right in the middle there in that blue box is actually the bridge between our long-range and our short-range plan, so that's what helps us funnel projects into the Transportation Improvement Program from the Metropolitan Transportation Plan. So all of this is a lot of federal jargon, simply to say that we work with the board to identify projects, and get them funded through our Transportation Improvement Program, and that's what we're here to talk about today.

Next slide. So for the City of Miramar, you all have 28 projects that are funded for the next five-year period from fiscal year 2021 to 2025. And those projects can range from local bicycle/pedestrian projects that may have been applied for through our grant program, the Complete Streets & Localized Initiatives Program, to major highway projects that might be going on on I-75. And that's why you see such a last funding amount of \$733 million, so that amount encompasses many different types of projects; and if we go onto the next slide, we're actually going to see the breakdown of those projects. Then you'll see there that these are all of our programs that we have listed in our Transportation Improvement Program. And I'd like to draw your attention to the Complete Streets and other Localized Initiatives Program on the first line, the Complete Streets Master Plan on the third line, and the Safe Routes to School Program in the fourth line. And the reason why I'm drawing your attention to those projects is these are projects that the City of Miramar have worked directly with the MPO once they got funded. And if you do see QuickMap, you'll see that we -- that the City of Miramar has received funding or will receive funding from the MPO somewhere to the tune of \$50 million. And, again, I can attribute that directly to the great leadership that Commissioner Colbourne provides on the MPO board, and your phenomenal staff as well. We work very closely with Sal, and we work very closely with Bissy Vempala; we're very sad to see her go, she's going to be missed greatly. But this is a direct result of being active on the MPO board, and applying for discretionary grants that the MPO offered, putting together a great application, and having a very good grasp of how the process works. It's sometimes very difficult to get state and federal funding because of all the strings that are -- are attached, all of the different criteria that need to be met. But, once again, through your staff and through the leadership of Commissioner Colbourne, you all are -- are proactive and understand how the system works and, therefore, are rewarded through our Transportation Improvement Program. The remaining programs on this list, as you can see, are projects that are funded through the Florida Department of Transportation, and are improvements all around the City of Miramar, intersecting with the City of Miramar to the tune, once again, of around of \$733 million. But, again, the discretionary funding that's coming directly to you all is about \$50 million, which is a huge accomplishment for a city like Miramar. Next slide. So these are some of the focus projects that we wanted to highlight. We worked closely with City staff and Commissioner Colbourne to make sure that we highlighted these projects, because these are projects that the community has asked for, and that they have been funded through the Broward MPO, and will be coming down the pipeline in the next five years. I'm not going to go through each one of the projects; I think the list speaks for itself, but we have spoken with the Commissioner, and we've spoken with staff, and we are going to be holding public meetings to discuss some of these projects. They're still early in the phase; they're sort of coming out of planning, going into design. I know that staff has worked very closely with the communities to apply for these projects, and now they're going to be coming to fruition in the next couple of years, and we're very excited, and -- and hold the City of Miramar up as an example to the rest of the cities on the MPO board, as someone who knows how our system works and, again, is rewarded as a result. Because all put together great projects, and it's something that we should celebrate, both the City of Miramar, but also as a larger county, because these are funds that are slated for transportation, earmarked for transportation in Broward, and you all are

making the best of that funding from a (inaudible) perspective. Next slide. So very quickly, if you all want to see the projects that are in the Transportation Improvement Program, there's a link down below, and you can actually see the municipal report for the City of Miramar, which is located on this page. I encourage you all to look through; you'll see all of the funding information, and the phase information for when a project is going to be designed, and when it's going to be constructed, and that can be found at the link below. So, please, take the time to navigate the page and find the City of Miramar Municipal Report, which is about halfway down the (inaudible). I believe that is the -- the end of my presentation.

MAYOR MESSAM: Thank you for the presentation, Peter, from representing the MPO. At this time, I'll present an opportunity for -- for Commissioner Colbourne to see -- say a few words, and as well as to address any questions or comments from the Commission.

COMMISSIONER COLBOURNE: Thank you so much. I truly am grateful to the MPO, the relationship that we have, and to staff for the time that they have devoted to truly learning the process, and -- and being able to -- to maneuver through -- through what, sometimes, can be somewhat complicated. And preparing such wonderful grants applications, so that we could get to the point where we actually have been awarded all of these projects, and we know that they're coming. So, at this point, it's a matter of just preparing the community for these projects. We do have an item that was added to the agenda, item number 19, and I wanted, Mr. Mayor, if we could just this at the same -- at the same time while we have MPO on the line. Some of these projects, as well as for other municipalities are at risk of losing some of the funding, and -- and, basically, because FDOT is -- is changing the way that they are funding these projects, and they want the City to -- to take on some of the cost. Currently, all of these fundings that you've seen there, the City has not had to pay anything towards these projects; they're just -- they're being fully funded. So this -- the item that we have, item number 19, is really just a -- a resolution of support for the Broward MPO board of director -- for him to go ahead and work with FDOT in order to see if we can make sure that we don't lose any of the funding for the projects that's already been awarded. So, Mr. Mayor, if we could approve this now, instead of at the end, I would certainly approve -- I would certainly appreciate that.

MAYOR MESSAM: Okay. We just have to read the item into the record. Madam Attorney. I think it's item number --

COMMISSIONER COLBOURNE: Nineteen.

MAYOR MESSAM: -- 19.

19. Temp. Reso. #R7312 supporting the Broward Metropolitan Planning Organization to urge the Florida Department of Transportation to **fully fund projects** administered under the **Local Agency Program** and other grant funded programs.
(Requested by Commissioner Yvette Colbourne)

CITY ATTORNEY NORRIS-WEEKS: Yes, one moment please. Item number 19. A resolution of the City Commission of the City of Miramar, Florida, supporting the Broward Metropolitan Planning Organization to urge the Florida Department of Transportation to fully fund projects administered under the Local Agency Program and other grant funded programs; providing for conflicts, providing for severability; and providing for an effective date.

MAYOR MESSAM: And the Clerk received no requests to speak on this item. Barring any comments or questions, may I have a motion on this item, item number 19, please?

COMMISSIONER COLBOURNE: Motion --

VICE MAYOR CHAMBERS: If I may, Mr. Mayor. Just want to thank my colleague, Commissioner Colbourne, since she is the one who (inaudible) for her community; people genuinely care about the City of Miramar and its residents, the worker, and I, you know, just so proud and pleased to be serving with her. We couldn't have no one else represent us so well with the MPO. Thank you, Commissioner Colbourne, thank you so much for you work. Appreciate it.

COMMISSIONER COLBOURNE: Appreciate it, thank you.

COMMISSIONER COLBOURNE: Motion to approve.

VICE MAYOR CHAMBERS: Second.

MAYOR MESSAM: Madam Clerk, record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Colbourne, seconded by Vice Mayor Chambers, to approve, Resolution #R7312, the Commission voted:

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

Resolution No. 21-28

COMMISSIONER COLBOURNE: Thank you all.

MAYOR MESSAM: All right. Are there any other final or closing comments?

MR. ZUNIGA: No, that was the end of the presentation.

MAYOR MESSAM: Okay. All right. Well, thanks so much --

MR. GIES: Mr. Mayor, if I may.

MAYOR MESSAM: Yes, sir.

MR. GIES: Just quickly. On behalf of Dexter, he did -- our executive director. He wanted to extend his thanks for your support on this resolution, and we will certainly move ahead, and try and secure all the funding that we can for the City of Miramar. And as your commissioners work tirelessly, we will as well.

COMMISSIONER COLBOURNE: Thank you, Peter.

MAYOR MESSAM: Thank you so much.

MR. GIES: Thank you.

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

MAYOR MESSAM: Okay. Before we move the agenda, we will like to go to our public comment portion of the meeting. We've past 7:30 due to the presentations, and we do have one member from the public that has signed up to speak. That is Ms. **Lauren Wyland 54:25**. Is Ms. **Lauren Wyland** on the line?

MR. **WYLAND**: I'm right here.

MAYOR MESSAM: Okay. So if you can just state your name and address for the record, please?

MR. **WYLAND**: **(Unintelligible 54:39) Wyland**. I'm at 8401 W Cypress Drive, Pembroke Pines.

MAYOR MESSAM: Yes. You may start your comment, sir.

MR. **WYLAND**: Hello? I guess I'm a bit out of my league. I don't even know what I'm supposed to be talking about at the moment. What's the agenda item? Did I miss something?

MAYOR MESSAM: **Lauren --** are -- is -- are we speaking to **Lauren Wyland**.

MR. **WYLAND**: Yeah, you are.

MAYOR MESSAM: You signed up to participate in the City of Miramar's public participation portion of our Commission meeting, and we are recognizing you as raising your hand to speak, and the floor is yours, sir.

MR. **WYLAND**: Well --

MAYOR MESSAM: If you have not -- if you have not signed up to speak under public participation, and wishing to speak on a specific item number, just stay on the line, and our IT department will identify that item number, and you will be recognized at that time.

MR. **WYLAND**: Oh. I don't have an item number. Okay. Thank you.

MAYOR MESSAM: Thank you, sir.

A Presentation: COVID-19 and Emergency Management Update (Fire Rescue Emergency Management Planner Josh Green)

MAYOR MESSAM: And our final presentation will be COVID-19 and Emergency Management Update by our Fire Rescue Emergency Management Planner Josh Green.

MR. GREEN: Good evening, Mayor, Vice Mayor, Commissioners, City Manager. My name is Josh Green, City of Miramar Fire Rescue Department, Division of Emergency Management. I'll be presenting the COVID-19, also Tropical Storm Eta presentations. COVID-19 cases in the U.S. have increased over 1.7 million, a total of 11, 163,990. Deaths has -- deaths have also increased by 13,837, a total of 246,953. This has been the trend for more than a month. Next slide please. Last week to this week, the number of COVID-19 cases in Florida has increased to over 68,000, a total of 889,864; deaths

have also increased by 637, total of 17,559. Florida Department of Health average new case positivity rate is now 7.67 percent. No new COVID-19 executive orders have been issued since last Commission meeting. Last week -- this is the County report. Last week to this week, number of COVID-19 cases for Broward has increased over 7,300, a total of nine -- 95,734; deaths have increased by 62 of 1,596. Next slide please. Last week to this week, the number of COVID cases in Miramar has increased by 445, total of 6025. However, fluctuations in new cases have no discernible trend based -- based on this new reported cases within Miramar schools. There's no -- there's also no -- no trends reported. We have two testing sites in Miramar; the testing sites in the west is located at Miramar Regional Park; only PCR testing is done at this site. Site in historic -- historical Miramar is located at the Vernon E. Hargray Youth Enrichment Center; both antigen and PCR testing is at this site. Tropical Storm Eta forced all testing sites to close for multiple days but are now reopened. If you're planning on sharing Thanksgiving with people outside your household, it's recommended by the CDC you quarantine yourself starting today. Hospitals have not seen an increase in flu-related illness -- illness admissions. However, the CDC recommends getting your flu shot. We continue to promote best practices across all community outreach platforms, such as: social media, global message boards, Miramar TV, and the Miramar newsletter. Next slide please. Tropical Storm Eta was the 28th named storm of the season. 2020 is the most active hurricane season in history to date. Sustained winds of Tropical Storm Eta up to -- up to 65 miles per hour, almost hurricane strengths, and gusts of -- of 85 miles an hour; rainfall of up to 12 to 20 inches during the course of the event for the National Weather Service. Flooding was prevalent throughout the whole city. In response, City leadership and departments coordinated efforts during all -- during the whole storm to ensure a return to business as quickly as possible. The community and employees were kept informed, educated, and assist -- and assisted before and after the storm via the following methods: sandbag distribution at local locations in the City; a.m. and p.m. weather briefings via all social media platforms, and also City email. Infographics remained -- reminded the communities about safety measures, mobile message boards at -- mobile message boards at all fire stations. Everbridge notifications regarding utility modifications, garbage collection, and storm-related assistance needs, in addition to closures. Alert Miramar was also utilized. Water pumps staged throughout the City were also deployed as needed, and after the storm passed, a GIS map was created to identify the areas in the City that were compromised by flooding. Immediately following the conclusion of the storm, our rapid impact assessment team photographed the areas which were impacted in order to identify potential areas of concern to implement mitigation strategies for future storms. Mobile message boards were deployed along -- along with caution equipment to inform the community of road hazards. Emergency response personnel was on duty from PD and also from FD to insist the removal of individuals from high-risk areas. Utilities and Public Works continue diligently in the most impacted areas. This concludes my presentation. I can answer question at this time.

MAYOR MESSAM: Thank you so much, Mr. Green. I do have a couple of questions pertaining to the incidents with the flooding, and I'm not sure if you can respond, or someone from staff can respond, and this is pertaining to the South Broward Drainage

District. Do -- okay. Welcome DPM Gordon. Do we know how much the South Broward Drainage District lowered our lakes and canals prior to Eta?

MR. GORDON: I had a conversation this morning with the assistant director over there, and they told me they -- by the first -- about a week before the storm, they were able to, I believe, lower by six to eight inches of water out of those canals. Remember now, before the storm, we were having constant rain, so the water was very difficult to move out to the C-9, so by moving six inches of water, that was a lot compared to the amount of rainfall that they got before the storm.

MAYOR MESSAM: Do -- do weather advisories predict or give any forecast, in terms of the anticipated amount of rain that we can -- we can anticipate in an upcoming weather event that's being tracked?

MR. GORDON: Repeat that again, sir?

MAYOR MESSAM: Do weather service agencies provide any indication or projections of the amount of rainfall to anticipate in an upcoming weather event, like a tropical storm or hurricane?

MR. GORDON: Yes, they did, sir; they did provide reports that we'd be having high -- heavy rainfall, probably in the range of ten to 15 inches of rain. Obviously, we got about 18 inches.

MAYOR MESSAM: So in our communication with the South Broward Drainage District, was there any reconciliation, in terms of the anticipated rainfall that was forecasted by weather service agencies, and their lowering of only six to seven inches of -- of our water? Did they feel that that was adequate, or were the projections higher? Were the anticipated levels of rain that we were anticipating from ETA larger than the amount of water we were able to remove out of our system?

MR. GORDON: I cannot really give a definite answer what their prediction was, and how they -- they'd think that was enough that they moved out of the canals. I could get back to you with -- with that from the South Broward Drainage District, yes, I can do that.

MAYOR MESSAM: Yeah. Because -- I know that this was a record rain event.

MR. GORDON: Yes, sir.

MAYOR MESSAM: I don't think that anyone could have anticipated 16, 17, in some places, 18 inches of rain, but I think that it was common knowledge that our communities in South Florida had been saturated with rain for, perhaps -- consistently for three, maybe even four weeks. Every weekend there was consistent rain, and -- and the percolation of -- of -- of rainfall on our -- on our land would be, you know -- it's already saturated. So the -- the mishap, I would call, not saying that the City is calling that, but I think it's a

mishap to not get that water out. We had floodings in neighborhoods that never see flooding. And it impacted us. It impacted not only our storm water system, it impacted our sanitary sewer, because the streets were flooding -- flooding -- flooded, water intrusion that infiltrated into our sewer system, getting reports of showers and toilets backing up in -- in -- in people's homes. Is -- is really unacceptable when there are mechanisms that can be put in place to -- to prevent that. So, as I've had the conversation with staff, there's a couple of things that I would like for us to do to help mitigate some of these instances from happening in -- in the future. I know, for the most part, most of -- perhaps, a great majority of our manholes are sealed tight, but I would request that staff inspect manholes citywide, especially in at-risk areas; especially the areas that -- that recently were flooded, but definitely check our entire network. If there are any manholes that require additional sealing, sealing mechanisms to ensure that they're tight, so if streets flood, it prevents infiltration of water getting into our -- our system, because it -- obviously, it becomes a -- a public health issue at -- at that point. I would like to commend staff for their response to certain communities, getting pumps out. I would like to thank our staff for ensuring that we have a network that can identify lift stations, and being able to monitor alerts for any high levels at any lift station. But there's a lot of lessons learned from this process, and -- and even though I'm bringing up, perhaps, some opportunities for us to do better, as well as the South Broward Drainage District to do better. I would like to, at least, conclude on this section, on the flooding, that the day after Eta passed on that Monday morning, I took a drive around the area of the City that's known as Phase III, that's just north of Miramar Parkway and east of the Turnpike, where we just recently just did water main and storm water drainage improvements. And streets that I saw years ago that would flood after a rain -- it was dry in -- in many areas. I think there was only street I saw, after the improvements, that had some flooding, and that was Sunshine, but we know that the elevation there is -- is just low, and it's right -- the only thing between that street and the canal that runs adjacent to the Turnpike are homes. And there was a pump there helping to push that water out. So I think as we continue to -- as we move into Phase IV, V, and VI, that we continue to do what we need to do to make sure that our infrastructure remains resilient, especially during these weather events that seem to get more intense, and bringing a lot more water in a very short period of time. That we put ourselves in the best position to -- to protect our -- our communities, and protect our neighborhoods. Because, at the end of the day, all our residents know is that after it rains and they open their door, and water is up to the middle of their front yard or in their driveway, they're wondering what the City is doing, and why our infrastructure is where it is. And our residents, I think, are recognizing now our investment in infrastructure and storm waste management, but we rely on our partners, like the South Broward Drainage District to -- who control our canals, and control the flow of our lakes and their levels, that they are prepared for these rain events. And that our City staff, even if so, before when we see these storms are coming, and when they're in the cone, that we're in communication with them if we see that there are some concerns, that they are getting those water level where they need to be to take the brunt of these water events. Go ahead, sir.

MR. GORDON: The only comment I want to make, Mr. Mayor, is the South Broward Drainage District that pumps our canals, between Pembroke Pines and Miramar, which is southern cities, all of our water goes to the C-9 canals; Weston and Fort Lauderdale, they go to the C-11 canal. There's a major pump -- pumping -- pump house that's on the C-11 canal that take that water out to the intercoastal a lot quicker. The C-9 canal -- I want you to understand, this was a perfect storm, where we have high tide, and there's no pump house on the C-9 canal; it's all gravity fed once they've pumped into the canal. So it was fighting the high tide with heavy rains, so it was a very difficult challenge for the District in regards to trying to bring that water down to a acceptable level.

MAYOR MESSAM: Yesh.

MR. GORDON: They did -- like I -- like -- like -- they did (unintelligible 1:12:22) for the most part, most of Miramar residents did not have a flood to their house. Water did come up a bit high, this was a 100-year storm. I hope we don't see one for another 100 years again, so I do think we will be prepared more in the next go round, so we were going to get -- get ready for the next one.

MAYOR MESSAM: Thank you, sir. Commissioner Davis, followed by --

COMMISSIONER BARNES: Mr. Mayor, if I may.

MAYOR MESSAM: Wait. One -- one -- one -- one second, Commissioner Barnes. I'm going to recognize you. I have Commiss -- Commissioner Davis, followed by Winston Barnes, and Vice Mayor Chambers, then Commissioner Colbourne.

COMMISSIONER DAVIS: Thank you so much. And since you're still here, Deputy, I just wanted to make sure we clarify for our residents, because -- first of all, thank you for the good job you -- you did out there in the City. The storm was unprecedented, and -- but I did notice that the City of Hollywood spokesperson had put something out on television, and I got a couple of calls on that. And it was such that they were saying, City of Hollywood, for us not to, you know, flush your toilets, don't -- don't wash, don't -- a lot of things were going on, and City of Miramar was included in the list of like, maybe, seven other the cities. So the call was, basically, just to clarify that we have our own wastewater system, and we don't rely on the City of Hollywood, that the City of Hollywood was giving us that -- that message; it really shouldn't have come from them, it really should have come from the City if that was the case. But you can go ahead and explain how they got involved in our wastewater system.

MR. GORDON: The City of Hollywood have their large user agreement with a few other cities in the County, with Broward County to accept sewer. Miramar is also a part of the agreement, but we use it as an emergency base. We did have some issues start -- with the start of the storm, but as we moved through our system, and rectify all those issues, we were able to let Hollywood know that we would not be sending any sewer during -- I mean after the storm. So, at the time when they sent out the message to the community

and included Miramar, we already stop sending sewer to the City of Hollywood. So we did notify them, and thanks for bringing that to my attention. We did notify Hollywood to remove us from that list, and we put our own bulletin to the community, and to business to let them know that, go ahead, continue using your sewer and your water as you normally would. So, yes, we did have little hiccups when -- when the whole thing came started out, but we were able to manage it, and we rectify it, and we're now, I would say, 100 percent in control of all the sewer system.

COMMISSIONER DAVIS: Great. Thank you for that clarification, and thank you, Whittingham Gordon. Can I have the Police Department up now, if you don't mind, regarding COVID?

ASSISTANT POLICE CHIEF LEONARD BURGESS: Leonard Burgess, Assistant Chief, good evening Mayor and Commissioners, Vice Mayor.

COMMISSIONER DAVIS: Good evening. I know the last time we were here, I had some questions about the bars and so on and so forth, and how many were infected, how many had the plexiglass up, and at that time, you were supposed to go back to these facilities, those that you gave warnings to ensure that they were in compliance. How has that gone?

ASSISTANT POLICE CHIEF BURGESS: At this time, I'm going to let Major Smith will give you nice brief detailed and update with our efforts, considering the last two weeks.

COMMISSIONER DAVIS: Thank you.

MAJOR SMITH: Good afternoon, Commission. Major Smith, Police Department. It was just last week that we had provided those numbers to you. Code compliance was back out this week, along with the County code compliance on Thursday, Friday, and Saturday. We were not able to touch, of course, all 101 businesses. We did inspect 24, and of the 24, we did find that three actually were utilizing the park and did not have **(unintelligible 1:16:56)**; two were on the east side, and one was local in this area. We did provide them with the information that they need, and did request the correction, and, of course, it was a warning this time. If we go back out and find that they are not compliant, then we will - we will move forward with the enforcement.

COMMISSIONER DAVIS: So the last time the number was how many? Because you gave me a number as to how many were not in compliance with this.

MAJOR SMITH: Yes. Last week I said it was five; it was actually a total of three, so I misspoke last week, yes, ma'am.

COMMISSIONER DAVIS: So three last week, and it's the same three this week?

MAJOR SMITH: Yes.

COMMISSIONER DAVIS: And you give them how much time to comply?

MAJOR SMITH: We've given them 14 days to comply; two weeks, but in the interim, we have told them that they should not utilize the bar until they actually have the partition installed.

COMMISSIONER DAVIS: And so you go back after two weeks and just check to make sure that's been done, or you go back prior to the two weeks to make sure they're not using the area?

MAJOR SMITH: What we try to -- go back after the -- the 14 days to give them time to comply, but on some occasions, we may pop in before; we may conduct a visit before, but we will still give the -- the entire compliance period.

COMMISSIONER DAVIS: Yeah, I understand that. So the two weeks will be up the next time you're here or -- I mean we're not going to see you now until January, so I -- hopefully, I'll get that report to my office.

MAJOR SMITH: Yes, ma'am, I can get that report to your office.

COMMISSIONER DAVIS: Okay. Perfect. Thank you. I think that was the only thing that was pending, in terms of that. The -- the banquet halls are being run accordingly?

MAJOR SMITH: Yes, we have visited -- I believe in the last month it's been two banquet halls, one along University -- well, they're both along University Drive, one north of the Parkway, and then one south of the Parkway. We have been community with both, and, to my knowledge, we have not had any issues. There were some concerns about the requirement in the executive order, and how they -- how they apply to the business operation.

COMMISSIONER DAVIS: And were those cleared up?

MAJOR SMITH: Yes.

COMMISSIONER DAVIS: Thank you so much. Appreciate that. And if I could have Parks, briefly.

MS. VALERA: Good evening, Mayor, Vice Mayor, Commissioners, City Manager, Attorney and Clerk; Liz Valera, Parks & Rec Director.

COMMISSIONER DAVIS: Thank you, Liz. I know the last time you were up here, you gave a rundown on -- on some of the things that were going on, but in terms of the -- the playgrounds, I've seen, myself, folks playing on the playground, so, you know, I -- I -- I'd just like to know what are we doing regarding the playgrounds. We can't -- I know COVID

is going up now, so it's possible that they'll be closed for longer, but there does need to be a plan, either to protect the playgrounds, or if we're going to use them, how to use them safely. So, you know, it can't be some people are using them, some people are not using them. How are we monitoring the use of the playgrounds? Difficult to monitor, but, certainly, there should be folks either roving around to the playgrounds, checking to see if there -- the barriers are intact and -- and so on. There needs to be some kind of report on our playgrounds, and a way going forward to use those playgrounds.

MS. VALERA: That's correct, Commissioner. We -- we had opted for the caution tape, and as I shared last week, it's, obviously, very easy to remove, and we've been going through a lot of rolls of caution tape, so we have reached out to different partners, and we've identified a construction netting that's going to be secured differently. Right now, we don't feel comfortable opening them. I have had several conversations with other park entities; the majority still remain closed, and it's -- it's because they're cautiously thinking the reopening plans. Many of the cities that have reopened, which there's about six cities in Broward that have reopened playgrounds, have small numbers of playgrounds, and they're in manned parks, so they're able to wipe them down, they're able to monitor that the distancing is being maintained, and also that the capacity on the playground is maintained. But the majority -- there's 13 other cities that have opted not to reopen, including the County, the same as West Palm Beach County, and I also checked with Miami-Dade, and they've opted not to reopen the playgrounds yet. I think that a lot of this has been due to healthy discussions that have been held regarding what's going to happen now that school's back, and we've been seeing a little -- an uptick in some students, you know, testing positive, so that's a reason that they have opted not to open them. We -- we -- we also find that a lot of our parks are unmanned, and although we have staff rotating, it's difficult to maintain that -- that capacity, that 50 percent capacity, and it's also the sanitizing of those structures. There's a lot of porous plastic, there's crevices, and with the kids, you can't control, you know, the sneezing and the elbow, and you can't control that they don't take off their masks, so we're very cautious in that safety. And, as a precautionary measure, for now, we don't want to reopen them. We have a plan in place, and we've met with staff, and we do have something in place once we reopen, and what we want to do is open in phases, and possibly determine which playgrounds to open, and those will probably be the ones that we can man, the ones that we can control initially. And then we can assess what has been the outcome, because it's very hard now to see what the impact would be once we do reopen, you know, if they do contract the -- the virus, how do we know it wasn't on the playground, and vice versa. So it's something that we -- we continue conversations with Broward, and we kind of use them as a guide, because they -- they've been able to guide us with the emergency orders and help us. We definitely would want to reopen them, but we just don't feel that it's the right time, but securing them is something that we're working on now. We've already bought the material, and -- and that's going to start -- that effort would start this week.

COMMISSIONER DAVIS: Thank you for that. Securing them would be a great idea, because, like I said, I've been seeing folks on them anyway, regardless, on the -- on the

equipment. The other question I have is with regards -- regards to the pavilions. What's the plan?

MS. VALERA: The pavilions has been the same. I've reached out to most of the cities. We -- we have very healthy discussions, at least once every other week, and we discuss the different efforts that -- that we're making. So one of the challenges that has been voiced by our neighbors is that they have -- they have enforced where it's 50-percent capacity. So if it's a 20-person pavilion, they've told the renters that it has to be 10 percent, and that's where the challenges that they have found, that once this party has started, it's very difficult to enforce the -- the capacity. So that's something that the majority have not reopened, not even Miami-Dade has reopened pavilions. Also, private developments have not reopened pavilions, and it's mostly because of that, because of the -- the ability to monitor. And, you know, I always say to my staff, I -- I don't want to be COVID police, but I also what to be cautious, and I don't want to be -- I don't us to be unreponsible. And if it's something that we can't control, or something I can't monitor, I would prefer to -- to wait until we can do that.

COMMISSIONER DAVIS: Thank you for that. And then, finally, with our amphitheater, so I'm not sure if I talked to you on that.

MS. VALERA: I -- I can answer whatever question you have.

COMMISSIONER DAVIS: And so --

MS. VALER: I'll try.

COMMISSIONER DAVIS: -- in terms of the use of the amphitheater, I was quite surprised that it's being rented out for use, and for sit down events. The last, you know, events that we did, and we're doing in the City responsibly are drive through events. And I fear that with COVID levels going up, the same way you say you can't monitor the pavilions, that monitoring folks that go into an event, that they are keeping their masks on, that they are social distancing. I think that's a tall order to expect that to happen. And I'm surprised that that wasn't brought to my attention. Week after week, we ask for COVID briefings, and I was not under the impression that we were holding events at the amphitheater. And, in fact, I had gone somewhere, and another person had told me, "Oh, we're looking to have an event at the amphitheater." Not the one that's coming up that I heard about, another event that's going to be held there. So what is the position on holding events at the amphitheater? I -- I would like to know that if they're being held there, that there is some kind of agreement that we are not held liable if somebody gets COVID, and that there are temperature checks when people go in. What are the precautions that are being laid out for use of the amphitheater? And, you know, are people selling alcohol, are people drinking, walking around, or are people sitting down and drinking? If we're going to open up the amphitheater, the same how we're cautious with not opening the playgrounds that are outside, not opening the pavilions, but we seek to open an amphitheater, hat we're not able to monitor -- so if you can explain that for me.

MS. VALERA: A couple of months ago, when the last emergency order was issued by Broward County, one of the -- one of the items in that emergency order said if you wanted to hold event with over 100 people, you were to present them with a COVID plan of how you intended to open this facility, and how you would run the -- the event. The amphitheater, together with a concessionaire and the City put together a plan with a proposed -- with the proposed limitations and guidelines that were going to be followed. The County reviewed the plan; it took about 45 days, and then they approved our plan, and they gave us certain guidelines and restrictions that we had to follow. Amongst -- amongst those guidelines, that were shared with the concessionaire and the general manager. For this particular event, for example, they said every two seats have to be closed, every other row has to be closed, concessions can be sold, but they can only be eaten or drank in a certain area, or at their seat; they can't walk and drink. I'm just mentioning a few things. Their -- they have to wear mask, unless they're drinking or eating, and they have to be sitting to do that. The restrooms have to be cleaned every hour. They -- they have temperature checks, and we have hand sanitizers throughout the whole area. What we're working on now with the concessionaire is so that the food could be ordered -- as restaurants are doing now with the scan, they can order and pay, so that there's no hands-on interaction. Their -- the food is delivered to their seats when they put their seat number, and that's what we're working on now. They're -- we're trying to do hand-free ticket buying, so we're encouraging that the tickets all be bought online. There's not going to be ticket sales, so there won't be that interaction there onsite, and the capacity of the -- of the venue is 50 percent.

COMMISSIONER DAVIS: Okay, so --

MS. VALERA: We have signage -- oh, I'm sorry. They are having -- they have extra security guards that are going to be monitors, so there's monitors throughout the whole event. The concessionaire has the plexiglass, will be wearing masks, and, like I said, it's -- we're trying to do everything contactless, which is what the County recommended.

COMMISSIONER DAVIS: So is this just for the amphitheater, or just -- you can have events other places, --

MS. VALERA: The plan was for the --

COMMISSIONER DAVIS: -- as long as you follow the guidelines?

MS. VALERA: -- amphitheater, and one of the considerations that helped get the plan approved is because it is an outdoor venue. So with regards to air and -- and air filtration, being an outdoor venue was something that they took into consideration, and those are most of the venues that are getting approved.

COMMISSIONER DAVIS: So, in terms of the liability, was that addressed? And can -- can that be addressed?

MS. VALERA: No, it was not. It's -- there is -- in the agreement that was -- that was done with the promoter, he was made aware of all these requirements, and he -- he signed that -- that document, together with the agreement.

COMMISSIONER DAVIS: So if I could ask the City Attorney, and I know it's done -- Number 45 has done it on several occasions with his events, made sure that folks who showed up were not able to sue. So I'd like to make sure that -- if that's something that we can do. We're having outdoor events, we can't force people to wear masks; they may take it off, there's nobody policing them. They're drinking alcohol, they're getting excited, having fun. What is it that we can do, in terms of us not being liable for someone to come back and say, "I caught COVID there."?

CITY ATTORNEY NORRIS-WEEKS: Commissioner, we can look at -- take a look at what maybe in the lease or in the agreement between the City and the -- the -- the person that's running the operation on behalf of the City and see if there's anything that may already address that issue. It would -- in order to renegotiate, obviously, it would have to be some type of agreement in place that would allow for that, so we'll explore that issue and work with staff to do so, and report back to you.

COMMISSIONER DAVIS: Yeah, I'd appreciate that. Because I go to my dentist office, and they whip out a piece of paper saying: read this, sign this, we're not responsible if you get COVID in here. And so, you know, no matter how much you try to tell people to do certain things, you might want to have something like that, because, again, most places now, you gotta sign off. And we're not there to police them; we don't know what they do when they're having their -- I mean that -- the amphitheater holds 3,000 people?

MS. VALERA: Under the canopy.

COMMISSIONER DAVIS: Right. So, therefore, you can 1,500 enjoying a concert or whatever, and the fact that they get the approval doesn't mean we won't be liable if somebody decides to sue us, so I'd appreciate that our attorneys -- that will look at that, and I'd appreciate that, Burnadette, thank you so much. That's it for me.

MAYOR MESSAM: Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: I had a question for our ACM Gordon. I, too, did something of a tour on Monday of last week. In fact, when -- when I entered, I think it was 68th Avenue off Pembroke, we ran into a tank that was actually in the process of removing the excess in one of the sewage areas. Part of my understanding of the flooding in a number of areas, mostly in the historic section, though, is not so much that those provisions weren't made ahead of the flooding. Let me -- let me -- tell me if I'm understanding right, took, that a lot of the flooding had not so much to do with the fact that the water wasn't running off, but because the ground was saturated to -- to an extreme. Am I reading that right or what?

MR. GORDON: That is correct, Commissioner Barnes. The -- the saturation of the ground impact greatly on the water that comes -- from the Sunday night rainfall we had.

COMMISSIONER BARNES: As -- I mean -- as -- as was indicated earlier, I saw flooding in areas I've never seen (unintelligible 1:34:47), and water simply sat there. When I -- when I went to do my deliveries even on Thursday, Thursday evening in the historic section as well, there was still water sitting around. And -- and I'm saying, okay, I don't know that we understand how much rain actually fell and, therefore, how much water was deposited. So even -- even with the assistance, I'm saying, of -- of the pumping and so on, that water was going to take some time to go away.

MR. GORDON: That is correct, sir. We have -- Miramar received the largest rainfall in this whole event; I think we have over 16 or 18 inches of rainfall, so, yes, that water was just going to (unintelligible 1:35:27).

COMMISSIONER BARNES: That -- that question is relevant, I -- I want to add, because maybe this is the kind of information we need to get to our residents, say: Hey, listen, yes, we are doing pumping in a number of areas and so on, but so much of what is on the ground won't go away for a while. I -- I want to believe that the -- the priority was given to those places where homes were on the verge of being flooded, and cars were parked in driveways that were not accessible. In fact, one resident I spoke to on this past weekend was not able to go to work for a couple of days, simply because they couldn't access their cars. So maybe what I'm asking is that, in the future, what we do in -- in sending out our information pieces is that we also include the fact that sometimes water is going to be there, not because we don't want to move it, but because the ground simply won't allow any more to -- to enter. All right?

MR. GORDON: Yes, you're correct, sir.

COMMISSIONER BARNES: Thanks.

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

VICE MAYOR CHAMBERS: Thank you. Mr. Gordon, how are you, sir?

MR. GORDON: Good, sir.

VICE MAYOR CHAMBERS: If I could have our Public Works Director, Mr. Collins, come up, and also my Utility Director, Mr. Virgin, come up also. Mr. Gordon, just want to thank you for your service over the years to the City of Miramar. I believe it's in excess of -- maybe excess of 23 years, and --

MR. GORDON: Twenty-five, sir.

VICE MAYOR CHAMBERS: Twenty-five, right. Thank you for the correction. There is no indictment, as far as the City of Miramar is concerned, in regards to this flood. Myself, my Deputy City Manager Mr. Gordon, and my Public Works Director Mr. Collins, Mr. Virgin, we were on the ground prior to that rain that open up Sunday night over South Florida here. I mean it's really open up. And we were really proactive with staff, knowing the trouble areas that we having trouble. We work tirelessly on Island Drive, cleaning, pumping ahead of -- ahead of time of the major rain that fell that Sunday night. We were on Sunshine Boulevard. We left pumps out there overnight to be pumping water out. We went to 68th Avenue, we diagnosed that area, because the rain fell earlier in the day while I was out there doing sandbag, and it's -- was already flooded, so just imagine the excess flood that would have have overnight with those area. And it -- it's still -- we have a lot of water there still, but the work that was done earlier that afternoon to prepared for that rain was really commendable with staff. We were even over in -- on the other side when I called in a line break, which staff was able to come out, Utility staff, thank you, Mr. Virgin, and shut off that water that was running for over two hours. So we've been on the ground, we did what we can. The sandbags, we were out there Saturday, Sunday, myself, even though we didn't have a large staff onsite. I did both site, shoveling sandbags to make sure our resident was still getting their sandbag. So I just want to thank the three of you, and when our directors and deputy city managers live in this community, they know the community, they know the residents, they know what the needs are, and you guys stepped up, along with staff, and you must be commended for that, so I want to thank you for that, all right. Now in regards to the flooding, I believe that most of the flooding occurred in Pembroke Pines, which I have family and friends that live over there, and I have to go over there and take folks home, take them to the store. But driving through Miramar, I think we did very well, very well. And I must explain a little bit about the -- the canal. Now everything from Pines Boulevard north, into Weston, Davie, north Pembroke Pines, Cooper City, those goes into the C-11 canal.

MR. GORDON: Correct.

VICE MAYOR CHAMBERS: Now C-11 canal have massive pump; they pump west into the Everglades. Everything sought of Pembroke Pines Boulevard into Miramar goes into the C-9 canal. The C-9 canal, South Broward Drainage District have the pumps, they were active days before; they were trying to pump some of that water out in the election cycle, and still running. But I think where the problem is the South Florida Water Management District, which is the C-9 canal.

MR. GORDON: Yes.

VICE MAYOR CHAMBERS: Now that C-9 canal do not have a pump, okay, --

MR. GORDON: That's correct.

VICE MAYOR CHAMBERS: -- which we need to petition them to put in a pump further east which pump all the way out. Now combine that with the hightide, which have been

hampering South Broward Drainage District for the last couple of days or weeks before -
-

MR. GORDON: At least two weeks.

VICE MAYOR CHAMBERS: Right, before that heavy rain come. So when they pumped, the hightide keep that water back, so -- and that's what was preventing them from pumping more than six inches of water. They couldn't -- you -- you going against the -- the current. The -- the C-9 is backing up, you're pumping in there, there's no place to go. So they have to be running round the clock trying to pump. You couldn't get anymore. That's why the C-11 was able to pump more water out, because they have the pump pumping west into the Everglades, so that's what happened. So I think we have to talk with the South Florida Water District to invest into a pump inside of the C-9 canal to at least mitigate that tide, hightide backing up.

MR. GORDON: That would have made -- that would have made a vast difference.

VICE MAYOR CHAMBERS: A vast difference.

MR. GORDON: To have water get out as --

VICE MAYOR CHAMBERS: Because I've been out there the whole time, and I'm watching, and I'm seeing what's happening, and that's what took place. Now the -- the -
- the only place that was impacted major was Country Club Ranch, and we do have a pump right there, and you can see it pumping into the C-9, but, as usual, the tide is high, and when you have a lower tide pumping into a higher tide, what do you get, you know. So maybe we could look into dredging some of those low canal inside of Country Club Ranch; some cleaning have to take place, of course, but, like I said, this is a, maybe a 50-year, 100-year waterfall, and -- but I -- I must tell you, I'm very proud of what we did here in Miramar. I think we were somewhat prepared. The trucks are out there on a daily -- regular basis -- look, 12:00 at night, I call you, we had a pump out in Trilogy, a vacuum truck cleaning those manholes; that's from the leaves and stuff that was backed up out there. So very -- very good. I -- I have my HOA folks in their communities raking the drainage leaves and mulch, so we were really proactive and were able to move a lot a lot of water, but, like I said, the problem goes back to the C-9 canal, so I wanted to thank you for that. I have no doubt that in the future --

MR. GORDON: I say this, Commissioner, I -- I commend both the Public Works and Utility Director. They had 24-hour shifts running before the storm and after the storm, so we will always react to whatever emergency is out there, the 24-hour people on the ground out there working.

VICE MAYOR CHAMBERS: I was there. And not only that, the leaders were -- the leader -- the top leaders on the ground, okay, I've seen it; we were there. So -- and that's -- that's just -- just impressive, to have your Deputy City Manager, you -- Director from Public

Works, and your Director from Utility on the ground prior to the storm, and even after the storm, so we did good. But I'm going to move on. I do have a question for a situation that I saw at County Club Ranch when I went -- was out there. And there's a street -- I think it's 130 -- 130th, on the west side of the canal. I don't know if you can help me with that, but at the end of it, 130 curve back and go back to 136 on the backend there. Now one of the residents, I know it's a private road, but that's completely gated and fenced in and blocked off. So emergency vehicle cannot go through. The garbage truck, when it goes down there, it have to back up, so that's something that we need to look into to see if we can have that roadway clear.

MR. GORDON: We're -- we're -- we're looking into it as -- as we speak, sir.

VICE MAYOR CHAMBERS: Thank you. Because --

MR. GORDON: (Unintelligible 1:44:58).

VICE MAYOR CHAMBERS: -- it's been really hampered folks from exiting that way during the flooding, so thanks. Also want to -- question for I think, maybe, Ms. Valera; I don't know if it's a question, I'm going to make a suggestion. It's -- while I'm out in Country Club Ranch, the -- the parks -- I'm sorry. The park that we have there, when we built that park, and we have an option of putting a chain-linked fence and the trees and stuff, we did the trees, so now they got a little -- little bit overgrown, and when it's rain and storm, they affect the utility lines, and the power goes out. So when the water is right out, see if we can look into trimming those trees.

MS. VALERA: Absolutely. I'll look into it.

VICE MAYOR CHAMBERS: All right. Especially on the side of the home --

MS. VALERA: On the west side?

VICE MAYOR CHAMBERS: Yeah, the side of homeowners there.

MS. VALERA: Okay.

VICE MAYOR CHAMBERS: Make sure we secure that.

MS. VALERA: Okay. We can take a look at that, Vice Mayor.

VICE MAYOR CHAMBERS: Right. Thank you. And, once again, Mr. Gordon, thank you for assisting resident out there today with some pump, pump some water out their yard. Thank you.

MAYOR MESSAM: Commissioner Colbourne, you're recognized.

COMMISSIONER COLBOURNE: Thank you. I'd like to start with Mr. Gordon as well. I -- I echo Vice Mayor Chambers, and I want to say thank you all so very much, your Public Works and your -- your water department staff, your Utility staff. I know they were out there throughout this entire period, so I -- I do want you to go back and -- and let them know how much they are appreciated for -- for the work that they did. I do have a couple of things I want some follow up on. On Sunshine -- on Sunshine Boulevard, I know there was some issue with the outfall that's outstanding, so I do -- I do need some feedback on that to make sure that we are working on that. I know it was just, maybe, a couple months ago -- you can -- you can email me that, that's fine. If you have something you can, but I really do want to see where we are with it, and -- and make sure that we are following through in getting that done.

MR. GORDON: Absolutely.

COMMISSIONER COLBOURNE: It was just a couple of months ago, I think, that we had this entire conversation about South Florida Water Management District and lowering of the -- lower -- lowering of the lakes a head of time, and -- and, you know, ahead of a storm. And -- and here we -- here we are. It just so happen that we had a storm that they couldn't even keep up with. But we had smaller storms in between -- before then, and they were -- there are some signs -- there were some signs that, you know, my opinion, that these lakes were -- were getting higher and higher, because of all the rain that we've been having.

MR. GORDON: That's correct.

COMMISSIONER COLBOURNE: So, yes, if there's a way for -- for South Florida Water Management District to -- to make some changes in the way they're doing things, or whatever it is, you know, I -- I certainly hope that that's -- that conversation is -- is ongoing. Prior to the storm, we had some issues with toilets. Every time we had a small rain on the east side, these toilets got backed up. Maybe it's because we have had a lot of rain in general, but that only got worse with -- over this past week, where -- you know, one resident told me they had to go use public -- public restrooms, because they just could not use the one at home. So we -- we do need to -- to analyze and find out exactly what's going on there, because this was happening even before the -- the big storm.

MR. GORDON: Commissioner, I -- I could tell you -- we normally process, probably, nine, ten million sewage a day.

COMMISSIONER COLBOURNE: I'm sorry?

MR. GORDON: We process, probably, nine to ten million gallons of sewage per day, okay. During the storm, we did over 23 million gallons a day, we were averaging. As I mentioned to the Mayor earlier, we did have a hiccup in the system; we found the hiccup, and I -- and I can assure you, moving forward, that will not be the same --

COMMISSIONER COLBOURNE: Okay.

MR. GORDON: -- situation. We have made the adjustment, --

COMMISSIONER COLBOURNE: Okay.

MR. GORDON: -- and we **(unintelligible 1:49:51)** our sewer system.

COMMISSIONER COLBOURNE: Okay. Okay. I do appreciate that. I know that we had the most rain, and we did not have the worse issues. So, that being said, I know that we're doing some things right, because the worse rain, you would have expected us to have the worse issues, and that wasn't the case. I do appreciate that. I did want to touch bases on -- on the COVID. Our rates -- our -- our pos -- positively -- positive -- positivity rates, you say 7.67; that's Broward County?

ASSISTANT POLICE CHIEF BURGESS 1:50:33: I believe -- that's the -- that's for the Stay.

COMMISSIONER COLBOURNE: That is -- that is for the State. When -- when last were we at seven -- at what month prior to now were we at 7.67?

ASSISTANT POLICE CHIEF BURGESS: I would have to get back to you, ma'am. I don't have that in my notes.

COMMISSIONER COLBOURNE: Because when we opened up a few months back, we were lower than -- we were much lower than that.

ASSISTANT POLICE CHIEF BURGESS: Yeah. I believe so. I don't have all the percentages --

COMMISSIONER COLBOURNE: Okay.

ASSISTANT POLICE CHIEF BURGESS: -- listed here, but it's just been -- throughout the whole country, there's been a rise in COVID cases.

COMMISSIONER COLBOURNE: Is there any conversation, as far as -- as, you know, going back, in terms of closing some -- some things, doing anything differently, or -- or changing?

ASSISTANT POLICE CHIEF BURGESS: I haven't heard of anything at this particular time.

COMMISSIONER COLBOURNE: Is there anything that would trigger that when we get to -- to a ten percent positively -- positivity rate? It's -- is there anything -- any conversation like that?

FIRE CHIEF PALMER: Evening, Mayor, Vice Mayor, Commissioners, City Manager. Yes, we've had some conversations. In fact we've -- we (unintelligible 1:51:45) meeting our medical director today, just to see what -- what to do, especially (unintelligible 1:51:49) we're going to be noticing is our holidays coming up, and come Thanksgiving -- I mean they're really (unintelligible 1:51:55) a lot of the stuff that we're referring to Halloween. So here comes Thanksgiving, here comes Christmas, so we're going to continue to have that rise in those numbers. It was challenging, as you see, with the parks, to try to make someone just -- just to kind of comply and -- and do the best things for -- for everyone, so that's going to be a challenge. But those are conversations, and we're trying to see what -- what we can do, maybe put a better message out. Maybe -- maybe just to continue what we're doing to just -- it's hard, because we can't really police and -- and -- and really control what everyone is doing. Yeah, just do the right thing. It's just -- it's just a -- it's difficult. Those are the things we're trying to figure out what else to do. I mean we -- the hospitals, they're seeing spikes in -- in their COVID cases, their ICUs are full again, so they're having the challenge also on the hospital end. And we've been talking to the medical director (unintelligible 1:52:41) that they're seeing. And we'll see what we can kind of deal -- we'll -- we'll increase our efforts in -- in putting that message out there, but it's going to get tough now with the holidays. And so that if -- I mean we're seeing it now. I mean our roads are lot busier, people -- there's just a lot more folks on the road. I mean it's just -- it's challenging.

COMMISSIONER COLBOURNE: Okay. I had asked staff, in terms of putting -- using our television station for -- for informational videos. Are we -- are we showing anything yet? Have we done any -- any of those videos?

FIRE CHIEF PALMER: We've had some videos that we -- we've already been -- been putting out. Like I said, all our platforms -- we've increased a lot -- a lot of our -- our outreach programs.

COMMISSIONER COLBOURNE: Okay.

FIRE CHIEF PALMER: Like I said, we'll just continue just kind of -- you know, hopefully - - one of the avenues that we're utilizing to touch more -- more -- more folks, you know, every day.

COMMISSIONER COLBOURNE: Okay.

FIRE CHIEF PALMER: Because not everybody does social media, and everybody does the TV, not everybody does everything, so we have an array of -- of different platforms that, hopefully, they reach someone, folks to -- to keep improving as we, hopefully, find a vaccine one day, and kind of get through this pandemic.

COMMISSIONER COLBOURNE: Absolutely. Thank you so much, appreciate it.

FIRE CHIEF PALMER: You're very welcome.

MAYOR MESSAM: Thank you.

CONSENT AGENDA

MAYOR MESSAM: On to Consent Agenda. Items listed under Consent Agenda are viewed to be routine, and the recommendation will be enacted by one motion in the form listed below. If discussion is desired, the items will be removed from the Consent Agenda, and will be considered separately. The Clerk received no requests to speak from the public on Consent Agenda. Are there any items that wish to be pulled, or may I have a motion to the Consent Agenda?

COMMISSIONER COLBOURNE: I'd like to pull item number three and number four.

MAYOR MESSAM: Hearing no other comments, may I have a motion on the balance of the Consent Agenda, please?

COMMISSIONER DAVIS: Motion to approve.

COMMISSIONER COLBOURNE: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

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COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

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

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

1. Minutes from the Commission workshop meeting of October 14, 2020, and the regular Commission meeting of September 16, 2020, will be placed on the January 27, 2021, meeting agenda.

Approved

2. Temp. Reso. #R7295 approving the purchase of **fire-rescue supplies and equipment** from the Broward Sheriff's Office in an amount not-to-exceed \$142,750.00 for Fiscal Year 2021. (*Fire-Rescue Chief Robert E. Palmer*)

Resolution No. 21-22

MAYOR MESSAM: Item number three, please.

3. Temp. Reso. #R7309 approving the award of Invitation for Bids No. 21-002, entitled "**Buffer Wall Along Pembroke Road Adjacent To University Park Plat**", to the lowest responsive and responsible bidder, Coastal Concrete Products, LLC; authorizing the City Manager to execute the Proposed Agreement with Coastal Concrete Products, LLC, in an amount not-to-exceed \$393,500.00, and allocating a contingency in the amount of \$50,000.00, for a total project cost of \$443,500.00. (*Senior Project Engineer Leah deRiel*)

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving the award of Invitation for Bids No. 21-002, entitled "Buffer Wall Along Pembroke Road Adjacent To University Park Plat", to the lowest responsive and responsible bidder, Coastal Concrete Products, LLC; authorizing the City Manager to execute the Proposed Agreement with Coastal Concrete Products, LLC, in an amount not-to-exceed \$393,500.00, and allocating a contingency in the amount of \$50,000.00, for a total project cost of \$443,500.00; and providing for an effective date.

MAYOR MESSAM: Is there an inquiry or a presentation is desired.

COMMISSIONER COLBOURNE: Presentation on both, thank you.

MAYOR MESSAM: All right. Presentation may proceed.

MS. DERIEL: Good evening, Mayor, Vice Mayor, Commissioners. This agenda item is for the approval of the award of IFB No. 21-002, the buffer wall along Pembroke Road, adjacent to University Park plat, to Coastal Concrete Products, LLC. First a little bit of background on this project. This project was originally included in the City's Capital Improvement Program; funding was allocated for it in the CIP budget. The purpose of this project is to improve security and aesthetics for the community in the University Park plat. The project -- project scope -- main scope is construction of 3,300 linear feet, eight feet high precast, concrete barrier wall on Pembroke Road between Douglas and University Drive. It also includes incidentals to the wall installation, such as clearing any grubbing, tree trimming, and removal and restoration of the existing sidewalk. So you can see the aerial on the screen in front of you. That's Douglas Road on the west, and University Drive to the east and the Walmart Plaza. Bottom left shows relative location within the City, and the bottom right, you can see a photo of a representative sample that will give you an approximate idea of how the wall will look like once it's installed -- excuse me. Next slide, please. So that goes to the project scope. Like I said, 3,300 linear feet. All those items included above. Go ahead, next slide. Procurement process: On October 8, 2020, the project was advertised on Demand Start and in the newspaper. On October 15, the pre-bid conference was conducted, both virtually in the field. We had five firms in attendance. In October, or excuse me, November 3rd, 2020, four bids were received at the bid opening. Go ahead, next slide. Staff evaluated bids and determined that the lowest responsive and responsible bidder is Coastal Concrete Products for a total bid price of \$393,500.00, that's without contingency. Since this project has a \$50,000.00 contingency, that brings the total to \$443,500.00. So the City Manager recommends approval.

MAYOR MESSAM: Thank you. Commissioner Colbourne.

COMMISSIONER COLBOURNE: Thank you. I just wanted to make a few comments on this. This project is -- is not just an FDOT planned project, but it is one that fits in nicely with the FDOT project. The funding for this project is part of a continued effort that we have made -- the Sherman Circle area. In 2018, we completed the construction of the wall on Miramar Boulevard. In 2019, during the FY 2020 budget process, we had request -- I requested funding for this wall. This Commission approved that, and the construction of this wall on Pembroke Road. It's a commitment to the residents in Sherman Circle area that -- that is actually coming through. The improvement of that area is a benefit to all of us, and I'm -- I'm pleased to see that we're taking the steps necessary to construct that wall similar to the one on Miramar Boulevard. It took a little longer than I thought it would, but I -- I'm -- I'm thankful that staff is now diligently working on it, so appreciate the effort; thank you.

MS. DERIEL: Thank you.

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

VICE MAYOR CHAMBERS: Thank you. Thank you, guys, for bringing this project now, and seems like we're going to get it done. I must say thanks to my colleague, Commissioner Colbourne. We've been working together to get some of these community retrofitted -- fit -- fitted with walls. And I must say, you know, this project and the canal erosion project are two project for someone like me who have little understanding with construction and pricing. I must say I'm very pleased with the pricing and the cost that we have been paying for walls and canal erosion. I think we've really get out money's worth for those projects. So it's -- it's 100 percent support always for anything we can do to improve our community, and make our residents feel better and safer. The City look beautiful, everyone benefits. It's just a great thing, and a great day in the City of Miramar. And I must say we have the best team; this Commission have been really taking on some projects that no other municipality have done, and we are the leader here in South Florida supporting our residents. So thanks to staff, and just looking forward to this wall completed and looking fabulous and fantastic. Thank you.

MAYOR MESSAM: Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Thank you. We've seen such an improvement with the -- the walls that have been put up on Miramar Boulevard. I'm sure the same will be said for the one that's going to be going up on Pembroke Road. And we certainly thank Commissioner Colbourne for her efforts and her insight into making that area look very beautiful. I was driving by there just recently, and even the landscaping that has been put in looks really good. The homes that are to the south of Miramar Boulevard are truly grateful for the way their properties have been able to be kept up, and the values increase just because of a wall. And so I think this is a great project, and the people in that area are certainly grateful, as am I, when you drive through and see the improvement, the vast improvement of that area. And -- and so kudos to Commissioner Colbourne and staff for making that possible. Thank you.

MAYOR MESSAM: Are there any more comments or questions, or -- or may I have a motion on this item, please.

COMMISSIONER COLBOURNE: Motion to approve.

COMMISSIONER BARNES: Just a comment, Mr. Mayor.

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

COMMISSIONER BARNES: Yeah. I tell you why -- why the -- Commissioner Davis mentioned the south wall on the boulevard. So important for residents of the area. My late mom actually lived in that immediate vicinity, and -- and I, too, want to commend staff on the incredible -- I mean on driving to work in the mornings, I see them on that boulevard working on the landscape. I keep tooting my horn. And -- and I think we also need to commend the residents of University Park for the incredible activism that they've inserted into -- into the running of the City over the years. And -- and I think it is a -- a classic

example of what citizens can get done once they make their requests known to the Commission. And, yes, I, too, am waiting on that wall to be put in place, because you can see the struggle over the years, as residents when the -- when the wooden wall tends to break down. Sometimes they are literally hanging up because some kind of object is placed to hold it from falling, so once -- once that wall gets put in place, we've got to here about not only the beauty that it would bring to the area, but a level of security that doesn't exist at the moment. So that -- this -- this one we really, really welcome.

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

COMMISSIONER BARNES: Motion to approve.

COMMISSIONER COLBOURNE: I already made a motion on it. It needs a second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Colbourne, seconded by Commissioner Barnes, to approve Resolution #R7309, the Commission voted:

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

MAYOR MESSAM: Item number four, please.

4. Temp. Reso. #R7303 approving the Fiscal Year 2020 Interlocal Agreement between Broward County and the City of Miramar for the disbursement of \$233,194.00 in **HOME Investment Partnership Program Funds** for expenditures on eligible purchase assistance activities. (*Community Development Assistant Director Deborah Stevens*)

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving the Fiscal Year 2020 Interlocal Agreement between Broward County and the City of Miramar for the disbursement of \$233,194.00 in HOME Investment Partnership Program Funds for expenditures on eligible purchase assistance activities; authorizing the City Manager to execute the Fiscal Year 2020 interlocal agreement; and providing for an effective date.

MAYOR MESSAM: Good evening.

MS. STEVENS: Good evening. Good evening, Mr. Mayor, Vice Mayor, Commissioners; Deborah Stevens, Community Development Department. This item is the HOME Investment Partnership interlocal agreement with Broward County for Fiscal Year 2020, which is actually the City's fiscal year 2021. The HOME program is federally funded by and administered by HUD, and local governments that do not meet the threshold requirement for receiving HOME funds can join the consortium with neighboring localities. Broward County, the City of Miramar, and ten other municipalities are members of the HOME consortium, which enables us to receive HOME funding. Broward County is the direct recipient of the funds, and under the agreement, the County will designate the City of Miramar as a subrecipient and disbursement agent for us to implement the program and to expend the funds. As a subrecipient, we will receive \$233,194.00, and we will use these funds for purchase assistance to help four income-eligible households. The agreement (unintelligible 2:06:22) on October 1st, 2020, and it will expire on September 30, 2022. The City Manager recommends approval.

MAYOR MESSAM: Thank you, Ms. Stevens. Commissioner Colbourne.

COMMISSIONER COLBOURNE: Thank you. Ms. Stevens, this -- this amount is only for down payment?

MS. STEVENS: Yes, it's for down payment assistance.

COMMISSIONER COLBOURNE: Have the properties been identified already, or is there going to be some sort of an announcement?

MS. STEVENS: No, there've -- no, this -- it has not been identified. It's open to anyone who is eligible to apply for it.

COMMISSIONER COLBOURNE: So how would -- how would someone know to apply for it?

MS. STEVENS: I'm sorry.

COMMISSIONER COLBOURNE: How would someone know to apply for the funds?

MS. STEVENS: We sent out a flyer, and there's also the email blast with the --

COMMISSIONER COLBOURNE: Okay.

MS. STEVENS: -- information. Wonderful. That's it. Thank you.

MAYOR MESSAM: Thank you, Commissioner Colbourne. There were no requests to speak on any Consent Agen -- Agenda items. If there are no other -- I do have a speaker. Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Thank you. So you mentioned that this is for down payment on -- for properties only?

MS. STEVENS: Yes, we offer \$50,000.00 for those in the very low category, and then \$40,000.00 for those in the low category.

COMMISSIONER DAVIS: So is there like a lottery system? How does it work?

MS. STEVENS: No. For all the grants program, it's first come, first served.

COMMISSIONER DAVIS: And it opens when?

MS. STEVENS: I'm sorry?

COMMISSIONER DAVIS: It opens when?

MS. STEVENS: It opens as soon as the -- the ILA is approved by us tonight, then it goes back to Broward County for them to sign, and then returns back to us, and then it's opened.

COMMISSIONER DAVIS: So I'm not -- so when you open it, there's only four slots, so, I mean, I'm not sure how you would open it. Do you identify --

MS. STEVENS: Okay. Each year -- each year we receive funding from SHIP, and also from HOME. This year we did not receive any funding from SHIP, because the veto --

the budget got vetoed. So we have funding for HOME from last year that's still **(unintelligible 2:08:30)**, so we still have money available. Plus, when this is approved, we'll have additional funding. So there's existing funding right now for purchase assistance; this will be additional to that.

COMMISSIONER DAVIS: Is there a way that we help more people by giving less?

MS. STEVENS: Well, for those in the low-income category, it's very difficult for them to apply for -- to qualify for a mortgage, so what the studies have shown is that when you give them a lower amount, they don't qualify for the mortgage. So the reason why it's \$50,000.00 and \$40,000.00, because then they're more **(unintelligible 2:09:08)** qualified for the mortgage than if you give a lower amount. We give a lower amount for those that are in the higher average, like those that are in the 120 AMI, they only receive \$30,000.00, but the lower-income persons, because they have difficulty qualifying for a mortgage, we give them a higher down payment.

COMMISSIONER DAVIS: So I know back in the day there was a down payment assistance, I think it was like maybe \$10,000.00 or something like that, and it was geared for public servants, teachers, police officers, and so on. What program was that?

MS. STEVENS: We don't have such a program anymore. That was years ago.

COMMISSIONER DAVIS: What -- what was it?

MS. STEVENS: Those were just -- those were down payment assistance that we started out with \$10,000.00, and over the years it have **(unintelligible 2:09:57)** to increase.

COMMISSIONER DAVIS: But you could help a lot more people at the \$10,000.00 level.

MS. STEVENS: In -- in that case, then they wouldn't be able to use HOME funding. HOME is federal funded; and HOME, the requirement is 80 precedent AMI or less. So if they're above 88 percent AMI, they won't qualify for the HOME funding.

COMMISSIONER DAVIS: Could you just break that down for me? Break that down. You have acronyms in there, so what -- what exactly are you saying?

MS. STEVENS: We get funding from different sources. There is federal and there is State. State is the SHIP funding. SHIP allows you to give down payment or home repairs up to what you call 120 AMI, average median income. However, for the federal, which is -- HOME is the federal, even though it comes from Broward County, it's really from HUD through Broward County to us. Their restriction is the maximum is the 80 percent AMI, that's the highest we can go. So, for instance, for -- when you say AMI, they are median income, if you have -- for a family of one, if you make \$31,200.00, you're considered in the 50 percent and lower AMI; you're considered very low. If you make \$49,950.00, you're considered a low AMI, you're in the 51 to 80 percent AMI. But for a family of four, they

can make up to \$44,550.00 to be considered low -- very low, and up to \$71,300.00 to be considered low income.

COMMISSIONER DAVIS: Right. So quite a few people will be considered in that. A family of four at 70 something thousand a year?

MS. STEVENS: For four-person, the max is \$71,300.00.

COMMISSIONER DAVIS: Yeah. There's quite a few people in our community that would qualify. So what I'm saying is that can't we spread this out more, because if you're opening up something just for four people to qualify --

MS. STEVENS: But we're trying to make it effective for the low-income person, because in Miramar the homes are very expensive. So if you only -- if the home is, say -- the average home, 275, 280, if you give them only ten percent, that means that person would have to qualify for a mortgage of 270. And -- and --

COMMISSIONER DAVIS: But would they qualify for a mortgage at \$227,000.00 with such a low income?

MS. STEVENS: I'm sorry?

COMMISSIONER DAVIS: Would they qualify for a mortgage at 220 something thousand if they're such low income?

MS. STEVENS: Well, remember it's 200 -- if it's 275, and we're giving them 50, then their mortgage is going to be 225, if we're giving them a \$50,000.00 down payment, which reduces the mortgage.

COMMISSIONER DAVIS: And --

MS. STEVENS: So we're trying to -- we're trying to make sure that the low-income persons have a chance --

COMMISSIONER DAVIS: They can qualify. I get you. My concern, though, is that only four people you're helping out of all of this money. You're only helping four.

MS. STEVENS: But it's first -- it's four persons that we're -- four low-income persons that we're helping, we're not able to help any low-income persons, because when we have the program open with SHIP, the first money that goes that those in the 120 AMI income, because they can get a mortgage very quickly. So we always find that those persons -- because when we have SHIP money, we allow so much to 120, so much to 80 percent AMI, and so much to 50. We find that within a few days, the money for 120 is gone, because they go to the bank, and they get quickly qualified. The persons that struggle are the ones in the low-income categories, so we were trying to help those persons.

COMMISSIONER DAVIS: Right. And there's a lot of those that need the help. So, again, let me just try to figure out -- how are you going to open it up for these four people? There's only four people, we have a hundred and what, 50,000 residents.

MS. STEVENS: We have four, and we also have a -- we have funding left over last year for three more, so we have seven -- seven spots.

COMMISSIONER DAVIS: So you have seven?

MS. STEVENS: Yes. We have -- right now, we had -- we had four applications was submitted; I know were -- were put on hold, because the -- the appraisal came in higher than what the seller was asking -- came in lower than what the seller was asking, so we could not approve that. So there's two applications being reviewed right now for income serve. So we had four from last year, and then if this is approved, we'll have four more, so that will be eight.

COMMISSIONER DAVIS: So you have space for eight, but you already have two people that are already in the works?

MS. STEVENS: Already in it.

COMMISSIONER DAVIS: So you have space for six?

MS. STEVENS: For six.

COMMISSIONER DAVIS: Six new people.

MS. STEVENS: Four and two, yes.

COMMISSIONER DAVIS: And -- and as Commissioner Colbourne had asked before, how are you advertising that?

MS. STEVENS: We just had marketing send out a brand, new flyer, and with the email blast that came out, I believe, last week.

COMMISSIONER DAVIS: And then the four -- first four people that qualify under the circumstances that you have there will be able to get the money?

MS. STEVENS: The first four that submit the application, yes.

COMMISSIONER DAVIS: Okay. I just want to make sure that you let folks know that this is very, very limited, because if you get a flood of people applying, it doesn't really -- it just makes you more frustrated, then there's only four spots, so --

MS. STEVENS: But when we -- we receive calls almost every day, and we do explain. Because, many times, the first thing is that they have to be preapproved by a lender, and many times residents are not at that point yet, so when we get calls, the person who is doing it explain to them what prequalified is, and also to refer them to the 8-hour HUD plan, because it's very -- sometimes it's very hard for residents that they want that American dream, but they don't know all the steps to get to it. So the first thing we recommend they do is to take the 8-hour HUD class, it's free, and it also talks to them about how to shop for real estate, or to look for better rates, how to go to different lenders, so it gives them steps and guidelines of how to search for a home. So many times when residents call, they're not in the position yet to apply, but we put them on the -- on the path.

COMMISSIONER DAVIS: I just think, maybe, under the circumstances, a lottery would be better, rather than the person that gets to the phone first, or the person that is able to go online first, maybe a lottery system would work better in cases when there's just four homes. That's just my opinion.

MS. STEVENS: Then we'd have to use -- we'd have to use the SHIP -- we'd have to wait until we get money from SHIP, because we would not be able to offer this program, because it's the eight -- their -- their rule is 80 percent, the max.

COMMISSIONER DAVIS: No, I'm just saying, to choose the people, why not do a lottery, instead of first come, first serve? Is there something against that in the program?

MS. STEVENS: Well, the reason being is that when they apply, it takes a -- it takes a while, and many times they'll come in, and then by the time they go through the whole qualification with the mortgage company, with the seller, it falls out of escrow. We have to spend these funds; we have a time period to spend it, so we do the best we can to go as quickly as possible.

COMMISSIONER DAVIS: Maybe that's something -- just -- just something you could look at, something to look into. I know how you've always done it, but to look at, rather than just first come, first serve, a lottery type system to give the four people who win that lottery system the opportunity. That's -- that's it for me.

MS. STEVENS: So we will -- we will put that in for the next time we get the HOME program, we'll put that recommendation in.

COMMISSIONER COLBOURNE: I have a follow up --

MAYOR MESSAM: Commissioner Colbourne, you're recognized.

COMMISSIONER COLBOURNE: Thank you. You say you have only four this year; you only have -- we only receive funds for four individuals --

MS. STEVENS: Correct.

COMMISSIONER COLBOURNE: -- this year. We have left over --

MS. STEVENS: Based -- based on the \$50,000.00 and the \$40,000.00.

COMMISSIONER COLBOURNE: Understood. We have -- we have three left over from last year?

MS. STEVENS: Yes.

COMMISSIONER COLBOURNE: How many were we funded for last year?

MS. STEVENS: Four.

COMMISSIONER COLBOURNE: Four. So we were only able to help one person?

MS. STEVENS: Yes.

COMMISSIONER COLBOURNE: And it seems to me that you have people out there that want this, so I'm struggling as to why they're not taking advantage of it?

MS. STEVENS: They --

COMMISSIONER COLBOURNE: Why would we have left over? We -- we just went through all those questions from Commissioner Davis in terms of how can we help more people, but even with the money that's allocated for such few individuals, no one's getting -- no -- no one is been -- being helped. Just one person out of four. So help me to understand why this is happening?

MS. STEVENS: What's happening is that right now, in Miramar, because our prices are so high for homes, it's very competitive. So when you have someone who is in the low-income category see a property, there's like three or four other persons who are also interested in that property. And what you're finding, too, is that many times investors are coming in and paying cash for the property. So the other person who is trying to get this mortgage through company, they're left in the cold, and that's the reason why we're trying to help those small individuals, because --

COMMISSIONER COLBOURNE: I -- I understand. But I -- I'm going to say that something is wrong. If we cannot give away \$50,000.00 to someone who wants to buy a house, then something is wrong. The formula is wrong; something needs to be looked at. It's \$150,000.00 --

MS. STEVENS: This was the first that we work -- this is the first time we have left over, and that could be attributed to -- to COVID, because from March to about September, we

did nothing. Everything came to a standstill. We started getting back interest now again into the program. But during March and up until September we didn't get any more calls about buying a home.

COMMISSIONER COLBOURNE: Okay. So the reason is because of COVID.

MS. STEVENS: That's what I'm thinking this year because last year --

COMMISSIONER COLBOURNE: All right. Then that's -- that's -- that's a different story.

MS. STEVENS: Yeah. The year before we did all four. We did four, and did the four this year -- no, we only did one.

COMMISSIONER COLBOURNE: Okay. Because we -- we still advertise programs, and we still let folks know that these programs are available, and I know that folks -- folks are -- are in -- I would think you have people who are interested in getting this -- this -- this money. I would think you have -- you know, you have 50, 100 people at your doorsteps, you're giving away \$50,000.00, and if that's not the case, the something is wrong with the formula. So I'm -- I'm hopeful that you will be able to -- to give this money out to individuals who -- you know, who needs -- who needs the funds and qualify for it.

MS. STEVENS: We have no doubt that we'll be able to give the funds out.

COMMISSIONER COLBOURNE: Okay. Thank you.

MS. STEVENS: You're welcome.

MAYOR MESSAM: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Thank you so much. Thank you, Mrs. Stevens. You know, I do get a lot of folks asking for this kind of funding, and, you know, it's -- you can sometimes lead a horse to the water and can't make them drink. And -- and I think, sometimes, it's the -- the process, the qualifications. And some folks do not want to go through the process. When I said: Look, you have to go through these steps to -- in order to be prepared ahead of time. You cannot just call me out of the blue and want to get the money. You have to find a realtor who familiar with those programs, and you know, qualify ahead of time, do all the due diligence, because it's not like, "Yeah, I want to purchase a home." And we -- the City have money, you're going to get it, boom. It doesn't happen like that. So I -- I -- and I do encourage them to not just look in Miramar, there's other cities, there's other programs, you know. You have to do your due diligence, and -- and some realtors don't like to work that program, because there's a process. I mean I have calls all the time, folks need to get utility assistance; you have to fill out the application, you have to give your information. People don't want to do that sometimes. And, you know, you live in a country where once you get a driver's license, a social security number, the crooks -- everybody have everything on you, so if you need to get help, you're going

to do what you need to get it. So I understand the frustration, but it is what it is. Every year we do folks, and if we can get four or six done this year, and then next year again, it's -- I wish it were better, but this is what it is. And I -- I thank you for, you know, work that you've done. And I guess that's it. Thanks.

MAYOR MESSAM: Thank you. Are we ready to have a motion on this item?

COMMISSIONER COLBOURNE: Motion to approve.

VICE MAYOR CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Colbourne, seconded by Vice Mayor Chambers, to approve Resolution #R7303, the Commission voted:

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

Resolution No. 21-24

End of Consent Agenda

RESOLUTIONS

MAYOR MESSAM: Item number five, please, resolutions.

5. Temp. Reso. #R7297 awarding Invitation for Bid No. 20-016 entitled “**Installation of Bleachers for Ansin Sports Complex**” to Waypoint Contracting, Inc. in an amount not-to-exceed \$1,178,432.00. *(Parks & Recreation Assistant Director Billy D. Neal and Procurement Director Alicia Ayum)*

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, awarding Invitation for Bid No. 20-016 entitled “Installation of Bleachers for Ansin Sports Complex” to Waypoint Contracting, Inc. in an amount not-to-exceed \$1,178,432.00; and providing for an effective date.

MR. NEAL: Good evening, Mayor, --

MAYOR MESSAM: Good evening.

MR. NEAL: -- Vice Mayor, Commissioners, City Manager, City attorneys, City clerks; Billy Neal, Parks & Rec Department. The item before you tonight is the installation of the bleachers for the Ansin Sports Complex -- Waypoint Construct -- Waypoint Contracting, Inc. City ordinance states that the City Commission approval is required for purchases exceeding the \$75,000.00 **(unintelligible 2:23:55)** per vendor. Next slide. Ansin is a 24-acre, state-of-the-art sports complex that is designed to host international, national, regional, and local events. Currently, the seating capacity is 4,200. Approval will provide the installing additional 3,800 seats, expanding the capacity to 8,000. This project will enhance the facility expanding the use and appeal of the complex. Hosting events of this magnitude will not only generate additional revenue but highlight Miramar as a destination. Attracting these type of events also serves to support Miramar businesses, furthering economic development. Next slide. Ansin Sports Complex has host several international and national events, such as the U.S. Paralympics, NACAC, the Junior Pan American Games, the USATF U20 Championships, and the South Florida Multicultural Games. This slide shows you several different pictures of the U.S. Paralympics. Next slide. This slide shows -- shows you several, different, more pictures of the USA -- of the NACAC **(unintelligible 2:24:55)** Championships is also held at Ansin Sports Complex. Next slide. There are only seven facilities in the U.S. that are IAAF certified, and Ansin Sports Complex is one of those facilities. With the additional 3,800 seats, the City can now bid on the below key notable events; the majority of the events listed draw between three to 5,000 athletes, and it requires the host to have a minimal 8,000 seats. The department will also be able to accommodate the influx of spectators and athletes through the partnership with Broward County to utilize the parking route for additional parking. Next slide, please. Ms. Martin is here from the Procurement Department to go over the procurement process.

MS. MARTIN: Good evening, Mayor, Vice Mayor, Commissioners, City attorneys and Clerk. It was advertised on August 23rd, '20. The Procurement Department advertised a invitation for bid installation of bleachers for Ansin Sports Complex on DemandStar and in a newspaper of general circulation. Pre-bid conference was on September 1st, 2020. The pre-bid conference was conducted, and two companies were in attendance. The bid opening was on September 21st, and only one bid was received. After evaluation, the -- upon subsequent negotiation, the vendor reduced its bid, offering the City a cost savings of \$60,258.50. Because of the value of this project, there's a participation plan that Waypoint Contracting agreed to via con -- via contract of 15 percent. Any questions?

MR. NEAL: This resolution authorize the purchase and installation of the additional bleachers from Waypoint Contracting, Inc. in an amount not to exceed \$1,178,432.00 for **(unintelligible 2:26:56)**. **(Unintelligible 2:26:57)** is also allocated in the fiscal year 2021 CI -- CIP project 501023 to support this project. Next slide. This -- this new bleacher table gives you an idea of where the additional seatings will be built. The new seats are also color coded for your -- for your review. Next slide. City Manager recommends approval.

MAYOR MESSAM: Thank you. The Clerk received no requests to speak on this item. Back to the dais. We have a couple of speakers. Vice Mayor Chambers, followed by Commissioner Davis.

VICE MAYOR CHAMBERS: How you doing, Mr. Neal?

MR. NEAL: How you doing, Commissioner -- Vice Mayor.

VICE MAYOR CHAMBERS: Good, good. Can you put up the slide with the -- the layout of the -- the bleachers?

MR. NEAL: Take it to the last slide.

VICE MAYOR CHAMBERS: Okay. I -- I know, currently, we have bleachers on the north side and also on the south side. Where exactly are we adding the new bleachers? Where exactly are we adding --

MR. NEAL: Well, you see the -- the -- the new additional seats are color coded.

VICE MAYOR CHAMBERS: So --

MR. NEAL: You see the blacked-out area, the grey blacked out area is what existing, and everything else that's color coded are the new seats.

VICE MAYOR CHAMBERS: So, if -- if I'm correctly, the -- which is the south side of it? Is it the -- that I'm looking at? There's a -- there's a small section with the yellow highlight, and a blue neon -- is that the south portion of it?

MR. NEAL: Which seats are you referring to, the -- the yellow color coded --

VICE MAYOR CHAMBERS: Yes. Yeah, the small yellow and the --

MR. NEAL: The small yellow?

VICE MAYOR CHAMBERS: -- and the blue, neon yellow -- I mean blue highlight. Is that the southern portion of the field?

MR. NEAL: Well, if you look to your -- to your right, all the way on the end over here, that -- that blue color coded, that's new.

VICE MAYOR CHAMBERS: Right.

MR. NEAL: And next to that is the green color-coded seating; that's new as well.

VICE MAYOR CHAMBERS: So where -- where the green is, is that the east portion of it or the west?

MR. NEAL: Well the -- the green is -- that is east.

VICE MAYOR CHAMBERS: That's the east, okay.

MR. NEAL: That's the east side, and then the -- on the other side where the yellow is, that's the west side.

VICE MAYOR CHAMBERS: Okay. So that mean the purple side is the south side?

MR. NEAL: Yes, the purple side is the south side.

VICE MAYOR CHAMBERS: Correct. So where -- where we have the purple, we going to add to the existing bleachers there, right?

MR. NEAL: Yes, going up, going up.

VICE MAYOR CHAMBERS: So we going up; okay. So that -- the blue section is where we have like a little VIP area now; that's where we're going to add --

MR. NEAL: The blue -- the blue section on the left?

VICE MAYOR CHAMBERS: Right.

MR. NEAL: Yeah. Behind that blue section right now is the fitness center.

VICE MAYOR CHAMBERS: Okay. Good.

MR. NEAL: See next to that -- next to the fitness center, you'll see the facility, that's -- that's blacked out.

VICE MAYOR CHAMBERS: Okay.

MR. NEAL: That's the facility.

VICE MAYOR CHAMBERS: Okay. Now in -- in relationship to this, adding to the north side, I know we -- we had add some canopy covers, is that going to be affected at all, or --

MR. NEAL: That's going to be moved over to the -- on the -- on the other side of the parking lot. The clerking tent that was there, that -- that -- that blue area, right next to the green area, --

VICE MAYOR CHAMBERS: Right.

MR. NEAL: -- that's -- what's -- right now that's the clerking area.

VICE MAYOR CHAMBERS: Right.

MR. NEAL: So that area is going to be moved, relocated.

VICE MAYOR CHAMBERS: Relocated? Okay.

MR. NEAL: Yes.

VICE MAYOR CHAMBERS: And then the new canopy that was installed, we -- we -- we keeping that; we're not doing anything to that?

MR. NEAL: Yes, that's -- that's not being touched at all.

VICE MAYOR CHAMBERS: Now in terms of the way it was laid out, I know I asked the question before, I wasn't trying to beat up on anyone, but the way it was done wasn't really full covered the area. Are we going to make any adjustment to that with the company or we going to just leave --

MR. NEAL: Yeah. The south side -- we're going to look at the south side.

VICE MAYOR CHAMBERS: I know we -- the south side, we can remedy that easily, because they haven't been done.

MR. NEAL: Yes.

VICE MAYOR CHAMBERS: But the existing side that was done, are we going to just keep it the way it is, or are we going to --

MR. NEAL: Yeah, the existing side, we're going to keep the way it is.

VICE MAYOR CHAMBERS: Not -- okay. All right. All right. You know, the only issue that I'm having -- I even mind adding seats, but there's a lot of things that goes with the seats that we don't have right now, which -- to have a competitive team come in to compete against each other, the bathrooms are not adequate, because right now we only have two sets of bathrooms, women and men. But to have like multiple teams, it's not there, so I'm not sure what the plan --

MR. NEAL: Restroom -- I mean restroom facilities, when we have our huge meets there now, we -- if it's not enough restrooms, we always bring in additional restrooms.

VICE MAYOR CHAMBERS: Okay. So if we have, let's say, four -- four teams from the Caribbean, and four teams from North America, you can't have two team -- two of the -- the opposing team in the same locker room, so how are we going to address that?

MR. NEAL: As far as track, are you talking -- which one --

VICE MAYOR CHAMBERS: Any kind of competition.

MR. NEAL: For track, really, they don't need -- they don't need locker rooms, as far as track.

VICE MAYOR CHAMBERS: No?

MR. NEAL: No. In fact, they don't really need locker rooms. Football needs locker rooms.

VICE MAYOR CHAMBERS: Okay. So -- so for the four teams from the Caribbean, and four teams from somewhere else, North America, they wouldn't need any locker room at all to change and --

MR. NEAL: Well, yeah, they -- most of them come change, but if we need to facilitate that, we can also facilitate that by bringing in portable tents --

VICE MAYOR CHAMBERS: Portable tents.

MR. NEAL: -- for those teams, tents that are enclosed, so they can actually go in and have their privacy and change, and then come out on the field.

VICE MAYOR CHAMBERS: And then we would have portable bathroom adjacent to those tents?

MR. NEAL: We'll have bath -- restrooms behind the conference stations, behind those tents, so they can use the restroom **(unintelligible 2:32:50)**.

VICE MAYOR CHAMBERS: Oh, so -- but -- but those would be portable restroom that we'd bring in?

MR. NEAL: Yes.

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

MR. NEAL: You're welcome.

MAYOR MESSAM: Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Thank you. Question in terms of the capacity; the capacity now, and the capacity that will be once you add the seats.

MR. NEAL: The capacity now is 4,200, and we're requesting approval to add another additional 3,800 seats to bring the seating capacity to 8,000.

COMMISSIONER DAVIS: Okay. And, you know, I've been here a while. The Ansin has been here for some time. The only time I've seen that place full was when the Reggae Girls came here.

MR. NEAL: That's one of them --

COMMISSIONER DAVIS: Full to capacity. That -- I'm -- again, I have been around a long time; the only time I've seen it full to capacity with 5,000 attendees was that one time, and they paid to go to the event. So my concern is how do you market it? Do you have things already set up? Once we invest this money, what else do we need to provide? It's not just seating. You have seating for 8,000 people. What kind of event are you looking to attract, and what are the added features that we'd need to have at that park to accommodate such an event, whichever event that would be, and what events are you talking? Are you talking -- what exactly? Because I haven't seen any draw any crowd yet.

MR. NEAL: Yeah, we've had several events that draw over 3,500 to 4,000 spectators. What we're trying to do is add another 3,800 seats, so we can actually go out and bid on larger events for the Ansin Sports Complex.

COMMISSIONER DAVIS: Like -- like what? I know you had a list up there, so --

MR. NEAL: Yes.

COMMISSIONER DAVIS: Like who have you actually been in talks with?

MR. NEAL: Yes. We've -- we've talk -- see, Ansin is a unique facility, because it's a IAAF facility, and the next closest facility like ours is in Jacksonville, and we were trying to get the State track meet, just one -- one event. The State track meet, we were trying to bid on the Stat track meet; we couldn't bid on it, because we didn't have the minimum seats that was required to host that event. So with -- with the addition of the 3,800 seats, we can actually go out now and bid on larger events to bring back to Ansin Sports Complex to host different types of events that requires that -- that seating capacity.

COMMISSIONER DAVIS: Okay. So you have the seating capacity, but what else would you need for such an event?

MR. NEAL: Of course, restrooms, which we can always bring in, that's -- that's simple. The -- the most major thing right now is the seating. The restrooms we can bring in, as well as if they need storage areas or -- or a locker room, we can also makeshift for a locker room. We have the -- we also have the -- the --

COMMISSIONER DAVIS: You mean the -- the changing rooms and --

MR. NEAL: No, not the changing rooms, the park --

COMMISSIONER DAVIS: The parking.

MR. NEAL: -- the new park and ride that we're building, that's going to help us with parking as well to facilitate that -- that amount of cars or athletes that come to our facility.

COMMISSIONER DAVIS: And in terms of the -- the covering, because most people don't want to sit out in the sun in the bleachers, 8,000 seats, and everybody is in the bleachers. What is the accommodation for that?

MR. NEAL: Well what we have planned now when we bleach -- once the bleachers get approved tonight, our next step is to let that construction go through, and then do the south side. The south side is going to come after the bleacher installation.

COMMISSIONER DAVIS: And the south side will be like the grandstand?

MR. NEAL: Yes.

COMMISSIONER DAVIS: Okay.

MS. VALERA: Commissioner, also, this is one element of a comprehensive project that we're -- that's going to be in effect, so this is just the first component, and there's other projects, Phase IV of Ansin, which will be the road, it'll be parking, so this is just one small phase or one element to a much more comprehensive project. It's going to create Ansin to be a -- a location that can bring these events, because what's challenged us is, because of the limit, it's been difficult to attract, for example, the -- the youth football championships. It's been difficult to attract that kind of event because we don't have the adequate seating. So we have been -- we're -- we're constantly being contacted, and when we give those limitations, obviously, that doesn't allow us to hold many of the events. But as -- as all these elements are put in place, we're very -- we're very positive that we're going to be able to attract these events. And what we're looking at is not just for Ansin, but a benefit for the entire city. It'll be economic development. We're going to but beds in -- heads in beds, we're going to get restaurants, you know, to be noted. So our intent with this is not just revenue or just creating Ansin to be a place, but we want it to be beneficial for the entire city. It'll help us brand the City, so we see this just as one little portion of a comprehensive project that -- that we're looking to do.

COMMISSIONER DAVIS: So maybe the next thing is to just -- when the Manager meets with me, is to give me that comprehensive plan. I -- I -- the holistic picture of what is being planned for the Ansin, because at one point you come before us, and you're doing something in the back there that we -- you know, it -- it needs to all tie in, so that even though you come piecemeal, that we understand the big picture. Because when you come to us now, maybe six months earlier you came to us for something else, and it's not tying in, so it's to tie in the big picture, maybe have a presentation with, again, the -- the holistic view of the Ansin and what you're trying to do, and that would be the Manager's responsibility to make sure that we are aware of the comprehensive plan for Ansin. Thank you.

MS. VALERA: We can definitely provide you with that.

MAYOR MESSAM: Thank -- thank you, thank you, Commissioner. Yeah, I think the presentation discussing -- I guess getting a chronical of all of the discussions over the last few years. We've discussed Ansin, and our unique asset that we have, that is one of few, actually, in the world, and being able to maximize those opportunities, especially when you're talking about State football championships. Now they're eight classifications. I know right now they have them at the universities, but there can be regional games here, all-star games here, definitely with track, with AAU Junior Olympics, and with international track, especially in the winter months at the cusp of the turn of indoor season, going into outdoor season, European countries on Olympic years, a lot of athletes are trying to qualify or get a qualifying time, so that they can qualify for the Olympic trials and other world championship events. And with our track being one of those certified track facilities will definitely open up those opportunities. But as we've discussed in the past, and in Commission meetings over the years, talking about the economic development aspects of hosting these types of events, where -- where our local hotels will benefit, especially

with our increasing number of hotel units that are in the City. Being a very attractive place in South Florida that is accessible to a number of hotels, but even local hotels, which then now engages the CBD, and sponsorship and funding opportunities as well for specific -- event-specific events, and -- and -- and with the County's efforts to expand tourism to the west, especially with sports and cultural events. We check a lot of those boxes, and we've been pretty successful in working with the County in doing that. So -- so as we continue to realize the potential of Ansin, I think that if we are strategic in planning the capital investment in the -- in the facility, especially with the onboarding of the second track field that will relieve the main track field for -- for competitive use, and the soccer field. Because we made the advancements to -- to make the -- the -- the ball field within the track certifiable for -- for soccer play, which then, now, opens up with the additional seating as well. So the potential is there, for not only just local youth, but -- and our community use, but definitely puts us in a much stronger position, so that we can compete. We have Commissioner Colbourne, followed by Vice Mayor Chambers.

COMMISSIONER COLBOURNE: Thank you. What does -- when you say we -- we go out and we bid on this, what does it mean in terms of dollars to the City?

MR. NEAL: So, for instance, if we would bid on the State track meet, --

COMMISSIONER COLBOURNE: I'm sorry.

MR. NEAL: So if we would bid on -- let's say we would bid on a U.S.A. track and field event, --

COMMISSIONER COLBOURNE: Okay.

MR. NEAL: -- and we -- and we get 3,000 or 4,000 athletes to register, so each one of those athletes gets to pick or choose three different events that they can actually participate in at, let's say, 35 bucks per event, so that's just the registration for the athletes, so that's 90 bucks. If 3,000, 4,000 athletes register and bid and choose to pick three events to participate in.

COMMISSIONER COLBOURNE: How much of that goes to the City?

MR. NEAL: All of it.

COMMISSIONER COLBOURNE: All of it comes to the City?

MR. NEAL: Yes.

COMMISSIONER COLBOURNE: So to follow up on what Commissioner Davis was saying, in terms of how often we get to the 38 -- is it 38 -- to the 38 -- to the maximum capacity, how often does that happen? We won't use this year.

MR. NEAL: Well, we've had -- we've had events -- right now, with the 4,000 that we filled.

COMMISSIONER COLBOURNE: How many of those did you have in 2019?

MR. NEAL: How many did we have?

COMMISSIONER COLBOURNE: 2019.

MR. NEAL: 2019. I can get that information for you; I don't have it right here with me, but I can get that information --

COMMISSIONER COLBOURNE: Off the top of your head.

MR. NEAL: Top of my head, maybe five or six.

COMMISSIONER COLBOURNE: Okay. This is -- this is my concern. Let me tell you what my concern is. We're -- when you have a lot of events, when you have these events, I do see that there is a parking issue. I do see people parking alongside Miramar Boulevard all the way down to Hiatus. And -- and the area, the parking inside of Ansin is full. It seems to me that we need parking in the area to accommodate this. I know you're saying that we're building -- you know, we're building a facility over on Hiatus, and it will accommodate some of this. But -- but it's a little further away. How is -- how -- how -- how do you plan to work that? Are they going to walk all -- walk from Hiatus?

MR. NEAL: Sure.

COMMISSIONER COLBOURNE: Are you looking at shuttles?

MR. NEAL: From -- from the corner down there, it's not too far away. That's a -- a nice ten -- five, ten-minute walk to the Ansin Sports Complex, and we also have access to enter from the back side of Ansin, instead of going all the way into the parking lot, you have access from the back side, where patrons can actually come through from the back side, instead of walking all the way around inside the facility.

COMMISSIONER COLBOURNE: So the City will have -- will always have that access --

MR. NEAL: Yes.

COMMISSIONER COLBOURNE: -- for that -- for the number of parking that's required?

MR. NEAL: Yes, it will.

COMMISSIONER COLBOURNE: All right. So that's -- that was one of my issues, the -- the parking. The other one is -- well, the first one was if you only filled -- if you only reached capacity just a few times a year, I almost don't see the need to double your

capacity. This location is next -- is directly adjacent to a -- to a -- to a community, a residential community. And when you double the number of individuals here, you're also doubling the noise level, so I don't know what consideration has been given to that, but I can see that being an issue. So those -- those are my concerns. I don't -- I don't see why we're doubling it when we don't -- we don't already have -- you know, it's not like we're at full capacity most of the time. The noise level, and you say it's a nice walk to the parking, so I -- I'll go along with that, but I do see parking as an issue in the area. So I -- I don't -- I don't see the need for -- for doubling the capacity. I really don't.

MR. NEAL: I understand. Let me -- let me say this. Most of the events, they're over by 5:00, 6:00, so we haven't had any complaints from the residents with any noise thus far since the facility has been open.

COMMISSIONER COLBOURNE: All right, but you're doubling that noise level. Whatever -- I -- I wouldn't say your -- you haven't had any. I -- I -- I think that you -- you have a good -- you have a good arrangement now. It's only a few events that get to that level. And, you know, I have seen complaints, in terms of noise, from Ansin. But I -- you're -- you're doubling the capacity. I -- I think you need to -- to figure it -- figure out what you're going to do about the noise level, because it is going to become an issue.

MAYOR MESSAM: Okay. Yeah?

COMMISSIONER COLBOURNE: Yeah.

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

COMMISSIONER BARNES: My question, too, was going to be about the parking, because we've had an ongoing problem over the years. I do agree that the walk from -- from Hiatus to the -- to the Complex is -- is -- is not a mon -- I mean you -- you go to the stadium in Miami Gardens, and people walk some distance, even from regular parking close to the -- to the -- the stadium itself, so that is not a problem for me. Mention was made about the Broward helping with -- us with stop and go, or something like that; what -- what is the story on that?

MR. NEAL: Could you repeat that, Commissioner?

COMMISSIONER BARNES: I -- I think in your presentation you mentioned something about Broward assisting; I'm -- I'm -- I'm just masticating that what you probably meant was a shuttle?

MR. NEAL: Yes. Yes.

COMMISSIONER BARNES: Okay. Explain for us how that works?

MR. NEAL: Well, the park and ride on the corner down there from Ansin Sports Complex, we'll be able to utilize that as overflow parking --

COMMISSIONER BARNES: Okay.

MR. NEAL: -- during our events, and if need -- if need be, if we needed to shuttle spectators to and from the facility, that's a possibility as well.

COMMISSIONER BARNES: How -- how will -- how will you know whether you need it or not? You can tell by the attendance that is expected?

MR. NEAL: Excuse me? Say that again, Commissioner?

COMMISSIONER BARNES: Can you tell whether the park and ride will be needed, depending on the attendance possible?

MR. NEAL: Yes, we can tell if we go past a certain amount, because then we know the capacity of the parking lot -- park and ride, and then we can --

COMMISSIONER BARNES: Okay.

MR. NEAL: -- we can utilize the actual parking garage as well, and that's when we would shuttle, because from City Hall here to Ansin Sports Complex, it's a nice little walk, and we can shuttle --

COMMISSIONER BARNES: A longer walk round.

MR. NEAL: Yeah, we can shuttle from here to Ansin and back from Ansin continuously for spectators who actually park here at -- at the parking garage.

COMMISSIONER BARNES: And last question on this. What would be the eventual solution to the parking problem? These arrangements? Or -- or we have others in the pipeline?

MR. NEAL: Well partnership is everything, so we -- we partner with the school that's next door, New Renaissance, and with the parking that's in the Ansin, and the contract we have with the Broward County to utilize their park and ride, and then overflow over here at City Hall parking garage, we should be fine.

COMMISSIONER BARNES: Okay. Okay. Thanks.

MR. NEAL: You're welcome.

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

VICE MAYOR CHAMBERS: You know, I just want to say this facility has been oversold for a long time. When this was supposed to be built, it was sold as the facility of Miramar, South Florida; we're going to do this, we're going to do that, and we're going to do this and that, and it never result into anything. I mean the Paralympic came once; we had to beg them to come. They got here, they never come back, because of the hiccups that they have. The layout is really challenging right now, the bathrooms, in terms of the spectator having access to bathroom from certain distance, it's -- it's just not really accommodating right now. And I -- I don't mind adding and improving, but I don't see it yet. I -- I want to get the comprehensive plan, like Commissioner Davis said, and even Commissioner Colbourne was expressing the noise level and parking. We don't have any parking as we speak, and some of the plans was pitched out, the parking going to be gone completely. New Renaissance is limited. We're talking about we're counting our chickens before they going hatch from the egg. It's -- it's -- it's a long time that park and ride should have been built, and -- and it's been delayed for more than a year now. Just got started. I'm looking at it, and it's -- the parking is not going to be adequate. We're going to have to share it. If the event is during the week when the park and ride is using it, we're not going to be able to use it. The -- the block two right here going to be gone, so this parking, forget about it. The garage is -- already have challenges. I -- I just don't see it right now until we could sit down with staff, the City Manager, and address some further issue before I can vote and approve this. I don't see me voting for it tonight. I think this should come back in January or thereafter. I have problems with the covering already; what was done was not done right. It's not -- it's -- it's -- I think it's going to have to be redone, so it can cover spectators the way it's supposed to be done. And -- look, I don't mind supporting this project, you know, I'm -- I'm into sports, I love sports, I want people to have a good time. I don't see a lot of money making right here. It's -- it's a lot of challenge from what I'm seeing. I might not be able to express all of it tonight, but I -- I think we should move on and bring it back in January, have some discussion, and then we can comfortable approve this. But I'm not onboard tonight.

MAYOR MESSAM: All right, last comment, Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Thank you. And -- yeah, so I have the same sentiments. I'm just not convinced. You may know stuff that I don't know, and nobody bothered to meet with me on the item. We're talking about over a million dollars here, at a time when we're not booking anything, we're not doing anything in terms of sports. I don't know what you've got lined up. I haven't seen the comprehensive plan. I can't put it all together. And just to go out and just spend this money for a set of bleachers, not even for, you know, a -- a -- a grandstand area where it's a nice area, and if you want to see a sporting event, you'll be in some kind of AC or covered area. This is just to add another set of bleachers. It's still, to me, is not a vision that I think we all have been convinced that we want. It may be something that you want or you want, but I haven't seen the totality of what we envision for the Ansin Sports Complex. And this Commission has that responsibility. We need to know exactly what the vision is for over there, how is it going to work, how is trans -- how is parking going to work, how -- what kind of events are you trying to bring in there? Just to add a set of bleachers and say, like we've got the seats now, here it is. It -- it -- It's not

going to cut it. We need more comprehensive reporting on how we are going to let this work. We have an amphitheater over there right now that we're still working on. We don't want this to be another Achilles' heel. We need to plan it out, so that when we do decide we're going to put money into this facility, we have things already lined up, we know where we're going, we know how we could get revenue in, we know about the parking, and -- and everything is clear to everybody, and tonight it's just not clear. It's not clear at all. And you had every opportunity to make it clear to this Commission, maybe individually speaking with us, making us aware of what's going on, and that just didn't happen. And you have great ideas, but if you can't sell them, you're going to be dead on arrival. That's just my point.

MAYOR MESSAM: Thank you. We received comments. May I have a motion on this item.

COMMISSIONER COLBOURNE: I move to defer this item --

VICE MAYOR CHAMBERS: Second.

COMMISSIONER COLBOURNE: -- to our January meeting.

MAYOR MESSAM: Continuation for which -- probably the second meeting. I want to give a date --

COMMISSIONER COLBOURNE: Really to the --

MAYOR MESSAM: Probably don't want to discuss it right when we get back, maybe the second --

COMMISSIONER COLBOURNE: I'm sorry.

MAYOR MESSAM: Probably the second meeting in January?

COMMISSIONER COLBOURNE: Yeah, but I -- I -- at the same time, it would be good to get some feed back to the Manager as to whether or not he'll be prepared to provide the information that's being requested in terms of --

MAYOR MESSAM: So -- so for the record, can -- can --

COMMISSIONER COLBOURNE: -- a comprehensive -- you know --

MAYOR MESSAM: So, for the record, so it's reflected, just make the motion to continue for that date specific for the second meeting --

VICE MAYOR CHAMBERS: The second meeting in January.

CITY CLERK GIBBS: Excuse me, Mr. Mayor, there's one meeting in January, and it's January 27th.

MAYOR MESSAM: Well, the latter. Okay. So there's one meeting in January, which is on the 27th, so you want the 27th or the February?

VICE MAYOR CHAMBERS: February.

MAYOR MESSAM: What's the Commission's desire?

COMMISSIONER COLBOURNE: Let's go with February. So if we need to plan --

COMMISSIONER BARNES: February is good.

MAYOR MESSAM: Okay. All right.

COMMISSIONER COLBOURNE: Okay.

MAYOR MESSAM: You want to restate the motion for the record?

COMMISSIONER COLBOURNE: Yes. Motion to continue this meeting to our first February meeting.

VICE MAYOR CHAMBERS: Second.

COMMISSIONER DAVIS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Colbourne, seconded by Vice Mayor Chambers, to continue Resolution #R7297 to the February 24, 2021, Commission meeting, the Commission voted:

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

Cont'd to 02/24/21

MAYOR MESSAM: Mr. City Manager, you had a comment?

CITY MANAGER HARGRAY: Commission, I will make sure that I work with you one-on-one. As many of you might know that I ran track myself, that's how I got -- ending up getting a scholarship in here. The research, I think Commissioner Barnes knows this here, it's our intent is to have international track and field, and I probably am more knowledgeable than the staff has presented, but I will spend time with you to explain to you what the vision is, what the capacity it, and the parking. So I will make sure that I will meet with each one of you before the next meeting.

MAYOR MESSAM: Thank you, Mr. Manager. Item number six, please.

6. Temp. Reso. #R7310 amending the current Collective Bargaining between the City of Miramar and the Broward County Police Benevolent Association, Inc. to **increase the starting salary of police officers** to the current step 5, increasing the salary of officers currently in steps 5, 6 and 7 by 2.185%. (*Human Resources Director Randy Cross*)

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, amending the current Collective Bargaining between the City of Miramar and the Broward County Police Benevolent Association, Inc. to increase the starting salary of police officers to the current step 5, increasing the salary of officers currently in steps 5, 6 and 7 by 2.185%; and providing for an effective date.

MAYOR MESSAM: Good evening, sir.

MR. CROSS: Good evening, sir. Randy Cross, Human Resources Director. Good evening, Mr. Mayor and Mr. Vice Mayor, members of the Commission. Roll back on the item, over the last several years, the police department has been struggling with filling

and obtaining officers in junior positions. The police department's leadership, as well as the PBA have expressed these concerns to us, so we met with them over the last couple of months to look over the data and find possible solutions that we can bring forward to the Commission for consideration. More background. The police department's currently authorized to fill 228 positions, police officer positions; 27 of those 228 positions are currently vacant. So we looked at three different things to try to analyze the situation. We looked at separation data for officers in that job class. We looked at -- we -- we conducted a market study for salary and benefits for those positions, and we also looked at data from exit interviews and the job satisfaction survey that we put out at the end of the summer at the -- citywide. Next slide, please. So this slide give a little bit of the -- the detail on the separation data. So we -- we use turnover rate as one of our main metrics. Turnover rate is a look at how many people have separated from the organization within a job class or a department, and we compare that against the number of positions that are available in the budget. For the longest time, the City, as a whole, has maintained a separate -- a turnover rate of around three and a half percent for non-retirees and **back out 3:01:27** retirees. The police department usually has a rate lower than that. Historically, over the last three years, though, we've seen a big spike in police officers that have separated from the City; it's gone up over 575 percent over the last three years from three to three to five to 13, to the 19 employees separating -- that were separating for reasons other than retirement. Next slide. So the other thing we looked at is market study. So a couple things on this slide. First of all, a little background. When I started with the City in 2002, I was in the police department as the HR guy, and I would go to recruitment fairs and to the academy to do recruitments. People would walk past all the other agency tables to come to us, Pines, maybe one or two others, because we were one of the highest paid agencies in the market, along with having a really strong training program and benefits. And since 2010, that's where we slipped in the market quite a bit; that, predominantly, is because of the recession. The union worked with the City during those years during the recession to freeze salaries, freeze their step plans for a couple of years, and then when we finally got back to being a little more financially secure and negotiated a contract, we -- we put the officers back into the steps, but it never caught us back up with the market with where are. So as the police department -- officers were, basically, flatlined on their salaries, the rest of the market continued to move forward, and we slipped in the market. So we've slipped in the market quite a bit. If you look at where we are on that chart, that chart's showing a survey of city and county police agencies with more than 100 sworn, and the market is around 50 percent would be around a starting salary of around \$60,000.00; our starting salary in the current contract that just changed this past October with the COLA, brought the starting salary to \$49,629.00, but we're almost last place in the market, depending on how you stack the different cities. The other thing to point out here is also -- what also drives that number is the whole salary range. Some cities had a wider salary range than we do, some have a smaller salary range, sort it by the midpoint, that's how you arrive at the -- the ranking. It's not by minimum salary, it's by the midpoint. Either way, we're still very, very far away from the middle, about ten grand away from the middle of the market, and very, very far away from the top of the market. Next slide. So the last thing we looked at was an employee job satisfaction survey. We did two things. We put out a job satisfaction survey citywide. We

got 274 responses; it was anonymous. Sixty of the employees that responded to the survey identified as being part of the PBA, the number one concern that those employees expressed was police personal feeling underappreciated; they -- they said that that's exacerbated by compensation when compared to other cities, and officers are leaving for other cities. That's creating an understaffing issue, which is quickly becoming an issue. Next slide, please. So some additional details on that. One of the things we found in that survey, and we also corrob -- correlated this with the exit interviews that we conducted. Employees that are in the non-PBA group, that didn't self-identify as non-PBA, only eight percent of that group felt that they were not compensated competitively in the market, so that's all of the jobs that people are in throughout the City, only eight percent of those employees felt that they weren't compensated competitively in the market. When you contrast that with the 81 percent of 60 PBA employees, and the employees that separated and completed the exit interview, they feel that the number reason that they've got a problem is because they're not compensated competitively. It starts to paint a picture that the salary is -- is the primary reason why employees are separating in that job class. So we looked at doing two things, really. We're worried about retention, and we're worried about recruitment. As was discussed in some of our one-on-one meetings, the City is still recruiting police officer positions. We have hired over the last couple of years; we have filled positions. The thing I want to point out on that, is that the positions we've filled, you know, we're looking for the best. And I know back to -- from when -- the days when I was there, even recently when I talked to the Chief, and some of the background officers, is that we used to be the type of agency where competitive candidates are going to put their hat in the ring for a couple of agencies; they'll apply for two or three different agencies, hoping that in the past, Miramar would be the number one pick. Kind of like when you apply for college, you know, you have your primary school that you're hoping for, and you always have other fall back. And the agencies would come forward with a job offer, and lots of times they would try to hold them off to see if we could finish our background checks on them, preferably, they really wanted to come and work for us. What we're finding now is it's kind of switching, where Miramar isn't always the number one pick, so although we might be able to fill vacancies, it's a very competitive market, and a lot of those really high qualified applicants are looking at other agencies, because our starting salary isn't quite as high those others. Because most other things in the market are consistent; most of the pension plans are somewhat consistent; most of the benefit packages are mostly consistent, but if you're a -- a qualified applicant, and you're looking for a job as a police officer, and you can look ten miles to the north of us or ten miles to the south of us, and make ten or \$15,000.00 more a year doing the same job coming in the door, you might be more incentivized to take a job with one of those agencies other than the City. So what we've done is negotiated with the PBA -- you can go back. I'm a little off slide; sorry about that. We're looking to raise the starting salary to step 5, which is \$61,463.00; it puts us right in the middle of the high part of the market, which is about 80 percent. Most of the starting salaries that are above the 50 percentile are in the high 50s or lower 60s, so it would probably take -- it doesn't do anything for the top, so we're still way under market on the top, but at least -- and -- but it will specifically address, we think, the retention and recruitment issues we're having with the -- with the junior officers and **(unintelligible 3:07:44)**. So everyone who's under that step would be brought up;

that's the predominant for this item, and we're going to increase the salaries for officers in steps 5 through 7 to avoid a compression issues, where we're, basically, going to accelerate their step that they would be getting this year by a half a step. So they'll step out of the plan for a half a step, and once they hit their anniversary, they will move fully into the next step. Next slide. So we -- we reviewed this with the Budget Department. The cost is about \$510,000.00 to do this. There is more than sufficient funds in the current budget to cover these costs; this won't require any type of budget amendment or change to the budget, predominantly because the police department is carrying about 27 vacancies on the books right now, so there's funding available between the salary lines and the timelines to cover this cost for the current fiscal year. Next slide. So City Manager recommends approval, and we're here for any questions you may have.

MAYOR MESSAM: Thank you for the presentation. We do have one member from the public that wish to comment on this item here in the Chambers, Mr. Tom Tiberio.

MR. TIBERIO: Good evening, Mr. Mayor, Vice Mayor, Commissioners, Tom Tiberio, Broward County PBA. My address is 11765 Promenade -- City Hall Promenade. We've been in discussions with HR Director Randy Cross, the Chief; we had long conversations with the Chief of Police. We're trying to keep this police department intact. Several officers have, since May, decided to seek employment elsewhere. They are fleeing for more money; that's what they're looking for, more money right now. I couldn't anticipate this many people leaving. This is a decent plan to stop it. Keep the people you have right now, keep your quality people here. I told the -- I told the City Manager, I said, "You got pickpocketed," in our meeting. I said Boca Raton needed -- knew they needed police officers, and they went around, and they found the best of the best. They picked the ones with the college degrees, the ones that had five years' experience, come on over, we'll -- you can walk right in. That's exactly what they did. They filled their -- they filled their ranks from your ranks, and you paid for it. The PBA is in support of this. We -- I -- I didn't have everybody come in tonight, we're not holding signs or anything like that. This needs to be done. We need to stop the bleeding; we cannot have any more officers leave. Now there is a plan in place for the ERIP, that's a different plan. It's a two-prong approach. Get rid of the old guy -- like me, this guy with the white hair. Get rid of me, bring in younger guys. I don't have a problem with that. That's -- that's a -- that's a solid plan. But we have to stop the officers that are here now from going to other places. If you have any questions. Thank you.

MAYOR MESSAM: Thank you so much for your comment. Back to the dais, we have two speakers so far; Commissioner Colbourne, followed by Commissioner Davis. Commissioner Colbourne, you're recognized.

COMMISSIONER COLBOURNE: Yes. Thank you. Staff briefed me on this item last week, and I am in support of this item. In fact, I asked staff to allow me to cosponsor this item, I felt so strongly about this item. I believe that our police officers should be paid a competitive salary. And I would like to know that we can hire, retain, and -- I'm sorry, hire, train, and retain our officers, and not lose them to other municipalities. As a former human

resources professional, and a former member of **AFSCME 3:11:53**, competitive salary for all employees is an important issue. Procedures are also important to me. As a Commissioner, I take great pride and time to diligent -- in a diligent approach to the budget. During the budget process, I met with the departments so many times. My team and I met with the City Manager, the Budget Director, the HR; we've met with several other departments. A major issue like not being able to retain our officers, one would think that it would be an issue that was brought to my attention during the budget process. Not so. Not a mention. We have a commitment to the public. We had two budget hearings. Was there a mention about this major issue? Not a single mention about it. We're now just over one month into our new budget, and this is a major issue. This is crisis management, and I don't like crisis management. This is not a normal process to be changing employee salary one month into the budget. The first time that this was brought to my attention, not by the Manager, is when it appeared on an agenda item that was sent to me by the Clerk's Office. Employee salary is a collective bargaining item. I'm used to closed meetings on collective bargaining agreement items by the Manager himself. Did that happen? No, that didn't happen. The City Commission approved this contract. This contract is going to be expired in ten months. It is logical for me to think that there would be a professional process by our manager with a comprehensive negotiation strategy. Instead, what do I see? Piecemealing. Perhaps a political process. I -- I will vote for this item because I believe that our police officers should be properly compensated, but this process is unacceptable. This is a major issue, and this Commission should have been aware of it. And I have a issue with that.

MAYOR MESSAM: Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Thank you. I had spoken with staff today on the item, and I'd asked about a phased approach, simply because it was just brought to my attention. The phased approach, I would think, to start at, say, step 3, and then move towards step 5, and I believe that Randy has that slide to show me how it would make the difference, if you -- if you start at \$56,000.00, move from 49 to 56, and phase into the \$60,000.00 range. On speaking with staff, I realize that we really haven't had a problem hiring. In the last year, we've hired 14 officers at the base rate of \$49,000.00. What seems to happen once they reach two or three years in, they're at the 50 something mark, and they can move on. So starting them at that salary, that they're -- they take three years to get, I wanted to see how that would work, and then phase in to -- to the 60s, to start in the 60s. I mean our major concern in personnel cost, and albeit that we don't want to be the last tier on the rung, because we're like 49, and we're second to last. But it seems like the average, BSO is 55, City of Miami 54, that if we start there and, gradually, over the next -- maybe the next negotiations, within ten months, then we can figure out how we process to get to the 61 starting salary. That would be my thought on it. So did you come up with the figures for the 55, \$56,000.00 step 3.

MR. CROSS: The cost yes, Rafael will present it.

MR. SANMIGUEL: Good evening, Mayor, Vice Mayor, Commissioners. Commissioner Davis, the cost to use the steps or the -- the entry salary from -- from the step 5, as presented tonight, to step 3 as requested by you, the cost would be reduced from \$510,000.00 to around \$210,000.00, so that would be a reduction of \$300,000.00 for the year.

COMMISSIONER DAVIS: Okay. And the reason I say that, I was just here, was it the last meeting, where we approved the reduction -- sorry, the early out and the retirement, because of our personnel cost. We're trying to take folks off the books. And the police were included in that. And then to come back the very next week to say: Oops, by the way, we need a jump in salary from 49 to 61, just like overnight. It -- it's -- it seems unfair. We're in the middle of a pandemic. Folks are furloughing people. They are -- people don't have jobs, and -- and it's -- it's not that we would not want to do this, personally, but the timing. The timing of this raise is a concern for me when we're asking everybody else to tighten their belts. We're asking departments across this city to look for reductions. And so, you know, I don't see how we could justify going from 49 to 61, when a) you're hiring; people are -- people want jobs. We've hired; there's not been an issue there, and the folks that are leaving, are leaving by the time they get into the \$50,000.00, 50 something thousand range. So I would suggest a phased approach. And to -- to start at the -- the 56, if it's the will of the Commission, but I'll hear everybody else's viewpoint, but I do think we need to be, you know, mindful of the fact that our revenues are not coming in, and there is a bargaining that's coming up shortly, in short order, that these things can be thrashed out. We certainly appreciate the sacrifices everybody's made with the recession of 2008 that lasted a while. And everybody had to tighten their belt. But, right now, we're into something else here, and until we get the vaccine, and it's widely distributed, we're uncharted territory. So that's something that I'd like for the Commission to look at as well. The 61 figure you brought to us, but there's other figures that you could look at. Thanks.

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

COMMISSIONER BARNES: When -- when I -- I spoke with staff, my first question is: How did we allow this to happen so long? And I'm -- I'm at that place now where I believe it is probably part of the responsibility to -- of the Commission, itself, to have known this. Okay, information wasn't brought to us -- and the reality is that we would have no reason to want to request this kind of information. But -- but I'm -- I'm convinced beyond any kind of doubt that we should make this -- make this right as soon as possible. The -- the police service has waited long enough, and to ask for more delay, in my opinion, is basically just -- just adding insult to injury. My mantra has continued to be if you treat staff right, you're going to get the best service given to our residents. If we are going to give the -- the police department incentive, the -- the encouragement to continue to do their job, which we're now finding out have been in a certain -- to certain extent, under less than favorable conditions. I think a serious and critical message ought to be sent to the police department that we value their presence, and also it would send a message to other municipalities, saying: Hey, you have one less reason to try and poach our officers. So,

for me, this is something that we ought to do ASAP. It's been a while in waiting, unbeknownst, I'll accept, to -- to -- to us on -- on the Commission. But I think the right thing to do is to -- is to just authorize this. And, I mean, staff would bring this to us unless they're -- and these are the questions that I asked, you know, last week; staff wouldn't be bringing this to us if it wasn't feasible. But, above all, I -- I just think it's the right thing to do, and -- and the right thing to do by our police officers. Nothing in our -- in our endeavors -- because we're mere humans. But when -- when there is a situation like this that is so probably even egregious, but definitely stands out, I think it is our responsibility to fix it as soon as possible.

MAYOR MESSAM: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Thank you, Mayor. You know, I -- I was quite surprised and taken aback to see this on the agenda item. I tell you why? This is something that I addressed with the City Manager way before the budget process, and based on the pandemic and things that we were going through, we were told that we were going to wait before we do any increase, because of the -- the -- salary is one of the biggest part of our budget here in the City, so I was -- I was quite shocked to see it on the agenda item. But -- because I -- I do have this concern for quite a while, that I talk to a lot of my officers that, you know, it's been more than 20 years that they have not had an increase in the starting salary. Now I do agree with my fellow Commissioner, Commissioner Davis, if most of our officers leaving after four years, so we don't have a problem hiring, people are coming in, and it's later years they're leaving from what I see so far. We did hire quite a few officers this year and last year, and the only problem we have there is hiring minority officer, especially black officers. That has not been equalized for minority officers. Now I also agree with Commissioner Colbourne, the way it has been done, and we did went through a budget process, and this was not brought up, even though I did mention it, and, you know, -- but -- you know, I'm in support of the item, and I -- I want to go with the suggestion that Commissioner Davis suggest, we go to step 3, and work our way up, and then what are we going to do with our senior officers who have been here. And -- and there's multiple things that we can do. We still have the best retirement plan in South Florida, and I -- and I think what happened, younger officers or maybe officers after three years, because they're looking at the money, and that's why they're leaving. But for those who have been staying over the years, they have been retirely -- they retired very lucratively, so hands down, Miramar have the best retirement program. So our officers, when they retire, they do very well, very, very well. And there's no question about that. So at the appropriate time, I would like to go with step 3, but I do have a question. I did not see Metro-Dade, I didn't see Hialeah, and I didn't see Opa-locka. Do we have the numbers, starting salary for those municipalities? I'm not sure which one else I didn't see.

MR. CROSS: Those were the cities that we surveyed, that have responded to the survey that we put out and responded to our calls. I can find additional information, if you'd like, in Hialeah. I'm not sure what their rates are.

VICE MAYOR CHAMBERS: Hialeah, Metro-Dade, and Opa-locka, and Miami Gardens, those four cities. I mean Miami Gardens right next door to us, Hialeah is right across the street there, and Metro-Dade is another big municipality, county.

MR. CROSS: I can tell you a couple things that relate to why we arrived at the \$60,000.00 number that might help a little. Phibe, can you jump to -- so there were a couple of reasons why we thought \$60,000.00 was a solid number that would help with the retain - - recruiting and retaining -- issues we have with retaining officers. So in the last -- I think this went back to January or February of last year, we looked at the resig -- the resignations. So when we take out the folks that retired, when you look at the resignations, the last 21 resignations we've had of officers, they have all left to go to other agencies making more money. Most of the agencies they went to pay around \$60,000.00; Boca is at the very, very top, and I think they're around 65. BSO, where they -- their starting salary might be 55, but some of the other things like shift differential and some other things they offer bring their salary up higher than ours does, along with Miami-Dade County, Palm Beach Gardens. So what -- what that's saying is that when you look at the salaries of the officers that separated when they left, -- and, again, they left prior to this October, so we were at the last year's contract rate, which was even lower than the 49 we're offering now; I think it was like 47 and change. There are officers that were in steps 1 through 4; they all left from 2016 to current, and they all went to jobs making more money than the \$55,000.00. So that was one of the first things we looked at. It seemed like, you know, for the retainment problem, that \$60,000.00 number seemed to be what was most competitive in the market. The other thing is, if you -- if you go back to the green slide; I'm almost -- the other thing that's really important to note is that it's been -- the reason why I brought this up earlier is you don't -- we don't, in HR, only look at starting salary, right. When you're looking at total compensation, one of the things you're concerned about as part of a compensation package to see if you're competitive, is what's it going to look like 20 years from now, or 25 years from now when they retire. And they'll -- although the City does offer some amazing benefits in public safety, as well as other areas in the City, that -- the value of that pension -- so an officer that works 20 years for the City of Miramar, when they're at 20 years or 20 -- and they retire, whether they DROP or not, they're -- they've locked in their -- their salary, what the formula is going to give them as far as their take home going forward. The most they can get is \$80,000.00 a year. The formula is going to run off of 80 percent of \$80,000.00. Most of the other cities, if you look over that column, and you go up from Miramar, the starting, -- the -- the top out in a lot of those agencies -- much higher than our top out. So one of the things that we discussed during the negotiations with this is that, you know, during the next contract cycle, which we're starting to negotiate, will deal with the rest of the salary range. But with the numbers and the spikes, if you can go back one more slide, you see when the spikes really hit, they really started -- accelerate this past year. And I don't know if that's attributable to things that have gone on in -- in the industry with -- with the changes in the politics around the country or what. I -- I don't want to comment on any of that, but just looking at the data we looked at from HR, what you can see is that that's when the spike really happened. The majority of those folks started leaving in this past year. So, yes, we knew it was a problem in prior years, it really began to accelerate this past year, which

is why we started doing negotiations a couple months ago to try to find the number that was a good number that could get us through the hump, through this -- because we did talk about, well, maybe we should just wait until next October, let's negotiate this into next contract, which is just ten months away. But you -- you see the spike in the -- in the separation rate, and when we talked with the Chief, and we talked to the police department, they say, you know, there's another -- you know that there's officers looking to leave. Because when an officer looks to leave, background investigators from those other agencies come to us and ask to look at the employee's background file, personnel file. So we know that there's interest in other officers at the moment looking to leave, and a lot of the -- the straw polling we get back from the union is that a lot of them are hanging on to see what happens here. And there's other officers that have left that are actually interested in coming back; they find out the grass isn't always greener, but they're making more money, and they're also looking at coming back to the City through our -- our rehire program, which we have in the city code. So that's really why the timing of this, this -- this coming to the Commission now, because over the last couple months that it took us to negotiate this, take it to the union, have the union vote on it, get the upload, and then get it on the agenda, bring it to the Commission, that's kind of where we're at. And -- and -- and then just last thing, and I don't know how this would work, technically, so maybe you have to ask the City Attorney, but if the Commission votes on something that's not what was negotiated and voted on by union, I'm not exactly sure what the next steps would be. I don't know if we would have to bring that a modified amendment back to the union for a vote, or if we can just impose that on the union; I'm not sure how that would work. That would probably be something the Commission would have to ask the attorneys on some guidance for if that's in the consideration of approval while you're making the vote.

VICE MAYOR CHAMBERS: Yes. Mr. Cross, a -- a month and a half ago, I was talking with my -- one of my officers, and that officer was going to an interview that day to another agency. Two months before that, I spoke to one of our officer, and in about three days after that, she was gone. That's -- that's surprising to me. Three months ago, or four months ago, I talk to officers with the complaint. Last year, -- and that's why I brought it up. I -- I know this was a concern, but like Commissioner Davis says, the officers that are leaving is -- they had three years or four years in, and -- and later, so hiring is not a problem. And, again, I know salary of municipality is public record, and I ask for Miami-Dade, Miami Gardens, Hialeah, and Opa-locka; that's all on public record, so it shouldn't be a problem to get those information. But -- and I know when they leave, they're well trained, and -- and they go right into jobs that they -- above other officers that's there, because they're coming from the best, and I understand that. They are our people, I know them for the years, you know, but we are here tonight, and I think what I can support tonight is the suggestion from Commissioner Davis. I'm all on board with step 3. And, like I said, Commissioner Colbourne says the process was not clear; it seems a little political, a little bit of ambushing, but we are here, we're willing to work together to move it forward, and then the second phase, we can all have a bit of understanding as to where we need to be, and where we need to go. So we are in support, but I can support the

step 3 tonight; it's a step forward, and it's -- within the next ten months, we'll definitely move further. So thank you for the presentation.

MAYOR MESSAM: Thank you, Vice Mayor. Couple of comments and observations. The last slide you showed was timely; I actually had a note here to ask if there was information or a slide to show the loss of our officers, and when it took place, and what -- was there a spike, or what was that trigger point to say that we need to do something, we need to do something now. My personal disposition is that I -- I choose to give our staff the benefit of the doubt that they are acting in the best interest of the City, and I was not or had no conversation with the City Manager regarding the proposal that is before us today prior to receiving it like the rest of the Commission. And seeing the data that was just shared with us in 2017, three officers left, 2018 five, 2019 13; that's a -- from five to -- to 13, you know, that's a -- that's a jump, and to kind of raise an eyebrow to say: Okay. What's -- what's going on to get our bearings. And then in 2020, to have 19 so far, that means that that was a significant number of -- of attrition going on this year. So I don't think that because this specific issue or this specific item wasn't brought forward in the budget process that staff was being disingenuous about the situation. How I interpret it is that, okay, we lost 13 in '19, and we're not finished with 2020 yet, and we are already at 19, we need to do something, and we need to do something now. Yes, we have collective bargaining taking place in ten months, but we need to do something, and see how we can come up with the -- a -- a reasonable solution that could address what we've discovered is the source of why they're leaving, and, for the most part, they're leaving because of more money. While having the least fiscal impact to our budget, and leaving us some leeway to engage negotiations in the next ten months or leading up to the next ten months, which makes sense to me, and I understand that. So I don't think that staff is playing politics or ambush or whatever some of the words were used in comments. So - in fact, I thank staff for at least going to the union in a stopgap measure to see what could be done to at least stop some of the bleeding. And, basically, what has happened to us is that we're being cherry picked on. We're investing in our officers, we're training them, and other agencies are offering them more money to come work for them. And just -- if I guess on the age, that most of these officers probably would be characterized as millennials, you know, hired in their younger 20s, they're working for the City for a few years, and leaving; I mean they're just like my kids; they're looking for competitive salaries, so I definitely can understand that. So my first question is, with this proposal this evening, what is the fiscal impact for this fiscal year?

MR. CROSS: It's just under \$511,000.00.

MAYOR MESSAM: Would this require a budget amendment or --

MR. CROSS: No, there's no change to the budget.

MAYOR MESSAM: So there's no change to the budget for this fiscal year, all right. So solution brought forward to address the attrition; it does not have a fiscal impact for this year. And you said it was for how much?

MR. CROSS: 500 -- just under \$511,000.00.

MAYOR MESSAM: \$500,000.00. So for -- so if everything was equal in negotiations, next year -- and salaries stayed the same, after this adjustment -- I can't predict what the negotiations are going to -- but let's say salaries have all been adjusted upward, then we would have to find a half a million dollars to offset this adjustment. So, basically, the fiscal impact for the next budget year, everything equal, depending on how negotiations go, would be a half a million dollars, correct, to retain our officers, and to right size our salary compensation for our law enforcement officers. Okay. So that's where my -- my -- my head is. So because of the recent exploitation of other agencies on our officers, because we have lagged in compensation over the years to stay competitive, other agencies have picked off our officers, so I'm just speaking to the public at this point, in terms of how I am interpreting this. City staff provided a solution to adjust our salaries to be more competitive, with no fiscal impact to this budget, and we know what our fiscal impact would be for next year with this adjustment, pending negotiations with the union, so -- which we can reasonably say that the salary compensation would be somewhere around in the ballpark, because they kind of already got an adjustment for the group that have the half, and they would just automatically go forward. So I think City staff would be in a good bargaining position, because of what is taking place tonight. So -- and, again, the will of the Commission will move forward, but I'll leave with this, if we want the best law enforcement officers, we gotta hire the best, we have to attract the best, and we also have to compensate them competitively. I didn't say we have to pay them the most, but we definitely have to compensate them competitively. So even a the 40 something thousand dollar entry amount, we don't know who we're not getting, because they're not applying to us, because they're applying to other agencies; we just know who we've gotten, who are willing to accept 40 something thousand dollars as the first salary, as the -- as -- as the initial salary. So we still are at a -- we're still not as competitive as we can be by selecting an option that would compensate a first-year officer at 40 something thousand dollars at which we're currently compensating. So -- so, yes, the City Manager answers to this Commission. We're the City Manager's boss, correct. And I think had city management said nothing, allowed the collective bargaining process to go, and 2020 ends up being 50 officers left, then a reasonable question could be asked: Then why didn't you do something? Well, this is the do something now that has no fiscal impact for this year, and puts in the position to be more competitive. And I will lead with this, as the Commission, we answer to the voters; they are our boss. In January, this Commission gave itself a raise, didn't ask the voters for it, but gave the Commission a raise. That's just a fact. I didn't agree with it, but we didn't ask voters for it, so --

VICE MAYOR CHAMBERS: (Inaudible) --

MAYOR MESSAM: I have the floor, sir. So what I'm saying is that if we want the best, we hire the best, and we compensate them fairly. I think this is a fair proposal that the Manager has brought forward, and I think that for all of our officers who put their lives on the line every day when they wake up for our residents and for us, that we have a

compensation package that is competitive, and we protect our investment when we hire them and when we train them. Commissioner Davis, followed by Vice Mayor Chambers, Commissioner Colbourne.

COMMISSIONER DAVIS: Thank you. I was a little concerned when I heard that, you know, people are moving back and forth between departments for salary reasons. As a professional, that shouldn't be the motive for somebody to leave the City of Miramar, and run back because there's a raise over here. I sure hope that's not what we're doing; we're looking at people just running from department to department for a buck, because that's not professionalism. We want the best and the brightest, but want people that are dedicated to the job, and really want to serve, and that's part of the problem. People are just looking for jobs for money only, and I will be really curious if somebody leaving this department going to somewhere else, and the moment there's a pay raise over here, they jump back over here, and I hope that's not what's going to be occurring.

MR. CROSS: I -- I can tell you --

COMMISSIONER DAVIS: That's very disheartening.

MR. CROSS: If you'll let me respond. I can tell you two things about that. One, a lot of the literature that's out there on what compensates a millennial -- so those are lot of the employees that are getting hired in their early 20s, mid 20s, when they look at what incentivizes them to select one agency to work for -- for another, and this isn't just specific to law enforcement, money is a bit thing. So it's a little bit different --

COMMISSIONER DAVIS: But I -- I'm not -- I'm not trying to cut you, but that was not my point. My point was that people are running around, department to department looking for the best paying job, leaving here and running somewhere else and running back. And I know many -- my son's a millennial, and they really look at the quality of their job too; they're not running because this agency over here is giving me 20,000 more, but what are the other consequences of moving around the way they do, and that's not a message we should be sending to millennials or anybody else.

MR. CROSS: I -- I agree.

COMMISSIONER DAVIS: That's not how we approach this; it's not just the money grab. Their lives at stake. Moving forward, back in 2010 we were in a recession, we had to make some cuts, and things were done. But from 2010 to 2017, there's been no mention of people moving and going to different departments, even though they weren't getting the COLAs, and things that they're supposed to get. Then you show me 2017, seven years later, four people left. Between 2017 and 2019, a whole lot didn't go on, in terms of all of a sudden, all these other departments having huge raises, so people weren't leaving in 2017, they weren't really leaving in 2018; 2019 something happened. Now it could be management, it could be executive staff, it could be the climate or the environment that people decide: You know what, I'm not going to take it anymore. So I -

- I resent the fact that, you know, it's -- it's being said that, oh, people are leaving because of money, because money is not driving everything here. They may leave because they're getting a better salary, but the thought of even leaving -- I asked you to provide me for salaries of officers -- the lowest paid salary last year, including all the other fringe benefits over time, and all the likes that they got was \$54,000.00. The lowest police officer got \$54,000.00. The highest person on patrol last year got \$117,000.00, okay. So there is the opportunity, and -- and -- and they are making money. I believe they should be better compensated to start; \$49,000.00 is not enough; I know teachers that recently -- they've just been bumped up to \$50,000.00. They were at 40 something for years. But I don't want to pit one particular profession over another. We've come to find out, because of COVID, that a lot of jobs are really essential. We've just passed the minimum wage; we believe people need to be paid a fair wage, but most of that is happening over time. Now I wasn't here -- I -- I came back 2019; this is the first I'm hearing about problems and wage issues. And I -- I'm of the point that since we can hire, and we have been hiring, it's the quality of hirers, of hirees, it's not just about the almighty dollar. I think starting at step 3 and gradually moving up -- the next bargaining is in ten months; I think it's quite reasonable. Every step will have an increase at that point, according to your chart, and so you won't have the situation. Everybody is going to get -- I guess, step 5 through -- I don't know how it would shake out now if you start at step 3, but they'll be in -- in -- in -- increases because of that. So I don't see this -- this flight out of the City of Miramar, because of pay. It -- it might be underlying -- other issues that are yet to surface. But I - - I -- I do believe the -- the -- the -- the approach that we make should bear in mind that we are in a pandemic, should bear in mind that everybody has to tighten their belts, and should bear in mind that we are down in revenue. And this is coming to us at -- during the pandemic. There are other issues, other raises that have happened prior to the pandemic, clearly would not have happened during a pandemic. Nobody is asking for a raise during the pandemic, but here we are asking for a raise right now during a pandemic. So to bring up stuff that happened prior to pandemic, we're talking about raises has no bearing today during, basically, a recession and a pandemic, so your thought process should be totally different right now. When we're ask -- we had asked for furloughs, the Manager had suggested furloughs just months earlier, and now we're going to raises. So we -- we need not to be sending these mixed messages to the residents. Let's take this, a gradual step, and compensate our officers, but do it in a responsible fashion. That's just my two cents, and whenever Commissioner Chambers wants to make that motion, I'll second it.

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

VICE MAYOR CHAMBERS: I have -- look, I'm going to be very frank. This was done an agenda that I --

MAYOR MESSAM: Wait, Vice Mayor, before you continue, it's 10:59. We have to extend the meeting by vote, or we -- the meeting will have to adjourn -- adjourn in the next 30 seconds.

VICE MAYOR CHAMBERS: I'm going to make a motion to extend the meeting for one hour until 12:00 p.m. -- 12:00 a.m. I should say.

MAYOR MESSAM: There's been a motion to extend the meeting an hour, may I have a second.

COMMISSIONER DAVIS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Chambers, seconded by Commissioner Davis, to extend the Commission meeting to 12:00 a.m. the Commission voted:

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

Approved

MAYOR MESSAM: Proceed, Vice Mayor.

VICE MAYOR CHAMBERS: Thank you. This was an a -- something that I was going to bring as an agenda item to have an increase for our starting salary for quite a while, but

because of the furlough, pandemic, and so forth, and the discussion I have with the City Manager. But listen, there's no one on this dais that have the interaction that I have with our officers on a day-to-day basis, every day. Any hours of the night, I'm always on the street, they're always seeing me, we're always coming across each other. I have a relationship, we talk all the time, it's a lot of stuff going on here within the department. Some people are leaving because of management, they're not happy, some are not leaving, even though they're not making what they need to make, because they love the City. Everybody want to come here. But let me tell you when this really exacerbate the problem, when this -- a lot of officers was really unhappy, when the furlough was proposed, they were mad as hell. They did not understand what was happening, how could it be; they express it to me, some call, was upset, try to explain it to them. Later on when they figure the whole thing out, they call me and apologize, because they were mad at me, "You're my friend, how can you do this?" I'm like, "Look, I'm not doing this. It didn't come from me. I didn't propose it. This is something that was proposed by someone else." They were mad. It really disrupt the employment here. The police department, fire was unhappy, the general employees was unhappy; it really, really messed up the whole situation. That was a bad idea, I don't know where it came from, why they proposed it, but it really disrupt the situation with that furlough, that's what happened. You know, there's so much issue that need to be addressed. One of the issue is our patrol officers with these zone; they're overworked, the zone is too big, it need to be split up, they need more coverage; there's not enough coverage. It -- how can we have so much officer, and only few officers are working covering certain zones? Unfair -- it's -- it's a lot of unfairness in the process, a lot of good old boys being -- they need to be shake down. The -- the events, where only certain officer get to work the events and get paid, and that's why their salary go up so much, it need to be evened out to where some of the younger officers to get to work these events, and on and on. Those are just some of the complaints. I think we need to have a fair survey, a fair settlement, let people express their disappointment, talk about the good things, and then all other stuff can be worked out. You know, I thought the police department would have been -- everybody on the same page, everybody get along; no, it don't happen. The same infighting, just like any family. A lot of unhappy officers over there. So with this said tonight, I'm going to go with Commissioner Davis proposal, it's a step forward, it's going to be move up from where we are, then we're going to come back and hammered out everything in ten months, and try to make it equitable for everyone involved. And, you know, I -- I'm not pleased with officers leaving, but I -- I know why they're leaving, you know, and -- and like I said, I'm going to repeat it again, the furlough that was proposed to put in place really gave them a big headache, and they have options to leave. The general employees union don't have those options, and that's what's happening; they are exercising their options. Please, I'm going to make a motion to go with step 3, and I don't know if we have any more discussions --

MAYOR MESSAM: Yeah -- yeah, Vice Mayor, we have two speakers. We have a member from the public, Rudy Theophin, and Commissioner Barnes which to add additional commentary. Is Mr. Theophin on, staff?

MR. THEOPHIN: Can you hear me? Yeah, so --

MAYOR MESSAM: Yes, sir. You're recognized. State your name and address for the record, please.

MR. THEOPHIN: Yes. This is Rudy Shango Theophin, 3592 SW 68th Way, Miramar, Florida 33023. And I just recently just walked out with a hat on, but in reference to what's going on, I don't want to sound like I'm beating a dead horse, but the gravity of the situation that we have faced as a city, you know, as -- as a city where we lost people, where we have people who are dying on a daily basis due to COVID, but we have businesses that's being shut down, that were not open, you know, -- you know -- it's -- it's not even a -- a matter of getting a raise or not getting a raise, it's a matter of timing, and -- and for -- for -- whether it's five firefighters or police officers, listen, everybody wants -- we want to have a secure community, and, yes, we want our firefighters to be secured as well. But the fact of the matter is at the time that we're actually doing this, this is the worse timing whatsoever. We got to be considerate of our residents. We got to be considerate of our residents. You know, marching around, and then making a scene, and playing spectacle and playing (unintelligible 4:00:20), at some point, you know, we have to be considerate. Come on. People are dying right now. This is not the best timing for this. I think the law enforcement officers are all for them, and for people who say they want to walk off, and they want to abandon the City, well, I'll promise you, I'll find other people who want to serve -- I'll find some other officers who want to serve, other firefighters who want to serve, because, don't worry, we -- we're going to rebound. And I digress on that. Thank you very much for your time.

MAYOR MESSAM: Thank you for your comment, Mr. Theophin. Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: You know, (unintelligible 4:01:02) the furloughs would not have been mentioned. I'm hoping, and I've -- I've shared this with a number of police officers. I think there has to be an understanding of where the idea of furloughs originally originated, that would be extremely instructive for us to -- to -- to know going forward. And I'm repeating what I said in paraphrase this time around. Always treat your employees exactly as you want them to treat your best customers. I'm applying that situation to our police service and the residents of the City of Miramar.

MAYOR MESSAM: Final speaker, Commissioner Colbourne.

COMMISSIONER COLBOURNE: Thank you. Like I said before, I believe this is something that it could have been dealt with during the budget; it should have been dealt with during the budget at a minimum. Police officers have a contract, just like all the other bargaining agreements. We have contracts with them. It is uncomfortable for us to be arbitrarily setting salary for them when there is a process by which this is done. I'm truly disappointed that the City Manager have us in this position. To be arbitrarily deciding the salary for our officers outside of the bargaining agreement, outside of the budget. Mr. Mayor, you mentioned our salary increase, you mentioned, you know, voters are our

boss, we're -- we're -- we're the City Manager's boss. I don't see the relevance. We're discussing a contract that was approved. It was not handled as a reopener; it was just arbitrarily decided to increase the salary. A month ago during the budget process, there was no crisis. The only crisis that came up was when the Manager decide to furlough all employees. But today a crisis -- today is a crisis. And I -- I -- and I -- I don't like when we can't stick to the point, where we have to get personal, when we have to get political. We're discussing salaries for our police officers here. We're discussing this item before us. If this was brought up during the budget process, the money could have been allocated for this. It would not have had to be taken out of the officers' overtime. It could have been properly allocated, recruitment could have been well on its way, but this was not budgeted. This was not brough up. It was not at issue. It was no mention to the Commission. So here we are. Arbitrarily, we have -- we're being asked to -- to approve at step 5. I believe our officers should be properly compensated. What that compensation really is, I don't know. I know now that they're -- what -- what do we have, far -- that there far down on the list that's given to us. I know that if we go to step 5, it's a big jump. I know that we -- if we go to step 3, it's also a big jump, but it's not step 5. Are there more issues underlying, or just salaries, why -- why officers are moving? I don't know. HR say he did -- they did a survey, and these are the -- the officers said: This is why I'm leaving, because you didn't pay me enough. So that's -- so that's what we're going by. I think we need to move forward. There is a bargaining agreement that's going to expire in ten months. I think it's not -- it's not out of the way for us -- what Commissioner Davis has requested for us to go with step 3; we will be doing something immediate basis; we will be giving them an increase to address the issue that we're having. And at the same time, there is a bargaining agreement process, but we have -- we -- we've clearly laid a foundation by which the Manager can start to come up with a comprehensive negotiation strategy. So I'm not opposed to going forward with either one of these suggestions. In both instances, our police officers will -- will -- will be in a better position than they were a month ago when this budget was approved.

MAYOR MESSAM: Mr. Cross, is the pre -- is the request that's before us in this item collectively bargained? Was there a vote by the union for --

MR. CROSS: Yes, there was.

MAYOR MESSAM: So would this be considered a arbitrary placement or assessment or assignment of salary? Was -- it was -- are staff reached to the union, and there was discourse, bargaining between salaries and what the impacts would be, and it was collectively agreed, mutually agreed between the union and staff to be brought to the Commission, what is before us tonight?

MR. CROSS: Yeah. It was -- it was negotiated and the salary was based primarily on two things: the starting salary being around \$60,000.00, which all of the agencies from -- or the majority of the agencies that we found from survey were around the 50 percentile in the market, and not -- and also because when we looked at the officers that had separated, many of those officers were moving to cities that were paying well above that

number, and particularly Boca and a few to Pembroke Pines. Pembroke Pines just passed a collective bargaining agreement that went into effect, I think, just a couple months ago, that have several large raises in it that was retroactive to their employees.

MAYOR MESSAM: Okay. So basically -- basically --

MR. CROSS: (Inaudible) --

MAYOR MESSAM: I just -- for the public, this is more so for edification of the public, so that the public know the facts. So this is a collective bargaining -- this is a -- an agreement with the union. The only way it can be changed is to -- is by amendment to the -- to the agreement, which as to be voted upon by the union, which, in definition, is collective bargaining. Although it -- we will engage in further negotiations for the new contract, but this was negotiations for the current contract, which is being proposed to be amended, so I just want the public to be aware that this wasn't some just given to the police officers. And, also, this was brought forward to stop the bleeding. It wasn't because police officers demanded a raise in the middle of their contract. It was a combination of recognizing what was happening, and the City Manager brought this forward. Whether we agree with the timing of it or not, is another issue, but he's bringing it before us for discussion. To vote upon and to approve anything tonight outside of what's before us tonight is arbitrary. It's not bargaining with the union. They would have to go back for -- and look at what is being proposed for that. So --

CITY ATTORNEY NORRIS-WEEKS: Mr. Mayor, if I may --

MAYOR MESSAM: Wait, before -- let me -- let me -- let me just --

CITY ATTORNEY NORRIS-WEEKS: I'm sorry.

MAYOR MESSAM: I'll -- I'll give you an opportunity to -- to -- to respond. And I was not being personal; I think it's material to this discussion that if we're talking about salary increases, I drew correlation to the Commission voting to give itself a raise. That was arbitrary, that was not during the budget process, it just came out of left field. There was no discussion about giving the Commission members a raise to their salary in the budget process for last year. That happened in the middle of the year, and we did not ask the voters, who was our boss. So there is direct correlation to that. So for this item before us tonight, we can vote it down, fine. You can send back another proposal, fine; it's whatever is the will of the Commission. But I just want the public to know that the City Manager, based on how I've received the information, is responding to an acute situation that does not have a fiscal impact to our budget. Money, for the most part, to fund this is because of the vacancies we have, which, therefore, trying to address the situation. The reason why we can even do this is because of the 20 plus something vacancies that we have. It's not all being funded by overtime. What is the makeup? It's most of it coming from the vacant positions or from overtime dollars? All of it is what?

MR. CROSS: The initial \$510,000.00 for this fiscal year is funded out of the vacant positions.

MAYOR MESSAM: Vacant positions, so it's not even overtime money. So I just want the residents to know the facts. I'm not drawing dispar -- disparsons on anyone. I'm just stating how I have interpreted it, and the -- and the residents can decide on themselves on how they choose to interpret what has been said. But, at the end of the day, if we want to be able to hire good officers -- because at the salary range that we are right now, why the heck we have almost 30 vacancies right now? It's not because the police department isn't out there recruiting and trying to hire folks. But if we're competitive across the board, and we are going to have to have a higher salary at the entry level. Yes, more officers, based on the survey, are leaving at year three. But to get more in the funnel, we're going to have to increase and get more competitive. If we keep it the same, we'll stay at the same place, in terms of the folks that apply to us. So it's clear where -- where certain members of the Commission is. I'll allow -- I want to have the City Attorney respond, and the City Manager. And I'll ask the Commission if you're going to make your motion, make your motion to do however the -- the will of the Commission wants to be, instead of beating a dead horse. But I'll allow the City Attorney to speak, followed by the City Manager.

CITY ATTORNEY NORRIS-WEEKS: Thank you, Mr. Mayor. The fact that Mr. Cross had a question for legal raises, you know, a little bit of a concern for us, because there is a legal requirement that if there is a unilateral amendment, that it is unmistakably waived by the other party, so I'm not sure, at this point, what -- what evidence, I guess, staff has. They've represented to the Commission that the union is onboard, and I'm assuming the union is. And, in terms of a process, I'm not sure, in the background, has been done, whether something had been signed, or whether -- and I'm assuming it hasn't been. But -- but -- so I'd ask -- ask that whatever the Commission does, if it moves forward, that it does it with a caveat that it goes through the processes that are required, whether it be a vote or wherever, and that will allow us to get with staff, and make sure that we do it properly. And so that's the only caveat I give to the Commission.

MAYOR MESSAM: Thank you, Madam Attorney. Mr. Manager.

CITY MANAGER HARGRAY: During this year in this budget here, my focus was balancing the budget. Yes -- yes, Vice Mayor, I requested for a furlough, and I did that based on information that I received, and the fear of making sure that everyone eats. Good or bad in anybody's opinion in here, I was requested to rescind, and find a way to balance the budget. There are a lot of issues in these last two and half years that I've been here that's been there before I came back. There were issues with the previous City's manager that could not get any monies from the council for whatever reasons. I came in here for one purpose in here, and that is -- is to acknowledge the hard work that these employees have been doing, and doing everything I can to protect. This issue was brought to my attention here by the Chief and Finance in her, at the same time that I'm trying to balance the budget, and my initial response to them was we need to wait until

we go into negotiations. But sometimes in combat, everything don't always work out the way you want, so you have to make decisions right in the middle of the battlefield. The battlefield was -- is that when I get notified from BSO that ten of my employees are applying there; when I get noticed by Boca Raton that my employees are applying there -- and one significant thing that everybody has to understand, is -- is that even bringing police officers, sometimes it takes over a year to process that. That was not mentioned by HR. So when you start looking at the number of employees or the vacancies we had, it became very apparent that I could try to stop this bleeding that was occurring that was brought to my attention, stop it, and knowing that it would not have no effect on balancing the budget. For you see, balancing the budget means that you have to wait to the end to determine the amount of money that's coming in. Budget mentioned that to Commission. Know I'm saying, Look, we need to wait until September, the end of September, so we can look at our payroll and see what we have. There was no way that I was going to give anybody no consent to move forward until I knew that there was a possibility that we could be able to weather the storm until we go into negotiations. I watch, as a military person here, I watch this happening right now in the United States and Afghanistan, I'm a officer, not a lieu -- not a -- a sergeant, a officer in the United States Army, and I understand that when you in that battlefield, and -- and you remove those troops, and trying to bring them back, it's going to be more difficult. Therefore, I ask staff to tell me how can we make this work; how can we not affect the budget; how can we stop the bleeding, so that we can move forward, and then address all these issues here in the negotiations. Yes, they have issues in here. The Commission has sent letters to me, and there's a lot of undefining -- underlying issues that exist in the police department; but it's not just the police, there's fire as well. All right. A lot of folks don't want to -- to -- to look at this Commission the way it looks like, all right. So we have a lot of issues that we have to clean house inside of us, and I agree that this surprise -- that -- that appears to be a surprise to everyone, I think everyone can see that we were losing staff in here, and there has been some complaints. But keep in mind in here it's my responsibility over fiscal management of this of this City here, to try to make the best fiscal decision, based on the information and the trust that I have in my staff. Fiscal impact? No fiscal impact. Can we make this work? Yes, we can make this work. Do the Commission care about the police officers? Yes, they do. Do the City Manager staff care about the police officers? Yes. And, yes, we will have -- we will have faults. We will -- we will fight, we will argue, but just remember this here, is that this is the same city that I came here 24 years ago in here, and we're taking on all the challenges. We can, because we have a will to. So we may have our disagreements in ways that we go at tactics, but I assure you that I think that all of us care for the same thing; it's a better Miramar.

MAYOR MESSAM: All right. I understand that there's a motion being floated. Is that motion ready to be presented?

VICE MAYOR CHAMBERS: No. I -- I have a request to speak, Mr. Mayor.

MAYOR MESSAM: Go ahead, Vice Mayor.

VICE MAYOR CHAMBERS: Thank you, sir. I want to thank the City Manager for his leadership, honesty tonight, and to just say it like it is. You know, like I said before, I have a lot of interaction with the officers here, and there's officer here that don't need to be here, based on the complaints that I've got. They're not good for the department. Their attitude, the way they treat other ethnic group, and -- and so forth. So it's -- it's a lot of things going on. The bigger picture, most of our officers are great, the majority of them, wonderful. They're underpaid, they're not leaving, they told me they not leaving, "Max, I'm here for the long haul. I love this city, I love the residents, I'm good. You know, would I love to make more? Yeah. But I'm not leaving. you know, I'm here." You have other officers who are struggling, can't even pay their mortgage, can't pay their rent, you know. By the time they get paid, it's not much left to survive, especially if they're single, stuck. But for the younger officers comes in, they might be living at home with their parents, they just starting out, great. Is a lot we can do to help them. I have things that I'm bringing forward next year in terms of making affordable homes for them. There's a lot of things that we can do, and -- and -- and the consensus here tonight is to give an increase. We're not saying no, we're just saying we're going to start here, and that's what we're saying. And I'm like -- I'm going to repeat again, the City Manager said it, the furlough was really disruptive to the process, and -- and it was very hurtful. The folks that was hurt the most was our officers. They talk to me, I see it, they were scared. White officer, Hispanic officer, Black officer, they were really scared. They were so pissed off with the furlough. And we did what we had to do shut that down. But tonight, for the public, I want to ask Mr. Randy Cross a question, to come forward, and it's very simple. I want to ask why is this agenda item before us? Why did this have to come to us? What -- what are we doing with it tonight?

MR. CROSS: I mean why it's here tonight as opposed to another night?

VICE MAYOR CHAMBERS: No, no, no. Tonight, why are we -- why is this on the agenda for us to do -- what are we need to do with it?

MR. CROSS: It's just a matter of how the timing planned out when we finished the negotiations, and then the union had to take it to a vote, and they had certain timetables that they have to follow on the vote when it got voted up. Then we had to write the agenda item, then we -- the agenda calendar for --

VICE MAYOR CHAMBERS: I -- I think you misunderstood.

MR. CROSS: -- the publishing of it --

VICE MAYOR CHAMBERS: I don't want to -- I don't want to interrupt you, Mr. Cross. But what I'm saying, five of us up here, and it's -- it's -- it's here before us tonight. Why is it before us?

MR. CROSS: Because it requires Commission approval.

VICE MAYOR CHAMBERS: All right. See. And that's why it's here, for us to approve it. So when one is saying we can't do anything else other than approve us what comes before us, that's not true, right?

MR. CROSS: Right.

VICE MAYOR CHAMBERS: We can vote it down, or we can make changes. If it didn't need to come before us, the collective bargaining agreement with staff and PBA, they would approve it and go along their business, right, but it have to come to us. It's simply. And that's why it come before us, for us to make a decision here on the dais to approve this. So if we're saying we're not going to approve it, that's what it is, but what we're saying -- we're going to go to step 3, and approve step 3, and you go back with the legal and -- and work it out. That's -- there's nothing illegal about that. That's the way the process work. It come to us, either you approve or you don't approve, or you make changes. It's simple. So I don't want to hear nothing, no threat and to the public and this and that; nonsense. Hogwash. We're going to approve something tonight as soon as I can make a motion to approve step 3, and it's a step forward.

MAYOR MESSAM: Vice Mayor, I'll encourage you to just state what you're going to say with your words to the public. Don't ever try to repeat anything that I say, because you will never say it right, you never have.

VICE MAYOR CHAMBERS: I didn't repeat anything that you said.

MAYOR MESSAM: And -- and -- and to say that --

VICE MAYOR CHAMBERS: And I know --

MAYOR MESSAM: My comments were -- I -- I have the floor. I allowed you to speak.

VICE MAYOR CHAMBERS: I have the floor --

MAYOR MESSAM: No, you -- you -- you -- no --

VICE MAYOR CHAMBERS: Just move on and don't try --

MAYOR MESSAM: Vice Mayor, you're out of order. No, you're out of order.

VICE MAYOR CHAMBERS: You're out of order. You out of --

MAYOR MESSAM: I have the floor.

VICE MAYOR CHAMBERS: So beat the gavel as much as you want. Don't tell me --

MAYOR MESSAM: No, no, no -- you (inaudible) yourself, you're out of order.

VICE MAYOR CHAMBERS: I'll lick you in your head with it.

MAYOR MESSAM: You're out of order. You're -- you're -- you're embarrassing yourself and this city, all right.

VICE MAYOR CHAMBERS: I'm not embarrassing myself.

MAYOR MESSAM: I clearly stated that the motion before us tonight was -- was discussed with staff and the union. Anything approved tonight would not be in the spirit of the negotiations that took place between the union and the City administration and would have to go back to the union. That is what I said. You're recognized, sir.

MR. TIBERIO: Thank you. Tom Tiberio again. HR, City staff, and the union worked out this agreement. We voted on the memorandum of understanding to change the pay scale. It's just for the starting officer, improving the pay scale offer. It doesn't change anybody else's salary; that's all stays exactly the same. We need to take action. Listen, I'm -- I'm friends with a lot of these younger officers, and I -- I now where they're going; I've talked to them. They are leaving. Something needs to be done tonight. So I'm urging you to -- I'm just -- listen, like I said, it's not the best plan, but it's a good first step; it really, truly is. Thank you.

MAYOR MESSAM: All right. Thank you. Unless there's some changes in thoughts, let's move this item either up or down, and whatever amendments that are being sought. May I have a motion on this item, or -- or any proposed motion, please.

VICE MAYOR CHAMBERS: Motion to -- step 3, what Commissioner Davis propose, because we still need to hire more officers; we are understaffed right now, and we're going to start with step 3. Simple.

MAYOR MESSAM: I'm not sure if that can be clearly recorded by our Clerk, so if the elected official that has a clearer motion, so that it can be known what is being voted on, can state the motion. May we have the motion moved, so that it can be clearly dictated and recorded, so we know what we're voted on.

VICE MAYOR CHAMBERS: Motion to approve step 3, which Commissioner Davis clearly stated earlier.

CITY ATTORNEY NORRIS-WEEKS: Mr. Mayor, if -- if I may ask, when you make the motion, if you can make it such that it -- it will be consistent with the comments that I made earlier, subject to our review to ensure that it's done in accordance with the requirements of amendments under the law.

MAYOR MESSAM: The motion as currently presented is -- I wouldn't know what I'm -- what I'm voting on. What is step 3, what is clearly what Commissioner Davis stated.

COMMISSIONER DAVIS: Okay. Step 3 --

MAYOR MESSAM: I think we need -- so if -- if Com -- if -- if -- if -- if someone on the dais can make the motion, so that it's clear what we're voting on, and what's being asked.

COMMISSIONER DAVIS: So step 3 was 50 -- what was the amount? Is that what you need? We're voting on the starting salary for patrol officers. Instead of step 5, which was proposed, to step 3.

MR. CROSS: If it was consistent with the amendment that was presented earlier, but changing it at the step -- from step 5 to step 3, it would be raising the starting salary to step 3, which is currently \$56,423.88, and then it would be bringing any officer that makes less than step 3 up to step 3, and it would be bringing officers that are in step 4, 5, and 6, a half step up, and then they would fall back into the step plan on their anniversary date.

COMMISSIONER DAVIS: Okay.

MAYOR MESSAM: So the starting salary for a officer would be 56?

MR. CROSS: Correct. Step 3 would 56,523 -- \$56,423.88.

MAYOR MESSAM: Opposed to the 61 or 60,000 -- what was the --

MR. CROSS: Correct, \$61,463.08, so it's a difference of approximately \$5,000.00.

COMMISSIONER DAVIS: Okay. So that would be what I'm voting on, what I'm proposing, the motion.

VICE MAYOR CHAMBERS: So motion to approve \$56,423. --

COMMISSIONER DAVIS: And 88 cents.

VICE MAYOR CHAMBERS: -- 88 for the salary.

COMMISSIONER DAVIS: Okay. So are we ready to go with that? Ms. -- Madam Attorney?

MAYOR MESSAM: I still think we need to have a clear -- clear motion. I don't --

COMMISSIONER DAVIS: Well, what was the motion going to be if it was step 5? It's the same motion, but with step 3. So the motion is to approve step 3, which is \$56,423.88 for starting officers, and whatever is following, based on the other one, which is half a step for steps what, 4, 5, and 6?

MR. CROSS: Correct.

COMMISSIONER DAVIS: And --

MR. CROSS: And bringing the officers that make less than step 3 (inaudible).

COMMISSIONER DAVIS: And bringing the officers that make less than step 3 to \$56,423.88. That would be motion.

VICE MAYOR CHAMBERS: Motion to approve.

COMMISSIONER DAVIS: Is there a second? Are you seconding the motion? Are you on the -- I second the motion, and you -- okay. I second the motion.

COMMISSIONER BARNES: Mr. Mayor, if I may, this --

COMMISSIONER DAVIS: We're actually in the middle of voting --

COMMISSIONER BARNES: -- thing is not --

VICE MAYOR CHAMBERS: There's a motion and there's a second on the floor.

COMMISSIONER DAVIS: No, can't be talking now. We need to call -- call the question.

MAYOR MESSAM: If -- if the -- if the mover and seconder would give courtesy to Commissioner Barnes, just to make a statement, then we can count the votes.

VICE MAYOR CHAMBERS: We got to call the question. There's a motion and a second --

COMMISSIONER DAVIS: Let's call the question.

VICE MAYOR CHAMBERS: I call the question.

MAYOR MESSAM: We -- we -- will you give Commissioner Barnes the courtesy for the comment, as the motion moved.

COMMISSIONER DAVIS: Can he comment after?

MAYOR MESSAM: It's either yes or not.

COMMISSIONER DAVIS: No.

VICE MAYOR CHAMBERS: No.

MAYOR MESSAM: Okay. Madam Clerk, record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: No.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: No.

On a motion by Vice Mayor Chambers, seconded by Commissioner Davis, to approve Resolution #R7310 as amended, the Commission voted:

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

Resolution No. 21-25

MAYOR MESSAM: Commissioner Barnes, is there something you want to get on the record, or move to the next item?

COMMISSIONER BARNES: Yeah. It's -- it's -- it's just a pity that the word arbitrary was used any -- at any time in our discussion this evening. That's my comment.

MAYOR MESSAM: Okay. Moving the agenda. Item number seven, please.

7. Temp. Reso. #R7311 declaring emergency regulations limited to certain public meetings during the COVID-19 State of Emergency as declared by the State of Florida; authorizing the City Manager to arrange for **public meetings by use of**

communication media technology and Advisory Board attendance. (City Attorney Burnadette Norris-Weeks)

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, declaring emergency regulations limited to certain public meetings during the COVID-19 State of Emergency as declared by the State of Florida; authorizing the City Manager to arrange for public meetings by use of communication media technology and Advisory Board attendance; providing for conflicts, providing for severability, and providing for an effective date.

MAYOR MESSAM: Madam Attorney.

CITY ATTORNEY NORRIS-WEEK: Thank you, Mr. Mayor. This -- as background, Commissioner, on March the 20th, 2020, Governor Ron DeSantis issued Executive Order, as you know, 20-69, which permitted public meetings to take place without a quorum present in person, and utilizing communications media technology, such as telephonic and videoconferencing, as provided by section 120.545 (b)2, Florida Statutes. The emergency -- this emergency order was extended on many, many occasions, but as of the fourth of this month, it expired, and the Governor did not extend it, and that leaves the municipalities with the responsibility to create -- under Florida statutes -- there are Florida statutes, in addition to home rule authority, that you have to institute your own emergency procedures, which will allow for public participation, which many other cities are doing by videoconferencing, as you have been doing, and also to -- to allow for COVID type of social distancing, as recommended by the CDC. And, in addition to that, also, it would allow for your advisory boards and so forth to meet, still, in the way that they've been meeting, and -- like Planning & Zoning and so forth, so that you don't unnecessarily harm citizens by having meetings that, unnecessarily, require your staff or your advisory board members to be in present -- to be in person. The only thing that is required at this point - and some cities, different cities are doing things a little bit differently; this is like a hybrid model, because you're still allowing for people to, you know, appear publicly, but in a way that allows you to hear them, them to hear you, and still complies with other rules and procedures that are set forth, and not only the administrative rules, but also within the statute. So this is approved by the City Manager; the City Manager would -- and, obviously, Miramar actually has a little bit of a jump on other cities, because other cities, up to this point, this month, had not been meeting in person. I think most other cities had still been meeting, right up until the latest time that they could via teleconferencing or Zoom or other ways of that sort, so Miramar is a little ahead of the curve already. But all this does, basically, because you guys are already meeting in person as a City Commission, for the most part, more than a majority, this will allow for your advisory boards, again, and for public participation to take place under limited emergency procedures that are just limited to these type of meetings.

MAYOR MESSAM: As it pertains to the State statutes that require a quorum, physical quorum, that is now back in effect?

CITY ATTORNEY NORRIS-WEEKS: That is nor back in effect, yes, sir.

MAYOR MESSAM: That was my only question. So we have to have a physical quorum in Commission to --

CITY ATTORNEY NORRIS-WEEKS: Yes, sir.

MAYOR MESSAM: -- to conduct Commission business?

CITY ATTORNEY NORRIS-WEEKS: That is -- that is my recommendation. Again, there are a few cities that are still -- you know, they believe that they -- they do have the emergency powers that would extend for them to be able to meet virtually, and this is being done as a resolution, but if you find that -- let's say, 70 percent of the cities -- you get back from the break, and 70 percent of the cities are like: This pandemic is just raging in such a way that we're just going to, you know, keep meeting like this, you may reconsider this easily.

CITY ATTORNEY NORRIS-WEEKS: My -- my opinion is, at this point, that you do it as a resolution, and you do it in the way that's recommended by this resolution. And if --

MAYOR MESSAM: But this resolution would not -- for example, if the pandemic is at uncontrollable proportions, will this -- will this resolution allow us to meet without having a physical quorum?

CITY ATTORNEY NORRIS-WEEKS: It would not. And that's why I think done as a resolution, rather than, you know, trying to put it in your ordinances or anything like that, because you can simply change it as another resolution, and come back, and -- and make other changes. But I'm suggesting to you is that, at this point, you've been doing this already in the same way, and this just simply allows for, in a formal way, for your advisory boards to meet, and for your -- to have public participation in the way that you're having it right now.

MAYOR MESSAM: The society could be a totally different scenario at the meeting at the end of January. We would not -- we would be -- for example, if conditions worsen to the point over the next month and a half while we are out, we would have to physically have a quorum on January 26th or 27th --

CITY ATTORNEY NORRIS-WEEKS: Let me explain -- explain the law as it stands. Right now, there is -- there are Attorney General's opinions, and that's what's really being -- that's what's really at issue here. There are old Attorney General's opinions, and the Attorney General refuses to do anything more to change the opinions that are out -- out right now, which basically say that being present is having quorum present of the -- of the Commissioners, and the only way Commissioners could really just not -- just decide that they were not going to be present is if there was some extraordinary situation which warranted someone being, let's say, consistently voting, and not being, you know, in -- in

-- in person. And so, right now, the Attorney General's opinions, the way that they're being interpreted by the vast majority of attorneys around the State is that you have to be in person in order to meet, and -- and have your quorum, and it has to be an in-person quorum. However, you know, I will tell you that some -- some opinions are being given that the Attorney General's opinion is just that, an opinion, and that they're willing to -- due to exigent circumstances that exist related to COVID-19, they're willing to, you know, have that battle in court, if necessary. And so I will say to you, at this point, this is a very prudent way to go forward. However, if, under you -- the scenario you gave that, come January, the end of January, this pandemic is ranging, I would say to you that maybe we could reconsider at that time, and do something different based upon the circumstances that exist at that time. But, at this point, where you've been doing this all along, and, you know, people are social distanced; your -- your chamber is much larger than other chambers, you -- you wouldn't really -- I don't -- I don't know that, at this point, it would make sense for you to do anything differently. Now the other thing that this resolution does, it allows for your staff to not necessarily be here in the Chambers, because the requirement is for you all. It doesn't -- it doesn't require -- the Manager may say this -- you all come, and you keep coming forever, but if things did get so bad, and -- let's say in January when you come back, things are just raging, such that -- I just want you to know that the requirement is for the Commission, it is not for -- it does not extend for staff, so staff could, conceivably, still appear via electronic communications, as they did before.

MAYOR MESSAM: Okay. Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Madam Attorney, from what I read here, it is quite clear that what we have been doing. This resolution just allow us to continue to do that, so I'm okay with the item. And I'm ready to vote on it.

MAYOR MESSAM: Commissioner Colbourne, you're recognized.

COMMISSIONER COLBOURNE: I'm sorry. I walked way for a minute, so I'm afraid I may have missed something. But this resolution -- as it is right now, we -- we can no longer meet virtual. We have to have a quorum here, back to how it was before COVID?

CITY ATTORNEY NORRIS-WEEKS: That is the case for the Commission, yes, ma'am.

COMMISSIONER COLBOURNE: Right. So I -- I do understand that when it come -- when it comes to -- when it pertains to the Commission. Now when it pertains to the public, that's -- that's the part that I'm not clear on.

CITY ATTORNEY NORRIS-WEEKS: As it pertains to the public, --

COMMISSIONER COLBOURNE: Right.

CITY ATTORNEY NORRIS-WEEKS: You -- in order to allow the public not to just come up, like they would normally do, you -- my recommendation is that you have some type

of an emergency procedure in place, under your home rule authority, and under Florida statutes, and even under the Governor's first emergency order, which allows for you to do -- enact procedures which will protect your health, safety -- the health, safety, and welfare of the citizenry -- citizenry, you would operate under those, you know, procedures to allow the public to appear telephonically or by videoconferencing, or some other communication. So --

COMMISSIONER COLBOURNE: But is there -- is there something governing that in itself right now that says that the -- that the -- they cannot do that?

CITY ATTORNEY NORRIS-WEEKS: They -- you cannot do that without something in place to allow for that. That would be -- that's my interpretation. You -- you -- you really should have --

COMMISSIONER COLBOURNE: So does it have to be an emergency order for -- for -- to allow that to happen? Could it just be a resolution stating that we can do that, --

CITY ATTORNEY NORRIS-WEEKS: Yes. You -- you can set --

COMMISSIONER COLBOURNE: -- changing our procedures?

CITY ATTORNEY NORRIS-WEEKS: This -- this actually comes with an order. If you look at the -- let's see, the last page of this resolution, it's attached to an emergency order as your Exhibit "A", and this order will be signed by the Mayor and the Manager after your approval of this item.

COMMISSIONER COLBOURNE: Right. But what I'm saying, as far as the -- the residents, can we just do a resolution that's not an execu -- that's not a emergency order --

CITY ATTORNEY NORRIS-WEEKS: No, because --

COMMISSIONER COLBOURNE: -- just to allow them -- to allow them. Can we just change our procedures?

CITY ATTORNEY NORRIS-WEEKS: I don't believe so, because this falls -- the -- the way -- the reason why you're able to do this, is because it will fall under your -- under Florida statutes, which allow for you to do things like this, if there -- if it fits under the definition of an emergency. It doesn't put you back into the category; that's why I made it clear that it's limited into the category of this is the Manager making an emergency declaration, which causes all the other issues that -- I think, maybe, some of you may have been concerned about before. This is --

COMMISSIONER COLBOURNE: It does not cause the issues that we had with the fire department?

CITY ATTORNEY NORRIS-WEEKS: No. No, ma'am. This is limited to this issue for this purpose, for nothing else.

COMMISSIONER COLBOURNE: Okay. I -- I'm still -- I'm still a little unsure -- unsure about my understanding of it. I mean I'm -- I'm okay -- I'm okay with -- in concept, I'm okay with it. But just as to why -- I understand that the law says that you have to have a quorum, and we have a quorum, so whether or not we have a presentation by someone virtual or not, I -- I don't see -- I don't see what would -- I don't see how that prevents --

CITY ATTORNEY NORRIS-WEEKS: Well the Sunshine Law, if I -- through the Mayor, the Sunshine Law, it allows for broad participation, generally speaking. And because of that, you don't want challenges from the public that, somehow, they weren't able to come in, if there is a big issue that, you know -- and it would cause people to be very close to each other, because it's a contentious issue, and people come in, and let's say they don't have masks, or they -- you know, unintentionally infect others.

COMMISSIONER COLBOURNE: Okay.

CITY ATTORNEY NORRIS-WEEKS: You have now some -- a way that you can absolve yourself, basically, from lawsuits that might come, because people say, "I wasn't able to stand in front of you and say whatever I wanted to say." Now you can allow your Manager to have procedures that fall within just operating in a way that would be prudent, given the COVID-19 pandemic right now.

COMMISSIONER COLBOURNE: So, in terms of the advisory boards, are they -- are they allowed to -- to meet, or the same rule that applies to the Commission applies to the -- to the advisory boards?

CITY ATTORNEY NORRIS-WEEKS: No, ma'am. The -- the -- the Attorney General's opinions apply to meetings of the Commission, --

COMMISSIONER COLBOURNE: Okay.

CITY ATTORNEY NORRIS-WEEKS: -- of the elected officials.

COMMISSIONER COLBOURNE: So they can meet? They can continue to meet virtually?

CITY ATTORNEY NORRIS-WEEKS: That's what this resolution would allow.

COMMISSIONER COLBOURNE: Even without -- even without this resolution though, they can continue --

CITY ATTORNEY NORRIS-WEEKS: No, ma'am. It's my understanding, it's my position that you need something place that would allow for that, and this is the vehicle that would do it.

COMMISSIONER COLBOURNE: Okay. Now this doesn't mean -- approving this does not mean that the City Commission can meet virtually? We -- we --

CITY ATTORNEY NORRIS-WEEKS: No.

COMMISSIONER COLBOURNE: We still have to have a quorum?

CITY ATTORNEY NORRIS-WEEKS: Yes, you do.

COMMISSIONER COLBOURNE: Okay. Thanks.

MAYOR MESSAM: Can I have a motion on the item?

VICE MAYOR CHAMBERS: Motion to approve.

COMMISSIONER COLBOURNE: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Chambers, seconded by Commissioner Colbourne, to approve Resolution #R7311 as amended, the Commission voted:

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

Resolution No. 21-26

ORDINANCES

MAYOR MESSAM: Item number eight, please.

8. **FIRST READING** of Temp. Ord. #O1754 amending the Code of the City of Miramar, Florida, pursuant to Section 166.041(3)(A), Florida Statutes; more specifically at Chapter 2, entitled “Administration,” Article VI, entitled “Finance and Miscellaneous Fees” by amending Division 2.1 entitled “Impact Fees for New Development,” Section 2-225.2, entitled “Definitions” to provide a definition for affordable housing and Section 2-225.4 entitled “Exemptions” to exempt affordable housing from the required payment of impact fees; and by adding a new Division 5, to be entitled “**Affordable Housing**,” providing definitions; establishing an Affordable Housing Trust Fund; providing for the use of funds; making findings; providing for repeal; providing for severability and interpretation; providing for correction of scrivener’s errors; providing for codification; and providing for an effective date. **(Requested by Commissioner Yvette Colbourne)** *(Community Development Director Eric Silva)*

CITY ATTORNEY NORRIS-WEEKS: An ordinance of the City Commission of the City of Miramar, Florida, amending the Code of the City of Miramar, Florida, pursuant to Section 166.141(3)(A), Florida Statutes; more specifically at Chapter 2, entitled “Administration,” Article VI, entitled “Finance and Miscellaneous Fees” by amending Division 2.1 entitled “Impact Fees for New Development,” Section 2-225.2, entitled “Definitions” to provide a definition for affordable housing and Section 2-225.4 entitled “Exemptions” to exempt affordable housing from the required payment of impact fees; and by adding a new Division 5, to be entitled “Affordable Housing,” providing definitions; establishing an Affordable Housing Trust Fund; providing for the use of funds; making findings; providing for repeal; providing for severability and interpretation; providing for correction of scrivener’s errors; providing for codification; and providing for an effective date.

MAYOR MESSAM: Good evening, sir.

MR. SILVA: Good evening, Mr. Mayor, Mr. Vice Mayor, Commissioners. Eric Silva, Community Development Department. This item is to create an affordable housing trust fund, and an impact fee waiver for affordable housing. The issue: There’s a need for

affordable housing in the City and Broward County, all over South Florida. Just a few key data points. 41,000 households are severely cost-burden, which means they're paying more than 50 percent of their income on housing, or cost-burden, which means they're paying more than 30 percent of their income on housing. So in the income range zero to 30 percent the area median income (AMI), which for a family of four would be \$26,750.00, all of the area median income in all these ranges that you hear are based on household size; I'm just using a family of four as an example here. So if it's a family of one, it's much lower, the income level. So in this group, 89 percent of the people in that income group are severely cost-burdened, and eight percent are cost-burden. From 30 to 50 percent of AMI, to be \$44,550.00 for a four-person household, 62 percent are severely cost-burden, and 29 percent are cost-burden. In this income range, there's also a shortage in Miramar of 2,717 affordable rental units for very low-income renters, which is below 50 percent AMI. In the 50 percent to 80 percent of AMI, which is \$71,300.00 for a family of four, 43 percent are severely cost-burden, and 43 percent are also cost-burden. This is a shortage of 776 affordable for sale units in the moderate-income level, which this is 80 to 120 percent of AMI. Some background on some of the programs and incentives that the City has in place already -- I'm not going to read every single one, but we have been working towards improving our affordable housing stock. We have our federal and state grant programs, but which apply for rehabilitation of homes, purchase assistance for homes, the sewer connection program. We've amended that zoning code several times over the last couple years to help to provide for more affordable housing, and in some of those ways are to reduce the minimum floor square footage requirement to provide for permanent fee waivers and grant funded home repairs expedited from that review. And then our code amendment to improve mixed use developments, to reduce the parking requirements, a big cost to the development of a parking requirements, so they can build a service lot or a garage. Flexible lot configurations, which allows for more available space for developers on the lot. We've also reduced our park fees in some sections of the City, including the transit oriented corridor (TOC). We've participated in programs to bring -- bring high quality jobs to the City. We've allowed for micro units, and accessory dwelling units are allowed in all residential districts. And we've partnered with several developers, including Habitat for Humanity, and they'll have their dedication ceremony this weekend. We've partnered here at Town Center for 53 affordable units in a public/private partnership. And the project with Pinnacle on -- in the adult daycare on Miramar Parkway, that's another partnership to build 117 units. And then out across from Regional Park, there's a new project that's being built, 113 units. That's in for permit very soon. We met with them on that recently, on that permit. Then developer contributions; we do have one developer that's going to be contributing \$168,000.00 to the City to help with affordable housing, and we're working with another developer now to get more money for affordable housing. So the issue -- the code amendment that's before you is to establish an affordable housing trust fund. In 2018, Broward County voted to support a charter amendment to create a Broward County affordable housing trust fund. We looked at, you know, a few different cities that have trust funds, but what we have before you tonight is modeled in part after Broward County, and part after what Fort Lauderdale has in place for their trust fund. So some potential funding sources; 100 percent of the net sale proceeds from the sale of all city-owned residential surplus lots are going to the

trust fund. And then 15 percent of the net sale proceeds from the sale of governmentally owned nonresidential lots will fund the trust fund. And when we say governmentally owned, we're taking out those properties that might be owned by like utilities, because they go into other enterprise funds, so we can't take that money and put it into the trust fund. As I mentioned earlier, Broward County created an affordable housing trust fund, so we will be talking to Broward County about their programs, and trying to get money through their trust fund, so anything that we do receive will go into this fund. Any grants or donations that we receive will go into the trust fund. Then any mandatory or voluntary payments made pursuant to development policies that are established by ordinance.

VICE MAYOR CHAMBERS: Mr. Silva, it's 12:00 p.m. I think we need to make a motion to extend the time.

MAYOR MESSAM: you have to make the motion.

VICE MAYOR CHAMBERS: Motion to extend 15 minutes, 12:15.

MAYOR MESSAM: No, we're going to need more. We got like ten more items.

VICE MAYOR CHAMBERS: 12:30. Motion to extend to 12:30.

COMMISSIONER DAVIS: Second the motion.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Chambers, seconded by Commissioner Davis, to extend the Commission meeting to 12:30 a.m. the Commission voted:

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

Approved

MAYOR MESSAM: Proceed, sir.

MR. SILVA: The use of the funds in the trust fund is for the production, acquisition, rehabilitation, and preservation of land and/or housing units for rental and homeownership activities. So it's very broad. We could acquire land, we could partner with a public/private partnership to build more units, and not more than five percent of the funds shall be used to cover administrative expenses. The second part of this ordinance is following the footsteps of some other local governments, and that's to waive impact fees for affordable units. The City impact fees will be waived for deed-restricted, affordable housing provided for households at or below 80 percent of the area median income, and that's modeled after Broward County; they use the 80 percent as the level. And if a developer came to us, and they agreed to do this, we would record a declaration of restrictive covenant to ensure the property remains affordable. And this is first reading, the recommendation is for approval.

MAYOR MESSAM: Thank you. There's been no request to speak on this item from the public. Are there any comments from the Commission?

COMMISSIONER COLBOURNE: Yes.

MAYOR MESSAM: Commissioner Colbourne, you're recognized.

COMMISSIONER COLBOURNE: Thank you. This is an item that we discussed during the budget -- during our budget meetings with staff, and the intent of it was to be able to -- to receive funding; establishing this would allow us to receive funding, donations, and grants from developers, and to be able to provide affordable housing in our city. Thank you for bringing it forward.

MAYOR MESSAM: Any other comments or questions on this -- on this first reading? May I have a motion on the first reading.

VICE MAYOR CHAMBERS: Motion to approve.

COMMISSIONER DAVIS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Chambers, seconded by Commissioner Davis, to approve Ordinance #O1754, the Commission voted:

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

Passed 1st Reading

SECOND READING SCHEDULED for January 27, 2021

MAYOR MESSAM: Items number nine, please.

9. **FIRST READING** of Temp. Ord. #O1767 amending Chapter 20, Article I of the City of Miramar Code of Ordinances to establish new Section 20-2; to create a designation of **"No-Thru-Truck Zones"**; providing for authority and purpose; providing for definitions; providing for establishment of zones; providing for considerations and guidelines; providing for signing; providing for prohibitions; providing for penalty; providing for adoption of representations; providing for a

severability clause; providing for inclusion in the Code; and providing for an effective date. *(Assistant City Engineer Salvador Zuniga)*

CITY ATTORNEY NORRIS-WEEKS: An ordinance of the City Commission of the City of Miramar, Florida, amending Chapter 20, Article I of the City of Miramar Code of Ordinances to establish new Section 20-2; to create a designation of "No-Thru-Truck Zones"; providing for authority and purpose; providing for definitions; providing for establishment of zones; providing for conditions and guidelines; providing for signing; providing for prohibitions; providing for penalty; providing for adoption of representations; providing for a severability clause; providing for inclusion in the Code; and providing for an effective date.

MR. ZUNIGA: Good evening, Mayor, --

MAYOR MESSAM: Good evening, sir.

MR. ZUNIGA: -- Vice Mayor, Commissioners. This item is the first reading for amendment of Chapter 20 of the City code to establish provisions for no-thru-truck zones. The City Commission approval is required for amendments to the Code of Ordinance. The City receives complaints from residents about truck traffic cutting through residential neighborhoods. As of now, the City Code of Ordinance fails to address commercial vehicle restrictions through City roads. Therefore, codification of ordinance is needed to establish commercial vehicle restriction zones and enforcement. So this ordinance amends Chapter 20 to establish a new section 20-2 and create no-thru-truck zone designation. That new section will allow prohibit thru-truck-traffic on streets unsuitable for such traffic by reason of their construction, character, and nature of abutting residential properties. It also provides for posting of proper signage in accordance within any City standards. And it also provides for code -- code enforcement compliance. City Manager recommends approval. This is the first reading.

MAYOR MESSAM: Thank you. There've been no members from the public that have requested to speak on this item. Back to the dais. Are there any question or comments on this item? Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Thank you. This was a item that I requested, because I'm experiencing lot of trucks coming through Woodscape, 68th Avenue, large trucks, disrupting those community, and I'm glad that we're here. I don't see my name on it, but it is what it is. It's something that's needed in our community, so I'll make a motion to approve this item. Something that we needed.

COMMISSIONER DAVIS: Second.

VICE MAYOR CHAMBERS: Call -- call the vote.

MAYOR MESSAM: No. We got to have a motion first.

VICE MAYOR CHAMBERS: Motion to approve.

MAYOR MESSAM: Now you want to --

COMMISSIONER DAVIS: Second.

MAYOR MESSAM: All right. Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Chambers, seconded by Commissioner Davis, to approve Ordinance #O1767, the Commission voted:

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

Passed 1st Reading

SECOND READING SCHEDULED for January 27, 2021

PUBLIC HEARING

MAYOR MESSAM: Item number 11, please.

CITY ATTORNEY NORRIS-WEEKS: Item number ten, Mr. Mayor?

MAYOR MESSAM: Yeah, item number ten, excuse me.

10. **SECOND READING** of Temp. Ord. #O1766 amending the Land Development Code of the City of Miramar, pursuant to Section 302 of the Land Development Code and Section 166.041(3)(a), Florida Statutes, more specifically at Chapter 8, entitled "Development Standards of General Applicability" by amending Section 816, entitled "**Storm Drainage, Water Management Design and Floodplain Management Standards**," to provide for a definition, as well as methods of construction and requirements for critical facilities; to extend the one-foot freeboard requirement that currently applies to new and substantially improved residential buildings located throughout the City's flood zones or Special Flood Hazard Areas, to new and substantially improved manufactured homes, and to mechanical equipment and utility items, also located in the City's flood zones, in compliance with the new Community Rating System Class 8 Prerequisite; and to clarify and strengthen the requirements for elevated buildings with fully enclosed areas; making findings; providing for repeal; providing for severability and interpretation; providing for correction of scrivener's errors; providing for codification; and providing for an effective date. ***(Passed 1st Reading on 10/28/20) (Community Development Director Eric Silva)***

CITY ATTORNEY NORRIS-WEEKS: An ordinance of the City Commission of the City of Miramar, Florida, amending the Land Development Code of the City of Miramar, pursuant to Section 302 of the Land Development Code and Section 166.041(3)(a), Florida Statutes, more specifically at Chapter 8, entitled "Development Standards of General Applicability" by amending Section 816, entitled "Storm Drainage, Water Management Design and Floodplain Management Standards," to provide for a definition, as well as methods of construction and requirements for critical facilities; to extend the one-foot fire -- fire -- freeboard requirement that currently applies to new and substantially improved residential buildings located throughout the City's flood zones or Special Flood Hazard Areas, to new and substantially improved manufactured homes, and to mechanical equipment and utility items, also located in the City's flood zones, in compliance with the new Community Rating System Class 8 Prerequisite; and to clarify and strengthen the requirements for elevated buildings with fully enclosed areas; making findings; providing for repeal; providing for severability and interpretation; providing for correction of scrivener's errors; providing for codification; and providing for an effective date.

MAYOR MESSAM: Welcome back.

MR. SILVA: Good evening again. Eric Silva, Community Development. There've been no changes since the first reading.

MAYOR MESSAM: Thank you. There've been no requests from the public to speak on this item. Back to the dais. Are there any comments or questions, or may I have a motion?

VICE MAYOR CHAMBERS: Motion to approve.

COMMISSIONER DAVIS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Chambers, seconded by Commissioner Davis, to approve Ordinance #O1766, the Commission voted:

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

Ordinance No. 21-02

MAYOR MESSAM: Now item 11.

11. SECOND READING of Temp. Ord. #O1765 approving the end-of-year amendment of the **Fiscal Year 2020 Operating and Capital Improvement Program Budget;**

and providing for an effective date. ***(Passed 1st Reading on 11/04/20)***
(Management & Budget Director Rafael SanMiguel)

CITY ATTORNEY NORRIS-WEEKS: An ordinance of the City Commission of the City of Miramar, Florida, approving the end-to -- end-of-year amendment of the Fiscal Year 2020 Operating and Capital Improvement Program Budget; and providing for an effective date.

MR. SANMIGUEL: Good evening, Mayor, Vice Mayor, Commissioners. Rafael Sanmiguel from the Budgeting Department. I'm here to present to you the second reading of the Fiscal Year 2020 final budget amendment. There are some changes from the first reading. Next slide. So per State statutes, all amendments must be adopted within 60 days following the end of the fiscal year, so that deadline is November 30th of this year. And the City Manager wishes to amend the budget for this provision. Next slide. You know, as you know, 2020 brought serious challenges to our sources of revenues, with businesses shutting down, you know, and the City could not collect the revenues like years before. Starting with the General Fund, general taxes, property taxes are down by collection \$52 million, as the County has suspended the sale of certificates for the **(unintelligible 5:04:25)** properties, and also down are utility taxes, electricity by 400,000 CST by \$360,000.00. On the bright side, we have permit and fees coming better by -- over \$2 million. Intergovernmental revenue was down by \$2.16 million for local half-cent scales -- half-cent sales tax. And \$400,000.00 for the State revenue sharing proceeds. Our biggest loss was \$4.3 million in charge for our services; that includes childcare fees, ambulance fees, rental revenue, concessions, admission fees, aquatic fees, ticket sales, recreation activities and what have you. Just across the board due to the impact of COVID. Fines and forfeitures \$193,600.00 decrease primarily related to fines coming in lower than anticipated. Next slide. And miscellaneous revenues down by \$4.2 million, mainly because of the -- not because of the -- because we couldn't sell the Lot 2 property. Also recall in 2020, and also the suspension of credit card fees, the interest earnings being down all across the board. Transfer, decrease in **(unintelligible 5:05:51)** revenues not realized as anticipated from street construction and maintenance due to the shortfall in gas tax and State revenue sharing proceeds. And from the State and County grants to the cancellation of community services activities affected by COVID-19. And the appropriation of fund balance we had to increase by \$5.8 million. So this is an improved figure from the first reading, as the appropriation of fund balance was \$11 million in the first reading. So that's a total revenue balance of around \$6.6 million. Next slide. So the good news is that with the direction and leadership of the City Manager and his office, the departments found savings in operating and personnel vacancy lines throughout the City to try to dampen the effects of COVID. Starting with the City Manager's Office, savings of \$337,200.00; Human Resources \$345,200.00; Legal \$588,300.00. Next slide. Financial Services \$344,200.00; Procurement \$67,100.00; my department, Management and -- and Budget \$15,500.00; Police \$406,000.00; Fire Rescue, we had to increase their budget by \$287,000.00 due to higher than anticipated lump sum payout accrued time. Community Development did not meet their attrition targets that they had for vacancies, so we had to increase their budget by \$249,000.00, but keep in mind that their Building Division did bring in around \$2.8 million more in revenue than anticipated. Economic &

Business Development, again, a savings of \$430,700.00; Public Works for a good job, \$1.1 million savings; Parks & Recreation, great job, at \$1.5 million in savings; Community Services, almost half a million at \$429,300.00; Cultural Affairs \$361,300.00; Non-departmental still at \$1.4 million; and the transfers out, we're going to fund the 2019 special obligation bond in the Fund 201; that's already transferred out. So total expenses down by \$6.6 million. I just want to thank every single one of the departments for stepping up to the plate, and I realized these savings go to -- to make it much better on the General Fund for Fiscal Year 2020. Next slide. We're moving on to the Public Safety Outside Services Fund. We have a reduction in revenue, due to many events and gatherings being cancelled, and not needing the security presence or detail from the police, so a net effect of \$89,500.00, which is being made up by the Worker's Comp being reduced by that amount in the expense side. Next slide. In grants, the State and County Grants Fund (163), funds were not received, as a result of cancellation of community service activities, so that's a loss of revenue of \$146,900.00, and these revenues go to reimburse the General Fund, because we have to reduce the transfer out the General Fund by the same amount, \$146,900.00. In the SHIP Fund, we are going to recognize the \$4,000.00 lost in interest earnings, and we will decrease the bank service charges by the same amount. In the Debt Service Fund, we're going to recognize the \$3,900.00 in dividend income, plus the \$246,000.00 transferred in from the General Fund in order to fund the payment of the 2019 bank loan on the expense side. Next slide. The Street Construction Maintenance Fund is where we recognize the fuel tax revenues, and because of COVID, there is no -- projections failed to materialize, so we have a revenue loss of around \$550,000.00 -- yeah, \$550,000.00 for the first two lines. We had the interest earnings revenue loss of \$11,700.00, and we subtract the appropriation of fund balance of \$104,000.00 to -- to get to \$657,300.00 figure of revenue loss. And because we have to fund operations in the General Fund with these monies, we produced a transfer out to General Fund by the same amount. And these are street maintenance and transportation operations. To Fleet Maintenance, here's where we account for the purchases of all the General Fund vehicles. Two police vehicles were commuted to savings so were listed in vehicle purchase for the -- sorry, the vehicle replacement program revenue line, along with interest earnings for that fund, and we balanced it out in the expense side, with salaries, benefits, and other operating expenses. Approval is recommended, and I'm here to answer any and all your questions.

MAYOR MESSAM: Thank you for the presentation. There's been no members from the public that wish to speak on this item. Back to the dais. Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Just in the presentation, you mentioned Block 2. Can -- Can you explain that to me, please?

MR. SANMIGUEL: Right. So we had in the budget the revenue of the sale of Block 2 fiscal year 2020, and that was not -- that didn't come to fruition, **(unintelligible 5:11:45)**, so we are expecting that, probably, this year.

VICE MAYOR CHAMBERS: So that sale is of as of now, right now?

MR. SANMIGUEL: What's that?

VICE MAYOR CHAMBERS: The sale is off as of right now?

MR. SANMIGUEL: Correct, right.

VICE MAYOR CHAMBERS: That is news to me right now. I didn't get a memo on that. All right. This is serious stuff here right now. Why aren't we seeing more savings from Cultural Arts Center; with COVID, nothing happening over there?

MR. SANMIGUEL: I would have to ask the Cultural Affairs Department for that. Are they available? But I --

MS. CEVIEUX: Evening Mayor, Vice Mayor, Commission. Camasha Cevieux, Director of Cultural Affairs. At this time, the savings that you see is because we did make a reduction, considering COVID, and considering the standard of the operations, as it relates to production and -- and box office services that we previously had outsources, so that's where you see the reduction, as you see right now. The activity that has been happening over there has been virtually programming. We also have started to do very small classes. As it relates to our -- our food and beverage programming, we intended to really look at programming beginning in the spring. We're the Cultural Affairs Department, so there's activity, and there has been request to rent the facility from people without audiences to do tapings for corporations, and things of that nature. So while it might not necessarily be, you know, the traditional activity that you'd seen, there is activity coming from people that are considering rentals, as well as very scaled down opportunities for events and activities that we've done.

VICE MAYOR CHAMBERS: So there's potential rental -- rentals?

MS. CEVIEUX: Absolutely.

VICE MAYOR CHAMBERS: Right. But what I'm saying right now, there's nothing happening. We should have seen more savings. Did we -- have -- we have the same staff? Do we move anyone around to another department?

MS. CEVIEUX: We've -- we've -- we've reduced our staffing; Vice Mayor, we have reduced our staffing.

VICE MAYOR CHAMBERS: So it should reflect more savings; maybe not. Let me ask you. Since we're here, is where -- is where we're at, it's what it is. I'm going to sit down with you. I do have a program --

MS. CEIVIEUX: That can bring some revenue to the kitchen.

VICE MAYOR CHAMBERS: So I'm going to set up a meeting with staff, you and staff, and see how we can move that to bring some revenue with the -- the kitchen. All right. So I'm going to have my staff reach out to you and Randy, and -- I'm not sure who's the ACM over the Cultural Center, and see if we can generate some revenue.

MS. CEVIEUX: Okay.

VICE MAYOR CHAMBERS: All right?

MS. CEVIEUX: But -- yeah.

VICE MAYOR CHAMBERS: Thank you.

MAYOR MESSAM: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Thank you. I hate to be redundant, but Vice Mayor had asked about Town Center Block 2. Can you explain that item, that -- that bullet?

MR. SANMIGUEL: Sure. It's -- it's simple, really. We had in the budget a revenue item for a revenue line of projection to receive the sale -- The proceeds from the sale for Block 2 of around 3.1 to \$3.2 million into the revenue, and that sale did not take place in fiscal year 2020, so we're expecting the sale to still take place, but just not in 2020, and this is the amendment of 2020, and just this -- it's just simple.

COMMISSIONER COLBOURNE: Okay. So we still expect the sale to take place?

MR. SANMIGUEL: Yes.

COMMISSIONER COLBOURNE: Okay. When do we expect that to happen?

MR. SANMIGUEL: I believe that should happen in 2021.

COMMISSIONER COLBOURNE: I'm sorry?

MR. SANMIGUEL: It -- it should happen in fiscal year 2021.

COMMISSIONER COLBOURNE: We don't -- you don't know when in 2021?

MR. SANMIGUEL: No. But I -- I can ask Mr. Hector Vazquez to answer that question.

MR. VAZQUEZ: Good evening, Hector Vazquez. It should happen first quarter of next year.

COMMISSIONER COLBOURNE: First quarter of next year; okay. All right. Thank you. I -- I thought you were saying it wasn't going to happen again, and I wasn't aware of that. Okay. Thank you.

MAYOR MESSAM: Any other questions or comments? If none, may I have a motion?

VICE MAYOR CHAMBERS: Motion to approve.

COMMISSIONER COLBOURNE: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Chambers, seconded by Commissioner Colbourne, to approve Ordinance #O1765, the Commission voted:

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

Ordinance No. 21-03

MAYOR MESSAM: I would ask if our attorney would read into the record items number 12 through 14 for this is the same presentation, but we would have to vote on these items respectively

CITY ATTORNEY NORRIS-WEEKS: You would need to vote on them separately.

MAYOR MESSAM: Yeah.

- 12. SECOND READING** of Temp. Ord. #O1756 authorizing the creation of the **2020 Five Year Workforce Reduction/Early Retirement Incentive Program ("ERIP")** for the explicit purposes of reducing the City's full time workforce through a combination of pension and medical insurance incentives, permanent elimination of the budgeted full time equivalent position of each employee that makes the irrevocable election to participate in the ERIP, requiring coordination in the FY2021, FY2022, FY2023, FY2024 and FY2025 adopted budgets, the reduction of positions, as a result of this Program, and funding for the medical benefits and lump-sum distribution options offered to participants in the ERIP, and budgeting the cost savings provided as a result of the ERIP; providing for severability and interpretation; providing for inclusion in the Code; providing that officials are authorized to take action; and providing for an effective date. ***(Passed 1st Reading on 11/04/20) (Human Resources Director Randy Cross)***

CITY ATTORNEY NORRIS-WEEKS: Item number 12; An ordinance of the City Commission of the City of Miramar, Florida, authorizing the creation of the 2020 Five Year Workforce Reduction/Early Retirement Incentive Program ("ERIP") for the explicit purposes of reducing the City's full time workforce through a combination of pension and medical insurance incentives, permanent elimination of the budgeted full and equivalent positions of each employee that makes the irrevocable election to participate in the ERIP, requiring coordination in the FY2021, 2022, 2023, 2024 and 2025 adopted budgets, the reductions of positions, as a result of this Program, and funding for the medical benefits and lump-sum distribution options offered to participants in the ERIP, and budgeting the cost savings provided as a result of ERIP; providing for severability and interpretation; providing for inclusion in the Code; providing that officials are authorized to take action; and providing for an effective date.

MAYOR MESSAM: Thirteen and 14; it's all the same presentations.

CITY ATTORNEY NORRIS-WEEKS: Okay. An ordinance of the City Commission of the City of Miramar, Florida, amending Chapter 15, Article V, of the City Code of the City of Miramar related to the General Employee Pension Plan; amending Section 15-312(e) to create an Early Retirement Incentive Plan for members within five years of normal retirement eligibility; amending Chapter 15, Article IV, of the City Code of the City of Miramar related to the Management Pension Plan; creating Section 15-355(i) to create an Early Retirement Incentive Plan for management employees within five years of

normal retirement eligibility; providing for severability; providing for codification; and providing for an effective date.

MAYOR MESSAM: One more.

CITY ATTORNEY NORRIS-WEEKS: An ordinance of the City Commission of the City of Miramar, Florida, amending Chapter 15, Article IV, of the City Code of the City of Miramar governing the Miramar Police Officers' Retirement Plan and Trust Fund; creating Section 15-175 to establish an Early Retirement Incentive Plan for members with at least fifteen (15) years of service, providing for a lump sum incentive for DROP participants; providing for severability; providing for codification; providing for an effective date.

MR. CROSS: Good evening again, Mr. Mayor, Mr. Vice Mayor, members of the Commission. Randy Cross, Human Resources Director. This is the second reading for these three ordinances. We did look into other options to see if there was anything that would incentivize employees that were in the group that was not eligible for retirement, and yet would leave with this program versus those that are eligible. From our conversations with the unions, and the employees that reached out to that we were thinking have expressed an interest, and it seems like sticking with what was recommended would generate the most incentive and participation in the program. So, with that, unless there's any other discussion and things for us to consider, the City Manager is recommending we move forward as to those.

MAYOR MESSAM: I think we may need assistance with -- for Madam Clerk. We do have -- we have speakers in the Chambers?

CITY ATTORNEY NORRIS-WEEKS: I'm sorry, I can't hear you.

MAYOR MESSAM: Madam Clerk, do we have members from the public -- was there a note that there are speakers for this item, 12, 13, and 14?

CITY CLERK GIBBS: Yes.

MR. CROSS: I do know that Mr. Edmond from the GAME union was on the line.

MAYOR MESSAM: Excuse me?

MR. CROSS: Mr. Edmond from the GAME union was on; I know that he was queued up to speak. I'm not sure if the Clerk has his information.

MAYOR MESSAM: Are they still on the line? If we can unmute their mic.

MR. EDMOND: I'm here. Hello?

MAYOR MESSAM: Yes, you're recognized, sir.

MR. EDMOND: Well, good morning, Mayor Messam, Vice Mayor, so sorry, you guys, you're going to have to forgive me --

MAYOR MESSAM: Can you state your name and address for the record, please, sir, and good morning to you as well.

MR. EDMOND: Okay. Jeremiah Edmond, 4802 NW 97th Avenue, Sunrise, Florida. I'm a little under weather, but I stayed up for this. Just -- just to let you know our members and the employees are -- are very interested and looking forward to this. We've had numerous of conversations, we've had numerous of meetings, general meetings, and this -- this is a item that the employees really like, and they want to just stick what was -- what was at hand. So I would appreciate if -- if we have the consideration of passing this. And, again, you have to forgive me, I am under the weather, so I just thank you for your time, and for listening, and bringing this forth. We do have our members that are -- anxiously waiting, and also, they are -- they've been bugging me to death, okay. So I just thank you for your time, and you're -- and I appreciate this moment.

MAYOR MESSAM: Thank you, sir.

VICE MAYOR CHAMBERS: Mr. Mayor, before we move further, it's 12:29. I'd like to make a motion to extend the time until 5:00 a.m. Motion to extend until 5:00 a.m.

MAYOR MESSAM: There's been a motion made. I don't hear a second. Can I have another motion, please.

VICE MAYOR CHAMBERS: Motion for 6:00 a.m. I mean we --

MAYOR MESSAM: There's been a motion made, no second. May I have another motion?

COMMISSIONER DAVIS: Motion until 1:00 a.m. or --

MAYOR MESSAM: Is there a second?

COMMISSIONER DAVIS: How about 12:45.

COMMISSIONER BARNES: Second.

MAYOR MESSAM: All right. There's been a motion and a second for 12:45; Madam Clerk, please record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: No.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Colbourne?

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Davis, seconded by Commissioner Barnes, to extend the Commission meeting to 12:45 a.m. the Commission voted:

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

Approved

MAYOR MESSAM: Back to the dais. Are there any comments or questions on this -- on -- on items -- we would have to vote on them separately, 12, 13, and 14.

COMMISSIONER COLBOURNE: Yes.

MAYOR MESSAM: Okay. I have a speaker. Commissioner Colbourne, you're recognized.

COMMISSIONER COLBOURNE: Thank you. Last -- at last meeting -- at our last meeting, Commissioner Davis made a suggestion to consider doing the incentive program for those individuals that have done their 20 years plus in order to incentivize -- incentive -- too late -- too early for that word. In order to encourage them to retire. I thought I would have seen some -- as an option or some changes to this item tonight where that's concerned, but I don't see anything.

MR. CROSS: I have prepared several options that we discussed with the union. I'm happy to show those to you. We have slides available, if you'd like to go through those, and I apologize if I misunderstood, but when I looked over the meeting, and it's from last meeting, I thought the instructions were to see if there was an interest for other options, and then HR could make a recommendation based on what the feedback was, but I could have misunderstood that. But we do have options. I'm happy to go through those with you, if you would like to see what those look like.

COMMISSIONER COLBOURNE: Okay. Well, I -- I definitely -- I didn't like the option of - of employees re -- retiring at 15 years of service. So I would like to see the option, in terms of those that have done their 20 years.

MR. CROSS: Just to refresh everyone's memory, what's currently being proposed is an option to have any employee that has 15 years and more -- well, let me rephrase that. To reduce the requirement to retire by five years, so that would either put an employee at eligibility to retire after having completed 15 years of service, or a reduction based on the years of service and a combination of age, which is -- varies from pension to pension, but it would meet that requirement. And, in any case, the employee has to have vested in order to be able to retire. So the options that the employee would have would be regardless of whether they're currently eligible or not. They would be able to retire under the program if they meet the eligibility, and then they would pick one of three options. If they're already in the DROP program, or eligible to enter DROP, they would have the option for six months of DROP payments, or they would have the option to select health insurance at the HMO, four years of service -- every four years of service gets you one year of coverage for you and your family, or an option for cash value equal to 20 weeks of pay.

COMMISSIONER COLBOURNE: None of that has changed from the --

MR. CROSS: Right. That's -- that's --

COMMISSIONER COLBOURNE: Okay. So I'm looking for the option --

MR. CROSS: Right. So I'm just refreshing everybody about what the current is, and then we would go through the options. Go to the next slide, please. The one option we looked at is taking the 20 weeks of service, and similar to how we looked at the insurance option, where you would qualify for the insurance based on numbers of years of service. We looked at doing a similar situation with the cash option, so if you would like to go with the cash option, instead everyone having the opportunity to get the 20 weeks of cash, if you're within the five weeks -- within the five years of retirement eligibility, and you take the cash option, that option would be reduced by two weeks out of the 20 for every year that you're away from your regular retirement. So another way you can think of that is I was at 15 years, you would take ten weeks away, so you would only be eligible for ten weeks of the cash. If you took -- if you were at four years, you would get eight weeks less, and you'd

get 12 weeks of the cash up to the 20. So that would further reduce the benefit for the employees that are within the five years. If you are at retirement eligible, you'd get the option for the full 20 weeks. Next slide, please. So this is a comparison between what the two looks like, just to give you an idea of what the actual benefit would be for an employee. Do you want me to go through that, or would you like me to just show you each of the options?

COMMISSIONER COLBOURNE: I'm really looking for you to show me what it would look like if this proposal before us was only for employees who have worked 20 years plus.

MR. CROSS: So that would -- can you go back two slides? One more. So that would this, everything on the right side of the -- I'm sorry --

COMMISSIONER COLBOURNE: I'm sorry?

MR. CROSS: To the right side of the dark black line, where it says "Retirement eligible and DROP", that would be what we would offer as the ERIP; everything on the left side, which is within five years of retirement, that would be taken off the table, and only employees that are currently retirement eligible for in the DROP, and/or in the DROP would be eligible for the plan, and it would be those three options that I discussed.

COMMISSIONER COLBOURNE: That would be my choice, to only move forward with those, the ones that are eligible for retirement and DROP, and see how that works before we -- before we retire individuals at 15 years of service.

MAYOR MESSAM: Are there any other quest -- I'm sorry, Commissioner, that's -- any more questions or comments?

COMMISSIONER COLBOURNE: If -- if there are -- if there aren't any other comments, that's -- then I'll make a motion.

MAYOR MESSAM: No, I'm saying are you finished with your questions and comments?

COMMISSIONER COLBOURNE: But that's -- yeah.

MAYOR MESSAM: Okay. All right. Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Thank you. So on the point that Commissioner Colbourne mentioned, how many people would be taking this option that you figure would qualify -- how many people would qualify for the full retirement right now?

MR. CROSS: If you can go back to the slide -- I think -- one more, one more, one more. So there are 149 employees that are eligible with the five-year window if we -- if we offered that, and then 161 who are eligible with -- already at retirement eligibility. So, in other words, basically, it's half. So out of the 310 or so employees that are eligible to retire

under the program, if it went through as proposed, if the option to take five-year window reduction off the table, then the -- the number of employees that would be eligible would be reduce to 161, so you would cut it in half basically.

COMMISSIONER DAVIS: And that includes police, fire, and everybody?

MR. CROSS: Yes, just police, general employees, and none from fire.

COMMISSIONER DAVIS: Not firefighters; police and general; so 161, and we were -- we want 50 to take it?

MR. CROSS: Correct. Which is why we thought that with the full offer that's on the table, and the equal -- almost equal savings that we would receive on the return on investment, we have a higher probability of having more employees take the program, if you're including the wider -- testing a wider net, and opening up --

COMMISSIONER DAVIS: But not -- not to forget that we still don't -- at least I wasn't happy with the fact that we have to depend on people not hiring, and it could be a whole new commission, it could be whole new city manager that just got to hire, so that was another problem. That was the only way we were going to save if we didn't do something, or the people in this seat didn't do something, which I don't think is sustainable.

MR. CROSS: On -- on that point, I've had a lot of conversations with Raf from Budget over the last week or so on that, and one of the things we also talked about doing is -- you know, depending on who actually takes the program and separates, and what their unique situation is, how much money they make, how many years they've been here, which option they take. Once -- if this -- however this will move forward, there's always that opportunity every year to look at the actual ROI that you've got on the actual people that separated and gauge that. We could come back every -- as part of the budget cycle, we could amend the ordinance to require that every year during the budget cycle, the budget office would report on what the achieved ROI at that point in time for the employees that separate. Or there might be a possibility where the Commission could say: You know, we've achieved a substantial savings on that, we don't have to wait five years, we can wait two years, we could wait three years. And depending on who actually separates, if you reduce it from the five years, you reduce that wide margin that the financial advisory was very happy seeing in this. But even at the three-year mark, I think we're still saving quite a bit of money. There's like over -- almost over 100 percent ROI at even the three-year mark on average. So the idea that you would keep it for the full five years might not be necessary. So we could amend the ordinance that every year the budget officer report on the actual savings, and what the costs are, and show by position, once we've achieved that ROI. And the Commission, at that time, could say: You know, we've done with that; we can open that position up, or -- or -- or not.

COMMISSIONER DAVIS: And finally, how many of the folks within the five years would have -- do you estimate would take the -- this offer?

MR. CROSS: About half; about half and half on each from the interest that we've --

COMMISSIONER DAVIS: So it's half and half?

MR. CROSS: -- that we've seen.

COMMISSIONER DAVIS: So it's half and half?

MR. CROSS: Yeah.

COMMISSIONER DAVIS: So it would be half of the 161, and half of the 149?

MR. CROSS: No, no, the meaning of the 50 --

COMMISSIONER DAVIS: No, who would take the offer.

MR. CROSS: -- of the 50 or so that we've gotten pretty strong interest from, they're pretty spread evenly between the two groups.

COMMISSIONER DAVIS: So 25 and 25, but we'll get more -- if we could have more people from the 161 leave, it would benefit the City better, because they're the highest paid.

MR. CROSS: Right, --

COMMISSIONER DAVIS: You don't have to --

MR. CROSS: It really -- it's -- it depends on, really, the positions that separates is where you get the act -- the actual ROI. So they -- in some circumstances, from either group, you can achieve very -- very high ROI or not, as high an ROI. In every case, you still achieve a positive ROI, meaning you save money.

COMMISSIONER DAVIS: Right.

MR. CROSS: In all of our scenarios, in all of our documents and data that were reviewed by the financial advisory, in every scenario, you have a positive savings.

COMMISSIONER DAVIS: Okay. Thank you.

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

VICE MAYOR CHAMBERS: Mr. Cross, why are we at 15 years, and maybe not 18? Is there any reason why we're not, say --

MR. CROSS: That's great question, Vice Mayor. So -- and I don't know if I've stressed this enough in the past. What's currently in our pension ordinances right now is an early retirement offer. So the pension ordinances, as they exist right now, all have a five-year reduction option, where you can walk out the door five years early.

VICE MAYOR CHAMBERS: Okay.

MR. CROSS: So what we've designed here is nothing new from what's in the current pension. All we've done is relax or eliminate the penalty that's in place and eliminate the age requirement that's in place to take advantage of the five-year earlier window. So right now any employee in the organization who's in one of these three pension plans has an option to leave early, up to five years, there's an age restriction, and there's a penalty per year that gets applied, because it's an actuarial impact. So what we've done here to incentivize employees to leave early is take that same, exact benefit that's already in the ordinances that exist today, and just eliminate the penalty and the age restriction to free those people up to take advantage of the early retirement plan as an incentive. So there's -- there's nothing -- I don't know if I've stressed that enough, but there is nothing procedurally or of benefit that doesn't already exist, we're just incentivizing people by reducing or eliminating the penalty and the age restriction to let employees take advantage of it.

VICE MAYOR CHAMBERS: And that's good. A question. What I notice with the officers, mainly between four to eight years, to ten years --

MAYOR MESSAM: Excuse me, Mr. Vice Mayor. Can I have a motion to extend the meeting.

VICE MAYOR CHAMBERS: A motion to extend the meeting to 2:30 a.m. That's a big compromise from 6:00 a.m.

MAYOR MESSAM: There is a motion -- I don't hear a -- I have a second? If not, may I have another motion, please.

VICE MAYOR CHAMBERS: Motion to extend to 2:00 a.m. I mean if we use the time, fine, if we don't, you know, that's quite a bit of item left.

MAYOR MESSAM: There's a motion. Do I have a second? May I have another motion, please.

VICE MAYOR CHAMBERS: Motion to --

MAYOR MESSAM: It has to come quick, either have to gavel.

VICE MAYOR CHAMBERS: Motion to end the meeting right now to go home.

COMMISSIONER DAVIS: 1:00 motion to extend the meeting.

MAYOR MESSAM: Remember, we have a -- a quasi-judicial public hearing that has been advertised --

COMMISSIONER DAVIS: 1:30?

MAYOR MESSAM: -- so we have to make sure we have enough time for items 15 and 16.

COMMISSIONER COLBOURNE: We have to speed it up.

COMMISSIONER DAVIS: So 1:30. Motion to extend the meeting to 1:30.

VICE MAYOR CHAMBERS: Second.

MAYOR MESSAM: Madam Clerk, please record the votes.

CITY CLERK GIBBS: Did you say to 1:00 a.m.?

COMMISSIONER DAVIS: 1:30.

MAYOR MESSAM: 1:30.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Colbourne?

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Davis, seconded by Vice Mayor Chambers, to extend the Commission meeting to 1:30 a.m. the Commission voted:

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

Approved

MAYOR MESSAM: You may proceed, Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Thank you. It's -- what I was saying earlier was our officers are leaving between four and nine years, but when they get to 20, 25 and 30, they're -- they're staying. You know, they don't want to leave, so I'm not sure --

MR. CROSS: I -- I mean I don't want to scratch a close **(unintelligible 5:40:51)**, but the -- that item was focusing on specifically separation issues for junior officers. We have not had turnover or concerns with turnover with officers once they're well beyond that point. Usually officers that are topped out or in retirement were at close to the DROP stay. We haven't had that type of issue at all. That was specific for that particular issue.

VICE MAYOR CHAMBERS: I know. But I'm just saying it's gotten sweeter later, whatever it is. So the proposal by Commissioner Colbourne, can you just kind of -- it's for 20 years?

MR. CROSS: I believe what Commissioner Colbourne is suggesting is that we eliminate the option for the early retirement piece. Basically, what this would become -- it would become a voluntary separation program, because the employees that would be left are already employees that are eligible to retire, so it really wouldn't be an early retirement program.

VICE MAYOR CHAMBERS: Okay.

MR. CROSS: It would be a voluntary separation program, because they're already eligible to retire. You know, the downside to that -- from -- from our analysis -- and, again, this is just strictly coming from the numbers and the analysis that we conducted is you would -- you know, our -- our intent was to try to achieve the greatest possible savings, and continue with operations and not miss beat with that. And this, from all of the research we've done, the financial advisors review, the actuary's review, the discussions with the

union would maximize the possibility of that happening, and that's just what we were trying to achieve with this. So you do run the risk, if you don't have an many people in the pool eligible to participate, you proportionately reduce the number of employees that would probably go after the program. Because from our research, I don't think we're going to get 50 percent of just those that are already eligible; I don't think we'll see 50 or 75 people that are already eligible to retire take it. So if the goal was around 50 employees, somewhere in that neighborhood, you really needed it to come from both groups to hit that number.

VICE MAYOR CHAMBERS: So let me ask you -- at the 20 years mark, are we still keeping the insurance piece, incentive? Okay. Thank you.

MAYOR MESSAM: Thank you, Vice Mayor. I did omit two members from the public, Mr. Tom Tiberio, followed by Nicole **Torado 5:43:25** that were on the list, well not on the list. You're recognized, sir. Just state your name again for the record, and address, please.

MR. TIBERIO: Tom Tiberio, 11765 City Hall Promenade. Good evening, again. I want to give a brief -- we're in support of this, and I waive my time.

MAYOR MESSAM: Thank you. Is Ms. Nicole **Torado**, if we can unmute Nicole **Torado**, who requested to speak.

MS. **TORADO**: Good evening everyone.

MAYOR MESSAM: Yes. Good evening. If you --

MS. **TORADO**: Yes.

MAYOR MESSAM: If you could state your name and address for the record, please, ma'am.

MS. **TORADO**: Sure. Good evening. My name is Nicole Torado, and I reside at 1741 SW 87th Terrace, in Sherman Circle, Miramar, Florida 33025. So I've been a Miramar resident for almost five years now; I live in Sherman Circle. I previously -- actually lived across the street from **(unintelligible 5:44:29)** Town Center. I work at Southern Glazer's Wine and Spirits on Miramar Parkway, and I've been pursuing my master's in environmental policy at FIU in Miramar campus.

MAYOR MESSAM: Excuse me. Do you have the right num -- this for the early retirement item.

MS. **TORADO**: Oh, no, it's for HR 763. I stated that --

MAYOR MESSAM: Okay. So you just hold on --

MS. **TORADO**: -- in the --

MAYOR MESSAM: -- for that item to come. This is a different item.

MS. **TORADO**: Okay. Sure.

MAYOR MESSAM: All right. Thank you. Back to the dais. Are there any other comments or questions? Couple points. I'd just like to thank staff for the work you've done on this, and being very responsive to the Commission questions, and I think we can say that this item has been well vetted, in terms of all the stake -- stakeholders, at least in terms of input from all the stakeholders. The good thing about the controls on this is that the Commission is in full control of the number of full-time employees that we approve in each budget process. And I think -- it was a great idea, in terms of putting in some accountability, a report or tracking mechanism or amendment to the ordinance annually, just to ensure that we are getting those savings that we are. So having that mechanism to kind of be some oversight for that, I think was a result of many of the questions and concerns that came from the Commission that can help provide the needed information to ensure that we're hitting our -- our targets. And -- and I trust that this item can move forward for the benefit of the City of Miramar for our employees that would take advantage of this, and for the ability for us to realize the -- the budget savings towards our General Fund that are so desperately needed. Thank you. And those conclude my comments and observations. If there are no other comments or questions, may I have a motion, please.

COMMISSIONER COLBOURNE: Yes, I'd like to make a motion for us to approve only the portion of this item that deals with the 20 years plus, employees of 20 years plus, those that are in the DROP program.

MAYOR MESSAM: If we did that, it wouldn't be a early retirement plan, as stated.

VICE MAYOR CHAMBERS: Second the motion.

MAYOR MESSAM: It's been -- well, actually, we have to -- these items are individual items, so they have to be item -- voted on independently. On item 12 -- 12, 13 and 14.

COMMISSIONER COLBOURNE: Okay.

MAYOR MESSAM: So for item number 12?

COMMISSIONER COLBOURNE: I'm sorry?

MAYOR MESSAM: We have to state the item number for the record. There's three items that are being voted on.

CITY ATTORNEY NORRIS-WEEKS: Mr. Mayor, just for clarification, you are starting with the first one, right, in chronological order.

MAYOR MESSAM: 12, 13, and 14 --

CITY ATTORNEY NORRIS-WEEKS: Yes, sir.

MAYOR MESSAM: -- are the items --

CITY ATTORNEY NORRIS-WEEKS: Okay.

MAYOR MESSAM: -- that are on the --

CITY ATTORNEY NORRIS-WEEKS:

MAYOR MESSAM: -- floor for -- for vote.

CITY ATTORNEY NORRIS-WEEKS: Well, there's only one the floor at a time.

MAYOR MESSAM: Well, we're on 12, but we're taking them --

CITY ATTORNEY NORRIS-WEEKS: Okay.

MAYOR MESSAM: -- individually, so.

CITY ATTORNEY NORRIS-WEEKS: Yes.

MAYOR MESSAM: -- I'm just clarifying.

COMMISSIONER COLBOURNE: And this -- and this is for the 20-year plus drop.

MAYOR MESSAM: Well, the item is for the -- the item that is presented, that's what is being recommended, so we're either voting this up or down, or if you're voting for something other than what's -- has to be stated.

COMMISSIONER COLBOURNE: My motion is to -- the motion has been placed on and second is to approve only the 20-year portion of the item. For -- for 20 -- right. For all three -- for -- for all three of them, for those employees with 20-years plus or in the DROP.

MR. CROSS: Can I please provide some clarification, maybe that might help. So item 12 -- 12 --

MAYOR MESSAM: 2020 Five-Year Workforce Reduction, Early Retirement Incentive Program.

MR. CROSS: So -- so what would happen in item 12, is everything -- if that motion carried, my understanding is the intent would be that everything that's in the actual plan documents would strip out anything that says you're eligible if you have less than the requirements for normal retirement. And then that would take care of it for that, so it would only apply -- everything would stay, but the only thing that would apply is for employees that have already achieved normal retirement within the window. And then for items 13 and 14, the sections of those ordinances that talk about opening that window for the 15 years and up, the five years out, would be taken out. And the only thing that would be remaining in those two ordinances, would be the language about the six year - the six months of payments into the DROP program.

MAYOR MESSAM: So what's the fiscal savings on that? Because that wasn't presented with that -- only that -- only that provision.

MR. CROSS: I do believe we cut the possibility of achieving the \$15 million were thinking we would receive over five years in half, because, arguably, it would have half the number of people participating. That's based on our -- our straw poling and our analyses, about 25, so we basically cut it in half.

COMMISSIONER COLBOURNE: You're -- you're still going for 20 -- for -- for 50, 50 individuals? You said that --

MR. CROSS: Well, you know, --

COMMISSIONER COLBOURNE: -- you -- you have a hun --

MR. CROSS: So, sure, we'd be very hopeful. I just think that the --

COMMISSIONER COLBOURNE: Okay. Well, that's -- ' --

MR. CROSS; -- probability --

COMMISSIONER COLBOURNE: That hasn't changed. That hasn't changed based on my amendment.

MR. CROSS: It's just the probably of achieving it would be much more --

COMMISSIONER COLBOURNE: Based on my amendment, that hasn't changed.

MAYOR MESSAM: What hasn't changed? I want to make sure what "that" is.

COMMISSIONER COLBOURNE: The 50 -- the number of 50. You're still looking for 50 individuals?

MR. CROSS: Right. And it's just understanding that --

MAYOR MESSAM: Is that achievable?

MR. CROSS: Right. So it's understanding that there has not been expressed interest from that particular group close to 50.

COMMISSIONER COLBOURNE: You have a pool of 161, and you're looking for 50, so -

MR. CROSS: Or a list of how many are eligible; what we're looking for 50.

COMMISSIONER COLBOURNE: All right. So we have -- we have a --

MR. CROSS: Certainly, coming from 310 or so employees to hit the 50 --

COMMISSIONER COLBOURNE: We have a pool of 161, you need 50.

MR. CROSS: It would be coming out of the 161.

COMMISSIONER COLBOURNE: We have a motion and second.

MAYOR MESSAM: For item 12. Record the votes, Madam Clerk.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: No.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: No.

On a motion by Commissioner Colbourne, seconded by Vice Mayor Chambers, to approve Ordinance #O1756 as amended, the Commission voted:

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

Ordinance No. 21-04

- 13. SECOND READING** of Temp. Ord. #O1760 amending Chapter 15, Article V, of the City Code of the City of Miramar related to the **General Employee Pension Plan**; amending Section 15-312(e) to create an Early Retirement Incentive Plan for members within five years of normal retirement eligibility; amending Chapter 15, Article VI, of the City Code of the City of Miramar related to the **Management Pension Plan**; creating Section 15-355(i) to create an Early Retirement Incentive Plan for management employees within five years of normal retirement eligibility; providing for severability; providing for codification; and providing for an effective date. *(Passed 1st Reading on 11/04/20) (Human Resources Director Randy Cross)*

MAYOR MESSAM: Item number 13, please; may I have a motion.

COMMISSIONER COLBOURNE: Motion -- the same motion for item number 13.

VICE MAYOR CHAMBERS: Second.

MAYOR MESSAM: Can we just get clarification if that's an applicable motion for 13. She said the very same motion; just want to make sure that it's the -- that her intent, that the Commissioner's intent is still the same.

MR. CROSS: Right, so the ordinance for 13 and 14 would strip out the language that talks about reducing or opening the window and removing the penalty and that stuff, so that would come out, and only the section of the ordinance that talks about an option to buy six -- to be given six months of DROP payments or the equivalent of six DROP months of DROP payments within those two ordinances.

MAYOR MESSAM: So all the early provisions are take -- will be stricken?

MR. CROSS: Right.

MAYOR MESSAM: Okay.

MR. CROSS: Both ordinances have the language that covers the early out, as well as the six months of DROP payment, so we would remove the "Whereas" clauses that talk about the five-year early window, and only keep the "Whereas" clauses --

MAYOR MESSAM: So all the language for early retirement is being stricken out? Okay. I just want to make sure that the intent is preserved. All right. So we have a -- can you state -- state your motion, and second -- we had a second, did we get a second?

COMMISSIONER COLBOURNE: It's been motioned.

MAYOR MESSAM: Did we get a second? I'm not sure if -- can we have a second --

VICE MAYOR CHAMBERS: There was a second.

CITY CLERK GIBBS: I'm sorry, who made the motion?

COMMISSIONER COLBOURNE: I made the motion.

MAYOR MESSAM: Do you have the second?

CITY CLERK GIBBS: No -- no, Mr. Mayor, I didn't get the second.

MAYOR MESSAM: Vice Mayor Chambers second.

VICE MAYOR CHAMBERS: Second.

CITY CLERK GIBBS: Vice Mayor Chambers?

VICE MAYOR CHAMBERS: Yes.

MAYOR MESSAM: Yes. Record the votes, please.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: No.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: No.

On a motion by Commissioner Colbourne, seconded by Vice Mayor Chambers, to approve Ordinance #O1760 as amended, the Commission voted:

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

Ordinance No. 21-05

14. **SECOND READING** of Temp. Ord. #O1761 amending Chapter 15, Article IV, of the City Code of the City of Miramar governing the **Miramar Police Officers' Retirement Plan and Trust Fund**; creating Section 15-175 to establish an Early Retirement Incentive Plan for members with at least fifteen (15) years of service and providing for a lump sum incentive for DROP participants; providing for severability; providing for codification; providing for an effective date. ***(Passed 1st Reading on 11/04/20) (Human Resources Director Randy Cross)***

MAYOR MESSAM: Item number 14, please. Commissioner Colbourne?

COMMISSIONER COLBOURNE: Same motion.

VICE MAYOR CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: No.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: No.

On a motion by Commissioner Colbourne, seconded by Vice Mayor Chambers, to approve Ordinance #O1761 as amended, the Commission voted:

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

Ordinance No. 21-06

QUASI-JUDICIAL PUBLIC HEARING

MAYOR MESSAM: On to quasi-judicial public hearing.

CITY ATTORNEY POWELL: Yes, Mr. Mayor. May I read the statement --

MAYOR MESSAM: Yes, you may.

CITY ATTORNEY POWELL: Florida Courts have determined that there are certain types of matters, including the following applications that are to be treated differently than other issues considered by the Commission. Most decisions of the Commission are legislative in nature, which means that the Commission is acting as a policymaking body. In contrast, in quasi-judicial matters, the Commission is applying existing rules --

MAYOR MESSAM: Can we have quiet in the Chamber, please. Thanks.

CITY ATTORNEY POWELL: In contrast, in quasi-judicial matters, the Commission is applying existing rules and policies to a factual situation and is, therefore acting like a judge or a jury in a courtroom. In such cases, the courts have decided that due process and fundamental fairness requires that more formal procedures be followed. The City of Miramar's procedures for quasi-judicial hearings are as follows: all who wish to speak shall be collectively sworn in by the City Clerk. The hearing 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 hear from participants in favor of and in opposition to the application. All witnesses are subject to cross examination by City staff, City Commission and the applicant. A participant may request that the

Commission ask questions of a witness. The applicant and staff may make concluding remarks. No further presentation or testimony shall be permitted, and the public hearing shall be closed. All decisions of the Commission must be based upon competent and substantial evidence presented at the hearing. All backup materials presented at the hearing will be automatically become a part of the record of the hearing. All approvals will be subject to staff recommended conditions, unless otherwise stated in the motion for approval. The first item is -- the Clerk will now swear the witnesses.

- 15. SECOND READING** of Temp. Ord. #O1764 considering **Application No. 2002604, rezoning** a 2.10-acre parcel from B2, Community Business, to B3, heavy business, generally located approximately 379 feet west of University Drive and 810 feet south of Miramar Parkway; and providing for an effective date. *(Passed 1st Reading on 10/28/20) (Community Development Director Eric Silva)*

CITY ATTORNEY POWELL: An ordinance of the City Commission of the City of Miramar, Florida, considering Application No. 2002604, rezoning a 2.10-acre parcel from B2, Community Business, to B3, heavy business, generally located approximately 379 feet west of University Drive and 810 feet south of Miramar Parkway; and providing for an effective date. For those who wish to speak, if the Clerk could please swear those witnesses in.

CITY CLERK GIBBS: All of those wishing to provide testimony on the following quasi-judicial items please stand and raise your right hand. Do you solemnly swear or affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth? Please remain standing to receive your colored dot. Mr. Mayor, according to my list, there's also two individuals that are virtual. If IT can --

MAYOR MESSAM: Can you provide their names, so they can --

CITY CLERK GIBBS: Ms. **Lovell 5:58:01**, and Mr. Faith, if they are on the line.

MAYOR MESSAM: Are Mr. **Lovell** -- is Doreen **Lovell** and Roy Faith still on the line? Doreen **Lovell**, Roy Faith? Roy Faith is on? Okay.

CITY CLERK GIBBS: Mr. Faith is still on the line, so let me go ahead and swear him in. Mr. Faith, do you also solemnly swear or affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth? IT, if you can please unmute his mic.

MR. FAITH: Yes.

CITY CLERK GIBBS: Thank you.

MAYOR MESSAM: You're up, Mr. Silva.

MR. SILVA: Good evening, Mr. Mayor, Mr. Vice Mayor, Commissioners. Eric Silva, Community Development. Mr. Attorney, were you going to read the second item also? You just read the rezoning item.

CITY ATTORNEY POWELL: (Inaudible).

MR. SILVA: Yeah, I going to present them together, yes.

MAYOR MESSAM: Microphone.

CITY ATTORNEY POWELL: Yeah, the second -- we'll read that separately.

MAYOR MESSAM: You can -- you can do the presentation, when it comes to vote -- we'll -- we'll call I the item number.

MR. SILVA: (Inaudible).

MAYOR MESSAM: We'll read it in, yeah.

MR. SILVA: There are several applications here. This for the Miramar self-storage and retail parcel, rezoning, site plan, variances, conditional uses. The location of the property; the property is located at the southwest corner of University Drive and Miramar Parkway. What's shown here is a vacant lot; the red rectangle just north of the Broward County Pineland Preserve Park. And you can see there to the north on the parcel, there's a large building in white, that's the Presidente Supermarket. So if you were standing on University Drive next to the sign, that will be view of the parcel. On the left-hand side, you'd have the strip plaza, and towards the back, you can see the vacant lot where the self-storage and retail is proposed. Then as you walk further to University Drive straight, this is what the lot looks like today. Background. The request for a rezoning of a vacant parcel just over two acres, and the request is to from B2 community business, to B3 heavy business, and the applicant has proffered a restricted covenant, and the only B3 use that he's requesting is the self-storage use. Future Land Use Map designation is for commercial, allowing both B2 and B3 zoning, so the use and the new zone is consistent with Land Use Map. And the applicant is proposing a self-storage facility, about 122,000 square feet, and a retail space of 8,000 square feet. The process; on August 12th of this year, the Development Review Committee recommended approval of the rezoning and conditional use applications. On August 31st, a virtual community meeting was held, with members from the public and staff, as well as the applicant. Questions on loading into the storage units, fencing, landscaping, lighting, and traffic were asked by the public. All these issues were addressed by the applicant. There'll be no loading on the west by the homes, no lights shining on the homes. They're going to provide for new fence, improved landscaping, and there would be minimal traffic created by the self-storage use. On September 8th, Planning & Zoning Board recommended approval on the rezoning, and approval with conditions on the conditional use. On October 14th, the DRC recommended approval of the site plan and variances. On October 15th, the Community Appearance

Board recommended approval of the Community Appearance Board application. On October 28th, the first reading of the rezoning was passed by the City Commission. Between that meeting and this meeting tonight, there was another community meeting held on November 12th. The applicant hosted a virtual community meeting; there were residents on the call. Prior to the meeting, they sent out 1,100 notices to property owners in The Knolls and Missionwood. Then, of course, the meeting tonight for the second reading of the rezoning and associated applications. And the -- the radius for this is 1,000 feet of the property, and that notice reached 170 people. So the self-storage use is permitted in B3 as a conditional use. Also associated with the application are two variances; the first one is for parking. The code requires 90 spaces for the use, and the applicant is providing 47. Now our code has a much higher generator for parking. It's one space per 2,000 square feet, and most other codes is at one space per 5,000 square feet. And, as you know, we've been amending the code over the last couple of years, and a new parking section will be coming to the Commission soon; the recommendation to go one to 5,000 square feet. There's also a setback variance, and this is so the retail space can be located in line with the existing retail space in the shopping plaza, and it also pushes the building away from the homes in the back. And then this graphic here shows a little bit more detail on that front setback variance. The graphic on the left, that's the building shown there with the retail in the front, and the new retail space will be in line on that yellow line, so it lines up with the retail that's there. And then on the aerial photo, it'll allow for the maximum distance from the homes to the self-storage building. The building access points are shown here in the red rectangles. So on the left on this graphic, you have the homes. All access will be from the south or the north, and the retail is shown there in the front. And at the bottom of this, you have the strip commercial that's already been constructed. We have a few graphics. This is a south elevation. If you were looking at this parcel from the Broward County park to the south, this is what you would see. So from the northwest corner of the property, if you look at this from the homes or a little bit up towards Miramar Parkway, this is what you'd see, landscaping behind the building. From the southwest corner, so the park itself will be on the left, as you look at this photo, and the homes will be on -- the park will be on the right, and the homes will on the left, and you can see looking up towards the back of the building what it will look like. And then if you're in the residential neighborhood behind it, this is the view that you would see. And then from the south, this would be the new buffer between the homes and the building. And you can see here, the applicant's proposing to add a minimum six-foot solid fence, and additional landscaping behind the building. This would be your view from the parking lot on the left-hand side, that is the existing commercial strip plaza that's in place. As part of this application, the owner of the entire shopping plaza has agreed to repaint the plaza to be consistent with the new building. So here you can see the new color schemes and how it would fit in. Recommendation is for approval with several conditions: the applicant obtain all State and federal permits. They've voluntarily offered to place a restrictive covenant to limit the B3 uses to self-storage only. There'll be a shared parking agreement, and a shared cross access agreement to allow for people to go through the main shopping plaza into the self-storage use. They have to make they comply with all sustainability measures, such as efficient lighting, and water features. Any repainting of the shop -- repainting the shopping center to match the retail storage use. Lighting; the

light plan is to make sure the lighting doesn't spill over into residential area, and they make any contributions to the tree trust fund. They've agreed to place the fence in the back property line against the homes. And they've also agreed that if the property owners filed the permits, and they could submit as one permit to remove that three-foot concrete (unintelligible 6:07:34) fence in the back. Now this developer would take down that fence, and they're also going to maintain the new fence. Any future recommendations has to come back to the City for approval. The applicant is here, and I think they have they have brief presentation, if you want to say anything at this point.

MS. CALHOUN: Good evening, Hope Calhoun on behalf of - of the applicant, Mitch Feldman. We have read the image of all the conditions of approval; we're happy to go through our PowerPoint presentation, if you'd like us to. I know the first -- last time we were her it was at rezoning, and there were some questions about the site plan. Mr. Silva went through many of those. They're very, very, very briefly (unintelligible 6:08:23) comments; we'll just go through, if you'd like us to. Our -- our site plans, and some of the questions that were asked can be answered. Some of the high points questions that were raised right now, is that, yes, we're replacing the wall that's there with a solid wall, and we're adding, again, as Mr. Silva stated, 8,000 square feet of commercial along with the self-storage. We've had a number of meetings with the residents, a lot of outreach, both in person and virtually. And, again, we can show you some graphics. I think Mr. Feldman wants to speak about it briefly.

MR. FELDMAN: Good evening. Thank you, Mr. Mayor, Vice Mayor, Commissioners. We -- we're -- I -- I understand it's late, so I'll just be brief. Thank you very much. You know, we -- we -- we worked with the City to create -- the staff to create a design that was appealing, and I think we tried to put forth a good effort. We want to be good neighbors. We reached out to all the homeowners. I knocked on the doors personally of very home behind us, and went there with the plans and, two of them, at least, were on the phone calls that we've had and the Zoom conferences. So we want to be good neighbors. We're -- we got to work with residents, and we're trying to deliver a nice product. We have a video, we have renders, we have a lot of stuff to show you, but I know it's late, so if you have questions, I'm happy to answer anything. And we appreciate the time. Thank you.

MAYOR MESSAM: Thank you. Are there any questions for staff or the applicant? We have Commissioner Davis followed by Vice Mayor Chambers.

COMMISSIONER DAVIS: Thank you, Mr. Mayor. For the -- the applicant and staff, I -- I certainly appreciate the extent that you took a recommendation I made at the last Commission meeting to extend beyond the 1,000 feet, and to send information to the folks in Missionwood, and those other residents in The Knolls area. I did get some calls that folks did get the -- the notification about the meeting, and there were a couple of folks on the -- the virtual meeting, and I was there myself. I got a better understanding, however, of what you were proposing, because I was able to see the full presentation. And was also able to hear from a lady that was right behind, and she seemed okay that some of her questions were answered. I note that you have changed the fence to a -- a solid

fence, and that you're willing to assist the residents on the broken fences that they have to get them out of there. And also got a better understanding of the -- the retail space that's going to be contiguous with the actual retail center that will have several storefronts there. So that kind of help me understand what's going to be there. Towards the back, the notion was it will appear as a two-story rather than a three based on the design, which was intentionally made that way, and that it -- it's not exactly an extra story above the two-story that we have there; it's probably two story and a half. So I'm pretty okay with the item based on the extra outreach that was sent out. I, myself, called several people, told them about the meeting, some came, some gave me their advice, I gave back the responses to them, because I was at the meeting. There was only like three, four people on -- on the call. And so, at the end of the day, that particular area to me seems suited for the retail that -- you know, the retail space below. And then the storage, I -- I can go with based on the fact that the -- the opening is not facing the residents, and there's been every effort to mitigate that, so I -- I was pleased that I attended that meeting, and that we reached out to Missionwood, as well as Knolls, and folks had an opportunity to -- to air what they didn't like or did like, and there really wasn't any -- the one -- one person who did attend, she was fine, and she lived right behind it, so I just wanted to make sure that was clear.

MAYOR MESSAM: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: I'd like to thank the applicant; I'd like to thank staff for bringing this forward. You know, this has been an issue for years with that wall. I did have residents over the years have reached out to me to get this wall repaired, brought up here and was rejected. Now this is a good opportunity for us to get this done for our residents. I went back there to take a look, didn't have time to take pictures, so I don't know if we have pictures, but it's really, really bad. I think it's maybe a two and a half-foot wall. My only problem is I'm not sure how we're going to be able to operate the storage just from the front, and not have access from the back. I think that's really a lot of restriction there, but I guess if you can do it, fine, but with the wall in place, I didn't think it's a problem to have access from the back. Also with the wall in place, what happen when it get damage. And I think that should be the property owner responsibility. I think they have been refuse to fix the wall, the City have been refuse to fix the wall. I don't see the resident going to be able to fix that wall. My next comment is the -- the permit. Is there going to be a cost for the permit to remove the wall, Mr. Silva, the existing wall?

MR. SILVA: Yes. There's a cost for the permit.

VICE MAYOR CHAMBERS: Okay. I -- I think I would like to have that waived, since we have been dealing with this for a long time, no one take responsibility. I think whatever the cost of the permit is, I think that should be -- if my colleagues along -- agree with me, that should be -- the permit should be waived for -- for that. And, once more, I want to than the applicant. I'm really looking forward to that wall that's going to really protect those residents there, thank you.

MR. SILVA: Also, Vice Mayor, your question about the maintenance, yes, the applicant will be required to maintain the new fence.

VICE MAYOR CHAMBERS: What about the property owner of the plaza?

MR. SILVA: The new fence is going to be entirely on the commercial property, and they're going to be responsible for maintaining it.

VICE MAYOR CHAMBERS: The new fence is going to go all along the entire fence that's there?

MR. SILVA: Correct.

VICE MAYOR CHAMBERS: Okay. Yeah, if the applicant wants to take that on, fine, but I think it should be distributed evenly with the property owner. Thank you.

MAYOR MESSAM: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yeah. I thought we had some callers.

MAYOR MESSAM: In quasi-judicial, the initial comments and questions come from the dais to staff and applicant, and after that series of discussions, then we go to the public.

COMMISSIONER COLBOURNE: Oh, okay. That's fine. I was waiting to hear from the callers.

MAYOR MESSAM: All right. So going to our -- we have confirmation that Roy Faith is on the line. Are you there, sir? Mr. Faith? Can I get an indication from IT if Mr. Faith is still on? Going once, going twice, okay. Back to the dais. Are there any additional comments or questions? If not, may I have a motion --

COMMISSIONER COLBOURNE: I have -- I just have some --

MAYOR MESSAM: Okay. Go ahead, Commissioner Colbourne, you're recognized.

COMMISSIONER COLBOURNE: I had -- I -- I received, and I believe that we all did receive an email from one of the residents, and I believe her name was one of the individuals that were on -- one of the callers. And I -- I don't know who the other gentleman was, but I'd hoped to hear from them. But I do understand it's almost 1:30 in the morning, and it's -- it's really unreasonable to expect that the residents will -- would just, you know, wait around this long to be able to -- to have a comment.

MAYOR MESSAM: I actually just had indication that he's actually on, if you would like to hear from Mr. Faith.

COMMISSIONER COLBOURNE: Yes.

MR. FELDMAN: Mr. Mayor, he's -- he's actually the owner of the property, Roy Faith.

COMMISSIONER COLBOURNE: Okay.

MAYOR MESSAM: Okay. And Kery Cerne? Okay. All right. It doesn't give titles, it just has names, so. Okay. All right. Proceed, Commissioner Colbourne.

COMMISSIONER COLBOURNE: Well, that's -- I was -- I was hoping to hear from them. I did -- so I -- I had hoped to hear from her. That was the only other person. You say you did have another meeting since, and how many people showed up for the meeting?

MS. CALHOUN: On the 12th, which was last Thursday, we had a meeting, and about four, maybe five people maybe participated.

COMMISSIONER COLBOURNE: About four or five participants?

MS. CALHOUN: Yes.

COMMISSIONER COLBOURNE: Okay. And -- and were there comments from that meeting? Were they comments from that meeting that was received?

MS. CALHOUN: A few. We answered all the questions. They really just asked about, you know, the projects, what we were doing. We explained how it would operate, the hours of operation, what it would look like. We talked about it. They didn't have, to my recollection, too many questions, really, or concerns, they just wanted to hear about it. One person, as a matter of fact, joined the call and left early, because she was thinking that the property was in a different -- the project was at a different location. I know the letter, the email that you all received from the one resident, she called me, and she sent me a copy of the email, and I responded to her, and I believe she also had the wrong property in mind, because she kept referencing the bank and IHOP.

COMMISSIONER COLBOURNE: And the results of that; what was the result of contacting her?

MS. CALHOUN: I tried my best to explain to her where our project was, and what we were doing, and she -- she didn't respond, she didn't really listen.

COMMISSIONER COLBOURNE: Okay. In addition to the storage unit, there will be other commercial. What -- what other commercial will be at that -- that -- at that location?

MS. CALHOUN: So we don't really know right now. You know, retail is not at its most robust at the moment, so we're just going to see what happens with the market, and what

type of users we can get. The intent is that they'll be similar to the types of uses that are in the area.

COMMISSIONER COLBOURNE: But if --

MR. FELDMAN: Probably local tenants, like service -- service type tenants that would fill up those smaller retail spaces.

COMMISSIONER COLBOURNE: I'm sorry.

MR. FELDMAN: Like -- mostly like local tenants who would fill up those type of -- it's a local shopping center, so it's -- it's mostly those local type tenants. It's not a big box, obviously. It's going to be more service tenants in that -- in that area. That's what we're -- we're anticipating.

COMMISSIONER COLBOURNE: All right. That's important to me, because I -- what the request is to -- one of the request is to change the parking requirement. So if we change the parking requirement, and we don't know what business we're going to be putting in that location, it's sort of going into something blindfolded.

MS. CALHOUN: The -- Commissioner, if I may, the parking variance that we're seeking is only for the self-storage portion, not for the retail portion, so that's not going to change. That's -- it's only for the self-storage portion.

COMMISSIONER COLBOURNE: So is that portion going to be gated or -- or separated in some way from the others?

MR. FELDMAN: Well -- so the storage -- there's parking spaces -- maybe we could -- would you show the video real quick because we want -- if you want to see the video, it will give you a whole picture. The -- the parking for the storage and the loading is behind the retail, so if you're coming to store -- the storage facility, you're going to go around behind the retail, and you're going to go to the storage facility. If you're going to retail, that's why we have the cross-access agreement with the shopping center owner, where you don't put -- they're over parked, so you'll be able to park in that front piece, so -- in front of the retail. So the parking reduction is because of the storage facility, not because -- the retail is going to be fully parked, but with -- with the -- with the parking right in front of it. Can we show the video, you'll see -- you'll get the whole picture.

MAYOR MESSAM: Before the video, we're probably going to need another 15 to do the appointment.

COMMISSIONER COLBOURNE: Oh, Jesus.

MAYOR MESSAM: And the other remaining items on the item. And we have two minutes to make the extension.

VICE MAYOR CHAMBERS: I think another hour.

COMMISSIONER COLBOURNE: I am not. I -- I really don't want this extended anymore.

VICE MAYOR CHAMBERS: Motion to extend to 2:30.

COMMISSIONER COLBOURNE: Can we defer this item?

MAYOR MESSAM: We have two minutes before 1:30; I need a motion to extend, or the meeting will expire.

VICE MAYOR CHAMBERS: Motion to extend the meeting until 2:00 a.m.

MAYOR MESSAM: There's a motion, may I have a second, or another motion.

COMMISSIONER BARNES: Motion to extend for 15 minutes.

MAYOR MESSAM: Do I have a second, or another --

VICE MAYOR CHAMBERS: Second.

COMMISSIONER DAVIS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: No.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Colbourne?

COMMISSIONER COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Davis, seconded by Commissioner Barnes, to extend the Commission meeting to 1:45 a.m. the Commission voted:

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

Approved

MS. CALHOUN: Very quickly. So this is the southern elevation, Commissioner Colbourne, so if you're standing at the County park, this is what you'll see. So this is where the loading and the parking is. To the left where the trees are, that's the western elevation, and that's where the residents are. There's a 60 -- 61-foot distance between their property line and our building. Next slide, please. So this is the elevation, this is what you see from University Drive. That grey block on your left is the existing parking center -- excuse me, shopping center, and what's in front of you is the existing parking at the plaza. That's our proposed commercial -- 8,000 square feet of commercial in the front, and then our self-storage behind. Again, very similar view from what you saw before. The south house, again, is where the white car is parked if you're standing at the park itself, that's what you're looking at. On the left, again, the homes are on the west, and this what they're going to be looking at.

COMMISSIONER COLBOURNE: Where -- where are you entering -- where -- where do you enter the storage? Where -- where -- where do you load and unload for the storage? Where is that facing? Is that facing the -- the residential?

MS. CALHOUN: No, it's not. So that's the south entrance, so if you're standing at the park, that's what you're looking at, and that's the parking and loading right there, that's -- you can -- it looks like a little truck right in the front, the loading area. You see the cars that are parked there, and if you were standing at the park, that's what you'd see.

COMMISSIONER COLBOURNE: And the elevation is three stories or two stories? Because this -- this looks like two stories. What's the elevation?

MR. FELDMAN: It's -- it's -- that's a three-story building; it's designed to look like a -- a comfortable two-story building.

COMMISSIONER COLBOURNE: Okay. But it's a three-story building?

MR. FELDMAN: Correct.

COMMISSIONER COLBOURNE: All right.

MS. CALHOUN: Commissioner, just so you're aware, on the -- the -- at the other side where there's parking and loading, and that's on the -- the north elevation. So, basically, it's -- north is Miramar Parkway.

COMMISSIONER COLBOURNE: Yeah.

MS. CALHOUN: But it's so far set back, you're not going to see --

MR. FELDMAN: The idea was to keep the loading away from the residents, so we set it back with no windows in the back. Those are fake windows in the back. There's no light shining to the homes behind them.

COMMISSIONER COLBOURNE: Those are fake windows?

MR. FELDMAN: Well, yeah, so there's no -- you know, there's no -- there's no light to bother the residents.

COMMISSIONER COLBOURNE: Okay. I -- I would -- I really wish I would have heard from the residents tonight, but thank you.

MAYOR MESSAM: Actually, we have Kery Cerne; It just informed. Are you on mic, Ms. Cerne, Kery Cerne, please.

MR. CERNE: Yeah, I'm still here. Good morning, everyone.

MAYOR MESSAM: Morning.

MR. CERNE: My name is -- my name is Kery Cerne; I'm a resident of 3405 Onyx Road, and that prop -- that property is directly behind my residence. This is my first time, actually, coming to one of these meeting addressing it. The owner did knock on my door and kind of explained to me about the -- you know, about some security concerns I had, and that was my biggest issue, because like two years ago, my house was robbed. And, obviously, there's always -- when they come into kind of break into your home, they come from behind the home, because of the broken fences, and because, you know, that area doesn't have much security. So as long as, you know, like the owner said, that it won't be rear windows, so they can peer into my backyard, and, you know, you'll fix some of that fencing, and hopefully, you'll have security cameras. And my -- my biggest issue would be the security, because it's going to increase the traffic volume behind my home. So I want to make sure that's being addressed.

MAYOR MESSAM: Thank -- thank you so much for your comment and your concerns.

MR. FELDMAN: Can I answer?

MAYOR MESSAM: Yes, sir.

MR. FELDMAN: So in our -- in the -- in the storage facility, we have cameras that record 24 hours all around parameter, so that back road, there'll be a camera in the back, up and down every side. And then, of course, the -- the facility itself, you can't get in there unless you have a keypad, and you go through cameras. So there will be security all around the parameter.

MAYOR MESSAM: Thank you. Turn your mic --

COMMISSIONER COLBOURNE: So the camera will be recording residential are adjacent to it as well?

MR. FELDMAN: The cameras -- I mean they're not pointed at the residential homes, but they'll record, you know, if a car is going by there at nighttime, or if someone is moving back there at nighttime, it will pick up those recordings on the drive isles. I mean, you know, nothing is 100 -- nothing's 100 percent, right. I mean if someone's sneaking round -- you know, there are cameras back there that we can -- that we can -- that we record with.

COMMISSIONER COLBOURNE: Those -- those cameras will be, I guess, the residential windows, if you will, bedroom windows will be facing those cameras, so the cameras will be facing --

MR. FELDMAN: No, they're -- they're not facing the -- they're not recording the residential properties. It records the street, so it records our -- back of our building and the street behind it, and all -- all the sides.

COMMISSIONER COLBOURNE: But you wouldn't --

MR. FELDMAN: It's not pointing -- it's not peering into the residential properties, it's peering on our property down the street.

MAYOR MESSAM: Any other additional questions, Commissioner Colbourne?

COMMISSIONER COLBOURNE: No.

MAYOR MESSAM: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Let -- let me ask. What's the hours of access to the storage?

MR. FELDMAN: So there's -- the office hours are from the typical 9:00 to 5:00, and then there's access -- if you need to go there late at night, it's not open until late; it's open until 11:00, if you have to stop and get something, but it's not 24 hours.

VICE MAYOR CHAMBERS: Okay.

MR. FELDMAN: So 6:00 to 11:00, you can use your keypad to get in, just if you need something at nighttime.

VICE MAYOR CHAMBERS: Okay. Let -- let me ask you. If it was a different configuration to where we could load from the back, wouldn't that -- wouldn't that allow for more parking in the front? Let's say we could have load from the back on the back street.

MR. FELDMAN: Right.

VICE MAYOR CHAMBERS: Wouldn't that give us more parking in the front, right? Let's say we had set it up that way.

MR. FELDMAN: I mean it wouldn't, because the way -- the way that road curves.

VICE MAYOR CHAMBERS: Okay.

MR. FELDMAN: So it would just shrink everything down. So the way it was designed was in order to maximize the --

VICE MAYOR CHAMBERS: Okay.

MR. FELDMAN: -- curvature of the road.

VICE MAYOR CHAMBERS: So -- so we okay with the --

MR. FELDMAN: And also because of the residence.

VICE MAYOR CHAMBERS: Okay.

MR. FELDMAN: I mean we don't want to --

VICE MAYOR CHAMBERS: Okay. Now what's the height of the fence?

MR. FELDMAN: Six feet.

VICE MAYOR CHAMBERS: Six feet. Okay. And -- and the height there now is like --

MR. FELDMAN: Currently, it's -- I mean It's --

VICE MAYOR CHAMBERS: -- two, two and half, three feet.

MR. FELDMAN: Maybe three, four feet.

VICE MAYOR CHAMBERS: No, that can't be four.

MR. FELDMAN: Three.

VICE MAYOR CHAMBERS: Maybe three or less.

MR. FELDMAN: It's about three.

VICE MAYOR CHAMBERS: From what I -- what I saw, it look like two.

MR. FELDMAN: Okay. Three feet, four feet.

VICE MAYOR CHAMBERS: All right. So I -- I -- I -- I think I'm okay with this, and -- and -- and, I guess, we're going from a plastic fence to a concrete fence or is that changed?

MR. FELDMAN: Part of the fence now, there's some wood, there's some concrete.

VICE MAYOR CHAMBERS: Right.

MR. FELDMAN: Part of the concrete has been replaced by wood slats.

VICE MAYOR CHAMBERS: Yeah.

MR. FELDMAN: There is one that's a bigger wall, so it's a mix of things.

VICE MAYOR CHAMBERS: But all that is going to be taken out.

MR. FELDMAN: Yeah. Whatever they need to take out, so I'm -- I'm assuming the guy that has the wall back there is not going to want that taken away. You know, there's some people that they want their concrete fence, and then they'll have ours on the other side, so whatever their -- if theirs is broken and they want us to remove it, we'll remove it.

VICE MAYOR CHAMBERS: So your fence will be in front of the existing fence?

MR. FELDMAN: Exactly.

VICE MAYOR CHAMBERS: Okay.

MR. FELDMAN: Exactly.

VICE MAYOR CHAMBERS: But if someone don't want to keep the existing fence, then we'll remove that?

MR. FELDMAN: Right.

VICE MAYOR CHAMBERS: Okay. I thought we were taking everything away. Okay. All right. So between you and the existing property owner will maintain the fence. So the fence that you're putting up is a plastic fence, a PVC fence?

MR. FELDMAN: Yeah. If there's -- some of them are already falling down, so those -- I'm sure the owners are going to want us to remove it, so --

VICE MAYOR CHAMBERS: Okay. But you're not going to messing with the existing line of fence. You're going to put a fence --

MR. FELDMAN: Exactly.

VICE MAYOR CHAMBERS: -- in front --

MR. FELDMAN: Exactly.

VICE MAYOR CHAMBERS: -- along --

MR. FELDMAN: So we can run it all the way down.

VICE MAYOR CHAMBERS: All the way down. Perfect. That's -- that's all I want to know, because it's going to be -- look a lot better. I'm hoping that the resident want to remove those horrible looking, broken fence. It would be easier to do it now than to do it later. So it's up to them. All right. Thank you. I'm okay with this.

MR. FELDMAN: Thank you.

COMMISSIONER COLBOURNE: Well --

MAYOR MESSAM: Okay. You still have some unreadiness? I see you have -- I see you have -- you raised your hand again to speak.

COMMISSIONER COLBOURNE: Yeah, I just wanted to say that -- you know, that area, it needs improvement, it needs lots of improvement in that area. I would certainly like to see some redevelopment in that area, but the vision was not a storage unit to start a redevelopment. You know, I would have felt better if -- if I knew what commercial stores will be coming into the area, something that will -- that will attract people, something that, you know, that's usable to the residents. This is on University. It's a very big -- you know, it's a very busy area. And a -- a storage unit is -- is -- is not -- you know, it's -- it's not my -- my vision of -- of how you would want to redevelop that area. So it looks like, you know,

it's -- you -- you've put a nice rendering together. I don't know that -- that -- that, you know, all of the residents were -- are -- are aware of what's coming, but it -- it's sounds like you -- you did make effort to contact them. But it's -- it's just not -- it's just not what I would want to see on -- on -- on University -- on University in that area.

MAYOR MESSAM: All right.

VICE MAYOR CHAMBERS: If I may real quick. What's the -- the storefront rental? What's the average space, size of those unit?

MR. FELDMAN: It's 8,000 square feet, so it depends on the tenant; it could be divided into four spaces, two spaces. It depends on what, ultimately, will be -- what tenants actually come.

VICE MAYOR CHAMBERS: Okay. You know, I -- I echo Commissioner Colbourne's sentiments, but the City was too slow, and -- and wanted this, I talked about it a lot of time, for us to engage the property owner, so we could have do a big development, didn't happen. And, for me right now, the resident, they need that fence, so I'm not -- I'm going to support this item. Thank you.

MAYOR MESSAM: Seeing no other speakers, may I have a motion on this item, please, item 15.

COMMISSIONER DAVIS: Motion to approve.

VICE MAYOR CHAMBERS: Second.

MAYOR MESSAM: Madam Clerk, record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: No.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Davis, seconded by Vice Mayor Chambers, to approve Ordinance #O1764, the Commission voted:

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

Ordinance No. 21-07

MAYOR MESSAM: And associated item, Item number 16, please.

16. Temp. Reso. #R7306 approving **Conditional Use Application No. 2002605**; approving **Variance Application No. 2006693** from the side setback requirement per Land Development Code ("LDC") Section 403, Table 403-2; approving **Variance Application No. 2008876** from the off-street parking requirement, LDC Section 808.3.2; and approving **Site Plan Application No. 2002606**, and **Community Appearance Board Application No. 2002607**; for a proposed three-story, 122,237 square-foot self-storage facility and one-story, 8,313 square-foot retail development generally located approximately 379 feet west of University Drive and 810 feet south of Miramar Parkway. (*Community Development Director Eric Silva*)

CITY ATTORNEY POWELL: A resolution of the City Commission of the City of Miramar, Florida, approving Conditional Use Application No. 2002605; approving Variance Application No. 2006693 from the side setback requirement per Land Development Code ("LDC") Section 403, Table 403-2; approving Variance Application No. 2008876 from the off-street parking requirement, LDC Section 808.3.2; approving Site Plan Application No. 2002606, and Community Appearance Board Application No. 2002607; for a proposed three-story, 122,237 square-foot self-storage facility and one-story, 8,313 square-foot retail development generally located approximately 379 feet west of University Drive and 810 feet south of Miramar Parkway, and providing for an effective date.

(a) Conditional Use Application No. 2002605

MAYOR MESSAM: On item number 16, we have to take five individual votes, and I would need a motion on the conditional use application No. 2002605, please.

COMMISSIONER DAVIS: Motion to approve.

MAYOR MESSAM: May I have --

COMMISSIONER BARNES: Second.

MAYOR MESSAM: Record the votes, please.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: No.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Davis, seconded by Commissioner Barnes, to approve, Resolution #R7306: Conditional Use Application No. 2002605, the Commission voted:

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

Approved

(b) Variance Application No. 2006693

MAYOR MESSAM: May I have a motion on item number 16, variance number 2006693, please.

COMMISSIONER DAVIS: Motion to approve.

VICE MAYOR CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: No.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: No.

On a motion by Commissioner Davis, seconded by Vice Mayor Chambers, to approve, Resolution #R7306: Variance Application No. 2006693, the Commission voted:

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

Approved

(c) Site Plan Application No. 2002606

MAYOR MESSAM: May I have a motion 16, site plan, application number 2002606, please.

COMMISSIONER DAVIS: Motion to approve.

VICE MAYOR CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes, Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: No.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: No.

On a motion by Commissioner Davis, seconded by Vice Mayor Chambers, to approve, Resolution #R7306: Site Plan Application No. 2002606, the Commission voted:

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

Approved

(d) Community Appearance Board Application No. 2002607

MAYOR MESSAM: May I have a motion on item 16, Community Appearance Board application number 2002607, please.

COMMISSIONER DAVIS: Motion to approve.

VICE MAYOR CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Vice Mayor Chambers.

VICE MAYOR CHAMBERS: Yes.

CITY CLERK GIBBS: Commissioner Colbourne.

COMMISSIONER COLBOURNE: No.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: No.

On a motion by Commissioner Davis, seconded by Vice Mayor Chambers, to approve, Resolution #R7306: Community Appearance Board Application No. 2002607, the Commission voted:

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

Approved

MAYOR MESSAM: Okay. We have a few seconds left. I think these other items can be deferred to the January meeting, and it is 1:30. And this meeting is adjourned.

(e) Variance Application No. 2008876

Deferred to the January 27, 2021, City Commission meeting

(f) Overall Project

Deferred to the January 27, 2021, City Commission meeting

OTHER BUSINESS

Reports and Comments:

Commissioner Reports:

17. Temp. Reso. #R7308 urging the United States Congress to enact the **Energy Innovation and Carbon Dividend Act of 2019**. *(Mayor Wayne M. Messam)*

Deferred to the January 27, 2021, City Commission meeting

18. Temp. Reso. #R7307 approving **appointments** to the **Justice Ruth Bader Ginsburg Commission on the Status of Women** Advisory Board. *(Commissioner Yvette Colbourne)*

Deferred to the January 27, 2021, City Commission meeting

20. Discussion: **City Manager's Evaluation Procedure**. *(Requested by Commissioner Yvette Colbourne)*

Deferred to the January 27, 2021, City Commission meeting

City Manager Reports: NONE

City Attorney Reports: NONE

FUTURE WORKSHOP:

Date	Time	Subject	Location
12/01/20	3:00 p.m.	2013 Bond Refunding/ Refinancing Workshop	Commission Chambers
12/08/20	2:00 p.m.	Ethics Training	Commission Chambers/ Virtual

ADJOURNMENT

The meeting adjourned at 1:45 a.m.

Denise A. Gibbs, CMC
City Clerk
DG/cp