



MINUTES OF THE CITY OF MIRAMAR REGULAR COMMISSION MEETING

AUGUST 18, 2021

7:00 P.M.

A regular meeting of the Miramar City Commission was called to order by Mayor Messam at 7:04 p.m. in the Commission Chambers, Miramar City Hall, 2300 Civic Center Place, Miramar, Florida.

Upon call of the roll, the following members of the City Commission were present:

Mayor Wayne M. Messam
Vice Mayor Yvette Colbourne
Commissioner Winston F. Barnes (Remote)
Commissioner Maxwell B. Chambers
Commissioner Alexandra P. Davis

The following members of staff were present:

City Manager Vernon E. Hargray
Deputy City Manager Whittingham Gordon
City Attorney Burnadette Norris-Weeks (Late 7:16 p.m.)
City Attorney Michelle Austin Pamies
City Clerk Denise A. Gibbs

MAYOR MESSAM: The meeting of the City of Miramar City Commission is now called to order. Commissioner -- 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 miramarfl.gov/commission meeting, and televised on Comcast channel 78 and AT&T U-verse channel 99, or City of Miramar subscribers. As of August 18, 2021, at 5:15 p.m., six members from the public have registered to view and listen only to this meeting. If someone is registered later than this time and would like to speak, they can raise their hand and, at the appropriate time, 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 being taken. Madam Clerk, at this time, will you please call the roll.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Here.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Here.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Here.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Here.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Here.

CITY CLERK GIBBS: City Manager Hargray.

CITY MANAGER HARGRAY: Here.

CITY CLERK GIBBS: City Attorney Austin Pamies.

CITY ATTORNEY AUSTIN PAMIES: Here.

PLEDGE OF ALLEGIANCE

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

The Pledge of Allegiance was recited by all attendees.

A MOMENT OF SILENCE

MAYOR MESSAM: At this time, we will observe a moment of silence for condolences we are experiencing in the community. Our commemo -- commemoration list is as follows:

the City of Miramar would like to ask the community to keep the nation of Haiti in our thoughts and prayers, and whatever aid that may be possible for the victims of the -- this past weekend's earthquake. Commemoration list also includes: City Manager Vernon Hargray, City Manager's Office, lost his cousin and best friend; Clarence Turner, Community Services, great granddaughter; Samantha Mighty, Finance Department, brother; Albert Smith, Public Works, brother; Ruby Del Rio Herrera, Public Works, mother; Trevor McCleary, Public Works, cousin; Jean Pierre, Utilities, mother; Mayor Wayne Messam, City Commission, mother-in-law. At this time, let us all observe a moment of silence. Thank you.

PROCLAMATION & PRESENTATIONS:

A Presentation: All-America City Award plaque presentation (National Civic League President Doug Linkhart)

MAYOR MESSAM: Our first presentation will be a presentation on All-America City Award plaque presentation. At this time, will the National Civic League President Dough Linkhart come forward, and if there are any members of the organization to join you for the presentation. Good evening, sir, welcome. Can you make sure the green light is on, just to press the button on the base of the mic.

MR. LINKHART: Mayor Messam, it's a --

MAYOR MESSAM: Yes.

MR. LINKHART: -- pleasure to be here with you tonight, Manager Hargray, Commissioners. Just flew in from Denver, Colorado; the National Civic League is headquartered in Denver, and we were delighted to have your organization represented by some terrific folks in June, and we're delighted, too, that you were designate an All-America City. The All-America City Awards have been around now for 72 years; they were established in 1949, George Gallup, who you might have heard of, thought, well, we've got an All-America football team, we ought to have All-America cities. And so he thought that the best cities in the country should be designated every year, and each year we have a theme. This year's theme was Equity and Resilience, and it's a process by which cities from all over the country, cities and counties apply, and we had a whole bunch of applications, and they were whittled down by a committee to 20 finalists. And then in June of this year, as you, I'm sure, know, folks from Miramar made a presentation, and it was a terrific presentation. You know I -- it brought tears to my eyes, all the great things that you're doing here with your resident, and it's clear that everything you do has residents and businesses at the heart. We were excited to hear about your economic development activities, and improving the diversity of contracting, about the Miramar Cultural Center, about the Historic Miramar activities to help residents there, from COVID to food to all kinds of other things that you've done for those residents, and how you've helped the business community. So, in June, there were presentations by 20 finalist

cities; one of them is one of your neighboring cities that's a little bit larger, and they didn't get to win, but we were -- we have a jury of 11 individuals from around the country: mayors, city managers, experts in the field, and each finalist community makes a presentation, and then there are questions from the audience. And I was just saying to the staff that what also matters a lot is the application. I -- you had an extensive application, a lot of preparation that went into describing the great work that Miramar does, in terms of reaching out to residents, and really engaging the people of the community in all the decision making. So I applaud your courage, your engagement, your work with the community, and I've been up there before; I was a city councilmember for eight years, and state legislator before that, so I know that you're proud of all the -- all the work that your city has done. So I'm here to present the All-America City Award for 2021. Congratulations to the City of Miramar.

MAYOR MESSAM: Thank you. If I can ask the Commission to join in the front to receive the plaque.

(Inaudible)

MAYOR MESSAM: Can I just get a round of applause for all that were involved with -- from the lead on the City Commission, Commissioner Alexandra Davis, as well as our staff from Assistant City Manager Kelvin Baker, and staff members, and our community members that worked so diligently and so hard, not only with just the application, but the presentation and Q&A as well, so kudos to everyone. And City of Miramar is definitely most appreciative of this honor.

COMMISSIONER DAVIS: Can I say a few words?

MAYOR MESSAM: Yes, you may, Commissioner Davis.

COMMISSIONER DAVIS: Thank you so much. Again, I'd like to thank the president for coming here today. We certainly appreciate you taking time out of your busy schedule. We know that normally we would have gone to give our presentation in person, but I feel that, actually, the folk that participated, we had a lot more participation, it being virtual, and it probably helped our standing. So I must say, also, thank you to our Assistant City Manager and our City Manager for all the work that they've put in, and our volunteers and staff who -- we already knew our city was great, but it's nice to know that we're recognized around the country as an All-America City. And we not only got that, but we also have one of our own students receive the Don Kerr Youth Award. And so we're really grateful, and we're glad to know that as we are having our young folks come up, that they're ready and waiting to fill our shoes, and to continue to make the City a great city. Thank you so much again; I appreciate you.

MAYOR MESSAM: Thanks, Commissioner.

A Presentation: National Accreditation of the Miramar Police Department-Meritorious
(Interim Police Chief Leonard Burgess)

MAYOR MESSAM: Our next presentation will be the National Accreditation of the Miramar Police Department-Meritorious. At this time, I'd like to invite Police Interim Chief Leonard Burgess for the presentation.

INTERIM POLICE CHIEF BURGESS: Good evening. I'm just going to continue with the vibe here, and the awards and presentations, and keep it real with the City; it's all been upbeat. So with that being said, as the Interim Chief of Police, before I present this award, I would like all the members, sworn and unsworn, to please stand, and those that are standing to continue to stand as I present this award that we received. And what you see here tonight are members of our command staff, middle management, our rank and file, along with some of our nonsworn members, so thank you for being here. I am proud to announce that on July 16th this year, the department received its ninth reaccreditation by the Commission on Accreditation for Law Enforcement Agencies, known as CALEA, marking 25 years of continuous national accreditation, with only ten percent of law enforcement nationally accredited in the United States. This is a huge accomplishment, and one that our residents and Commission are proud of. Furthermore, the department received an additional distinction being award meritorious, which is the highest award possible. Per the letter I have here, which I'll provide copies as well to the dais, this letter is authored by the CALEA's Executive Director Craig Hartley, which was dated July 16th. He stated that CALEA accreditation serves as the international gold standard for public safety agencies; the process of CALEA accreditation began with a rigorous self-assessment, requiring a review of policies, practices and processes against internationally accepted public safety standards. This is followed with an assessment by independent assessors with significant public safety experience. Additionally, which is more important, as I mentioned here, public feedback. Public feedback is received to promote community trust and engagement, and structured interviews were conducted to select agency personnel with others with knowledge to assess the agency's effectiveness and overall service delivery capacities. The decision to accredit is rendered by a governing body of 21 commissioners following a public hearing and review of all reporting documentation, which occurred on July 16th. The CALEA assess then evaluated the department on its compliance with more than 300 standards, encompassing over 1,000 Proofs. In its highly favorable assessment report, the CALEA assessment team praised the City of Miramar Police Department for its progressive, and professional law enforcement services, and pointed to Miramar as an example of best practices in law enforcement. CALEA accreditation is a continuous process, and serves as a foundation for a successful, well-managed, transparent, community-focused public safety agency. The clear accreditation pins that we wear on our uniforms are actually marks of professionalism, excellence, and are displayed proudly by those members of our police department. In closing, the department is also accredited by the State accredited agency, called the Commission of Florida Accreditation, which is known as the CFA. It has held this dual accreditation since 1998. I would like to give special thanks to our accreditation manager, Kim Morrow-Lopez, where are you, in blue, hey. Job well done. Wearing blue.

We can't miss you. We -- thank you, Ms. Kim; thank you so much for all the efforts you have put. Our command staff, and all the committed and dedicated men and women who give 100 percent every day. Once again, thank you resident of Miramar, Mayor, Vice Mayor, Commission, City Manager, and your executive team for your continued support and guidance, allowing us to demonstrate a high level of commitment to professional excellence through CALEA accreditation. Thank you once again. And, City Man -- I'll just close to let you know as well, there's a conference coming up on November, but we would present it -- it's large scale. It would be -- actually, like I said, on the 26th that we would post on our wall. But in that case, here again, what's going on with the pandemic and everything else, they're going to make a virtual conference, and, at that point, we'll be receiving it in more a formal setting. Thank you again, Mayor, for an opportunity.

MAYOR MESSAM: Okay.

INTERIM POLICE CHIEF BURGESS: Thank you team.

MAYOR MESSAM: I would like to just congratulate our police department for just the daily service you provide to our community, serving with distinction, and to have the dual accreditation is something that we know that most police departments do not carry, so it does not go unnoticed, and our community is better for it. And kudos to the team that continues to go through the rigors of that application process, and continuing to -- to represent the City of Miramar well.

A Presentation: 2020 Census Update (Vice Mayor Yvette Colbourne)

MAYOR MESSAM: Our next presentation will be the 2020 Census Update. At this time, I'll recognize Vice Mayor Colbourne to begin the presentation.

VICE MAYOR COLBOURNE: Thank you. Good evening all. It's been a wonderful evening; congratulations to the police department. This is -- this is very -- very moving to know that we have such great things -- not that we just have great things going on, but folks are noticing us, so thank you; appreciate it. When the census kicked off in 2020, Miramar started on a high note, and hit the ground running. We performed internal -- we formed internal committees, and external committees, and subcommittees as well. We partnered in the community; our partnership support was created to include businesses, residents, homeowners' association, schools, library, hospitals, the media outlet, and our clergies. During our efforts, we encountered numerous challenges, such as COVID-19 pandemic, and some political obstacles. However, Miramar coalition of partnership and committees -- committee groups were determined and committed to its resolve to get every resident counted for 2020 Census. However, due to COVID-19 in place, Miramar had to pivot to virtual outreach, and social distancing measures to engage and count the residents. As a result of the hard work and determination, Miramar can now boast that it has surpassed its 2010 census response rate. At this time, I would like to yield to Assistant City Manager Kelvin Baker to provide us with Miramar's 2020 Census Report update.

MR. BAKER: Thank you, Vice Mayor. Good evening, Mr. Mayor, Vice Mayor, Commissioners, City Manager, City Attorney, City Clerks. It's my pleasure to provide you with the final report on our 2020 Census. As Vice Mayor alluded to, we rolled out, perhaps, one of the most aggressive and ambitious census initiatives in the -- in the County. In fact, our peers around the County continue to applaud our efforts as we went forward, but it's my pleasure this evening to somewhat open the envelope and provide the -- the update. Our final self-response rate for the 2020 came in at 72.8, and that's roughly about one percent -- a one-percent increase over the 2010 report. Next -- next, I just want to highlight these -- the various -- the various census tracts that we were working with. The -- the neat thing about these census tracts that we -- we learned through the whole process that one size does not fit all; there are different issues as we looked at the census tracts, and we put together various themes to actually address those different communities. When we looked to the -- the further east of our -- our city, you have that -- that -- that further east census tract that has been a tract that, historically, has been very hard to count. And even with the pandemic and every -- and everything that was going on and the -- and at the heart of the census, we had the pandemic, and we were able to put some plans in place, such as reader boards, and mailings, and things of that nature to reach some of -- of these hard -- hard-to-reach areas. And this particular tract here -- and we only want to highlight it, because -- as, historically, it has been very low. We were -- we were able, under this process, to bring it up to 50 -- 55.9 -- .9 percent, and that's a -- as you can see, that was an improvement over 2010 report. As we move on, and this is a very important point that I want to bring up, and probably has been a mystery to many. The -- the census made population projections. Again, it has zero to do with census count, has zero to do with how well you did; they make population projections, and those projections are purely based on the -- the -- the number of death that is documented in a particular census tract, as well as the number of babies that are born, as well as construction activities within a given census tract. And -- and so with that they make population projections. And our population projections for 20 -- 2019 was 140,000, and can't -- again, just population -- populations projections. We do know, just based on the number that we looked at earlier, that our population is actually -- really, actually higher than the 141, because if you look at what our response rate was, we left, roughly, about 27 percent of the community unaccounted for, in terms of the -- in terms of the census count. When we look at the final number -- this is the final number based on individuals that responded to the census, it's not based on nothing else, those that completed the census process, and we came out at 134,721. Again, those that responded to the census, not necessarily how many residents we have in our city; these are the numbers that responded to the census. And we take these numbers and, somewhat, analyze it just a little bit. We were able to bring the -- the census response population up by 12 -- a little over -- a little 12,000, actually, close to 13,000 in individuals over the 2010 -- over the 2020 numbers. And then we peel these numbers back a little further just to kind of see how we stack up throughout the -- throughout the County, and we hold a fourth-place position over -- throughout the County, you have Fort Lauderdale -- City of Fort Lauderdale at 182,000, and then you have the City of Pembroke Pines at 171,000, followed by the City of -- of Hollywood, and then we come in at 134,000, give or take --

you can call it 100 -- 135,000. So that's how we somewhere ranked throughout the -- the -- the Broward County area. And, as part of the whole census efforts, once the census had been completed, then there is a redistricting process. And -- and we wanted to make that available, because it is laid out for -- and open for a tremendous amount of input from our community. So we have a session scheduled for September the 23rd right -- right here in this -- in the Town Center area at 7:00 p.m. for those that want to get involved and have some input in the redistricting of our city. Mr. Mayor, Vice Mayor, Commission, that pretty much concludes my report in terms of the census update. Would love to have an opportunity to sit down with you. There is some additional data that will soon be available that breaks out our city by race; this is -- this will be first time it's ever been done. That information is not available yet; we were told that we should have that information some time in -- in the latter part of September. I do want to take this opportunity to thank everyone; this has been in the -- and in the heart of COVID, we were trying to do census. I think it's the first time since census was started that it came in the midst of a -- a international pandemic, but we are -- we're pleased to report that in the midst of this international pandemic, we were able to pivot and go to social media, and go to direct mail, and do some other things, which allowed us to outperform our 2010 numbers. Again, thanks to everyone that participated in this 2020 initiative. Thank you very much.

VICE MAYOR COLBOURNE: Mr. Baker. I just want to say that Mr. Baker has been so, so committed to this effort, and I want to give a sincere thank you to him and -- and his staff that worked on it so diligently, as he said, during COVID-19. The census continues to -- to provide information little by little, so as we -- as we continue to get the information, I'm sure he'll continue to update us on what's going on. So, again, thank you so very much; appreciate it. Thanks to all.

MAYOR MESSAM: All right. Thank you all for the 2020 Census update. I'd like to -- just to thank our residents for participating in this process, and everyone involved in making sure that Miramar counts. Okay. At this time, we have a few proclamations, and I will come up forward. And for the first three, I would like to invite Vice Mayor Colbourne up to the dais for these presentations -- I guess the entire Commission. So for the presentations -- for the first three -- for all of the proclamations, all right, join me in front of the dais.

A Proclamation: India Independence Day & India Heritage Month (Sponsored by Vice Mayor Yvette Colbourne) (Mayor Wayne M. Messam)

MAYOR MESSAM: Our first presentation is in observance of the India Independence Day & India Heritage Month. I would like to invite our Indian-American community forward, Mr. Sajan Kurian and any guests he may want to bring forward; gentlemen. Let's give them a round of applause as they come forward., This proclamation was requested by Vice Mayor Davis -- I mean Vice Mayor Colbourne. Proclamation, India Independence Day & India Heritage Month, August 18, 2021:

Whereas, the City of Miramar has a great tradition of celebrating significant milestones and events of historical importance. Therefore, we are proud to join with our fellow citizens of Indian heritage throughout Miramar and beyond, and commemorate the 75th anniversary of India's independence; and, Whereas, it was in 1947 that India proclaimed its independence, and became recognized as the Republic of India, marking the beginning of its identify as a free and sovereign nation, a people; and, Whereas, a growing democ -- as a growing democracy, India has proven to be a courageous nation, seeking to establish as its basic, fundamental principles, those same values upon which the United States was founded: freedom, equality, and justice; and, Whereas, the local community of people in Miramar who hail from India or with ancestral ties to India continually demonstrate their greatness in culture, arts, traditions, and beauty of their homeland, and their contributions are notable, and reflect success in many areas, including education, medicine, science, technology, and retail industry; and, Whereas, Sajan Kurian, on behalf of the South Florida South Asian Caucus, also known as FOMA , chief South Florida coordinator, approached the City of Miramar with the idea of a tribute to the South Asian American diaspora; Whereas, Vice Mayor Yvette Colbourne introduced the proclamation and a resolution to the City Commission in 2017 declaring India Heritage Month in the City of Miramar, and the City Commission unanimously approved Resolution 17-198; and, Whereas, the City of Miramar welcomes the opportunity to promote a great understanding of various cultures of the world, and this occasion, the 75th anniversary of India's independence provides an excellent opportunity for Miramar residents of all backgrounds to recognize the contributions made by the people and country of India, and extend best wishes to make -- to them on commemorating the historic milestone of independence. Now, therefore, I, Wayne Messam, Mayor of the City of Miramar, and on behalf of Vice Mayor Yvette Colbourne and the City Commission do hereby proclaim India Independence Day & India Heritage Month.

MR. KURIAN: Thank you, Mayor Messam, thank you Vice Mayor Yvette Colbourne, Commissioner Davis, and Commissioner Chambers. Miramar is not a new place to me. This has been here all along with us, and we are proud to be here with Miramar, and thank you for accepting us. You know, you promote diversity and inclusion and best -- the best way we can do it, and thank you once again. And on behalf of the Indian community, I want to thank all of you -- thank you.

A Proclamation: Jamaica Independence Day. (Sponsored by Vice Mayor Yvette Colbourne) (Mayor Wayne M. Messam)

MAYOR MESSAM: At this time, I would like to invite Jamaican American Bar Association president, Ms. Samantha Parchment to the dais. Welcome. This next proclamation is in

observance of Jamaican Independence Day & Heritage Month, August 18, 2021, and it's requested by Vice Mayor Colbourne:

Whereas, on August 1st, 1838, after over 150 years of slavery, Jamaicans of African descent received their freedom after the Emancipation Act of 1838 was passed by British government; and, Whereas, Jamaica, once a Spanish possession known as Santiago in -- in 1655 became a British colony, after more than 300 years of British colonial rule, Jamaica gained independence on August 6, 1962. Shortly thereafter, Sir Clifford Campbell, formerly president of the senate, became the first Jamaican born governor general to be appointed; and, Whereas, Jamaica's diaspora has established itself in a very -- in the very continent of the world, including North America, and especially in the United States; Whereas, as of 2000, Miramar has the fifth highest percentage of Jamaican residents in the United States, comprising 50.4 percent of the populace; and, Whereas, Jamaica has become famous for achievements in athletics, government, music, and the arts; and, Whereas, the Jamaican diaspora continues to excel in every field of endeavor, including having several Jamaican Americans or Americans of Jamaican descent serving in public office, including Vice President of the United States Kamala Harris, Mayor Hazelle P. Rogers, Lauderdale Lakes, Mayor Wayne Messam, Miramar Mayor, Vice Mayor Yvette Colbourne, Miramar, Mr. Maxwell Chambers, Miramar, Commissioner Alexandra P. Davis, Miramar, Commissioner Winston Barnes, Miramar, Commissioner Dale Holness, Broward County, Commissioner Joy B. Smith, West Park, Commissioner Denise Grant, Lauderhill, Commissioner Marlon Bolton, Tamarac, and Commissioner Mark Douglas, Sunrise; and, Whereas, the City of Miramar joins the country of Jamaica and the Jamaicans in commemorating both their independence and emancipation from slavery; and, Whereas, on the anniversary of Jamaica's 59th independence, we commemorate both of these significant milestones through the City of Miramar's Emancipendence Celebration, held Friday, August 6, 2021; and, Whereas, Samantha Parchment, Esquire, is the current president of the Jamaican Bar Association, who was born in Jamacia and graduated from Holy Childhood High School, and the University of Technology in Kingston, Jamaica, and upon migrating to the United States, Ms. Parchment attended Florida International University, where she received a BS in Management Information Technology. She later earned her JD from Florida State University College of Law, go Noles. Currently, Ms. Parchment's law practice includes probate, family law, bankruptcies, and personal injury, and will receive and accept this proclamation. Now, therefore, I, Wayne Messam, Mayor of the City of Miramar, and on behalf of Vice Mayor Colbourne and the City Commission do hereby proclaim Jamaica's 59th Anniversary of Independence Day & Heritage Month.

A Proclamation: Women Equality Day (Sponsored by Vice Mayor Yvette Colbourne)
(Mayor Wayne M. Messam)

MAYOR MESSAM: The next to last proclamation is in observance of Women's Equality Day, and I would like to call forward City of Miramar's Tennille Decoste forward to receive the proclamation, also requested by Vice Mayor Colbourne. Good evenings, welcome.

Whereas, Women's Equality Day has been celebrated annually on August 26 since 1971; and, Whereas, Women's Equality Day commemorates the passage of the 19th Amendment to the United States Constitution granting the right to vote to women; and, Whereas, in addition to being homemakers, caregivers, mothers, and counselors, women also fill critical jobs in every department of our city; and, Whereas, on -- on October 7th, 2020, Vice Mayor Colbourne sponsored Ordinance 17-63, establishing the Commission on the Status of Women for the City of Miramar, named after Ruth Bader Ginsberg, also known as RBG, to identify and resolve economic, health, social, and other issues concerning other women's lives through education and advocacy; and, Whereas, Tennille Erica Decoste is the Division Director of Civil Rights & Employee Labor Relations; and, Whereas, Ms. Decoste is responsible for overseeing the RBG Commission on the Status of Women for the City of Miramar to ensure equality on issues women face today in employment, business, health, and family life are addressed; and, Whereas, the City of Miramar recognizes that women contribute to the strength and security of our city; all the ladies raise your hand. Oh, we can do better than that. Now, therefore, I, Wayne Messam, Mayor of the City of Miramar, and on behalf of the City Commission do hereby proclaim August 26, 2021, as Women's Equality Day.

MAYOR MESSAM: Are there any RBG representatives here? Come on up. And let's give our wonderful women another round of applause. No, we have one more.

A Proclamation: Sophia Williams Day. (Sponsored by Commissioner Maxwell B. Chambers) (Mayor Wayne M. Messam)

MAYOR MESSAM: Our final proclamation, we'd like to call forth Ms. Sophia Williams. Good evening.

COMMISSIONER CHAMBERS: Roland -- Mr. and Mrs. Roland Abel, and Pastor David Range.

MAYOR MESSAM: Welcome everyone. This proclamation was requested by Commissioner Maxwell Chambers. Proclamation, Sophia Williams Day:

Whereas, the City of Miramar takes great pride in recognizing those outstanding individuals who have gone above and beyond to always put the

willing -- the wellbeing of others before their own, thereby, being a credit to their community and to the City of Miramar; Whereas, Sophia Will -- Sophia Williams, born in 2002, has been a Miramar resident from birth; and, Whereas, she entered the International Baccalaureate program at Miramar High School in 2017, and joined the debate team her freshman year. She became the speech and debate vice president in the 2019 school year, and then president in the 2020 school year; and, Whereas, she played trumpet in high school band for two years, and was a member of the National Honor Society and Black Women Students Union. She was also Caribbean Culture Club president, she's a young lady; and, Whereas, in 2020, she began an internship with Maxwell B. Chambers, who was serving as vice mayor. She worked diligently and displayed a high level of integrity, as she soon became a member of his staff; and, Whereas, she attends Miramar United Methodist Church, and serves as assistant Sunday school director. In the months ensuing the start of the COVID-19 pandemic, she showed exemplary Christian character, playing an active role in Commissioner Maxwell Chambers food distribution, serving those in need; and, Whereas, on June 19th, 2021, she became 2021 Speech & Debate National Champion in Program Oral Interpretation, having competed with 2,500 schools across the nation, and 309 students within her event; and, Whereas, Sophia Williams worked hard to graduate from high school, despite the challenges of completing the school year in virtual classrooms during the pandemic, demonstrating her commitment to education, and displaying a great faith in the future. She was awarded a scholarship to the University of Florida, majoring in sociology on a prelaw track. Now, therefore, I, Wayne Messam, Mayor of the City of Miramar, and on behalf of the Commissioner Chambers and the City Commission recognize the achievements of Sophia Williams, and offer her heartfelt congratulations and best wishes -- wishes in her future endeavors, and do hereby proclaim August 19th, 21 -- 2021 as Sophia Williams Day in the City of Miramar.

MAYOR MESSAM: Let's give a big Miramar round of applause for Sophia. We would like to have Sophia just give a few, brief remarks.

MS. WILLILAMS: Good evening everyone. Thank you so much for all gathering here, I know, for the Commission meeting. But I just wanted to express a very warm thank you for the community that I have been a part of for my 18 years of life. This experience, especially the past two years, has emersed me in, you know, the inner workings of the City of Miramar, where here at the City with the police department, Public Works, I've been able to, you know, engage myself, and it has been such a warming and welcoming experience. And I'm so thankful for all the support from the Commission, from Commissioner -- Vice Mayor, Mayor, like it has been so amazing, and I'm very thankful for my church family, my mom especially; she has been the biggest support in all of this, and she always tells me to always

say thank you, and to appreciate those who have been the support. Because, you know, if it weren't for you all, I wouldn't be standing here today, so thank you all.

MAYOR MESSAM: Good job.

MR. ABEL: Just very quickly. Sophie, as she just said, the part of our church, and she is an adopted granddaughter. As a matter of fact, this morning she came to the house to have her last prep talk before she goes off to college. She is an extremely wonderful young lady, very modest, but extremely brilliant, and we look forward to greater things from her as she moves forward.

MAYOR MESSAM: All right. So let's give Sophia another round of applause. Congratulations again. Thanks, Commissioner, for recognizing Sophia. And, Sophia, rest assured, although I'm a very big Florida State fan and alum, I do have a caveat that I do support Gators who are from Miramar, so all the best.

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

MAYOR MESSAM: Now it's past -- for public participation, there were no -- no one signed up to participate for public participation, so we'll continue to move the agenda. Before we go into Consent Agenda, I have an announcement to make that item number 13 has been withdrawn, and staff wishes to continue item number 21 under quasi-judicial, TR7441 to September 29, so let the record reflect the withdrawal of number 13, and the continuance of item 21 to September 29th.

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 moved from the Consent Agenda, and will be considered separately. The Clerk received no requests to speak from the public on the Consent Agenda. Are there items from the Consent Agenda that wish to be pulled? If not, I'll take a motion.

COMMISSIONER CHAMBERS: Number 7.

MAYOR MESSAM: May I have a motion on the balance of the agenda -- Consent Agenda?

COMMISSIONER CHAMBERS: Motion to approve.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Madam Clerk, please record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Consent Agenda Items 1, 2, 3, 4, 5, 6, 8, 9, 10 and 11, the Commission voted:

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

1. Minutes from the Regular Commission Meeting of June 16, 2021.

Approved

2. Temp. Reso. #R7439 authorizing the expenditure of \$50,000.00 of Law Enforcement Trust Funds necessary for **advanced training** for the **Miramar Police Department**. *(Police Major Shalida Smith)*

Resolution No. 21-133

3. Temp. Reso. #R7445 approving a Highway Maintenance Memorandum of Agreement with the Florida Department of Transportation for the **Bass Creek Road Traffic Calming Initiative Project**. *(City Engineer Salvador Zuniga)*

Resolution No. 21-134

4. Temp. Reso. #R7450 accepting an Absolute Bill of Sale and Easement from Boardwalk 280, LLC for the **water and sewer system improvements** to serve the Boardwalk 280 Development; authorizing the release of Letter of Credit No. 11957 in the amount of \$434,596.00 and accepting a One-Year Maintenance Cash Bond in the amount of \$102,091.25 from **Boardwalk 280, LLC**. *(City Engineer Salvador Zuniga)*

Resolution No. 21-135

5. Temp. Reso. #R7451 approving the Interlocal Agreement between Broward County and the City of Miramar for **Surtax-Funded Municipal Transportation Project: Pembroke Road/Miramar Parkway Expansion** (MIRA-001, 002, 003, and 004). *(City Engineer Salvador Zuniga)*

Resolution No. 21-136

6. Temp. Reso. #R7452 expressing support for the City of Pembroke Pines acting as Lead Agency and administering **Complete Street Improvement Projects** along Pembroke Road from SW 145TH Ave to Douglas Road, as included in the Broward Metropolitan Planning Organization's ("MPO") Complete Streets Master Plan ("CSMP"), to be delivered through the Local Agency Program ("LAP"). *(City Engineer Salvador Zuniga)*

Resolution No. 21-137

MAYOR MESSAM: Item number seven, please.

7. Temp. Reso. #R7448 approving the purchase for installation of an **HVAC system** for **Town Center Commission Chambers Audio Visual Room** from Trane US, Inc., in the additional amount of \$60,000.00, for total expenditures during Fiscal Year 2021 in the amount of \$134,000.00; utilizing U.S. Communities Government Purchasing Alliance Contract No. RFP No. 15-JLP-023 entitled "HVAC Products, Installation, Services and Related Products and Services". *(Public Works Assistant Director Kirk Hobson-Garcia and Procurement Director Alicia Ayum)*

CITY ATTORNEY NORRIS-WEEKS: A resolution approving the purchase for installation of an HVAC system for Town Center Commission Chambers Audio Visual Room from Trane USA --US, Inc., in the additional amount of \$60,000.00 for total expenditures during Fiscal Year 2021 in the amount of \$134,000.00; utilizing U.S. Communities Government Purchasing Alliance Contract No. F -- RFP No. 15-JLP-023 entitled "HVAC Products, Installation, Services and Related Products and Services"; and providing for an expected date.

MAYOR MESSAM: Commissioner Chambers, are there specific questions, or would you like a presentation.

COMMISSIONER CHAMBERS: I have questions. Is this unit -- what are we doing? Is this just for the audio -- audiovisual room or this is for the entire -- entire building?

MR. COLLINS: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners, Tony Collins, Public Works. The proposed unit is for the dedicated space for the AV room. Over time, we have recognized that there's a need to have a dedicated air conditioning system for that space, in order to protect the equipment there. We have received a number of complaints over time that the room gets overheated, and it causes a problem for the system, so we've identified the need, and we're moving forward to address the issue there.

COMMISSIONER CHAMBERS: Do we have a square footage of the space?

MR. COLLINS: Commissioner, could you repeat, please?

COMMISSIONER CHAMBERS: Do we have a square footage of the space, in square foot? How large is the space that we're trying to maintain?

MR. COLLINS: Well, the unit will provide cooling and air conditioning for the entire AV space behind us up there.

COMMISSIONER CHAMBERS: Okay. Because that's not a very large area.

MR. COLLINS: No, it is not, but because of the heat that is generated by the equipment, there is a need to have a dedicated unit to address the heating condition in the room.

COMMISSIONER CHAMBERS: Real quick. Did we go out to bid, or we just accept one price from this company?

MR. COLLINS: The -- the proposed price that we have here came through a company that works for us consistently. We were piggybacking the U.S. Commodity Purchasing Alliance agreement, so even though we didn't go out specifically for a bid, but we're piggybacking on existing contract that went through, of course, a bid competitive process.

COMMISSIONER CHAMBERS: Thank you.

MR. COLLINS: You're welcome.

MAYOR MESSAM: Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Just an explanation, if -- if you would. From the advent of transistorized equipment, what happens is that equipment tends to get hot, and to protect

its integrity, it usually shuts down. Is that why we're getting this kind of equipment, as the heat might actually cause them to trip out?

MR. COLLINS: Commissioner Barnes, unfortunately, I didn't hear the entire statement. Could you be kind enough just to repeat what you said, I'm sorry.

COMMISSIONER BARNES: What happens with transistorized equipment is that when they become overheated, they tend to, basically, shut down. Is that the case we're dealing with here?

MR. COLLINS: Yes, sir, exactly what -- what is happening here. We're trying to address those issues.

COMMISSIONER BARNES: Okay. That's it.

MAYOR MESSAM: Commissioner Chambers.

COMMISSIONER CHAMBERS: Thank you. I think I understand the need for a -- a unit to maintain the equipment, in terms of the room getting hot and so forth. However, it's -- it's a small space, and I -- I think the prices is a bit exorbitant to -- for the purchase of the unit to -- to maintain that area. That's just my opinion from -- from my knowledge of cooling and so forth. I just wish we had done a more due diligence, and maybe get a better price for -- for this coverage area. That's it. I just have a disagreement, but it's what it is. It's up to the Commission to -- to pass this item. Thank -- thank you, Mr. Collins.

MR. COLLINS: You're welcome.

MAYOR MESSAM: All right. May I have a motion on this item, please.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER DAVIS: Second.

MAYOR MESSAM: Madam Clerk, record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: No.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Davis, to approve Resolution #R7448, the Commission voted:

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

Resolution No. 21-138

8. Temp. Reso. #R7449 approving the purchase of **repair and maintenance services** for the **Wastewater Reclamation Facility (“WWRF”) Fuel Depot** from Advanced Petroleum Services, Inc., in an additional amount of \$17,481.00 for total expenditures during Fiscal Year 2021 in the amount of \$85,117.00; utilizing City of Coral Gables Invitation for Bid (“IFB”) No. 2020-016 entitled “Fuel Station and Storage Facility Maintenance”. *(Public Works Assistant Director Kirk Hobson-Garcia and Procurement Director Alicia Ayum)*

Resolution No. 21-139

9. Temp. Reso. #R7453 approving the award of Invitation for Bids No. 21-019, entitled “**Aeration Basin Influent Channel Cleaning**”, to U.S. Submergent Technologies, L.L.C. in a lump sum amount of \$149,960.00 to clean the aeration basin influent channel at the **Wastewater Reclamation Facility**. *(Utilities Director Roy Virgin and Procurement Director Alicia Ayum)*

Resolution No. 21-140

10. Temp. Reso. #R7455 ratification of the purchase of **emergency process valve replacement** for **Clarifier No. 1** and **Aeration Basin No. 3** at **Wastewater Reclamation Facility** from Giannetti Contracting Company in an amount of \$392,334.00. *(Utilities Director Roy Virgin and Procurement Director Alicia Ayum)*

Resolution No. 21-141

11. Temp. Reso. #R7447 authorizing the City Manager to exercise the **second of two (2) one-year renewal options** of the **Property & Casualty Insurance Broker Services Contract** with Arthur J. Gallagher Services, Inc. (Arthur J. Gallagher) for the period of October 1, 2021, to October 1, 2022. (*Human Resources Director Randy Cross*)

Resolution No. 21-142

End of Consent Agenda

RESOLUTIONS

MAYOR MESSAM: Item number 12, please.

12. Temp. Reso. #R7471 approving an **appointment** for replacement to the **Blasting Citizen Advisory Committee**. (*City Clerk Denise A. Gibbs*)

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving an appointment for replacement to the Blasting Citizen Advisory Committee, and providing for an expected date.

MAYOR MESSAM: All right. This item is to seat a Blasting Citizen Advisory Committee member, Huntington at large, one seat.

VICE MAYOR COLBOURNE: Mr. Mayor?

MAYOR MESSAM: Yes.

VICE MAYOR COLBOURNE: There is actually an individual that's on the committee now, and he lives in Huntington, so the item was placed on there, so that we could -- instead of have him just be a Miramar resident, for him to fill the position as a -- as a Huntington resident, and then appoint someone else to the -- to the resident.

MAYOR MESSAM: Yes. So, as stated, this is to seat a Blasting City Advisory Committee member, the Huntington at large seat. May we have that resident's name, please; who's the Huntington that's at -- that's currently seated as an at-large Miramar resident.

VICE MAYOR COLBOURNE: Nasif Alshaier.

MAYOR MESSAM: Could you repeat the name?

VICE MAYOR COLBOURNE: Nasif Alshaier.

MAYOR MESSAM: Can you spell it?

VICE MAYOR COLBOURNE: I'm going to --

MAYOR MESSAM: If you know -- if you don't --

VICE MAYOR COLBOURNE: I'm going to try. N-A-S-I-F, Nasif, last name is A-L-S-H-A-I-R? I think I'm close.

MAYOR MESSAM: Does the Clerk have the member's name that's the at-large member? I can reference the current --

CITY CLERK GIBBS: I'm sorry. I didn't -- Mayor, can you repeat that.

VICE MAYOR COLBOURNE: The proper spelling for it.

MAYOR MESSAM: For the -- I'm just trying to get the name confirmed for the record. There is a Huntington resident that is currently seated as an at-large Miramar seat holder on the Advisory Committee, --

CITY CLERK GIBBS: Yes.

MAYOR MESSAM: And there's a request to have them seated as the actual Huntington resident representative, opposed to being an at -large member.

CITY CLERK GIBBS: Yes. It's Mr. Alshaier.

MAYOR MESSAM: Okay. So I will need a motion to --

VICE MAYOR COLBOURNE: I will -- I'd also like to --

MAYOR MESSAM: What -- one minute.

VICE MAYOR COLBOURNE: I'd also like to appoint Fred Brooks, Mr. Fred Brooks to the vacant position that that creates.

MAYOR MESSAM: Fred -- Fred Brooks. So we -- we will -- we will take votes as individual appointment.

VICE MAYOR COLBOURNE: Okay.

MAYOR MESSAM: Are there -- there has been a nomination for Fred Brooks to now fill the vacant Miramar at-large seat. Are there any other nominations for the now vacant -- for -- for -- that would be vacant Miramar at-large seat? Any other nominations? Closing

nominations for the at-large seat. Okay. So we have Mr. -- is it Nasif Lashier? If I'm saying the name --

CITY CLERK GIBBS: I believe the pronunciation of his last name is Alshaier.

MAYOR MESSAM: Alshaier, okay. So I need a motion to appoint Nasif Alshaier to the Huntington resident seat on the Ad -- Blasting Ad -- Citizen Advisory Committee; may I have a motion, please?

VICE MAYOR COLBOURNE: So moved.

MAYOR MESSAM: May I have a second.

COMMISSIONER DAVIS: Second.

MAYOR MESSAM: Madam Clerk, record the votes.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER DAVIS: Second.

MAYOR MESSAM: Madam Clerk, record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Davis, to approve the appointment of Nasif Alshaier to fill the Huntington resident seat on the subject board, the Commission voted:

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

Approved

MAYOR MESSAM: Now I may have a motion -- may I now have a motion to appoint Mr. Fred Brooks to the Miramar at-large seat of the Blasting City Advisory Committee./

VICE MAYOR COLBOURNE: So moved.

MAYOR MESSAM: May I have a second?

COMMISSIONER DAVIS: Second.

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

CITY CLERK GIBBS: Mr. Mayor, this will be a manual vote.,

MAYOR MESSAM: Okay.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Davis, to approve to approve Resolution #R7471, appointing Fred Brooks to fill the Miramar resident at-large seat on the subject board, the Commission voted:

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

Resolution No. 21-143

13. Temp. Reso. #R7444 authorizing the issuance by the **Capital Projects Finance Authority of its Essential Housing Revenue Bonds, Series 2021** for the purpose of financing the acquisition of a certain housing facility located within the City and herein described. ***(Continued from the Meeting of 07/07/21) (ITEM WITHDRAWN)*** (Assistant City Manager Shaun D. Gayle)

Withdrawn

MAYOR MESSAM: Item number 14, please.

14. Temp. Reso. #R7414 approving a three-year **Collective Bargaining Agreement** between the City of Miramar, Florida, and the **Police Benevolent Association of Broward County, Florida**, representing City Police Officers and Sergeants, for the period from October 1, 2021 through September 30, 2024. ***(Continued from the Meeting of 05/19/21)*** (Human Resources Director Randy Cross)

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving a three-year Collective Bargaining Agreement between the City of Miramar, Florida, and the Police Benevolent Association of Broward County, Florida, representing City police officers and sergeants, for the period from October 1, 2021, through September 30, 2024; and providing for an effective date.

MAYOR MESSAM: Good evening.

MR. CROSS: Good evening, Mr. Mayor and Vice Mayor, members of the Commission. Randy Cross, Human Resources. I'd just like to take this opportunity real quick to just thank the -- all of the union negotiating teams, and the City's negotiating team, particularly Ms. Decoste and Raf because without them we wouldn't be able to be presenting these items to you this evening. So this first item is the collective bargaining agreement for the next three years between the City and the Police Benevolent Association, representing

the police officers and sergeants. The current contract expires this coming September 30th. Last November, the Commission approved an amendment to the contract to increase the starting salary to Step 3, \$56,423.00. Next slide, please. So this was what was presented to the Commission back in May. The total cost of the contract is approximately \$10.7 million over the three years of the agreement. The steps are paused for 14 months, and the COLAs are paused for 18 months, creating some savings to put three additional steps on the top of the range for police officers, and two additional steps on the top for police sergeants. Contract is a one, two, two COLA, with one percent the first year, two percent the second and third years. We have updated the uniform pay and the incentive pay to match the market, as well as holidays and other time off to match the CVAs and the City code -- slide. This is an example of the new step plan; so each year of the agreement, on the top it shows the top left is the current police officers' step plan that was in place before the amendment. Step three becomes the new starting salary with the amendment this past November. That stayed in place and became the new starting step for the new contract. Each year of the new contract, there's a step that's added, nine, ten, and 11 onto the top; that expands the range and takes care of the compression. And then for police sergeants, steps six and seven is added in each year for the contract that -- so that represents what the new step plan will be in the actual agreement. Other changes -- this -- and you'll see this with the other union contracts as well. The emergency pay language in each of the union contracts has been -- each of the union's partnered with us to create standardized language that exists in all three of the union contracts. PBA also partnered with us on the health insurance and our wellness program; they were with us as we opened up the clinic and moved to Aetna for self-funded. So they're working with us as we do additional plan designs, as you'll see coming, as we negotiate the Aetna contract next year. There's also representation in the union, where we're actually going to start tracking the hours of the union board members when they do union business, so we'll track that, along with the Chief's office, and in Ms. Decoste's shop to make sure that the hours are accountable. City Manager recommends approval.

MAYOR MESSAM: Thank you for the presentation. The Clerk received no requests to speak on this item, so back to the dais. Are there any questions or comments on the presentation?

COMMISSIONER CHAMBERS: Yeah.

MAYOR MESSAM: Commissioner Davis raised her hand, followed by Commissioner Chambers.

COMMISSIONER DAVIS: Thank you so much. I'm -- I'm pleased to see where the negotiations have led us. I'm really glad to know that this Commission stepped up when it was realized that the starting salary was not up to par and comparable to other cities and counties in the area. And so that we've reached this type of negotiation working with the union and staff, I think it's commendable, and, you know, we did get to sit down and speak with HR on these matters, and, so far, I am, again, pleased with how everything

has worked out, in terms of agreeing about emergency pay, and -- and so on, and making sure that each step has -- been made whole based on the starting salary, so thank you again.

MAYOR MESSAM: Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: I just want to thank staff for the work that they have done with the union, and I also want to thank Vice Mayor Colbourne for insist us working together with all three unions to make sure we have a equitable stake, meaning the City. And I want to thank Tennille for being the lead with the negotiation. You guys did a good job. Thank you.

MAYOR MESSAM: Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Thanks, Mr. Mayor. I -- I want to congratulate both sides. As -- as you may recall, I -- I was one of those that was probably close to being shocked when we heard earlier this year the kinds of numbers that we were utilizing in comparison to a number of other departments in the County. There has been overtime -- and we remember not so long ago where we were, basically, taking suggestions and recommendations from these unions as to what direction we should go in. And I -- I -- I am proud to be a part of the decision to -- to make things right for our officers, hoping that this will lift the morale from where it had been to -- to a better level going forward. I -- I thank both sides for what they've been able to accomplish in this, and I thank staff as well for the information gleaned in the meeting we had recently.

MAYOR MESSAM: All right. Seeing no more speakers, may I have a motion on this item, please.

COMMISSIONER CHAMBERS: Motion to approve.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Madam Clerk, record the votes.

CITY CLERK GIBBS: Commissioner Barnes. Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

CITY CLERK GIBBS: Commissioner Barnes, are you there?

COMMISSIONER BARNES: Yes, I am. I answered. You didn't hear.

CITY CLERK GIBBS: Oh. Thank you.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Resolution #R7414, the Commission voted:

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

Resolution No. 21-144

MAYOR MESSAM: Item number 15, please.

- 15.** Temp. Reso. #R7467 approving a three-year **Collective Bargaining Agreement** between the City of Miramar, Florida and the **General Association of Miramar Employees** for the period from October 1, 2021, through September 30, 2024. *(Human Resources Director Randy Cross)*

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving a three-year Collective Bargaining Agreement between the City of Miramar, Florida, and the General Association of Miramar Employees for the period from October 1, 2021, through September 30, 2024; and providing for an effective date.

MAYOR MESSAM: Welcome back.

MR. CROSS: Thank you, sir. It was pleasure on my little trip. This item before you is the three-year agreement with General Employees Union, General Association of Miramar Employees in the City. It's a three-year agreement that goes into effect this coming October. Total cost for this agreement is approximately \$6.86 million over the three years of the agreement; it's also a one, two, two contract with the COLAs. What's different

about this contract is we're implementing the step plan with the GAME Union that -- there was a step plan years ago in the older contracts. We put that into place now. We've added a one-percent adjustment to the step plan in the last year of the agreement to make sure that the contract stays competitive with the market, and we've also added a dollar -- negotiated a dollar danger pay for certain job classifications in the membership. Again, the union has also partnered with us with the emergency pay language. They've also partnered with us on the insurance and wellness similar to the Police Benevolent Association union contract. We've also updated the Worker's Compensation language in the contract, so it's more up to date, and provides more leverage and latitude with the City to work with employees that end up getting injured on the job. City Manager recommends approval.

MAYOR MESSAM: Thank you. The Clerk received no requests from the public to speak on this item, so back to the dais. Commissioner Chambers, you're recognized, sir.

COMMISSIONER CHAMBERS: Thank you, Mayor. Once again, I just want to thank the -- all the GAME employees for their patience, thank them for their work that they have done over the years, and will continue to do here at the City of Miramar. I want to make sure you guys are no less valuable than the rest of the employees here, so I want to give you all a big shoutout, and also for the negotiating team. And if I may just go back to the first item 14, I just want to emphasize the new leadership with the police department, and the morale, and I could see a change with moving forward, and gotten through the furlough situation and all that. So I want to thank all our men and women that wearing the uniform and serving us day in and day out for the job. I want to thank their family also, and I want to thank the residents for supporting them. Thank you so much.

MAYOR MESSAM: Any other comments? Hearing and seeing none, may I have a motion on this item.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER DAVIS: Second.

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

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Davis, to approve Resolution #R7467, the Commission voted:

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

Resolution No. 21-145

MAYOR MESSAM: Item number 16, please.

- 16.** Temp. Reso. #R7468 approving a three-year **Collective Bargaining Agreement** between the City of Miramar, Florida, and the **International Association of Firefighters**, representing nonmanagement sworn firefighters, for the period from October 1, 2021 through September 30, 2024. (*Human Resources Director Randy Cross*)

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving a three-year Collective Bargaining Agreement between the City of Miramar, Florida, and the International Association of Firefighters, representing nonmanagement officers -- sworn firefighters, excuse me, for the period from October 1, 2021 through September 30, 2024; and providing for an effective date.

MR. CROSS: Evening again. Randy Cross, Human Resources Director. This item is a three-year agreement between the City and the International Association of Firefighters for the next three years. The current contract expires this coming September. This contract calls for approximately \$6.16 million over the three years. It's also a one, two, two COLA for each year of the agreement. Step plans in the -- in the current agreement will continue into the new plan. There's also one-percent adjustment to the plan each year for market competitiveness. Again, the union has partnered with us, along with the other unions to update the emergency pay. We've also educated the education assistance, which is our tuition reimbursement program for the firefighters to make it consistent with the other unions and the non-represented employees. And we've

adjusted the promotional exam process, so it's more fair and transparent. City Manager recommends approval.

MAYOR MESSAM: Thank you for the presentation. The Clerk received no requests from the public to speak on this item. Back to the dais. I have a couple of speakers. Commissioner Davis, followed by Vice Mayor Colbourne.

COMMISSIONER DAVIS: Once again, I'd like to thank staff and our working with the union to hash out this agreement. I did want to make note of the changes you made in terms of promotional opportunities, you know, in the process now of hiring, and we want to ensure that we have the diversity that we -- we see in the City of Miramar reflected in -- in our fire department. And so, in terms of hiring and promotion opportunities, I do hope this is a step in the right direction, that we can see, again, more -- more diversity, more women, and more people of various ethnicities within the fire department. I also like the fact that they have worked with you on the emergency pay situation. I know we've just gone through a situation here, and now it's being clarified we're working together with the union to ensure that when there's another emergency, we're all on the same page. So thank you for your efforts, and as we continue to move the fire department in the right direction, I know it's going to be a even better department than it is currently. Thank you.

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

VICE MAYOR COLBOURNE: Yes. Thank you very much. I just wanted to acknowledge our staff, first of all. I know that I -- I asked -- couple months ago I asked to bring all the contracts back together. Everybody's job has a peak time, and I recognize that this is peak for HR. You have three bargain -- bargaining units, and -- and you hand you had to go through three bargaining -- we do still have one -- the unrepresented that's coming up as well. But I -- I just want to say that I acknowledge the work that was done; I appreciate you bringing this back; thank you. And, you know, a heartfelt thank you to staff for the work that they do each and every day, the fire department, police department, and our GAME employees as well. You're front liners in -- in -- many of you are front liners, and you are -- you are what the residents see, so thank you very much. I know in negotiations, probably means everybody didn't get everything they wanted, but -- but I'm very happy that you were able to come to an agreement at this point, and we don't have -- we don't have to go any further than this, so thank you all.

MAYOR MESSAM: Commissioner Chambers.

COMMISSIONER CHAMBERS: Thank you. Well, it's good to see all the red shirts here tonight. I hope we can have that at our next Commission meeting and -- and always. I want to thank you guys for working with us to make sure we have the City stay solvent as a whole, and also staff. I like the fact that staff come to the table prepared this time around, and it's -- it's a testament to the leadership here from the Commission to the City Manager on down. So when we are prepared to negotiate, and go in good faith, then we can always work together when we have trust and accountability. So I'm just grateful that

we're able to get this resolved, so we can get back to working. I hope you still have folks out there working tonight. I know we have a lot of our fire department members here, but I welcome you all here, and I thank you so much for the job you do day in and day out. God bless.

MAYOR MESSAM: Before we take this vote on -- on this item, just would like to thank the City Manager and the HR team, as well as the -- all three collective bargaining units for bringing forward an agreement that can work for the City. You know, the City of Miramar, we would not be who we are without your efforts and your work, your dedication to our -- to our community. You know, as we are navigating, still, through this pandemic, each of you play a very unique and -- and special role in ensuring that the community is not only safe, but can -- and is there whenever there is a need. I think all of us, at some point or another, even personally have been touched by your service and for your work. So as the City of Miramar -- as we continue to move forward as a city, I know a lot of times in these negotiations, there's a lot of discussion in regards to compensation, there's a lot of discussion in regards to retirement. But just as important is your professional development, your ability to continue to build upon your skills, and getting the necessarily training -- necessary training and resources, so that you can do your job, and that's where the partnership and the teamwork comes in. So I'd just like to -- kudos to all of the stakeholders in this, because, at the end of the day, we all work for our bosses, and that is the -- the residents of this community, so thanks for bringing this forward. And, at this time, I'll take a motion for approval of this item.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Madam Clerk, record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R7468, the Commission voted:

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

Resolution No. 21-146

MAYOR MESSAM: Item number 17, please.

- 17.** Temp. Reso. #R7469 approving a **Comprehensive Pay Plan for Unrepresented Employees** for the period beginning October 1, 2021 through September 30, 2022. (*Human Resources Director Randy Cross*)

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving a Comprehensive Pay Plan for Unrepresented Employees for the -- for the period beginning October 1, 2021 through September 30, 2022; providing for severability; and providing for an effective date.

MR. CROSS: Good evening again. Randy Cross. I -- I'd also like to just give a very special thanks for Michelle Pamies from the City Attorney's Office. She was working with us very closely on this, and, you know, thank you very much.

CITY ATTORNEY AUSTIN PAMIES: I get to say thank you, Randy.

MR. CROSS: This item is the comprehensive pay plan for fiscal year 2022. This item covers non-represented employees. So the past three items were covering each of the bargaining units that are represented by a union. The group that's not represented by a union is referred to as non-represented employees. That covers the executive staff, middle management, and professionals, as well as the part time employees not covered by the union. Each year, this is presented as part of the annual budget. The cost is actually \$750,000.00, not \$500,000.00. It's fully funded within the FY '22 proposed budget. So what's on the table here is a two-percent COLA for all employees within the group, \$1,000.00 merit for -- not the base for everyone in the rank of assistant director and lower if they receive a satisfactory or above performance evaluation. There's two changes to the medical retirement benefits; one would be for all of the employees that may retire as a non-represented employee. Employees currently receive \$10.00 per month for every year of service; it caps at 25 years, so you would receive \$250.00 per

month if you work 25 years; that goes towards helping you pay for your medical insurance when you're in retirement. We're asking to increase that from \$10.00 to \$15.00; that would increase the monthly total by \$125.00 if you work the full 25 years; that's for all employees. The other piece is adding a benefit that was in the prior comprehensive pay plan that came out in 2010. It covers medical insurance for executive staff; that's the staff that works in the City Manager's Office, where they would get one year of coverage for every three years in the position. We're looking to continue the 100 percent of position-base leave, being able to convert to cash, and we're looking to increase the number of hours that can be cashed out from your vacation and sick from 120 hours to 200 hours. City Manager recommends approval.

MAYOR MESSAM: Thank you for the presentation. The Clerk received no comments or questions from or request to speak on this item, so back to the dais. Are there any questions or comments on this item? See one speaker. Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Work better when I turn the mic on. Thank you once gain. It -- you know, when -- when we are prepared, when staff -- when you have quality staff that work together well, and can negotiate with the union, and then when we all one -- have one thing in common, which we love the City, we love what we do, care about the community, and we care about each other, good things happen. So -- and -- and I -- I think being able to work things out and compromise, it's -- it's a testament to where we are today, given where we were a few months back before the pandemic, which is -- looking at some financial issue, and a whole lot of other stuff, and the City is so much better off right now, even after -- after going through pandemic. So I want to thank Tennille once more, and -- and the team, also -- I don't see her here, but Ms. Elizabeth Pinnock for her work on the CPPP unrep portion pension, so it's -- it's just a great overall team that we have here working together at the City, and I'm just grateful for that. And, once again, I want to thank the Commission, my colleagues, for working together, making sure we can take care of our employees, and also our residents in a great way, in a good way. So it's always about love. Thank you.

MAYOR MESSAM: Seeing no other hands raised, may I have a motion on this item, please.

COMMISSIONER CHAMBERS: Motion to approve.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Madam Clerk, record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes. Thank you. I'll give a second for our visitors to dismiss, but I would like to ask everyone if you could do so as quietly as possible, so we can continue with the agenda.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Resolution #R7434, the Commission voted:

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

Resolution No. 21-147

MAYOR MESSAM: Okay. Item number 18, please.

- 18.** Temp. Reso. #R7472 authorizing the **Public Rights Project**, a project of the Tides Center, Community Justice Project, and Southern Poverty Law Center to file a **lawsuit** on behalf of the City of Miramar, Florida, that facially **challenges Section 1 of CS/HB 1 (2021)**. (*Sponsored by Mayor Wayne M. Messam*) (*City Attorney Burnadette Norris-Weeks*)

CITY ATTORNEY NORRIS-WEEKS: A resolution of City Commission of the City of Miramar, Florida, authorizing the Public Rights Project, a project of the Tides Center, Community Justice Project, and Southern Poverty Law Center to file a lawsuit on behalf of the City of Miramar, Florida, that facially challenges Section 1 of CS/HB 1 (2021); and providing for an effective date.

MAYOR MESSAM: Thank you. Item number 18 is in pursuant to the consensus from the Commission after the request to have our City Attorneys to work with legal advocates, as

it relates to home rule issues regarding and surrounding HB 1, and to bring back those findings in a resolution for consideration for the City of Miramar Commission. Before us at the dais we have Bacardi Jackson, who will -- from the Southern Poverty Law Center who will present the issues and the situation, and the recommendation for the City for consideration to move forward. Good evening.

CITY ATTORNEY NORRIS-WEEKS: And, Mr. Mayor, before you --

MAYOR MESSAM: I'm sorry -- yes --

CITY ATTORNEY NORRIS-WEEKS: Thank you. I appreciate it. I wanted to also put on the record that the City Manager recommends approval of this item, authorizing the title that was read to go forward with a litigation. And, with that, Mr. Mayor, Ms. Jackson can speak at this time, Attorney Jackson.

MS. JACKSON: Thank you so much.

MAYOR MESSAM: Yeah. And along with Southern Poverty Law Center, we have the Community Justice Project as well, so I'll turn it over to Ms. Jackson for a presentation.

MS. JACKSON: Good evening, and thank you so much, Mayor, Vice Mayor, Commissioners, City Attorneys Norris-Weeks, Austin Pamies, and Madam Clerk, thank you for the opportunity to present. I am, as you heard, Bacardi Jackson with the Southern Poverty Law Center. I'm the managing attorney for the Miami office, and senior supervising attorney for our children's rights practice group. And I am here with my colleagues and collaborators from the Public Rights Project, the Community Justice Project, and the law firm of Jenner & Block, and I and Alana Greer and Marissa Roy, who is appearing virtually will just present to you very briefly about the great importance of opposing HB-1, which is also known as the Combatting Violence, Disorder, and Looting and Law Enforcement Protection Act that was enacted by the Florida Legislature -- Legislature on the heels of the international response to the tragic murder of George Floyd. HB-1 directly threatens the ability of local governments to structure budgets that best meet the needs, values, and priorities of their constituents. And here's what it does: HB-1 authorizes certain elected officials to file an appeal with the Florida Administration Commission, which is the Governor and his cabinet if a municipality makes a reduction to the operating budget of its law enforcement agency. HB-1 then gives unbridled discretion to the Administration Commission to amend or modify, line by line, any item within the operating budget of the municipality's law enforcement agencies under those conditions. The Administration Commission's amendment of the municipality's budget is final, and HB-1 does not set forth any mechanism for judicial review of the Administration Commission's budget amendments. It is unconstitutional for the Governor and his cabinet to insert themselves between local governments and their constituents. Local governments need full autonomy over their budgets to respond meaningfully to the concerns of its residents. To preserve this Commission's ability to be responsive to its commission -- constituents, this Commission must oppose HB-1. Over the past few

weeks, we have been in many, many conversation with elected officials from across the State, and those conversations have been really revealing. They reveal that not only HB-1 an assault on the ability of local governments to respond to their constituents, but it carries many unintended consequences that were less clear to our team before we started meeting with city officials. One that I want to flag for this body is what a former mayor we spoke with called the ratchet problem. A ratchet can only move in direction, up. In using his real-life experiences, he explained: Say a city wants to apply for a onetime grant to update their police department's IT infrastructure, with HB-1 in place, the city would be hesitant to do so, because then they might be stuck with that budget increase in every subsequent year, so knowing that their public safety budgets can only ratchet up, HB-1 will make it very difficult for cities to make improvements to their public safety department. Now Gainesville has taken the first step in authorizing this litigation, and it was embolden and inspired to do so by knowing that this body was also taking up this issue, and based on our ongoing conversations with local elected officials across the State, we are confident that we will be able to build a united coalition of cities to successfully challenge HB-1, especially if the City of Miramar does what it does best, which is lead on this crucial initiative.

MS. GREER: Thank you so much, and good evening. My name is Alana Greer; I'm a lawyer and the director of Community Justice Project. We're a nonprofit law firm just a few miles south of here. I just wanted to take a moment to introduce the team that we've assembled in hopes of working with the City of Miramar. So including the Public Rights Project, my organization, the Southern Poverty Law Center, and pro bono counsel at Jenner & Block, and a panel of local government law professors from across the country. This coalition has more than 20 lawyers that, together, have over 100 years of litigation experience, many rooted right here in Florida. The Public Rights Project has worked with 70 local government partners specifically on issues representing municipal governments everywhere, from state courts all the way to the U.S. Supreme Court. Community Justice Project has an extensive experience working with community-based organizations, and most recently we co-counseled with our colleagues at Southern Poverty Law Center to represent the City of South Miami in similar litigation, challenging SB-168, another piece of legislation that infringed on home rule, and imposed unfunded burdens on local governments. The Southern Poverty Law Center has been working for over 50 years as a catalyst for racial justice in the South and has brought systemic reform efforts through litigation, among other tactics. Our pro bono counsel at Jenner & Block is not only a leading, national law firm, but they've been ranked number one in pro bono commitments by American Lawyer over 11 times. And, finally, the Local Solutions Support Center, and their panel of local government law professors, brings an imperative level of expertise on this area and has led the charge in combatting abuse of state preemption laws across the country, including most recently in Atlanta and Austin, where they challenged limits on local governments' ability to implement COVID safety measures. I'll pass it to my colleague, Marissa, who's joining us virtually.

MAYOR MESSAM: Good evening.

MS. ROY: My name Marissa Roy; I'm staff attorney at the Community Justice Project. And I'll be speaking a little bit about the claim involved in this lawsuit. At the heart of this lawsuit is the principle that the Florida Constitution protects the local budget authority of cities like Miramar from state overreach. From the very first words of the State Constitution: We the people, Florida has a strong tradition of self-government, and home rule is an essential pillar of self-government, because it's local governments that are the closest governments to the people. (Inaudible) municipality have the governmental (Inaudible) and proprietary powers to enable them to conduct municipal government, perform municipal functions, and run their municipal services. Local budgeting is one of the most (inaudible) municipal functions, and (inaudible) to facilitate the municipal services that local governments provide. As we all know, local governments have long been (inaudible) and providing programs (inaudible) needs of their community, particularly with fluctuating revenues. In Miramar, this Commission knows how crucial it is to maintain local control over municipal budgeting, so that the City can be responsive to local needs. As Miramar has been coping with the economic downturns from COVID, and respecting all the hard work of the personnel, it has to have flexibility to be able to restructure its budget. The Florida Constitution protects Miramar from (inaudible) to structure its (inaudible) separation of powers (inaudible) -- completely (Inaudible) these sections and threatens to violate that home rule and that budgeting authority. So these are the claims that we will be bringing in the complaint to combat HB-1. We believe in the claims that we've put together; they have been thoroughly researched and vetted, not just by one attorney team, not by two, but by four attorney teams, and a national network of professors. We are here for you as a coalition of lawyers who have reviewed and analyzed these issues, who will support your leadership on this issue at no cost to the City, and we look forward to working with you. If you have any questions, I'm free to answer them.

MAYOR MESSAM: Hearing none, next.

MS. JACKSON: So we are happy to answer any questions you might have. One question I have in regards to some of the either intended or unintended consequences. This Commission unanimously approved an early retirement program, in which we offer the opportunity for City employees, including our police officers, the ability to retire early. This was done for cost savings, and to relieve some pressure off our General Fund, in terms of employment cost. We already have several police officers that have opted to retire early. Which means that their positions have been frozen for the prescribed time. That, in and of itself, is going to reduce our police budget in terms of their salaries, because we're not funding those positions for cost savings. Based on HB-1 as it has been passed and has been adopted, is the City of Miramar in violation by executing our early retirement plan that happens to have police officers to opt into the program.

MS. JACKSON: That's a very good example of the kind of authority that local municipalities need in order to address whatever kind of budgeting fluctuations happen when you have a tragedy and -- and thing beyond your control. You have to have the authority to be able to manage your own budgets, and that's a perfect example. Under

HB-1, the City of Miramar would be subject to having an objection filed, and triggering the provisions that would allow the Governor and his cabinet to say, no, you don't get those cost savings. We're going to amend or change or set what we think that money should be spent on, and you would be stuck with that decision. There is no right for you to appeal that to a court. They will just come in and usurp your authority and your power to make those decisions.

MAYOR MESSAM: We have a question from Commissioner Barnes. Commissioner Barnes, you're recognized, followed by Commissioner Chambers.

COMMISSIONER BARNES: Not really -- not really a -- a question, just a comment and observation. A lot of thanks to all of you guys for -- for bringing this to us upon your initiative. But I -- I just hope, as I said to you guys in jest, but also in seriousness, that you will make contact with the -- the various elected officials I mentioned to you, and -- and to also have brought us an understanding or explanation of what these bills do, and what they prevent us at the local level from doing from time to time. And we-- at least myself, and I -- I am confident as well that the entire Commission will be behind you guys as you move forward. And I also need to remind you that I continue to wear that SBLC bumper sticker on my car. Its' not going any place, okay.

MS. JACKSON: Well, we certainly appreciate that, thank you.

MAYOR MESSAM: Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you, Mayor. First I want to thank the City Attorney, Ms. Norris-Weeks and her team, and I also want to thank you, Ms. Jackson, how are you?

MS. JACKSON: I'm great, thank you.

COMMISSIONER CHAMBERS: Thank you. Thank you.

MS. JACKSON: I forget to mention that I -- for the past 15 years, I've been a proud resident of Miramar, so it's great to see you.

COMMISSIONER CHAMBERS: That's right, that's right. Seen you in a little while, but I know you're here. You're not going anywhere., Thank you and your team, and for -- for those folks who don't know you and know what you does, it's -- or just hearing it tonight, you always fighting this battle for civil rights, and over many, many years. And I have no doubt that you taking on this challenge with your team, that you will be successful. And I know it's been really busy these last number of years, because of some much stuff that coming down pipeline to take way our -- a lot of our civil rights, and you guys been just trying to keep up with it. So I want to thank you so much for all that you do, and will continue to do, you and your team.

MS. JACKSON: Well, thank you so much. And thank you for that confidence. We are working to try --

COMMISSIONER CHAMBERS: And -- and keep taking care of --

MS. JACKSON: -- To bring that moral art forward to justice.

COMMISSIONER CHAMBERS: And keep taking care of those lovely children. Thank you so much.

MS. JACKSON: Thank you.

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

VICE MAYOR COLBOURNE: Thank you. I just wanted to also say thank you so very much to -- to our legal team, Mayor Messam, and Ms. Jackson as well. I didn't -- I didn't get your name as well, but thank you.

MS. GREER: Alana Greer.

VICE MAYOR COLBOURNE: I appreciate -- I appreciate the work that's being done on here. This -- this really has a serious impact on -- on home rule, and on the work that we do here as a commission, so it is certainly worthy of us pursuing this to make that, you know, we -- we do have some legal standing on it, so I certainly appreciate that. I -- I hope that you are successful, and, you know, if you will please give us updates as we -- as you go through the process. I don't know how long something like this will take, but please do give us updates on that.

MS. JACKSON: We will do that. We will definitely update you regularly.

VICE MAYOR COLBOURNE: Thank you.

MAYOR MESSAM: Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Thank you. And I echo the sentiments; thank you so much for bringing this forward, Mayor Messam, than you to our attorneys for their efforts and, obviously, to the group who are here today; thank you for meeting, explaining this -- this project that you're doing. One thing I must say, and I did ask that, you know, you're doing it absolutely pro bono, so it's no cost to us for you to go ahead and -- and do this lawsuit. And I don't know if you explained, you know, what this entails. You're doing a portion of this, in terms of the HB-1 that affects cities, but there's other portions that are being tackled. Could you just briefly mention those, because lot of the times this is not mentioned, but the other portion of the HB-1 is what's in the news.

MS. JACKSON: Yes, absolutely. There is already a pending federal lawsuit that's been brought by a number of other civil rights organizations, including the Community Justice Project, to address the First Amendment violations, and the other deep concerns about the infringement of those who decide to protest peacefully, and exercise their constitutional right to bring their grievances to our government as a foundational principle for us. So that lawsuit is underway, which is why you probably heard more about it in the news. Once this one is filed, we would expect there to be more attention on this issue as well. But, yes, those are crucial and important issues that are being addressed.

COMMISSIONER DAVIS: Perfect. Thank you for all you do.

MS. JACKSON: Thank you very much, and thank you for all of -- all that you do as well.

MAYOR MESSAM: I'd like to thank our -- my colleagues for your -- your comments and questions on -- in regards to -- to this. HB-1 received a lot of attention, even in the pandemic, in terms of when it was going through the legislative process. This was not a bill that was asked for, this was not a bill that was needed, and when you have bad legislation that is based off in principle things that are -- are done in a way that doesn't fully -- that the impacts you have -- what we have now with HB-1. I would like to thank my colleagues for allowing this process to get to the point where we are here under consideration. What this means for, not just Miramar, but for all municipalities is that we have to defend home rule. We are the elected body by constituents. They elect us to serve on their behalf. We're the boots on the ground that represents their interest. And to have legislation like this that would impede our ability to serve our residents just is not right. So I -- that's why I thought it was important for this Commission to make that decision to stand with our colleagues across the State who have a -- a high interest in this. We are just off the heels of the Florida League of Cities, and Florida League Mayors Conference, where I had the opportunity to discuss this with many elected officials. And they, first, had no idea of the implication, and once educated, they all are just waiting to get this information to see how they can get involved, and sign up as well, if it's the desire of their coun -- councils and their commissions. So -- and many issues like when oil drilling threatened our city, our city stepped forward to challenge the State. When it came to firearms regulation and the impacts it had on home rule, the City of Miramar and other local municipalities in Broward County stood up first. And -- and I see this as no different situation urgency, and why this is needed to stand for home rule, so that we can govern on behalf of our residents. I -- the Clerk did not receive any comments or requests from the public to speak on this item. And without objection, I'll request a motion to accept the City Manager's recommendation for -- to move forward on this item.

COMMISSIONER CHAMBERS: Motion to approve.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Madam Clerk, record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Resolution #R7472, the Commission voted:

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

Resolution No. 21-148

MS JACKSON: Thank you very much.

MAYOR MESSAM: Thank you all so much, and we look forward to working with you and, again, I would like to thank our City Attorneys for working along with this process to bring us to where we are today.

CITY ATTORNEY NORRIS-WEEKS: Thank you, Mr. Mayor.

QUASI-JUDICIAL PUBLIC HEARING

MAYOR MESSAM: On to quasi-judicial public hearing. Item number 19, please.

CITY ATTORNEY NORRIS-WEEKS: Florida Courts have determined that there are certain types of matters, including the following applications, which are to be treated differently than other issues considered by the Commission. Most decisions of the Commission are legislative in nature, which means that the Commission is acting as a policymaking body. In contrast, in quasi-judicial matters, the Commission is applying existing rules and policies to a factual situation and, therefore, acting like a judge or a jury in a courtroom. In such cases, the courts have decided that -- that due process and fundamental fairness requires that more formal process be followed. The City of Miramar's procedures for quasi-judicial hearing 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, and we'll read the title of the item to be considered. City staff will 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 the applicants -- from the participants in favor of and in opposition of the application. All witnesses are subject to cross examination by the City staff, City Commission, and the applicant. A participant may request that the City 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 on competent and substantial evidence presented at the hearing. All backup materials presented at the hearing will automatically become a part of the record of the hearing. All approvals will be subject to staff's recommendation, conditions, unless otherwise stated in motion for approval. The Clerk will now swear the people to be -- to speak at this time.

CITY CLERK GIBBS: All of those wishing to provide testimony on the -- on the following quasi-judicial item please stand and raise your right hand. Do you solemnly swear or affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth? Please remain standing to receive a colored dot. Thank you.

- 19. SECOND READING** of Temp. Ord. #O1774 relating to Land Development Regulations; amending the Zoning Map of the City of Miramar for approximately 32 acres of real properties generally located and lying on both sides of Miramar Parkway, between the Florida Turnpike and SW 68th Avenue, as further described in Exhibit "A" attached hereto, in accordance with the requirements of Subsection 166.041(3), Florida Statutes and Section 304 of the Land Development Code of the City of Miramar; more specifically by changing the zoning map designation of: (1) those certain parcels with Parcel ID Numbers 5141-2608-0010, 5141-2608-0011, 5141-2608-0012, 5141-2608-0021, 5141-2621-0010, 5141-2621-0020, and 5141-2622-0010 from Community Business (B2) District to Mixed-Use Low (ML) District; (2) that certain parcel with Parcel ID Number 5141-2608-0022 from Open Space/Recreation (OS) Zoning District to Mixed-Use Low (ML) District; (3) those certain parcels with Parcel ID Numbers 5141-2600-0060 and 5141-2066-0061 from Community Facilities (CF) Zoning District and Open Space/Recreation (OS) Zoning District to Mixed-Use Low (ML) District; and (4) that certain parcel of real property with Parcel ID Number

5141-2600-0076 from Open Space/Recreation (OS) Zoning District to Multi-Family Residential (RM4) District, in order to implement the Adopted Land Use Program for the **new Miramar Innovation and Technology Activity Center (“MITAC”) Land Use Designation**, and creatively transform Historic Miramar into an economically productive and socially inclusive Innovation District; making findings; providing for adoption; providing for severability; providing for administrative correction of scrivener’s errors; and providing for an effective date. ***(Passed 1st Reading on 07/07/21) (Community Development Director Eric Silva)***

CITY ATTORNEY NORRIS-WEEKS: An ordinance of the City Commission of the City of Miramar, Florida, relating to Land Development Regulations; amending the Zoning Map of the City of Miramar for approximately 32 acres of real properties generally located and lying on both sides of Miramar Parkway, between the Florida Turnpike and SW 68th Avenue, as further described in Exhibit “A” attached hereto, in accordance with the requirements of Subsection 166.041(3), Florida Statutes and Section 304 of the Land Development Code of the City of Miramar; more specifically by changing the zoning map designation of: (1) those certain parcels with Parcel ID Numbers 5141-2608-2 -- 0010, 5141-26080011, 5141-2608-0012, 5141-2608-0021, 51412621-0010, 5141-262100 -- 0020, and 5141-2622-0010 from Community Business (B2) District to the Mixed-Use Low (ML) District; (2) that certain parcel -- that certain parcel within -- with Parcel ID Number 5141-2608-0022 from Open Space/Recreation Zoning District to Mixed-Use Low District; (3) those certain parcels with a Parcel ID Number 5141-2600-0060 and 5141-2066-0061 from Community Facilities Zoning District and Open Space/Recreation Zoning District to Mixed-Use Low District; and (4) that certain parcel of real property with Parcel ID Number 5141-2600-0076 from Open Space/Recreation Zoning District to Multi-Family Recreational -- I mean Residential Zoning District, in order to implement the Adopted Land Use Program for the new Miramar Innovation and Technology Activity Center Land Use Designation, and creativity tran -- creatively transform Historic Miramar into an economically productive and socially inclusive Innovation District; making findings; providing for adoption of -- providing for adoption; providing for severability; providing for administrative correction of scrivener’s errors; and providing for an effective date.

MAYOR MESSAM: Good evening, sir.

MR. SILVA: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners. Eric Silva, Community Development Department. This is the second for our rezoning for this application. Since the first reading, we haven’t made any changes, and we haven’t received any questions or comments from the public on this application. Your recommendation is for approval on second reading.

MAYOR MESSAM: Okay. Back to the dais. Are there any questions or comments? There -- according to staff there’s been no changes from the last presentation. Commissioner Chambers, you’re recognized, sir.

COMMISSIONER CHAMBERS: Thank you, Mayor. I just want to be on the record. I -- I went out to east Miramar, that Miramar Parkway corridor from the Turnpike, especially the business front. I took a look at the businesses there that running and operating, and what I see is a very flourishing shopping plaza where it's not empty, it's not half empty, it's not three-quarter empty, they -- they're all doing very well out there in terms of the businesses that are there. And, usually, in terms of redevelopment for certain business community, there have to be a certain amount of vacancy that occur, like any of you remember even downtown Miami and so forth when a lot of businesses exit that area, and it's now a -- been redeveloped at Wynwood and so forth. And I -- I -- I don't see that happening right now in east Miramar where there's a appetite for any one of the business owner to -- to redevelopment there. It's so many tenants, and it's so many business owners' livelihood would be disrupted. The City doesn't own those property. Very unlikely that those property owners would be inclined to do any type of development any time soon. And -- and this is my opinion from past experience and seeing what's happening. So I just want to be on the record to say that. And I -- and I think it's going to be, maybe, another 25 years before anything done right there. I think I'm going to be 90 something years old. I hope I'm wrong, but it's going to be a minimum of 25 years before we see some sort of development on that business corridor, and I'm really, really hope that I'm wrong, and maybe in the next five to six years something would happen. Thank you for the opportunity.

MAYOR MESSAM: Are there any other comments or questions? Seeing no hands raised, may I have a motion on this item.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER DAVIS: Second.

MAYOR MESSAM: Madam Clerk, record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS No.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Davis, to approve Ordinance #O1774, the Commission voted:

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

Ordinance No. 21-20

MAYOR MESSAM: Item number 20, please.

- 20. FIRST READING** of Temp. Ord. #O1776 relating to Land Development Regulations, considering Application No. 1902522 for an amendment to the Zoning Map of the City of Miramar, more specifically by **changing the Zoning Map Designation** of two parcels of land totaling 17.16 acres, located on the northwest corner of Miramar Parkway and SW 145 Avenue, and legally identified with parcel identification numbers 5140-27-11-0014 and 5140-27-11-0010 from **Community Business (B2) to Mixed-Use Low (ML)**; making findings; providing for adoption; providing for severability; providing for administrative correction of scrivener's errors; and providing for an effective date. ***(Continued from the meeting of 07/07/21) (Community Development Director Eric Silva)***

CITY ATTORNEY POWELL: An ordinance of the City Commission of the City of Miramar, Florida, relating to Land Development Regulations, considering Application No. 1902522 for an amendment to the Zoning Map of the City of Miramar, more specifically by changing the Zoning Map Designation of two parcels of land totaling 17.16 acres, located on the northwest corner of Miramar Parkway and SW 145th Avenue, and legally identified with parcel identification numbers 5140-27-11-0014 and 5140-27-11-0010 from Community Business to Mixed-Use Low; making findings; providing for adoption; providing for severability; providing for administrative correction of scrivener's errors; and providing for an effective date.

MAYOR MESSAM: Good evening, sir.

MR. SILVA: Good evening again. Eric Silva, Community Development Department. This is first reading for a rezoning for a project called the Maple Multifamily Residential Project. The land use designation is commercial, which allows for mixed use low zoning. The rezoning of the real property is about 17 acres. The part where the two residential

buildings are going is on the vacant nine-acre lot, and the request is to go from B2, community business, to mixed use low. Currently, on the eastern portion of this lot there's a four-story office building, and the applicant is proposing to build the residential on the western portion. This aerial photo here shows the vacant lot. It's located along 148th Avenue, directly behind the La Carreta restaurant, the Starbuck's, the Jimmy John's; there's also a bank and a Walgreens on the corner. This will add a new use to the area, so we'll have like a true mixed-use area. The request before you tonight is for first reading for the rezoning. As you can see now the entire 17-acre parcel is B2, shown in red, and the request would be to change the part in the middle shown in grey to mixed-use low. This just illustrated where the office building is, and where the vacant lot is. In the middle is a drainage lake. The application before you tonight is for the rezoning. At the next hearing -- if this is approved tonight, at the next hearing you'll have before you the site plan application, and several other applications, so this is a bit of a preview of what the site plan has proposed. In the red ovals, those are the two buildings with about 125 units each, and then the blue oval with the pool, that's the clubhouse area. The remainder is parking shown in light grey. Just a bit of the design. The design is shown here, and it's about six stories, with 67 feet or so. As part of that site plan application, the applicant has voluntarily offered to do a couple of things I'd like to mention. The first one is he's agreed to contribute \$1 million to the City's Affordable Housing Trust Fund. And the other voluntary commitment was to do two improvements to help with the fire trucks when they're leaving fire station 84, and we've got a couple of graphics to show those conceptually. And also it's a -- a code requirement, but we are going to include it as one of the conditions for the site plan. So he'll need -- he will provide art on the site, public art on the site, or contribute to our public art fund. And they will also have a shared parking and cross access agreement with the office building to the east. A little bit about the uses that are currently allowed under the current B2 zoning, and the proposed zoning. So, right now, they could build an office building or a retail shopping center. And we asked them to put together some trip counts based on the (unintelligible) transportation engineers, which is the standard for vehicle trips nationwide. And, as you can see at the bottom there, residential generates quite a bit less traffic than the other two options. The two improvements that are offered by the applicant to assist with the fire trucks, this is just a rough sketch; there'll be more details once the site plan goes through there will be specific language and the conditions. But, generally, it will be a dedicated right-turn lane coming off of 148th Avenue going onto Miramar Parkway, so the trucks could get out smoothly. And the other improvement is a little bit further north of 148th Avenue. It's what they call a turbo lane, so if the -- the road is blocked, there are cars there, with traffic, a truck will be able to get straight down this turbo lane, and get to the intersection, and make the turn to get out to Miramar Parkway. The process that we've been through with this application included on May 6th we had a community meeting, May 12th the DRC recommended approval, June 8th the Planning & Zoning Board recommended approval, and then we came before the City Commission twice, and there were two deferrals. And tonight is first reading for the rezoning, and September 1st will be second reading for the rezoning, site plan application, and other applications. The recommendation on first reading for the rezoning is for approval. The applicant is here for a brief presentation also, or just questions, whatever --

MR. MELE: Good evening. Dennis Mele, 200 E Broward Boulevard, Fort Lauderdale, on behalf of the applicant. Just a couple of quick items. Mr. Silva made a very thorough presentation, so I won't show a lot more slides, but just a couple of thoughts. So we're paying \$1 million into the City of Miramar Affordable Housing Fund, and we're building 250 units, so that's \$4,000.00 per unit. The highest established affordable housing contribution in the County is at the City of Pompano Beach, and it's \$2,300.00 a unit, so, obviously, the City of Miramar is doing much better. Secondly, even though we don't have access to 148th Avenue, because our access is to 145th Avenue into Miramar Parkway, we recognize that the fire department has a difficult time getting out of that station and getting down to the -- to Miramar Parkway where they can make a left or a right, so this turbo lane is, in essence, like a -- a fire lane on steroids, I guess is the best way to say it. Like you see a fire lane in a parking lot in front of a shopping center. This establishes a dedicated lane for the fire department to use to bypass the intersection of 148th and 29th, and then adds a second right-turn lane going out to Miramar Parkway. So it should definitely help those fire trucks get out, get onto Miramar Parkway, and get to where they're going. Other than that, we will comply with the public art ordinance of course, either by placing art on the property, or by paying the fee associated therewith. I think we'd like to try to see if we could come up with some art to put on the property, but we'll work with the City on that. We're very excited about the project; we appreciate all the work that everyone's done to get us here. If you have any questions, I'll be happy to answer them. Thank you very much.

MAYOR MESSAM: Thank you, sir. Okay. Back to the dais. Are there any questions or comments? Vice Mayor Colbourne, you're recognized.

VICE MAYOR COLBOURNE: When this first came before us, I -- I had a number of concerns, and I guess it was -- it was kind of brought a little sudden to us, because we hadn't had a chance to -- to really had some conversations with it. I have since met with Mr. Dennis Mele, and I've gotten a lot more information on it now than I did before. I think -- and realization, and we have it in writing that you're giving \$1 million to affordable housing trust, so I -- I do think that's commendable; I thinks that a great thing. And the fact that we are addressing the issue with the fire -- the fire trucks and the fire department it's -- its' also -- it's a good a thing. So I will be supporting this item.

MAYOR MESSAM: Commissioner Chambers, followed by Commissioner Barnes.

COMMISSIONER CHAMBERS: Thank you. When I first got elected to the City of Miramar and did quite a bit of tour with then Chief Tomey, and seeing where we were operating from at 148th, and I tried to inquire how we can improve the respond time getting out of there with the traffic after seeing the traffic backed up there, and trying to see how we can make it happen. Talk with the city manager then, and trying to see -- with interested in moving the fire station, and we just completely run out of options right now to relocate the fire station, so seeing this going to come to fruition, and to have better access for our fire department to get out to Miramar Parkway, whether they're going west

or east, or even just to Huntington or maybe the schools over by Glade -- or Everglade High, it's -- it's going to be a tremendous help, and it's near and dear to my heart. And it's -- it's something that I was always pushing for, and to see it -- see it going to happen some time in the future, that's really satisfying to me. So I want to thank all parties involved, and going to be kudos to the fire department when that happen. Thank you.

MAYOR MESSAM: Commissioner Barnes, followed by Commissioner Davis.

COMMISSIONER BARNES: Just -- just to say thanks to our -- our developer and -- and their representatives, and to City staff for the work they did in putting this together. And I think, in addition in to bringing additional space to our city, this is a continuation of phenomenon we see so ably and amply displayed at City Center. The whole matter of mixed use. As demographers, as sociologists keep on telling us, South Florida continues to be the one place people just simply have to be, and we continue to get brand new residents. The pandemic has only made it worse, because we have wide open spaces that do not exist in certain metro areas like New York. So to -- to add this to our -- our stock of accommodation choices is -- is just one more boon for our city. And when we come back the second time, if it possible, I'd love for -- to have our presenters talk a little bit more about what the neighbors, the potential neighbors of this development have to say on the matter. In -- in our meeting on Monday, we heard about, for example, deliveries, and the fact that deliveries going forward would be, basically, stop and drop situations, and there won't be a need for long stay parking for deliveries, if I may put it that way. So when -- when -- when we talk on the second reading, please tell us in more detail, if you would, about what your potential neighbors think about this development.

MAYOR MESSAM: Commissioner Davis.

COMMISSIONER DAVIS: Thank you. Just a note. I -- before I continue, there was a resident that said the volume is low, so if IT could take a look at that, when they're look on it -- looking at it online, that the volume is low. Please, thank you. I'd -- I'd like to thank staff for the presentation. Mr. Mele for explaining more about the project, letting us know about the trips and so on, so that folks understand that just because it's residential, doesn't mean there's going to be more traffic in the area; in fact, it's quite the opposite. But, in addition, I would like to ask that, in terms of the Art in Public Places, if we could ask the applicant to go ahead and fund the -- the -- the public -- Art in Public Places trust fund, rather than to actually erect a structure. And the -- the reason why I'm saying that is because it is kind of off the beaten path; it's not like it's right on the main road. We want art to be accessible, and the City has several plans, and I'd like for -- if it's -- just because we can do it at a location doesn't mean it's going to be the best place for -- for the art. So if you could get back with the applicant, and we'd certainly -- I would appreciate -- the ordinance that I brought forth that, if they have the option, if they could actually put the equivalent into the trust fund, that way we could have a concerted effort for art to be actually accessible to the public, rather than have to go into a community, which is kind off of the main -- main road. Can I ask that?

MR. MELE: Mayor, may I respond? Commissioner, while you were asking the question, I looked back at my client, and they said, "Yes, we will do it."

COMMISSIONER DAVIS: Perfect. Thank you, I appreciate that.

MAYOR MESSAM: Thank you. No questions, no questions. Great -- great presentation. I think the project is compatible to the area; looking forward to second reading. And, besides that, if there are no other questions or comments, I'll take a motion for approval.

COMMISSIONER CHAMBERS: Motion to approve.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Madam Clerk, record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.,

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Ordinance #O1776, the Commission voted:

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

Passed 1st Reading

SECOND READING SCHEDULED for September 1, 2021

21. Temp. Reso. #R7441 considering **Variance Application No. 2101556** from Land Development Code ("LDC") Section 506.6.2, Perimeter Bufferyards; considering **Variance Application No. 2101557** from LDC Section 506.6.4, Pedestrian Landscape Zones; considering **Variance Application No. 2101558** from LDC Section 808.1.5, Size and Character of Parking Spaces; considering **Variance Application No. 2101559** from LDC Section 808, Tandem Parking; and considering **Variance Application No. 2101560** from LDC Section 808.5, Loading Spaces; for the **Monarch Professional Centre**, located at 12741 through 12781 Miramar Parkway, north of Miramar Parkway and west of Flamingo Road. ***(Staff recommends continuance to the meeting of 09/29/21) (Community Development Director Eric Silva)***

Moved to 09/29/21

OTHER BUSINESS

Reports and Comments:

Commissioner Reports:

MAYOR MESSAM: On to other business. Reports. Just two quick items. Just like to make a quick announcement on -- well, actually three. I would like to thank Vice Mayor Colbourne for last week at the Florida League of Cities Conference for filling in as the delegate. I had to leave prematurely to attend my mother-in-law's funeral, which was in Madison, Florida, so as vice mayor, she stood in the gap to cast the City of Miramar's delegate votes for items under the Florida League of Cities, so thanks, Vice Mayor Colbourne. Also, concurrently, at the Florida League of Cities meeting, also was the Florida League of Mayors meeting, and I'm humble to report that the -- that mayors across the State elected me to serve as president-elect for the Florida League of Mayors for the upcoming year and, if life willing, next summer at this time, I'll be sworn in as the president of the Florida League of Mayors, so I'd like to thank the mayors across the state for entrusting that responsibility on me. I look forward to sharing the successes of Miramar while collaborating with the Florida League of Mayors and mayors across the State on issues surrounding home rule, and resources that will benefit all Florida cities. And, finally, we don't have to have discussion on this tonight. However, I do -- would like -- I would like for us to -- for City Manager to bring back, or maybe if it warrants a workshop. On occasion, we've heard either complaints from either residents or organizations that would like to use ball fields in our park, and they cannot get permits because of the master permit or permit with Miramar Optimist, whether it's for soccer, whether it's for baseball. And the times that we're talking about are times when Miramar Optimist is not using the ballfields. So, for example, if a father or mother wants to do pitch and catch, or baseball

swings at Silver Lakes baseball facility, and Miramar Optimist is not using the park, our staff ask them to come off of the field, because they cannot. We have soccer leagues and players that would like to use some of the fields in the City that have a current permit by Miramar Optimist and are not able to use the fields. I think this is something -- I'm sure, and I'm convinced that we can work administrative pro -- procedures or policies that would allow access to these ballfields when they're not being used. Even though -- we know that Miramar Optimist provides a -- a service for our community by providing athletic opportunities for our youth in the City. But it -- but folks who want to use the ballfields feel like it's a monopoly and they can't access the -- the fields, so I'm not sure what is in the contract with Miramar Optimist, or why that is so, but I think that -- that we need to get some kind of resolution, and some path forward, so that -- you know, so that residents and -- and -- and groups can get the proper permits to use these fields when Miramar Optimist is not using those field. So thank you. So going down, next, Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Thank you. First off, I just want to congratulate you, Mr. Mayor, make us all proud. I think it -- I think it is an honor to know that you will be serving as -- as mayor for the Florida League of Mayors and representing the City of Miramar, keeping us out there. There's one -- there's -- just one thing I want to clarify, and -- and ask staff if they can do something differently. In a couple of recent events that we had, we had -- I guess what's considered a VIP, and, actually, we -- we had two VIPs, and I just wanted to, one, clarify that on prior occasions -- first of all, the City has always done hospitality, and for -- for the bands and -- and -- and for others as well. And I don't think there's -- there's anything wrong with that. On a few other occasions, I -- I, myself, out of my own personal funds, and -- and some initiative funds have had more of a upgraded -- I wouldn't necessarily say VIP, but more of a upgraded hospitality. I -- I don't see anything wrong with the City having hospitality during this events, but I do think that -- that we should only have one. I don't -- I don't think it should be -- I -- I just think we should have. I think if -- if there's anyone that wants something different, that they should do similar to what I have done in the past, either pay for it out of my own funds -- out of -- out of their own funds, or out of initiatives. So that is -- that is my request to staff as we move forward with these events. That's it for me.

MAYOR MESSAM: Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you. I -- I do share the sentiment that the Mayor had with the master permit with the field. We need to do some workshop and review the rental process. Also, I would like for the City Manager to look at adding a track, even if it's just a practice track, some kind of track and field at Vizcaya Park. I take a look, and I think we can do something there to create another area where we can have some other utilization in terms of track and field. Also, I'm requesting a workshop on the City garbage collection, in terms of the waste, and also bulk, so I really need a workshop as soon as possible. I have some ideas and some discussion I want to share with my colleague and the public, and so forth. Also, I believe that we have a duty to protect our resident, renters, and I'm not sure what's happening. I got some complaints from a apartment building

that's littered with mold. One of the building in question will be surprising, because it's a very new building, and my understanding littered with mold from top to bottom, and this is serious. So I want to know how can we take a look to see if this is a construction issue, just like we have these leaky pipes, and -- and -- and it's not just -- seems to be a problem throughout the County, but this one building it's really -- from the pictures that I'm seeing, it's bad, and it shouldn't happen with a brand, new building, you know, a city so many -- so many residents been living in, and have to be under certain strict conditions. So I hope we can -- I'm not sure how we're going to address this. This is for City Manager and staff to, maybe, reach out to me, and -- I -- I don't know if this is something for the fire department or the building department, but we have to fix this. We cannot continue to build buildings in our city that people rent and -- and having so much mold issue. Thank you. And I wish everyone a wonderful rest of the week, and stay safe. Thank you.

MAYOR MESSAM: Commissioner Barnes, you have a report?

COMMISSIONER BARNES: Just some observations and comments. I, too, support the -- the single VIP entity as well. These funds really, really don't need to be spent in this fashion at all. I -- I also want to call on staff and management to take a look again at some of the COVID protocols that we've done away with, and make a decision on whether we're going to reimpose them or not. The reality is that the Delta is with us. So far I've done a total of six tests, and four of these tests that I have done have been because of city-related positive test results. I continue to ask staff to maintain the protocols, regardless of what the leadership of the State has to say, for example, about masks and so on. There was a time earlier in the summer when we started -- I among them started feeling a little more relaxed and comfortable with the -- with the change in the numbers. But whether it is the Delta or -- or variant or what, things are crazy as we speak. Hospitals are bulging in their COVID units, they're looking to get rid of patients, they're not doing elective surgery anymore, and I think we got just a little bit too comfortable in -- in the summertime, and I'm asking management and staff to look at what we can do. And -- and as for the demands of HR regulations and so on, we don't mention names or anything, but the reality is that a number of staff members have been impacted by the coronavirus over the last few weeks, and I don't know that we've done enough in our response to it yet, so I ask that this, at least, be examined. Thank you.

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

COMMISSIONER DAVIS: Thank you. I, too, want to congratulate you on this honor, as far as leading the Florida League of Mayors. But I -- I do have a couple of -- of concerns, procedurally, when it comes to events as well. Just recently, we had a city-sponsored event, and I was in quarantine, and I took the time out of my quarantine to record a message to be played at the city-sponsored event, and to my surprise, the video wasn't played. And when I dug deeper, it was told to me that that video was just deliberately withheld, and that is totally unacceptable. It doesn't matter who's hosting the city-sponsored event, whether you can attend in person, which I normally do, or there's a

video, that should be played at the event and not discarded. We all matter, and it's quite one thing when it's a city-sponsored event, it's another when it's your initiative. And even if it's your initiative, I do a lot of initiatives, and I do allow my colleagues to speak. I respect them enough if they show up at event that I'm host -- not hosting, that I'm actually initiating. I allow them the opportunity to speak. And, again, this was not afforded me, despite the fact that I took time to record that video. People were scrambling around to find out what happened to it, and it was just deliberately discarded, a lack of respect shown to colleagues, and that's -- that's unacceptable. I will ensure that it never happens again. That's the first issue. Secondly, our proclamations. There has been discussion on how they need to be drawn up, drafted, and there seems to be, somehow, stuff out there that's not being done in accordance to the procedure that was laid out by this Commission. I want to make sure that we get back to doing what we all have decided to do on these proclamations, and that they are standard, and they are done in accordance to what we had all agreed. Whenever we make decisions here, I want to make sure that we all stick to them. Each of us are voted here by the members of the community, and we should each be respected by each other. That's it for me in terms of concerns that I have. Thank you.

MAYOR MESSAM: Thank you, Commissioner. I'll -- I'll briefly respond to a couple of the items you raised, and provide some perspective and some context, specifically for yourself as a colleagues, as well as for the -- any residents that may be looking at the online broadcast of this meeting. First starting with the proclamations. We have commission procedures for proclamations, and it is the responsibility of each elected officials office to draft the proclamation and send it -- send it to the Mayor's Office. Our office does not author or produce any of the copy for your specific and respective proclamations, so if a -- if a respective elected official's office presents the proclamation, that is how it is presented, and it should be presented in the format in which this Commission has approved. So that is that. I'll also add that my office has yet to deny a proclamation request ever, despite the fact of habitual lateness in regards to the professional courtesy that is required to process the proclamation. Oftentimes we'll get requests a day before an event, two days before the event. My executive assistant still works with the office, so, in turn, I will ask that my colleagues and your staff to comply with what we have. So I say that to say this, although we have commission procedures for proclamations, we are very flexible in making those accommodations, despite the fact that more times than not, requests come short of the prescribed time in which they should be presented. So I'll make that note. As it relates to the Jamaica Emancipence event, which was a city event that I hosted, like all city events that's hosted by one of us, we, as elected official, are very involved in the format, the design, the program, the develop, and how it's going to do, working with staff to make that event take place. I will take personal responsibility for your video not being played, even though, despite the fact, I had no knowledge that a video was even being produced. If a city event that is hosted by any of my colleagues, and if I have specific request, I would have my office contact you directly to make that request, or at least give me the heads up, that I'm not going to be there, I'm making a video for a greeting, can you ensure that it gets played. When my office was putting together and working with staff, the media for the program, which has to be queued

up for the production staff saw a video that, over the last few months of planning, preparation, working with staff, thought it was an error. The video was not viewed, was not known that it was a greeting, so it was not included, so it was omitted. It was not omitted because of any spite or any intentions. In fact, even at the event I acknowledged Commissioner Davis, and I also acknowledged Commissioner Barnes, who were both absent. It was not the intent of this office to not play a greeting from your office, Commissioner Davis. And I would hope that we can, at least as colleagues, if one of us are hosting an event, and one of us have a request or something, as it relates to the event, to contact our office just to give us the heads up. Apparently, this was discussions with staff that was directed to do a video, and our office had no notice, and that is the truth. That is what happened. So there's nothing to run away from, even though I had, personally, no knowledge of it. My staff did not have due notice to know that this request was coming down the pike to be able to ensure that that would happen. There's never been an event, even with my initiatives, if it's a city event that I'm hosting, and if any of you are present, I, too, give courtesy for you, as an elected official, to greet the audience. So I hope my explanation explains what happened. I heard the issues, the reason why I did not call you to give you further clarification and explanation was because I felt that this may be a discussion before the Commission, and I did not want to violate any Sunshine -- any Sunshine Laws, because of an item that could potentially come before the Commission. But we did inform executive staff to share with them what took place, so I hope my explanation clarifies the events as they occurred, and accept our regrets for that video not being played, because had you given me a call, or contacted or have your staff contacted my office to say that because Commissioner Davis is quarantined, she would love to be there, but would like to have a greeting played, there would be no objection to doing that. So those are -- that's my response, and I hope that you don't -- that -- don't feel that it was intentionally done. I hope that you are not blaming staff for their efforts to get that video played, it's just that we had no notice of that coming down the pipe, nor were we contacted by your office that the request was made, and that this was being produced.

COMMISSIONER DAVIS: Just -- just so you know, this is a city event. So as a city event, City staff had the information, and I would have expected that City staff would have given you the information for you to have this played. Regardless of how it went down, things happen. You know, if I'm quarantine, I'm not going to run around asking people to call you. I spoke to City staff, they did the video, they gave it to your staff. Commonsense would indicate that you're given it to play, because I cannot be there; it's really that simple. The fact that it didn't get done -- I -- I -- I -- I felt it was deliberate, and I -- I was not happy with it, and we're all very intelligent folk. If you didn't come to my -- if -- not even my initiative. If you didn't come to a city event, and a video was produced, it stands to reason that that video is in place of the person giving their remarks. So that -- you know, any amount of -- other explanation is not really satisfactory to me, and I just hope it doesn't occur again.

MAYOR MESSAM: Well, it is what it is. I stated what happened.

City Manager Reports:

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

CITY MANAGER HARGRAY: Not so much a report, but thanking the staff -- having three union contracts and trying to get a budget balanced is a challenge. And I have to thank the deputy and the executive staff, HR, and budget of the hard work that they put in, because I can tell you, there are many nights that I was up at 4:00, 5:00 in the morning trying to keep up with staff. They have done a excellent job, and hope that the Commission recognize that you have a great team of leaders in this audience. And I am so proud of the leadership that we have with the deputy, the ACMs, and the executive team. And also recognize that the department heads are really, really changing the course of where we're going at in the future. So, again, I just want to acknowledge that. And while it wasn't mentioned, but I feel that I have to say it, somehow it got confused. I lost a classmate, and we'll have a funeral tomorrow, but I also lost my cousin, and I just want to let everyone know, Denise Clarke; she ran the State program in here, and very active, and at 63, she developed cancer, but she was a real trooper. Bizzy's husband worked for her, so it's been kind of hard in here. But we all go through our change -- our challenges in life, and I just want to -- to say to the staff, thank you. Thank you for working with me as I have -- going through my challenges. Thank you.

MAYOR MESSAM: Thank you, Mr. Manager.

City Attorney Reports: NONE

MAYOR MESSAM: Madam Attorney?

CITY ATTORNEY NORRIS-WEEKS: No report, Mr. Mayor. Thank you.

MAYOR MESSAM: Yes. During -- during the observance, the moment of silence; the first one I -- I recognized.

VICE MAYOR COLBOURNE: I would really like to know that the City is putting something together that we can assist Haiti with the disaster that they currently have. I don't know if staff can tell me exactly what's being planned at this point, or if we need to give them some direction.

MAYOR MESSAM: Yeah. I would definitely support those efforts, and with the City ensuring that -- that the intelligence on the ground, especially with the freshness of everything, that -- you know, that whatever our efforts are, it's something that, logistically, could feasibly be of impact. So, Madam Gayle, if you have any comments.

MS. GAYLE: Good evening, Mayor, Vice Mayor, Commissioners, Shaun Gayle, Assistant City Manager. We -- we did issue a factsheet this evening, and we apologize that it did come through late, because we have been working with the organizations to make sure

those logistics are worked out before we send something to you. So it outlined that the City Manager's Office is working with the Global Empowerment Mission, and this is an outfit that has -- that has the ability to get the items to Haiti. We have worked with them when we had the St. Vincent issue. We worked with them also -- they are -- they are going to be able to take the items that we are collecting, so starting this Saturday, we're going to be collecting items at the Miramar fire stations throughout the City from 8:00 a.m. to 5:00 p.m. Anyone can go and drop the items off. We do have a list of items that they need: medical equipment, water, medical supplies, those kinds of things, so that is outlined. We are finalizing -- marketing is finalizing the collateral, and we hope to be able to issue that tomorrow. And -- and I'm trying to think if I'm forgetting anything. So the factsheet came; it has all the details, and then we'll -- we'll -- okay, so it's 8:00 a.m. to 8:00 p.m.? So 8:00 a.m. to 8:00 p.m. they'll be able to collect items at the fire stations. And, as usual, our Public Works Department always works with us to get the items to Doral.

VICE MAYOR COLBOURNE: Appreciate that, thank you. It is -- it is something that's very important, especially to our community, since we have so many Haitian residents here in our community, so thank you.

COMMISSIONER CHAMBERS: Thank you, also.

COMMISSIONER DAVIS: I did have a question for Shaun Gayle. I know that in a press conference earlier today, I was with Commissioner Dale Holness, and there is a shipping company called Acadia, and it was mentioned also that the items -- folks can leave items at the fire stations. So I want to be clear. The stuff that's going to the fire station, which org -- where is it going from the fire station? Do you have that information?

MS. GAYLE: All right. Where is it going from the fire station?

COMMISSIONER DAVIS: Yeah.

MS. GAYLE: So we're picking it up from Miramar fire stations and taking it to the Doral shipment location that we did for -- for St. Vincent. We'll take the items to that location, and then they will ship it to Haiti.

COMMISSIONER DAVIS: Okay. Because there is another location in Port Everglades that's shipping stuff to Haiti also, so I'll have a conversation with you on that, because Acadia is also shipping, and that's another organization that we are also working with. So once this is over, I'll -- I'll get with you on that.

MS. GAYLE: Okay.

COMMISSIONER CHAMBERS: Mr. Mayor, real quick, if I may, I just want to ask the City Manager and yourself for us to celebrate our Olympic champion, Brianna Williams, if we can put something in place to acknowledge her as a Miramar resident moving forward.

MAYOR MESSAM: Yeah, so there has been some discussion in regards to organizing an event recognizing the performance of the 4x100 team. They're currently still competing. There's actually a big event this Saturday in Oregon, a Prefontaine that, actually would be the first time that Sha'Carri Richardson, Elaine Thompson, Shelly-Ann -- Shelly-Ann and -- and Brianna -- I'm not sure -- I don't think Brianna is -- is registered for the 100; I think she's in the 200, but it will be the first time that three gold medalists and Sha-Carri will be competing this weekend, so they're still in the midst of track season, and then from there they go to Italy. But we're -- those efforts are ongoing to -- to put together something that we can host here in the City of Miramar.

FUTURE WORKSHOP:

Date	Time	Subject	Location
09/08/21	4:00 p.m.	Sister Cities Workshop	Virtual/In-Person Commission Chambers

ADJOURNMENT

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

The meeting adjourned at 9:46 p.m.

Denise A. Gibbs, CMC
City Clerk
DG/cp