



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

**JULY 7, 2021**

**7:00 P.M.**

A regular meeting of the Miramar City Commission was called to order by Mayor Messam at 7:06 p.m. in the Commission Chambers, Miramar City Hall, 2300 Civic Center Place, Miramar, Florida.

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

Mayor Wayne M. Messam  
Vice Mayor 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  
City Attorney Burnadette Norris-Weeks (Left 12:38 a.m.)  
City Attorney Norman Powell  
City Clerk Denise A. Gibbs

MAYOR MESSAM: Good evening. The meeting of the Miramar City Commission is now called to order. Commissioner Barnes will be appearing remotely for this meeting. An opportunity was given to the public to register to participate, or email the City Clerk 24 hours prior to the Commission meeting with any questions, comments, concerns on items we will hear on this evening's agenda. Any person may be heard by the City Commission through the chair, and upon registering pursuant to the published notice, for not more than three minutes on any proposition before the City Commission, unless modified by the chair. This meeting is being streamed live at [miramarfl.gov/commissionmeeting](http://miramarfl.gov/commissionmeeting), and televised on Comcast channel 78 and AT&T U-verse channel 99 for City of Miramar subscribers. As of July 7<sup>th</sup>, 2021, five members from the public have registered to view and listen only to this meeting. If someone has 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 taking any action. Madam Clerk, at this time, please call the roll.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Here.

CITY CLERK GIBBS: Commissioner Barnes. Commissioner Barnes.

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 Norris-Weeks.

CITY ATTORNEY NORRIS-WEEKS: Here.

CITY CLERK GIBBS: City Attorney Powell.

CITY ATTORNEY POWELL: Here.

## **PLEDGE OF ALLEGIANCE**

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

The Pledge of Allegiance was recited.

## **A MOMENT OF SILENCE**

MAYOR MESSAM: At this moment, we will have a moment of silence for any condolences we may be having in the community, and, at this time, we will make special to include

Haitian President Jovenel Moise, who was assassinated today. And we ask for prayers for Mrs. Martine Moise, his wife, who has arrived in Florida this evening for care, and prayers for the Haitian community here in South Florida. In addition, we also would like to extend condolences and remember Ms. Norma Martin, who passed away as well, and her services will be held July 9<sup>th</sup> at 10:00 a.m. at the Miramar Cultural Center. Let's have a moment of silence. Thank you.

## **PROCLAMATIONS & PRESENTATION:**

A Proclamation: Maya Bhola Day (Sponsored by Commissioner Alexandra P. Davis)  
(Mayor Wayne M. Messam)

MAYOR MESSAM: We have a couple of presentation. First we'll start with our proclamations, then followed by a presentation of the COVID-19 Emergency Management update. At this time, I would like to call forward Ms. Maya Bhola and Commissioner Alexandra Davis in front of the dais, please. Welcome. This proclamation is in observance of Maya Bhola Day, July 7, 2021; it's requested by Alexandra P. Davis in recognition of something pretty cool. You'll find out about it in the proclamation:

Whereas, the City of Miramar takes great pride in recognizing those individuals who have made exemplary contributions to elevate the standards and quality of life for others; and, Whereas, Maya Bhola, a graduate of Miramar High School in the City of Miramar started her summer internship with the City of Miramar, Commissioner Alexandra P. Davis in 2019. Ms. Bhola's work within our community and among her peers exemplifies impact, inclusiveness, innovation, collaboration, and civic engagement. She has demonstrated these traits, while speaking to concerned Miramar residents, assisting them during the COVID-19 pandemic during the food drives; Whereas, she is the recipient of the 2021 All-America City John Parr Youth Award created in memory of the National Civic League's former president John Parr, who highly valued youth leadership. Maya Bhola received the national and international recognition through various media outlets; Whereas, Ms. Bhola exemplifies the All-America City criteria: impact, inclusiveness, innovation, collaboration, and civic engagement. She has had an impact and made a difference on the wider community. Maya has inspired others to get involved to undertake comparable efforts. Ms. Bhola demonstrates the insight and courage to collaborate across lines that usually divide people; and, Whereas, Ms. Bhola is also the founder of "Let's Picture It" started in 2019 as a friendly mental health group consisting of 37 individuals that allowed them to openly discuss emotions and life challenges. She has served as the president of DECA for 2020, 2021, president of National Honor Society 2020 to 2021, Cohort 3 Broward County BRACE cadet 2019 to '22, and was junior liaison at the National Honor Society for the year 2019 to 2020; and, Whereas,

Maya Bhola is presently -- is presently enrolled at the University of Florida and a business major on a prelaw track, she continues being a positive role model for our youth; Whereas it is fitting and proper that the City of Miramar extend official recognition to Maya Bhola for her dedication and commitment to this community and beyond. Now, therefore, I, Wayne Messam, Mayor of the City of Miramar, on behalf of Commissioner Alexandra P. Davis and the City Commission do hereby proclaim July 7<sup>th</sup>, 2021, as Maya Bhola Day.

MAYOR MESSAM: Congratulations for all that you've done on this recognition.

COMMISSIONER DAVIS: I'll say a few words, and then she can say a few words. Maya has been such a blessing to my office, and to the wider Miramar community. When we were applying to be the All-America City, we had to nominate a young person in the community who they would either award an award, and she competed with many others across the country, for her work in the community, especially during COVID and -- and other areas of -- of her life. And, out of all the applicants, I believe there were two, and Maya from Miramar was one of those who received the John Parr Award. And, of course, the City also received the All-America Award. And so, Maya, you can respond.

MS. BHOLA: I just want to say thank you. I was born and raised in Miramar, so I have to represent my city well. My brothers have been here have been here, and my father; I have to thank him especially, for moving here even before I was born. I just have to than the City Commission. I gained invaluable experiences here, and I -- hopefully, I can continue this during my studies at the University of Florida, so thank you.

MAYOR MESSAM: Congratulations, Maya. Great job, well deserved, and we wish you all the best in Gainesville at University of Florida, except for one Saturday in November.

A Proclamation: Parks & Recreation Month (Mayor Wayne M. Messam)

MAYOR MESSAM: And you're probably wondering why we have so much bright, loud green inside of the Commission Chambers. So, at this time, I would like to call up our wonderful Parks & Rec staff up to the dais to receive a proclamation in observance to Parks & Recreation Month. If I would have got the memo, I would have worn a bright, green tie or something. So as stated before, this proclamation is in observance of Parks & Recreation Month, July 2021.

Whereas, parks and recreation programs enhance the quality of life by controlling -- by contributing to healthy lifestyles, community building, economic development, and environmental sustainability; and, Whereas, recreation builds family unity, strengthens neighborhood involvement, offers opportunities for social interaction, enhances education, develops creativity,

and promotes cultural diversity; and Whereas, Florida recognizes the benefit derived from quality public/private recreation -- public and private recreation, and park resources at the local and state level; and, Whereas, local, state and national parks located within the State of Florida contribute to the overall quality of life enjoyed by residents and visitors to our State; and, Whereas, to increase enjoyment and for individuals and families who want to enjoy a healthy environment, the City of Miramar had within its boundaries 42 parks with over 600 acres for its residents to enjoy; and, Whereas, the COVID-19 pandemic created a huge burden, such as homelessness, loneliness, anxiety, stress, and personal loss, parks and greenspace have helped console, relax, restore, reduce anxiety, depression and stress; and Whereas, during this and in any future pandemic, parks will provide precautionary measures, while providing universal access to parks and greenspaces to help individuals and family to -- to rec -- to recreate as safely as possible; and Whereas, the National Recreation Park Association, and the Florida Recreation and Parks Association have designated July as Parks & Recreation Month. Now, therefore, I, Wayne Messam, Mayor of the City of Miramar, and on behalf of the City Commission do hereby proclaim July 2021 as Parks & Recreation Month.

MAYOR MESSAM: Thank you all so much for what you do for the City of Miramar. And we definitely have the best Parks & Rec staff that not only do small things, like ensure that parks are safe and clean, to actually putting on international viewed events right here in the City of Miramar. And it's the folks that are on this stage right now that makes that possible, and we definitely have a valuable asset in our great Parks & Rec staff. At this time, I'll turn it over to our Parks & Recs Director, Elizabeth Valera.

MS. VALERA: Thank you, Mayor, Vice Mayor, Commissioners, City Manager. We take advantage of Parks & Rec Month, and we want to say that we're starting -- and we're kicking off a great campaign, and it's called "Happy to Help", and that's an initiative that we're all going to take on. We want to connect with the community. We, the Parks Department, sees the glass half full; we work hard to get the job done, and we take great pleasure in everything we do. So, for us, Parks & Recs Month is not just July, we're going to be celebrating for the rest of the year. And I want to acknowledge our board members that are here, our advisory board members that have joined us, and have been very supportive. So we are happy to help, and this will give you a small token to our elected officials, and our City Attorney, of some of the tokens that we're going to be having for the community, and this is going to be a lot of initiatives, and you'll see a lot of Parks, even more than you see us now. And we're going to make sure you see us, because that's why we're wearing bright colors. All right. Thank you. MAYOR MESSAM: Okay. Before we go to our next presentation, I would like to acknowledge that I omitted another important significant event in our community for the moment of silence,

and that is for us to continue to keep the families of our neighbors in 'Surfside in our prayers, as -- in the next five minutes, the rescue effort will convert to recovery for the -- the damages there in Surfside. So our hearts -- from the City of Miramar extend over to Surfside for all of those families and the victims of the collapse of the towers.

A Presentation: COVID-19 and Emergency Management Update (Fire Rescue Public Relations Specialist Tara Smith)

MAYOR MESSAM: Our next presentation will be COVID-19 and Emergency Management update by Fire Rescue Public Relations Specialist Tara Smith, and our Assistant City Manager Shaun Gayle.

MS. GAYLE: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners. Shaun Gayle, Assistant City Manager. The Reopen Miramar Task Force was formed to reimagine, restructure, and, eventually, reopen City programs and services. For more than a year, we have done just that under the direction of our City Manager. And we have proposed different phases of reopening, as we went through the transition from one to another during COVID. At this time, the team has proposed the final phase of reopening and, as such, the presentation this afternoon will entail updates from Emergency Management, Police, Parks & Recreation, and City Administration. Staff will then field any questions pertaining to the presentation. And at this time, I'll turn over to Tara from Emergency Management to start off the presentation.

MS. SMITH: Good evening, Mr. Mayor, Vice Mayor, City Commissioners, City Manager. It's worth noting, initially, before we go over any of the statistics that the Florida Department of Health has transitioned all of their reporting to be on a weekly basis instead of a daily basis, so that does limit some of the information that we are now provided. Mostly, you'll notice that in the fact that we no longer get city-specific statistics, and some of the more granular statistics for the county and state level have also been omitted from the new report. For cases and deaths, we are currently at a little over five percent for Florida, and a little over three, almost four percent for Broward County. The percentages were pretty stable for the first three weeks since we've seen each other; over the course of the last week, we've jumped a little over 30 percent in the number of cases. So if you also look at the deaths in here, the easy correlation at this point between everything that we're seeing is that it has a lot to do with the prevalence of the Delta Variant, unvaccinated individuals, and, perhaps, lots of people being a little lax in their precautions when they are mingling together with unvaccinated individuals. Can't say that with absolutely certainty, because that is not a statistic that they give us, but it is a lot of what we're seeing across all of the known outlets. However, the vaccine is clearly working, because our death count is still reducing, so that is a positive. For vaccinations, we are at 54 percent of the State with at least one shot, and 46 percent are fully vaccinated at a state level, which actually puts us 27<sup>th</sup> in the United States, and we are considered, as Florida, one of the under vaccinated states at this point. However, Broward County is at 64 percent, so above the state average, clearly, and you can see all of our zip codes are relatively

equal in terms of their percentages of vaccinated individuals. And it's also worth noting from a vaccination standpoint in general effectiveness is still at 60 percent or higher for the majority of vaccines that we have been delivering in the State of Florida against getting the infection, and still over 90 percent effective at severe illness. The test collection sites in Florida have reduced, so it is worth noting that there are two public test collection sites in Hollywood and Fort Lauderdale at Boulevard Heights, and Mills Pond, which all the information is up there, and online of course. And then there is a site at the Fort Lauderdale-Hollywood International Airport for travelers who require tests on their way to their destination; that is only for travelers, however. There also are many private health companies, CVSs, Walgreens, the pharmacies, for all of those it's beneficial to call before going; the information with them changes rather rapidly. And homebound residents can still call for tests, as well as receive tests from fire in Miramar. For the vaccination sites, there are still ten fixed Florida Department of Health vaccination sites at this point, two hospitals, and then, again, many retail pharmacies. However, you will always want to call and check for availability, as that changes almost daily. And then, of course, the popup vaccination sites, I've included that as well, and those are updated on a monthly basis at various locations throughout all of the cities, churches, events, and things like that; we have some in Miramar this month as well. And this is going to detail all of the information for you for the currently, existing Department of Health vaccination sites that are still working. And the next site is our popup vaccination sites. Now Broward County is doing a \$10.00 grocery gift certificate for everyone who's getting their first COVID-19 vaccine, which, as we know, is perfect for a Publix sandwich. And the popup vaccination sites also change rather regularly, with the new additions being made, so the Miramar website is always a good place to check. I'll turn it over to Major Smith to continue with the presentation.

MAJOR SMITH: Good evening, Mayor, Commissioners, Major Smith from the Police Department. As you can see, we're not out of the woods, but, unfortunately, the code compliance efforts have been thwarted by the Governor's executive order issued on May 3<sup>rd</sup>, which are 21-101 and 21-102, allowing all businesses to operate independently without restrictions from any political subdivisions in the State of Florida. So what does that mean for code compliance? It means that we no longer have the authority to enforce any executive orders, because they've all be suspended. However, the businesses and any political subdivisions have the home rule authority, which means that if they want to impose restrictions, in terms of wearing masks, and social distancing, then they do have the authority to -- to do that. If individuals are found to be in violation based on the business or the political subdivision exercising their home rule authority, they do have the free will to ask those individuals to leave the business or the facility. If they so choose not to do that, and they can call for the assistance of the police, and at that point it -- it can be considered a trespass, and individuals can be subject to arrest. But, obviously, it wouldn't be our first option is for arrest, we would, obviously, encourage them to leave and comply with the business, but it -- it is an option. But, again, that would be more of a police function, as opposed to a code compliance function. The next, please. So just as a -- a recap, so it's been just a little bit over a year since the first executive order was issue, and, as you know, the County activated a 311 Q Alert system that welcomed

complaints or concerns from residents regarding businesses that may not have been following the executive orders that were issued. And year to date, we received 192 311 complaints, and those have all been closed year to date. Code compliance conducted over 2,700 business inspections, and that included the -- the weekend sweeps that we were doing, as well as about 1,600 inspections of our gyms, and approximately 900 inspections of our -- of our bar checks, just to make sure that they were complying with the social distancing, as well as the partitions, because that was another concern. Although our efforts are -- are no longer going forward, we still continue to have the partnership with Broward County. We keep in touch just to make sure that anything that we're doing here in Miramar aligns with the County's efforts as well. And so on March 10<sup>th</sup> of this year, Executive Order 21-65 was also issued, essentially cancelling all fines that were issued by any municipalities or special magistrates between the dates of March 1<sup>st</sup> of 2020, and March 10<sup>th</sup> of 2021. We did bring quite a few businesses before our special magistrate for violations of the executive order, and the special magistrate issued \$14,205.00 of fines and fees. To date, we've collected \$5,858.00, and \$8,300.00 is still outstanding. If those individuals voluntarily pay those fines, then we'll happily collect those, but if they do not, then we don't have a mechanism in which to collect, because this executive order, essentially, cancelled or invalidated all of those fines. So, at this time, I'll turn it over to Director Valera from Parks. Thank you.

MS. VALERA: Good evening again. On May 17<sup>th</sup>, Parks & Recreation, and it's fully functional. All our facilities and programming has continued. We continue wearing masks in our facilities, especially because we have children and seniors, so the vulnerable population, we'd like to continue using the masks. We are disinfecting all our facilities; we're still trying to maintain some level of social distancing, and trying to keep all our activities outdoors. We also continue, as a staff, testing, and we're trying to test weekly. And -- and June 14<sup>th</sup> our summer camp -- began. We're holding it at four different locations. We're actually at capacity; we've done really well, and we have not had any issues. We are renting our facilities, our fields, and our pavilions, and we're, basically, back at 100 percent on that, and special events have resumed, and I had put a little note there, "and boy have they", but they edited my -- my PowerPoint. We're having fun, and we're -- we're able to bring back the events, and the -- obviously, the -- what we've received in comments from the neighbors and the residents is that they're very happy that we're holding these again.

MS. GAYLE: So considering the foregoing, the low rate of positivity in -- within the County, as of tomorrow, we're recommending that fully vaccinated -- going with the CDC guidelines, that fully vaccinated individuals are no longer required to wear masks in City facility, within the exception of prolonged, direct contact programs and services that are provided to children and youth. So, for example, in our summer camps, in our childcare centers, we're recommending that those individuals continue to wear mask, since children are not yet -- under 12 are not yet eligible to receive the vaccine. Masks will be required until such time as the CDC provide guidance for children to unmask, and employee testing will continue for youth services, and senior services. Next. We continue the education campaign through the Human Resources Department. They are holding information



sessions, and some of those sessions include sessions with our -- with our onsite healthcare center doctor, Dr. Sales, and the incentive program is still in place for the City of Miramar for that free-flowing holiday for individuals who are fully vaccinated. We continue the public information campaign, and marketing does that through the eBlast, social media, and -- and so on. And we list the vaccination site, similar to that flyer there; anyone who engages with the information can find vaccination sites that are available within the City of Miramar. We continue to work with Broward County on the incentive program. They hosted a faith-based organization activity, information activity; they gathered from the community what their hearing from the vaccine hesitant, just to try to develop ways as to how they can incentivize that segment of the population to be vaccinated. And so, because we will not be able to tell who's vaccinated, and who's not vaccinated, per the CDC guidelines that fully vaccinated individuals no longer need to wear a mask, we are encouraging, or we're recommending that individuals continue to wear masks. However, you know, understanding that it's not a requirement, we're maintaining the sanitizing stations in the City facilities, we're maintaining the thermometers that folks can do the self-check if they wanted to. We're cleaning high-touch areas on an ongoing basis; the cashier area where we have high traffic. Liz mentioned the parks facilities, and PPE, we've confirmed with the fire department that they will still be able to provide hand sanitizing solutions and PPE to the staff who are going to wear them on an ongoing basis for the foreseeable future. That concludes our presentation. We're able to field questions from the Commission.

MAYOR MESSAM: Thank you for -- for the presentation. A couple of questions regarding some of the data for COVID-19. I know that the State has reduced the -- the details in terms of what they're providing in terms of the reports, but do we have any indication in terms of the number of individuals, or the percentage of individuals that are positive for COVID-19, their vaccination status? Do they provide that data as well?

MS. SMITH: That, actually, is not anything they ever provided in the past; they only have provided new case positivity, and overall positivity. That second rate, they have stopped including the data to even calculate it, so the only thing that we're receiving right now is new case positivity, which is the 3.9 percent, and no correlation to vaccinations at this point directly.

MAYOR MESSAM: Okay. And, for staff, I know we have the incentive program to encourage our City employees to be vaccinated. Do we have a sense of the success, or how we're doing with that program?

MR. CROSS: Good evening, Mr. Mayor. Randy Cross, Human Resources Director. We've received about 385 verified vaccinations, so those employees have received a floating holiday, or in the process of receiving it. So it's about 35, 30 percent of the workforce.

MAYOR MESSAM: Okay. All right. Thank you. Up first, Commissioner Davis, followed by Vice Mayor Colbourne. Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Thank you, Mr. Mayor. Question for the testing locations. I know you mentioned the ones in Broward County. But because we're right on the border -- pretty much, we're the southernmost tip of Broward County, for those that may go into Dade, did we provide that info --

MS. SMITH: Yes, the Hard Rock facility still exists.

COMMISSIONER DAVIS: Sorry? I wasn't quite -- give me a minute. Because I -- I couldn't hear you. For the North Miami Dade locations for testing, are they still testing over there at the stadium?

MS. SMITH: Yes.

COMMISSIONER DAVIS: Is there any other location in North Miami?

MS. SMITH: Not a State supported site in North Miami at this time, no. All the others would be private facilities, and the pharmacies that are under the federal program.

COMMISSIONER DAVIS: Perfect. Thank you. So if you could add that next time. If you're going to report it, just add that location, because for some, it will probably be closer as well. In terms of the fines collected, and so you mentioned that the order was that we can no longer collect fines, but it gave a date range, so if you collected fines within that time, can somebody come back and say they want their money back?

MS. GAYLE: No, once we've collected, they cannot ask for a refund, so it's considered and collected, yes.

COMMISSIONER DAVIS: Okay. Thank you for that update. And then as far as our cultural theater, can I get an update on what is happening with that, including the banquet halls and so on?

MS. CEVIEUX: Good evening. Camasha Cevieux, Director of Cultural Affairs. Specifically, what area -- you said the banquet hall, with regards to its ability to have capacity? Is that what you were referring to, Commissioner Davis?

COMMISSIONER DAVIS: Yes, much like the Parks Department has explained where they're at currently. For those who use the banquet halls or want to use the banquet hall, or the theater, what currently is your position, and what capacity are you at, and so on. What -- what is the future on that?

MS. CEVIEUX: So since the opening, we've basically positioned ourself, because we're an indoor facility, parks are outside, to insist that everyone is wearing a mask. We're currently having summer classes right now, so we are taking in the public, we are taking in requests, we are booking the facility. It is at full capacity; as of September, we have

completely full capacity; right now we're at about 75 percent capacity, because of the indoor facility, and that's currently where we are.

COMMISSIONER DAVIS: Okay. So what date in September?

MS. CEVIEUX: As of September 1.

COMMISSIONER DAVIS: Thank you for the update.

MS. CEIVEUX: Absolutely.

COMMISSIONER DAVIS: And -- and just a question on the temperature checks, who was talking about that? You -- you mentioned that the temperature checks are optional?

MS. GAYLE: Yes, they will be optional.

COMMISSIONER DAVIS: So why bother with them at all?

MS. GAYLE: Say it again.

COMMISSIONER DAVIS: Why bother having them if they're optional?

MS. GAYLE: We discussed that in the task force meeting, and we just -- so folks can check their temperature when they come into the building. We -- we have -- it's not like we have any other uses for the thermometers that -- that are in demand, so we figured we'd leave them in place.

COMMISSIONER DAVIS: Yeah. I think we should relook at that, because to me it's either you have them or you don't, so, you know, it -- a lot of the times you can't even detect COVID with a thermometer, and you cannot require folks to check their temperature. Then it's a bit like the honor system, where you're saying if you are vaccinated, you don't wear a mask, if you're unvaccinated, you should wear a mask, but we're not checking that, so I'm not quite sure that there is a need for the thermometers to be out.

MS. GAYLE: That's fine. We can remove them. Seeing that's --

COMMISSIONER DAVIS: I mean it's up -- you know, that's must my thought process. Since it's not a requirement, then -- and you're not getting any data from it, you're not requiring people to do it, you're not requiring them to -- to have to do it, then it doesn't make sense to do it, because most people are not going to it then. You know what I mean? So I -- I just don't see the need for the temperature checks at this point.

MS. GAYLE: We -- we can remove them. Because not -- not -- not all folks are vaccinated, we wanted to leave the option for people to check, but we'll remove them.

COMMISSIONER DAVIS: And -- and lastly, the incentives for our employees. Clearly, if we're saying we're at 30 percent, that's what the survey said?

MS. GAYLE: Right.

COMMISSIONER DAVIS: It's -- it's -- woefully, sorry, inadequate. What are the current incentives?

MS. GAYLE: A free floating holiday for City of Miramar employees that have verified vaccination. So if we -- someone goes to HR and says, "I've been vaccinated.", they give them proof of vaccination, and they get a floating holiday.

COMMISSIONER DAVIS: So there needs to be -- when you meet with the task force, there needs to be a plan going forward to increase the incentives. I -- I work -- obviously, this is not my main job, but where I work, they boosted incentives based on the numbers that they're getting back, so it's not the same old incentive. Moving forward, they increase the incentives. And so, for example, the company that I work for, initially, they did start off with a day off, and then they moved to some other incentives, and right now they have a -- a lottery system, where -- and I'm -- I'm not saying you can do the same thing, but they're offering folks \$25,000.00, okay. So I -- I think as a city we can do more to encourage our employees to get to a certain threshold, and what that threshold is I think we should define; it certainly can't be 30 percent. So if -- if we could look at that and come up with some solutions, and come up with a goal, and how to achieve it. I would have hoped to have seen that we have vaccinations here onsite. I don't know if that's taking place. And some incentives, maybe with some of our facilities; whatever you can come up with, but it just can't be that one incentive that, clearly, is not budging the needle. That's -- that's it from me, thank you.

MS. GAYLE: Will do, Commissioner, thank you.

MAYOR MESSAM: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Thank you. Thank you for the presentation. I have -- I would like to see -- there was a slide that showed the City of Miramar vaccination rate, but I know the City has put out a slide that shows the entire Brow -- Broward County vaccination rate. Do we have that slide? This is the Miramar one. But do you have that other one.

MS. GAYLE: So it has Miramar. It doesn't have the entire County.

VICE MAYOR COLBOURNE: We don't have that one?

MS. GAYLE: No.

VICE MAYOR COLBOURNE: You know, I -- I took a look at that, and Miramar is one of the -- the lowest when it comes to vaccination rate. I know when it came to actually having COVID, our area was pretty high. Like you said, the -- the County is 64 percent vaccination rate is what I heard. Right, 64 percent, but the City of Miramar, we are 50 percent -- we are less than 50 percent of -- of fully vaccinated, is that correct?

MS. SMITH: The highest zip code we have is 51 percent, so we are certainly less than -- as the total --

VICE MAYOR COLBOURNE: What is 51 percent?

MS. SMITH: The 33023 zip code in Miramar is 51 percent, but all the others are lower, down to 43, so, as an entire city, yes, we would be below.

VICE MAYOR COLBOURNE: So the entire city is less than 50 -- it's less than 50 percent; we do have one zip code that's actually higher than 50 percent, and it's just 51 percent. You know, I -- I would just make a plea -- I just want to make a plea to our residents, you know, we have gotten comfortable, we want to be without our masks. I -- I want to drop my mask, I want to feel comfortable that the person next to me is doing the right thing as well. I want to be able to go out and socialize and see my children and grandchildren, and -- and without worrying about causing any harm to -- to anyone else. So I just want to make a plea to our residents. I know we have a lot of them here tonight. Don't know if they're vaccinated or not, don't know if any of the employees here are vaccinated or not, but I -- I'd like to say to please, if you -- if you have not -- if you have hesitation, have questions, please, you know, get your question answered, you know, get comfortable with it. Vaccinations are -- are truly not something new. I know the COVID-19 vaccination is, but it's because so many of us have taken a vaccine that we have been able to -- to -- to open up and start to get back -- get back into -- into normal routines. So I just -- I just wanted to make a plea on that. Aside from that, what I -- what I would like, and -- I know I had a conversation with the City Manager previously regarding actually having a -- a raffle, you know, whether it's, you know, \$20,000.00, \$10,000.00, \$25,000.00, but some sort of a real incentive for not just our employees, but for our residents. To incentivize them, so that, you know, they will -- you know, if it -- if that's what it takes for them -- for somebody to get comfortable and -- and get a vaccination, then -- then let's do it, you know. I would -- I would like for this Commission to give directions to the City Manager to move forward and -- and -- and develop some sort of a raffle. I have -- you know, I have been giving it -- I have been promoting free ice cream for our Cleveland, and as much as everybody loves Cleveland ice cream, still have a lot of people who are a little resistant about taking the vaccine just for the ice cream; sorry, Mr. Cleveland. But -- but all jokes aside, you know, anyone who is vaccinated during the month of June, July, and August can receive free ice cream at -- at Cleveland; it's part of one of the initiatives that I have in partnership with them. My office is still offering free mask to anyone who -- who would like masks. Just contact my office or -- or register on -- on our website, and -- and we'll mail that to you. And if I can, maybe, get some consensus from staff to -- I'm sorry,

from -- from the dais to -- to direct the City Manager to -- to put something together, in terms of a citywide raffle, and then he can come back and bring it to us.

COMMISSIONER DAVIS: My -- my thought on that is -- I think the focus should be on our employees right now. We are less than the City at 30 percent. So I think we, as a city, should set the example for the rest of -- sorry, we as the -- yeah, the City employees -- many of them are Miramar residents -- should set the example for the wider community, and you just can't go up there and say, "Well, you need to be vaccinated." When your own house is not in order. So I would think the incentive should start here at home, and I agree we could go further out, but right now I think it's unacceptable that I don't see a clear plan of increasing incentives for City employees,. And for us to say, well, the wider community is to be vaccinated; well, we are the community here in the City of Miramar, so I would like us to start here, so that there are incentives for our employees to be vaccinated, and I don't see movement on that. I have spoken to executive staff on this, and I've not seen any movement, I haven't heard anything new, and here we are again talking about the same thing. And -- and I agree with you that the wider community also needs to get above the 41 percent and the 50 percent. But looking within the City when we're at 30 percent, it is woefully, as I mentioned before, inadequate for us to be in this situation.

VICE MAYOR COLBOURNE: If I --

MAYOR MESSAM: Commissioner -- Commissioner -- well, if -- all right, quickly. All right, so I can go to Commissioner Chambers.

VICE MAYOR COLBOURNE: Okay. Commissioner Davis, I just wanted to say that I -- I was not -- I'm not opposed to doing something for -- for City employees separate for that, but I would like to see something for the -- for the City overall. I think that helps everyone when -- when we talk about everyone in the City who's vaccinated can participate and have a chance to win \$10,000.00. And if we increased -- if we're increasing our rate, our vaccination rate throughout -- throughout the City, our employees can also participate in that. It doesn't necessarily have to preclude our employees from that, unless, of course, they -- we do have a separate program for them.

MAYOR MESSAM: Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you, Mayor. You know, when I look at the numbers, the County numbers, and the State numbers, it's very disheartening; that's not even 50 percent of our population is vaccinated. And what I'm looking at, we have a State -- and -- and this is not just something for Miramar, this should be state effort, where the State take the lead and make sure all the resident are protected, get vaccinated. And despite all the incentives that have been out there from different municipality, the numbers are still extremely, extremely low. And it's disheartening and disappointing. If, for instance, we had a few events over the last few months; just this weekend, Fourth of July, and there is no restriction as to where one is coming from, whether it's Miami Gardens,

Pembroke Pines, or Pompano. But even if we bring up our numbers to 70, 80 percent in -- in Miramar, and folks are coming in, and -- and from the get-go with the droplets, which is what are the main cause of transferring the virus, I'm not sure how do we control that, and preventing people from getting infection, when they're not getting vaccination. And I -- and -- and there's a lot of myths out there as to the government going to be checking on you, they put in some chip in the vaccination -- in the vaccine, and it's -- it's -- it's -- once you have a birth certificate, you have a social security, and you have a driver's license, not to mention credit cards, and Facebook, and Instagram, they already know everything about you. So it's no need for the government to put something in the vaccine to -- to check up on you, so that's a myth right there. So I would hope that the -- the Governor would take some action as to lead and -- and do something, so the County could follow, and the cities could follow, and maybe we could bring the numbers up. But, until then, it's going to be hard to just one city with neighboring city bringing their numbers up, and I'm disappointed. Thank you.

MAYOR MESSAM: Commissioner Barnes, not sure if you had anything to add to the discussion regarding the report.

COMMISSIONER BARNES: Just -- just an observation. I think one of things we have to come to terms with is that, as -- as the world has discovered over time, laws do not necessarily govern behavior. And -- and as -- as -- as Commissioner Chambers mentioned, there are a number of myths that have dogged the vaccination program since it got under way. And one of my -- my -- my calls is on the community to acknowledge, okay, you are, say, 35 years old, and you can find a million reasons why you should not take the vaccine. I want to urge members of our community, especially the younger set, to understand, for example, that they are here and well in at least part, sometimes in great part because your parents and your grandparents took vaccines a long time ago. But outside of moral persuasion, I don't see us getting people to take these vaccines. I mean I've -- I've had conversations with people, and it's just incredible things that they believe about -- about the vaccines. And -- and as Commissioner Chambers said, and we learn that over the years, just an encounter on -- on social media early this week, I am preparing my newscast for work, I go to my cell phone, and it is asking me if I'm actually looking for information about what I'm typing on the laptop. We delude ourselves into thinking that there is any need to search us anymore. They -- they have all the information on us. And, again, I plead with everyone in our community, as soon as you can, go and take the vaccine. And I'm also urging people, don't stop wearing your masks. I am not planning to stop wearing my mask any time soon; we just have to plead with our community, and -- and see if we can overcome the myths, the beliefs, the misinformation, and disinformation on which many of our people are laboring.

MAYOR MESSAM: All right. Just a couple of points to close out this -- this item on this - this presentation. I think the -- as a city and as a government, as it relates to public -- overall public health and public safety, I think there are ways we can encourage and support individuals to get all the information they need, so that they can feel comfortable to take the vaccine, if they have not done so at this point. I'm not quite sure if I'm there

yet, in terms of the City being in the business of paying people to get a vaccine. I think to get a vaccine is a very personal decision. The vaccine is readily available for free for anyone who chooses to get the vaccine, and we also realize the importance on why we need to get our numbers up. So I, too, am frustrated in terms of our current numbers, and -- and how we can improve on that. Before we would consider monetary incentives for residents to get a vaccine, I really think we need to have more demographic data to understand exactly what we are dealing with. So if certain zip codes is 60 percent unvaccinated, how old are they? What is their age? There could be many factors on why they're not vacc -- vaccinated, and the more we understand why, the better we can customize an incentive towards them to encourage them to do that. You know, some folks don't get vaccinated because of conspiracy theory. Some people may not get vaccinated because of their morbidity, and some people just want to wait for a full FDA approval, which it has not gotten; I don't think any of the vaccines have gotten a full FDA approval yet. They've gotten emergency authorizations. And some folks just want to wait and see what is the long-term impacts of this vaccine, and -- and that is a legitimate concern, because there is no long-term data yet, because the vaccines have just become available. So if someone has hesitancy, you know, for those reasons, that can be understood, and -- but I think the more information we have about our community on why they're not getting vaccinated, so if, for example, young adults who are not getting vaccinated, why aren't they getting vaccinated; can we understand why they're not, and then, perhaps, be able to provide the resources and the information to, perhaps, get them a little bit more comfortable on being able to do so. So I do support incentives, I just don't think that we, at this point, should be in the business of paying individuals to get a vaccine. It's just where I'm at right now. Because when you look at this collectively, when you look at society, the reason why the government does still produce or provides the positivity rates, is because it's an indication of the new cases. It's an indication of what our -- our healthcare system can manage, how many available beds, so that -- like if our healthcare system can treat individuals who are impacted. One thing we are seeing is that the number of deaths are, basically, continuing to go down. And getting the vaccine does not cure you, or -- or -- or necessarily prevent you from getting the vaccine. It definitely puts you in a better position to defend it. So -- but I -- I -- I definitely applaud the -- the need, you know, and the -- and the -- and the -- and the desires, you know, for us to try to get our numbers up, because I know we all want to see those numbers higher, but I'm just not sure if I'm there yet, in terms of -- of paying individuals to get a -- a vaccine, although that would be a very enticing, you know, incentive. But when we look at where we are as a city, when we look at the resources that are available, the fact that the vaccines are free, the fact that there is so much information to provide to individuals to educate them on the efficacy and the safety of this vaccine that I'm not sure if -- if -- if I'm -- if I'm there yet. But, perhaps, we can come up with other incentives that, perhaps, can incentivize them. And in terms of our employees, there are over 300 and something that's been documented. Does that -- is that an absolute number of all of the knowledge of whoever? Is it a possibility that employees have received the vaccine, but may not have made themselves known, or disclosed that to City staff?



MR. CROSS: Randy Cross, HR Director. Yes, that's possible. The -- it's self-reporting, so only employees that have come forward and provided proof of their vaccination have received the floating holiday, or scheduled to receive the floating holiday. So there could be a number of employees that haven't gotten around to providing that information yet to HR. They don't have to come just to HR; there's location in every department where they can provide the information to try to make it easy. But, sure, there's a possibility that a number of employees could have gotten vaccinated, but they just haven't put in the -- the time to get the floating holiday.

MAYOR MESSAM: Okay. Thank you. Vice Mayor.

VICE MAYOR COLBOURNE: Thank you. I just wanted to -- to thank all of you for your feedback concerning having a -- a raffle of some sort for our residents to -- as an incentive for them to take the vaccination. I do want to say that it's -- it's not considered paying the -- paying a person for a vaccine, it's -- it's a lottery. That's -- that's a little different from actually paying someone for a vaccine. I know the State is actually giving \$10.00 gift cards when you do get vaccinated. So they are -- there are already monetary offerings out there for vaccine and -- and other -- other cities and other states have done. But I do appreciate the feedback, Commissioner Chambers. Like you said, it -- it goes beyond the City of Miramar borders. I -- I do -- I do get that, but we can't control -- we can -- we can lobby, or we can -- we can try to -- to encourage at the state level, but we cannot control what -- what the State does, we can only control what our city does. Our numbers are -- are low, and if at some point this -- this -- this Commission is ready to do some sort of a monetary incentive to our residents, I would certainly remain in favor of it. Thanks.

MAYOR MESSAM: Thank you, Vice Mayor, and -- and thanks for the recommendation.

## **CONSENT AGENDA**

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

VICE MAYOR COLBOURNE: Yes. I would like to pull three and four.

MAYOR MESSAM: All right. Three and four, Vice Mayor Colbourne. May I have a motion on the balance of the agenda -- Consent Agenda.

COMMISSIONER DAVIS: Motion to approve.

VICE MAYOR COLBOURNE: Second.

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

CITY CLERK GIBBS: Commissioner Barnes. Commissioner Barnes. Commissioner Chambers.

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 Davis, seconded by Vice Mayor Colbourne, to approve Consent Agenda Items 1 and 2, 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 Meetings of May 19, 2021 and June 2, 2021.

**Approved**

2. Temp. Reso. #R7425 approving the award of Request for Proposals No. 21-01-11, for **Security Guard Services** at the **Miramar Cultural Center Artspark, Wastewater Reclamation Facility** and the **Multi-Service Complex**, to Bright Light Security Services, L.L.C.; authorizing the City Manager to execute a security guard services agreement with Bright Light Security Services, L.L.C., for an initial three-year term with the option to renew for two additional one-year terms in an

annual amount not-to-exceed \$173,400.00. *(Cultural Affairs Assistant Director Zakiya Kelley and Procurement Director Alicia Ayum)*

**Resolution No. 21-124**

MAYOR MESSAM: Item number three please.

3. Temp. Reso. #R7433 approving the award of the agreement entitled: **“Continuing Services to Turn-Key Modified Shipping Containers for the Miramar Regional Park Amphitheater”** to STHC Restoration, LLC; authorizing the City Manager to execute the proposed agreement with STHC Restoration, L.L.C.; authorizing the City Manager to execute the proposed agreement with STHC Restoration, L.L.C., for the provision of contracting services, in an amount not-to-exceed \$276,258.53.00 and allocating a contingency allowance of \$10,000.00, for a total project cost of \$286,258.53.00. *(Support Services Construction Administrator Daryll Johnson and Procurement Director Alicia Ayum)*

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, approving the award of the agreement entitled: “Continuing Services to Turn-Key Modified Shipping Containers for the Miramar Regional Park Amphitheater” to STHC Restoration, LLC; authorizing the City Manager to execute the proposed agreement with STHC Restoration, L.L.C.; authorizing the City Manager to execute the proposed agreement with STHC Restoration, L.L.C., for the provision of contracting services, in an amount not-to-exceed \$276,258.53.00 and allocating a contingency allowance of \$10,000.00, for a total project cost of \$286,253 -- 258.53.00, providing for an expected date.

MAYOR MESSAM: Vice Mayor, is a presentation requested, or just a question?

VICE MAYOR COLBOURNE: A presentation, please.

MAYOR MESSAM: You may proceed, sir.

MR. JOHNSON: Yes. Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners, members of the dais, Daryll Johnson, Construction Administrator. Issue: The City desires to secure the services of STHC Restoration, LLC, to continue and complete the construction of the 12 modified shipping containers at the Regional Park Amphitheater. City Commission approval is required for expenditures exceeding \$75,000.00, in accordance with City code. Slide, please. The background: February 2020, the City terminated contract with the original contractor due to contractor default. September 2020, the City Attorney finalized negotiations with the contractor’s bonding surety company; the suety company made a settlement offer in the amount of \$100,000.00. More on the background: October 2020, City Commission accepted and approved the \$100,000.00 settlement from the bonding company for the performance bond payout services. April of 2021, City Commission approved fiscal year 2021 first budget

amendment, which included the receipt of the \$100,000.00 settlement. Next slide, please. The scope of work includes 12 modified shipping containers placed at various locations within the amphitheater site, intending the following functions: beverage dispensing, food preparation, and also a VIP experience. The exterior shells and interior of the shipping containers are altered and fully remodeled, creating functional, retail spaces. Procurement process: In March of 2021, City staff and STA -- S -- STHC Restoration, LLC, commenced with the negotiations -- negotiations that -- negotiating a final cost for the completion of the 12 modified shipping containers as part of the settlement. In May 2021, STH -- STHC Restoration, LLC, finalized their proposal for the completion of the 12 shipping containers at an agreed upon amount of \$276,258 -- I'm sorry, \$276,258.53, and allocated a contingency allowance of \$10,000.00, for a total cost of \$286,258.53. This is a -- this slide includes a -- a site view of the various locations of the modified containers throughout the amphitheater site. Next slide. This is a architecture of the VIP lounge experience. Next slide. This is a -- this slide depicts the architecture rendering of the -- in the upper left-hand corner is the concession-type containers; there are a total of seven each of those; in the upper right, that is the restroom container, there are a quantity of two, and in the very -- in a -- the center there, that is the refrigeration and freezer container, which there are two of them. The City Manager recommends approval.

MAYOR MESSAM: Thank you for the presentation. Vice Mayor Colborne, you're recognized.

VICE MAYOR COLBOURNE: Thank you. Just a couple of questions. First of all, I thank you for stopping by my office this afternoon; unfortunately, I was not there, so we really couldn't sit and discuss it. But on the second page of the resolution, the second to last "Whereas", it said: Where -- Whereas, the City Manager recommends that the City Commission approve the award to STHC Restoration, LLC, and authorize the City Manager to execute the proposed agreement with Span Systems Inc.

MR. JOHNSON: That is a --

VICE MAYOR COLBOURNE: That threw me off a bit, because throughout everything that you said, it had STHC.

MR. JOHNSON: Yes, ma'am, that is a typo.

VICE MAYOR COLBOURNE: I'm sorry?

MR. JOHNSON: That is a -- I'm sorry, that is a typo. It is STHC Restoration, Inc., not Span System; that is a typo.

VICE MAYOR COLBOURNE: Not Span System?

MR. JOHNSON: Correct.

VICE MAYOR COLBOURNE: Okay.

MR. JOHNSON: Span System is another contractor that's doing other work in the -- at the amphitheater. That is a typo.

VICE MAYOR COLBOURNE: Okay. I appreciate that. The other question I had was the design, and you had the slides. I did -- I did see the design, and -- and -- and the layout.

MR. JOHNSON: Yes, ma'am.

VICE MAYOR COLBOURNE: My third question is -- is this a bid waiver?

MR. JOHNSON: Is it a bid waiver?

VICE MAYOR COLBOURNE: Yeah. It's just that -- is this a bid waiver? Do you need three fourths vote for this item?

MR. JOHNSON: No. This was actually part of the negotiation with the bonding company.

VICE MAYOR COLBOURNE: Be careful how you answer that now.

MR. JOHNSON: I'm sorry?

VICE MAYOR COLBOURNE: Be careful how you answer that. Is procurement here? Do we have someone in procurement?

MR. JOHNSON: Yes, procurement is here, and we also have the City Attorney that did the negotiation with the bonding company; he -- he could explain --

MAYOR MESSAM: Proceed with your response.

MR. JOHNSON: I'm sorry?

MAYOR MESSAM: You were -- you were -- you were answering the question. Can you proceed?

VICE MAYOR COLBOURNE: Yeah, go ahead.

MR. JOHNSON: Yes. What you're -- yes. As I was stating, as part of the negotiations, when the contractor defaulted, the City Attorney, he negotiated with the bonding company, whereas, we were going to utilize the actual subcontractor who was employed by the original contractor to complete -- complete the services. Our contractor -- our contract with the original con -- contractor allowed the City to take over as the contractor to -- to monitor those subs, as they complete the work. And this contract is actually written

up, so that the subcontractor could work directly for the City, and -- and complete the -- the scope of work.

VICE MAYOR COLBOURNE: Okay. I -- I do -- I do understand -- I do understand. I -- and I read that, that that was the process that was taken, but in the final, I'm trying to see if that's considered a bid -- bid waiver. It was -- it was not an RFP, it was not -- you know, how did we get there? If it's -- if it's a bid waiver, are we looking for three fourths vote tonight, and this is why I asked for procurement.

MS. AYUM: Good evening, Alicia Ayum, Procurement Director, good evening everyone. No, this is not a bid waiver. Because the contract was terminated, they just requested permission from the Commission at the time to continue using the subcontractor that had already started the work. So the agreement -- the negotiations was between the surety company, the City, and we have the construction attorney here that conducted those negotiations, so it's not a bid waiver.

VICE MAYOR COLBOURNE: So it's -- so it's based on the Commission prior approval to negotiate with this company?

MS. AYUM: Yes.

VICE MAYOR COLBOURNE: Okay. That's -- that's what I was trying to understand. Thank you. Appreciate it. I'm good.

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

COMMISSIONER CHAMBERS: Thank you Mayor. I -- I think I might have missed something, because I remembered last time we had this -- this container issue, we had a discussion, we were supposed to go to workshop, and the container was supposed to be gone from the -- the parks, as the -- what the containers posed was to limit the promenade, the use of the promenade, and -- and it -- I remember Commissioner Davis had some issue, also, with the container. Are we utilizing all those container that was originally -- it was like seven, right?

MR. JOHNSON: No, there are a total of 12.

COMMISSIONER CHAMBERS: Twelve.

MR. JOHNSON: We are utilizing all of them, yes.

COMMISSIONER CHAMBERS: And they going to replace where we have those slabs at the --

MR. JOHNSON: Yes, those are the foundation. They were --

COMMISSIONER CHAMBERS: Right.

MR. JOHNSON: -- part of the original contract that was created.

COMMISSIONER CHAMBERS: Okay. But I'm not sure -- anyone was at the Fourth of July celebration this weekend saw the way the -- the setup were? And it's work perfect, it's temporary, the food trucks, the tent, and it's give a different use of the promenades. Now once you put these container in place, then it's -- you boxed in. You cannot utilize the place the way it's supposed to be really utilized. So I'm not sure why are we proceeding with these container, when it's really boxed us in as to how the -- the -- the promenade -- promenade can be utilized. I'm -- I'm not sure. I'm -- I'm made -- I might have missed something.

MR. JOHNSON: This was a part of the original contract. All we're doing is completing the original contract that was approved by the Commission.

COMMISSIONER CHAMBERS: I understand, but were trying to get rid of the container, because of the -- the -- the -- the limitation that it pose, and someone utilizing the promenade. So, at the time, when we had this discussion, the container was supposed to be gone, not coming back.

MR. JOHNSON: I was never aware that any of these containers was going to be omitted.

COMMISSIONER CHAMBERS: I might have missed something, because that was the discussion I had, and I remember we were trying to figure out what to do with this container. I know Vice Mayor Davis wanted them to be mobile, but it was too heavy, and all that sort of stuff. I don't know. I'm -- I'm not supporting this item. I'm telling you I'm really upset right now that this container is back to limit the use of the promenade.

MAYOR MESSAM: My understanding of this item is that this is the continuation of a previously authorized action by this Commission. The original contractor defaulted. For measures of protecting the City, the original contractor was required to put forward a payment and performance bond, in the event of failure, which was, in this case, a failure by the original contractor to complete the scope of work, according to what this Commission had approved, triggered the measures to protect the City, in which the surety got involved. Now the surety is responsible to ensure that that contract is completed. That process was the negotiations with our City Attorneys to look at the best way forward to complete the project. Since the subcontractors were performing on this project, the City, as in -- in -- in -- in collaboration with the surety decided that the subcontractors could, indeed, finish this project with the oversight of the City. Therefore, the surety signed off, our attorneys signed off, and now we settled on an amount that would be available to complete this work, and now it's back to the Commission for -- for approval to finish a contract that has already started. The City has already acquired the containers; the City has already put in the concrete pads on which the containers will be placed on

the promenade. So for the benefit of the -- the public, that is the process. I think it's a -- a process that protects the City. It's not like a subcontractor came in, took money and ran, and -- without a completed project. These contracts are in place to protect the City, and in this case we have an option to continue the project, with the City being protected. If we could put up the slide that shows the site plan of the amphitheater that has the proposed locations of the containers. So, Mr. Johnson, the containers are identified -- like the purple --

MR. JOHNSON: Yes. Purple, and also in the upper left-hand, yellow as well.

MAYOR MESSAM: Okay. So the -- the promenade, which is indicated by -- on the left, the green area, right, and that's the area where vendors can stage their tents, along the -- and the grey areas are just a -- a -- the asphalt pavement where -- where patrons walk, and can visit. So we have food and beverage on the bottom left, you have two containers, and -- and we have a larger container towards the top, and then we have a couple on the west side of the amphitheater. So, yes, the containers are in places -- I think, in my opinion, it complements the promenade. There is ample green space for additional vendors and tents that -- that like took place this weekend. In my vantage point, in my point, I don't see how these containers limit or prohibit local vendors, other staging of other vendors along the -- the pathway. It's probably only taking up, maybe, 25 percent, 20 percent if that, of the available vendor space for -- you know, for -- for any event. And, in fact, we -- it could be feasible that a vendor could even rent those or per -- you know, I mean our concessionaire determines that, but I'm just -- but -- but theoretically, it could be leased out, you know, for a retail operation or for a vendor. So -- so I think that it -- it's consistent with what was originally approved by this Commission, so I just wanted to make those points, in terms of how I personally see this item, and -- and -- and I'd just like to commend staff for putting a contract in place, because things do happen sometimes with contractual agreements. They don't necessarily work out with the vendor, and this contract protected the City that ensured that funding would be in place to continue this project, and I commend staff for -- for your due diligence, and our City Attorneys to ensuring that our interest were protected, so that we can continue to move this project forward. Thank you. Commissioner Davis, followed by Commissioner Chambers.

COMMISSIONER DAVIS: Thank you. Yeah. I -- I do recall that there was some questions that I had raised. And I know we keep saying this Commission, but I wasn't on the Commission when this whole thing started. And, so, what -- what concerns me or I'm curious about is that whatever questions and concerns were raised, I don't know if they were ever addressed. Nobody came back to me before putting this item here. And it seems like when questions are raised, they never get back. Some of the stuff just goes off, and then just come back with a whole fresh -- like it never came before us, like there were never questions raised, were those questions ever resolved, why wasn't it approved back then, what has changed. So there's no continue -- the word escapes me now but, it's not continuous. You see what I'm saying? So something happens several months ago, maybe before COVID came before us. Now we're here again, and it's like it never happened before. Like there was never questions. And so you have Commissioner



Chambers bringing up some concerns. Obviously, they were never addressed to his satisfaction, and some things that I had asked, you know, what happened to those. And -- and so my concern is that if we had set we were going to do some kind of workshop, if we had said you were going to talk to individual commissioners about the concerns they'd raised, nobody has met with me since that last meeting. And -- you see what I'm saying? So for it to just pop up again, the same exact thing, when questions were raised before, and with nobody bothered to come back and say, you know, "You had concerns about this; this is where we're moving forward with this." And -- and the meeting was never convened, there was never a follow up. That concerns me. And things are getting lost in this Commission when we have Commission meetings. Not -- nobody comes back and says, "Well, here's the questions you raised specifically about this." Because there's some things that I get reports on, but this here is kind of like nothing came back to me. And so I'm a little uncomfortable myself not getting all the information. It's been so long since this item came up, and I wasn't originally one that approved it. And so, for me, I -- I would like to get a one-on-one -- and some of the questions that were raised in the last meeting, there's like minutes are being kept, should be brought back, so we can all be, you know, clear.

MAYOR MESSAM: Thank you, Commissioner Davis. And just for my -- my -- my benefit, so I can -- because I made -- that's why I'm curious, can you refresh -- refresh our memories, in terms of what your specific questions was that staff didn't -- just so I can understand, so I can -- because I may have a -- I may have the same question, if it's -- I just -- I just don't -- don't -- can you --

COMMISSIONER DAVIS: So I think I do remember we had asked questions about it being mobile, can it be moved, we're able to use -- and somebody said that you can use a big truck and take them to different places, and I believe there were some other things about the design, and -- you know, there were some questions, and -- and I think we need more clarity, because it -- it -- it could, in a way, prevent some folks who might not want them -- they might not want that setup to do their event, and then are you going to be able to move them -- probably -- probably no. So I think there needs to be a little bit more, you know, information given about these containers. And, again, like I said, I wasn't here when we originally decided to have these containers there, and I think there was some con -- questions about the décor, if it aligns with -- you know, those pictures look good, but is that really what's going to be there; you know, are they just renderings of what could -- it could be like, but what is it going to be like. That's what we want to know, and who's designing it? Because they look good, but then, come time you go out there, that's not -- not what you see. So I think there needs to be a little bit more information before we say, yeah, go ahead and do it, because I'm -- I'm not sure about these designs, how they're going to look out there; that concerns me as well.

MAYOR MESSAM: Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Yeah, I -- I know you put up a slide -- can we put the slide back up, please. That's a -- a floor plan. Is there a elevation slide?

MR. JOHNSON: There is. The next slide. That is one of the -- that is the -- what is known as the VIP lounge.

COMMISSIONER CHAMBERS: Yeah, but do we have like a complete elevation of the promenade?

MR. JOHNSON: I'm sorry?

COMMISSIONER CHAMBERS: Do we have a complete elevation of the promenade, as to where each, individual --

MR. JOHNSON: Yes. If you could go back to that site plan. Yes. If you notice in the upper --

MAYOR MESSAM: Could you speak -- speak into the mic, so we can hear.

MR. JOHNSON: If you notice on the upper left-hand side, you'll see where it says food - food, beverage, VIP lounge, you see that -- that right there is that food and beverage -- where we just saw the --

COMMISSIONER CHAMBERS: Right, but --

MR. JOHNSON: -- elevation of --

COMMISSIONER CHAMBERS: But what I'm saying is this is the floor plan; I'm asking about elevation.

MR. JOHNSON: I'm not sure I understand. The elevation was what we just --

MAYOR MESSAM: That we just saw.

COMMISSIONER CHAMBERS: Yeah, but that's just one -- that's just one container.

MR. JOHNSON: Yeah. That's only going to be that -- that one particular area right there. That VIP lounge is going to be -- now if you can go back to the previous -- that'll be right in the center there where you see it says food and beverage/VIP; that's that one right there in the center.

COMMISSIONER CHAMBERS: Yeah, this is what I'm trying to get at. Like this one looks okay, but when you're showing the floor plan, it's a different look from when you're at the park, and you look at where they're going to be set up. This give you -- you can see where it's going to be problematic, and you can't present that here tonight, because you can only show each elevation -- it's very easy to show the floor plan, but not everyone could understand the elevation look, the final look at the park, and that's the problem that

I'm having. It looks okay on the floor plan; you still see some green, but when you're at the park, and you look at where they're going to be located at, you look at the setup, and if anyone have a good look at what it was this past Sunday, the setup, and just imagine these container in the way, then you're going to be in trouble. That's -- that's all I'm trying say. The floor plan tells a different story, but the elevation really speak to what it's going to be when you're there and you're looking at the whole picture. It's a problem, and that's -- that's what I have a problem with

MAYOR MESSAM: Vice Mayor Colbourne, followed by Commissioner Davis, and after this round, we can try to get to a point where we either move with a motion or some form of a recommendation. Vice Mayor Colbourne, you're recognized.

VICE MAYOR COLBOURNE: Thank you. I was -- I was not opposed -- I didn't -- I didn't pull this item because I am opposed to it. I realize it is something that -- that we started on some time ago. I would have liked to have seen the timeline that actually goes to when it started. So you said it started two years ago or so, you know, I -- I think some of us may have kind of lost where we are with this entire project. There's been time in between it. But I just -- I just really wanted the clarification. I know that there are certain things that we have approved, and -- and -- and allowed staff to move forward on it. If -- if my colleagues have unanswered questions or hesitation, like I do most often, I would certainly -- I would certainly want them to be comfortable, and get the answers they need, as -- as I -- I would like the same courtesy when I have concerns. So -- but I -- I don't -- I -- I, personally -- my questions were answered on this item.

MAYOR MESSAM: Commissioner Davis.

COMMISSIONER DAVIS: Thank you. And -- and as I mentioned before, I -- I wasn't here on the original, all right, and so I was hoping to get some more feedback from staff. Also, I would like to hear from those who are going to use it; for example, the concessionaire, our person who -- who operates the amphitheater to get some feedback from them as to how it would help them or, you know, what other recommendations they have, or if it's something that they -- they think or could envision. So that would help me as well. I'm not sure if any of them are here that we could call them up to explain it, how it would help the amphitheater.

MAYOR MESSAM: Yeah, the concessionaire is here. Yeah, he can come and give -- give us -- can give a comment. But what would help, if there are specific questions that they can respond to -- to -- to address the unreadiness.

COMMISSIONER DAVIS: So the concessionaire would know why he needs these things. I'm not in that business.

MAYOR MESSAM: Good evening, sir, if you can recognize yourself, name and address for the record, and your involvement with this project, sir.

MR. HOLSENDOLPH: Good evening, Mr. Mayor, Vice Mayor, Commissioners. My name is Darryl Holsendolph, 19496 SW 24<sup>th</sup> Street, Miramar. I have, for years, been waiting for this project to be completed. I shared with you guys about a month ago to the staff, when it rains, we're working in almost a foot of water, because of the drainage out in the park. It takes about a day and a half for us to set up for any event when it comes to operations for food, beverage, or concessions. We need a facility to be able to run our operations. Mr. Chambers, you mentioned about the actual obstruction. When the shell was created, the placement of those containers was designed to be able to give the maximum viewing space for the customers. The view of the stadium does not affect any of operations. When it rains, it's like people run away from our concessions, so we applaud the City's efforts to do the covering, but those containers are needed. There are no facilities in south Florida do not have operations, so we are spending a lot of manhours every event to set up and break down. Even with this Fourth of July event, where we -- it changed five times. We made that happen; the labor -- we had to also prepare for a hurricane the next day, physical labor, versus just opening up a concession and closing it and locking it down. So those things are being built to hurricane standards, where it's -- when the event is over, we lock them down, and we don't have to worry about loading in, loading out. And you know I've been over here -- for over three years, we have yet to be able to utilize the facility as a true concessions, and -- and make any dollars out there, so this is step one in a long process, which is providing us with facilities that we can run, and give the max customer service that's required. Staff did present to me what they proposed after the first contractor lost the bond, and so we've been working with them. Darryl did mention the minute this is approved, we can get together to make sure it has all of the functionality that's required to give guests that attend that park what they need. There's no reason when it rains they have to run away. There's no reason for my staff to work in a foot of water when they're -- it starts to rain. You know we're in that season, so this is something that we've been waiting for, and we're hoping that we can get permission to move forward to provide this level of service that the City of Miramar residents need for this type of facility that's been built out there.

MAYOR MESSAM: Thank you, sir. Commissioner Davis.

COMMISSIONER DAVIS: Yeah. Well, thank you for your input. That was very helpful. Because just saying that, you know, we're having the containers there is not giving a reason for that need, as opposed to, you know, we see you set up. We don't know the hassle or the problem it takes to set up a tent, or to put the bar together, and things like that. So that's been helpful for me. In terms of the design, I'm sure we could look at designs to make sure that they are pleasing. But in terms of you needing a facility to properly work, then I could support something like that. So I'm glad you are here, and I could get your perspective, because staff did not give me that angle, which is important. Thank you.

MR. HOLSENDOLPH: I'm sorry, Commissioner. I don't know if you know here the aquatic center is from the actual facility, that's how far our staff has to move product, not only product, and equipment. They gave us half a distance with the equipment, but the

product, the food, supplies, that's almost a half a mile every event, back and forth, and when we run out of supplies, that's another haul. So we're trying to, hopefully, get some equipment out there, that we can provide the service that is definitely much needed, and we've been patient and looking forward to this project to get started.

COMMISSIONER DAVIS: Thank you, Mr. Holsendolph.

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

COMMISSIONER CHAMBERS: Thank you, Mayor. I really want to thank you for your presentation, because this is what happen, we get half the story, and had this been a full presentation, then it would have been understood differently. And -- especially with what we gone through with this item before, and now it come back all of a sudden, and -- and not having a full understanding, didn't have a workshop on it, or anything like that. I mean I -- I'm feeling your pain now; I understand what you're going through. My thing, I was looking at the -- the layout, and impeding the setup like what I saw this past Fourth of July. I -- I mean I saw you out there setting up and so forth, right, but I don't understand the -- the pain that you're explaining now, you know. So --

MR. HOLSENDOLPH: This helps with the pain, and just seeing the experience we obviously meet moving that product and that furniture every event.

COMMISSIONER CHAMBERS: Right.,

MR. HOLSENDOLPH: And those facilities/equipment allow me to be -- it's there. We stage it, lock it up, it's there.

COMMISSIONER CHAMBERS: But you understand my point that I was saying --

MR. HOLSENDOLPH: I understand -- I understand the concern, but the way we designed it, it's for max viewing, because the biggest greenspace where we set up in the park, it's open now, because those containers are placed where you have the max view for guests that want to see the show, and still enjoy the amenities. Even the food trucks that come along the back side, like you saw, all that is still available, so I don't know what the -- I did see the map; it was not in line with what -- what's proposed, from what we've discussed, it's perfect for what you saw out there this weekend --

COMMISSIONER CHAMBERS: Right.

MR. HOLSENDOLPH: -- for whenever we want to bring vendors in; it allows for all of that.

COMMISSIONER CHAMBERS: Right. Because I was looking at it -- just another customer wanted to use the promenade, and don't want the -- those container there,

where they might have a different setup, a different layout, so that's the point of view that I was coming from. But --

MR. HOLSENDOLPH: This is a facility, and the City has put a lot of money in it to -- to make it work, and most of them, you have to have the amenities, or no one will come. It is -- bathrooms were added that are convenient for the promenade.

COMMISSIONER CHAMBERS: Right.

MR. HOLSENDOLPH: Two of those going in there. And then a different level of experience that you want guests to have. We're competing in South Florida for venue utilization. What I see the City's proposal is going is going to make use the number one with air-conditioned VIP, and an amphitheater for those who want that experience. We're thinking about experiences now. And now with amenities, we'll have food on the west; there's nothing on the west side of the amphitheater. So there's so many great things that we're doing that, once it's in place, I think everyone will love it. We don't have to do all of the physical labor that's required, and our guests and the promoters who want to use the facilities will be more apt to use it because of what the City has already put in place to do it.

COMMISSIONER CHAMBERS: Right.

MR. HOLSENDOLPH: It's just we're missing that component. And it does provide for outside vendors whenever it's required to want to come in and do setup with trucks, because we left that space open just for what you talked about.

COMMISSIONER CHAMBERS: But -- but now we solving one problem or one issue. Then you bring up another one, and I thank you for bringing that up, because had you mentioned that, I wouldn't have known about that, which is the flooding, which is a bigger problem. I mean how do we solve that? How we make sure vendors going to use the facility, and not dealing with the flood? So here it is that we are going to -- we dealing with this container, and out of this come a flooding issue, so that's another problem there again.

MR. HOLSENDOLPH: Well, we've -- we've experienced that flooding issue, and I'm sure structural will have to deal with that, because of the way the facility was developed, but the containers elevates us, it puts us up, and now we have covers that's coming to those containers that will allow for the customers to stay dry. And this is a season, the rainy season. We experienced that during May during the graduations; it was extremely bad when we have that weather, so elevating us up, the customer still can get service, and not run whenever the elements occur out there.

COMMISSIONER CHAMBERS: So is there going to be a cover for the customer?

MR. HOLSENDOLPH: There's a cover that comes to those containers that you saw in the restrooms. It's supposed to come and cover, so while they wait -- they can wait underneath and stay -- and remain dry.

COMMISSIONER CHAMBERS: But if there's a line that backed up, they're going to be in -- in the flooded area --

MR. HOLSENDOLPH: No, they don't, no. The area where it floods where -- is where we currently operate from.

COMMISSIONER CHAMBERS: Okay.

MR. HOLSENDOLPH: The slabs that were created for the containers is where we operate from, so there will be no need for us to operate in that area. On non-rainy days, that's a perfect view to the stadium, to the -- to the stage. That is the maximum viewing area for the stage.

COMMISSIONER CHAMBERS: I'm -- I'm hoping that staff would take a look at the flooding issue, and see how we can resolve that. Thank you.

MAYOR MESSAM: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: I just wanted to say thank you for -- for the explanation. I'm glad that you -- that you are -- are a part of this, since you are a end user of it, and it's good to know that it's going to make a difference, thank you.

MR. HOLSENDOLPH: Thank you.

MAYOR MESSAM: All right, seeing no other speakers, may I have a motion on this item, please?

COMMISSIONER BARNES: Mr. Mayor?

MAYOR MESSAM: Yes. Okay, I just needed to know if you're -- if you're able to raise your hand, so just let me know when you want to speak. Go ahead, Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Yeah. Okay. Let -- let me speak to -- to a little bit of confusion I'm having. I'm still to understand what obstruction, what frustration there are for attendees at an event. I'm still yet to figure that out. I have -- I -- I'm prepared to sit with staff and get an understanding of that. But one of the things I did on Sunday evening is to -- to basically walk the entire grounds and get an understanding of what has happened, so that, I think, might have added to my frustration this evening. But especially regarding the -- the -- the entire set up. Everyone knows I'm not the greatest fan of the amphitheater, but I'm suspecting that this is one of the really best things that we could do

for this venue if it is going to have any kind of hope to -- to attract the events, performers, whatever, and to -- to be a revenue source for the City. In addition, I'm someone who has actually lost a pair of shoes in that soggy ground years ago for a July Fourth event, so I -- I welcome anything that will mitigate the flooding that exists. It's -- it's simply the nature of the field, and -- and as the presenter said, it also comes with -- with the -- the weather and the climate that we live in. I -- I -- I have all the reason to support this going forward, and, yes, I'm prepared to meet with staff to see what the reservations have been about the -- the actual placement of -- of these containers.

MAYOR MESSAM: Thank you, Commissioner. All right. May I have a motion on 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 #R7433, the Commission voted:

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



Mayor Messam

Yes

**Resolution No. 21-125**

MAYOR MESSAM: Item number four, please.

4. Temp. Reso. #R7446 approving the purchase of equipment and professional services for the **upgrade of the Town Center Council Chamber's Audiovisual System** from Audio Visual Innovations, Inc., in an amount not-to-exceed \$258,982.00, through the utilization of the Interlocal Purchasing System (TIPS) Contract # 200904. (*Information Technology Director Clayton D. Jenkins*)

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, approving the purchase of equipment and professional services for the upgrade of the Town Center Council Chamber's Audiovisual System from Audio Visual Innovations, Inc., in an amount not-to-exceed \$258,982.00, through the utilization of the Interlocal Purchasing System (TIPS) Contract # 200904, authorizing the City Manager to execute the appropriate agreement, and providing for an expected date.

MAYOR MESSAM: Thank you. Vice Mayor, are you requesting a presentation, or you just have questions?

VICE MAYOR COLBOURNE: Yes. I would like to see a presentation.

MAYOR MESSAM: All right. You can proceed, sir.

MR. SIMONIS: Thank you. Good evening, Mr. Mayor, Madam Vice Mayors, Commissioners, City Manager, City Attorney, City Clerk. Ricardo Simonis, here tonight to present Temp. Reso. 7446, requesting approval for the Commission Chambers audiovisual upgrade. A little background: Back in 2004, the City approved contract with Pro Sound for a new audio system that provide services for this Commission Chamber to support all Commission meetings, special magistrate meetings, and special events. Several years later in 2016 was the next big upgrade in this chamber, where AVI replaced some of the equipment. However, many of the components were not replaced at the time, and remain untouched. On the central controller, which is also known as the AMX, is one of those components that was not serviced back in 2016, and has now reached end of service life, and having trouble integrating -- integrating with some of the newer components, causing system failures. As you all well know, over the last year, we've added some new equipment to allow for remote meetings, and a lot of these new equipments, as well as some of the audio issues we -- we are -- we have been experiencing are due to the end of life of that equipment, and its inability to integrate with some of the newer equipment. Just a brief highlight on some of the new equipment that we are proposing with this upgrade. One of them is a new audiovisual central controller with built -in virtual meeting integration capability, a new DSP, which is also referred to as the digital signal processor, which handles all of the audio-related tasks for this chamber,

including equalization, single compression, routing, and processing. We will also be installing a new camera switcher, with LCD display with large preset memory, and streamline multi camera control. The proposed project is estimated not to exceed \$258,982.00 for fiscal year '21. As per City code, City Commission is -- is required for expenditures over \$75,000.00 by a single vendor, and we will be utilizing the inter local purchasing agreement, also known as TIPS contract #200904 for this project. We'll be happy to answer any questions you may have on this --

MAYOR MESSAM: Thank you for --

MR. SIMONIS: -- presentation.

MAYOR MESSAM: Thank you for the presentation. Vice Mayor Colbourne, you're recognized.

VICE MAYOR COLBOURNE: Thank you. First off, on the title, the title of this item, it says upgrade of the Town Center Council Chambers audiovisual. I just wanted to, at least on that, let you know this Commission is not council. Aside from that, we -- we do have -- I know as I sit here, many times I can't really hear others clearly, so is that something that's going to improve when you implement this new system?

MR. SIMONIS: Vice Mayor Colbourne, yes. First and foremost, you are correct, that was an oversight; chambers should have been the correct term, not council. I apologize, commission, not council. Yes, the DSP, which is the second bullet point on slide number three, is the controller, which will help -- which will provide further control over audio system. We do think some of the echo and giving you clearer sound, not just in the Chamber, also on Comcast, AT&T, and on our web stream, which we broadcast live.

VICE MAYOR COLBOURNE: Will they also improve on -- on channel 78 as well?

MAYOR MESSAM: No, that's Comcast.

VICE MAYOR COLBOURNE: That's Comcast, okay.

MR. SIMONIS: That is correct.

VICE MAYOR COLBOURNE: Okay, so --

MR. SIMONIS: Yes, that is Comcast channel 78.

VICE MAYOR COLBOURNE: So the issues that we've have -- we've been having lately, where it's not showing on -- on Comcast or otherwise, that should -- this should correct that?

MR. SIMONIS: That is correct, and that was the -- you know, one of the main motivation be -- be -- behind getting this done, and the issues we've been having with the Comcast channel 78 with the sound.

VICE MAYOR COLBOURNE: The current -- the current screens that we have here in front of us, is that going to change?

MR. SIMONIS: I'm sorry, the current what?

VICE MAYOR COLBOURNE: Screens. We have -- I'm sorry. We have two different screens in front of us. When you change the audio system, is -- is there going to be improvement on this as well?

MR. SIMONIS: This is not part of this proposal to replace those screen at this time.

VICE MAYOR COLBOURNE: Okay. All right. And that doesn't have anything to do with how we vote as well?

MR. SIMONIS: That is correct.

VICE MAYOR COLBOURNE: The aud -- the electronic voting, it does not have anything to do with that?

MR. SIMONIS: That is correct. Yes, the Granicus system is completely separate, and will not be part of this upgrade.

VICE MAYOR COLBOURNE: Okay. All right.

MR. SIMONIS: Thank you.

VICE MAYOR COLBOURNE: Thank you.

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

COMMISSIONER CHAMBERS: Thank you, Mayor. As Vice Mayor stated, when we're here, it's a big issue for us to hear up here, and also in the back; most people in the back oftentimes can't hear what's happening here in the meeting, so that's -- those are my two big concern. There's no monitor up here, there's no monitor in the back. Some people sit in the back; they don't -- of -- they oftentimes complain that they can't hear us. And without this equipment that I have here, very hard for me to participate and hear what's happening. It's -- it's just bad, and -- and I'm hoping -- I've been complaining for a long time to the previous city manager and so forth, but nothing done, so I think we really need to take a good comprehensive look as to how do we improve the sound up here, and how do we improve the sound in the back for people who choose to sit in the back and still want to hear what's happening in the meeting, so. And sometime people back there

looking at the screen back here, they can't really see anything, so it's -- it's those two screen we need to take a look at, how we can improve that. I remember once they have a event in the -- in the banquet hall, and they try to stream it over here, and folks come in here and they walk away, because they couldn't see anything or hear anything, so I hope we can make a real change as to the video and -- and -- and also the audio, thank you.

MR. SIMONIS: Thank you.

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

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 #R7446, the Commission voted:

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

***End of Consent Agenda***

**RESOLUTIONS**

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

5. 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. *(Assistant City Manager Shaun D. Gayle)*

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, 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, authorizing the execution and delivery by the City of an inter local agreement, and a city services agreement, and providing for an expected date.

MAYOR MESSAM: Good evening.

MS. GAYLE: Good evening, Mayor -- Mayor, Madam Vice Mayor, Commissioners, Shaun Gayle, Assistant City Manager. The item before us this afternoon is -- the item before us this afternoon is to authorize Capital Projects Finance Authority or CAPFA, an instrumental -- instrumentality of the City of Moore Haven, Florida, and a political subdivision of the State of Florida to operate within the jurisdiction of the City of Miramar for the sole purpose of providing very low income, low income, and moderate-income housing at the Luma property located at 4300 SW 113<sup>th</sup> Terrace. And this complex has 380 units, comprising of one, two, and three-bedroom units. For perspective and background on this project, the City received a request from Plenary of the Americas on May 10<sup>th</sup>, proposing this project to the City of Miramar for the 380 units of workforce housing. An initial meeting was had with Plenary, after which the City staff did extensive due diligence with our City consultants, who are present here today, and I just wanted to point out who we have. We have Eric Liff from Lambert Advisory, who was our -- who did the economic analysis on the -- the project; if you could just identify yourself. We have the City's bonds -- bond counsel, who is Nabors Giblin & Nickerson; worked with Mark Mustian and Junious Brown, real estate bond experts, and we have Junious Brown here with us today. We have our City Attorneys, Austin Pamies, who did review of the documents also. Stephanie Baldwin from SCM also did a review of the documents. Municipal financial advisor PSM -- PFM, sorry, also did review, and Jay Glover is joining us on Webex, because he was not able to be here today. We have Mike Scott from Plenary of the Americas; Mike, if you would join us up here, please, and Steve Ramini,

who is counsel for CAPFA. Next slide, please. So for location concept, the -- the property is located at the southwest corner of Red Road and the Florida Turnpike, and this is where the 380-unit property is located. I'll go over a couple of slides that we had from the -- the workshop; I will not go through the entire workshop presentation. That was just to provide a holistic background of the project, but I'll go over some of the slides, and then subsequent activity. In 2002, a finding of necessities study was completed for the purpose of creating a CRA in the City of Miramar; at that time, the City chose not to do the CRA. However, since then, we have experienced unprecedented and sustained growth to our current levels of over 140,000 residents. It is evident that, over time, workforce housing has become increasingly difficult to obtain within the City of Miramar, with those earning less than 100 percent -- 120 percent of the AMI having difficulty finding quality housing. This chart shows the income levels for AMI, and without going through each of them, I just want to point out maybe one. For a typical household size of four, that in -- that household could earn -- could earn up to \$105,600.00, and still be categorized in our moderate-income household level. These rates are set by HUD on an annual basis, and the City of Miramar falls under the Fort Lauderdale region, and those are the rates that we adhere to. In 2018, Broward County conducted an affordable housing needs assessment, and they determined that over 147,000 cost-burdened renter household; there were over 147,000 cost-burdened renter households in Broward County, of which 52 percent were severely cost-burdened, and severely cost-burdened mean that they were spending over 50 percent of their income on housing. So to address this issue, and to address the proposal that the City of Miramar received from Plenary, I would just like to go over a few items, comparison with the proposal that we got, and the proposal that we have today. So the initial proposal had the City foregoing ad valorem taxes. The City negotiated payment -- negotiated payment in lieu of taxes, in addition to the benefit of having the workforce housing unit, and that would -- the impact of that would -- would be that we forego the -- ad -- ad valorem taxes, but on an annual basis, the City would receive at least \$260,000.00, and this would escalate three percent over time. The net operating revenue to the City was zero; for negotiations, the will receive 50 percent of excess net operating income over the 35-year period. That amount is to be determined as income and is subjective to the year. No payment to the City at closing, and, through negotiations, the City negotiated d\$1.5 million to be paid to the City at closing. Capital reserve -- expense reserve was set at 1.3 percent annually. The City negotiated that to escalate to three percent over the first ten years, and then remain at three percent thereafter. There were no set asides in the proposal, and the City asked for a set aside -- for a number of units to be set aside for those earning 50 percent AMI, and, as such, 20 units were set aside for this purpose. The following are the major terms and conditions of the transaction: CAPFA issues all financing, and retains all liability, and responsibility for the property. The City of Miramar is a beneficial owner of the project, and all -- all economic benefits would accrue to the City. We just spoke about the maintenance reserve escalating to ten percent over the first ten years -- three percent, sorry, over the next ten years. So this slide -- this slide shows the number of units that are dedicated to each income category. So no less than 20 percent -- 20 units would be for the 50 percent AMI, no less than 86 units for the 80 percent AMI, no less than 86 for 100 percent AMI, and 188 units for 120 percent AMI. The rents would immediately be set at HUD-defined

affordable rates, which we said we would go according the Fort Lauderdale region rates. Rental growth would be capped to ensure the units remain affordable over time, and the leasing priority would be in the -- in this particular order: tenants who the City has decided that are experiencing a hardship, City of Miramar employees, and Miramar residents. Some of the benefits of this program. There will be 380 units for the 50 to 120 percent AMI of Class A housing for the next 35 years. The revenue which we spoke about earlier, the \$1.5 million at closing, and the annual impact payment would go to the City, and these funds would be put in the City's Affordable Housing Trust to further affordable housing activities within Miramar. The rate growth would be restricted, as we mentioned before, and the property would be free and clear to the City after the debt is repaid. And we have a note here that the City, if desired, can arrange for the sale of the property without ever taking title. During the workshop, the walk throughs of the property, and the one-on-one meetings that ensued, there were several questions that were raised, and the following slides addressed those questions, as they were brought up by members of the Commission. What makes this doable? CAPFA has outlined that, under the Florida Constitution, all property owned by municipality and used exclusively by it for municipal purposes shall be exempt from taxation. CAPFA, as an instrumentality of the City Moore Haven, and a political subdivision of the State of Florida, qualifies for this exemption. Also, interest on the bond is excluded from gross income for federal income tax purposes under Section 103 of the Internal -- Internal Revenue Code. Why is the timeframe for approval so restrictive? The property went on the market in late April; CAPFA made an offer on the property, and then approached the City to enter into the partnership that we're negotiating here tonight. The City began the due diligence: we did the workshop, the walk throughs, the one-on-one meetings, and we're here tonight for City Commission approval. During that time, we also met with Broward County, and BCPA to discuss the project, and what it would like from their standpoint. We're here tonight for City Commission approval, and after City Commission approval, if that is obtained here tonight, there would be the drafting and issuance of the bond documents for closing in August. And so, from April to August is the timeframe that the program -- the project would stand. One of the questions that we received is: What other options do we have? So this slide points out that if we do nothing today, we are status quo; we would continue to receive our annual ad valorem taxes. If we enter into this workforce housing model partnership with -- with CAPFA, we do forego some portions of our ad valorem taxes; as we said before, the 260 would come to us on an annual basis, escalating three percent. There would be no liability to the City. Staff involvement -- staff would not have any involvement, except we would have the authority to audit the books on an annual basis, and inspect the building on an annual basis. Other economic benefits: \$1.5 million would be due to the City at closing, and the City would receive ownership of the property in 35 years, and this is estimated at a value of over \$250 million at the end of 35 years. The public benefit: The public would receive Class A units for all the income categories mentioned. The timing these units would come on the mark -- on the -- be available at closing. Another option: Should the City decide to enter into a partnership with the developer, it would require about 15 to \$20 million in subsidy to obtain the same quality units. The liability and the staff involvement would vary based on what that project entails. The economic benefit would also vary based on whether the City has part ownership in

the property, or -- or just a subsidy. If we're constructing the same property, then the public benefit would, essentially, be the same. However, the development process could be -- we could be looking at about three to five years for -- whether we need to rezone property, building permit activity, and so on, finding a developer, that kind of thing. If the City decides to construct a similar -- if we -- say we had property, and we decided to construct the 380 units, it is estimated that it would cost the City about \$119 million, considering \$315,000.00 per unit to construct. The liability would totally fall to the City for construction and operation. Staff would be involved with the management of construction and operation. The City would be tax exempt, which means we would not get ad valorem. The public benefit would be the same, and the timing would be the -- about the same, as if we were working with a developer. Next question that we had was: Who would hold title to the property? Title to the property would be held by CAPFA for the duration of the transaction, and until the bonds are repaid in 35 years, or if the City chooses the 15-year purchase option at that time. Another question that came up: Can the purchase be done first, and then the City gets involved? This transaction to operate in this particular manner would need to be done before closing. How can the City's bid act apply to this project? Plenary explained to the City that they would be working with a property management company that any procurement for services at the property would need to include at least one CBE firm. If the CBE firm comes within five percent of the lowest bid, then there's a requirement that the CBE firm gets the contract. The City, however, -- we got request from our Commission to make sure that this is included and documented, so the city services agreement, Section 2, X, has provision that on a quarterly basis, the owner shall request an updated vendor list from the City, and the City's Economic & Business Development Department will be the liaison for this particular item. Another question that came up: How can we make provisions for residents that are experiencing a hardship? The city services agreement, Section 2, II, provides that priority will be given to hardship tenants identified in writing by the City, and so they would be moved to the top of the list for available units. Another question: What happens if the property loses tax exemption? And at the last meeting, we discussed -- it was mentioned that the exemption may need to be reapplied for every year. However, Plenary has verified that once a property has tax exemption status, the status is permanent, and they would no longer need to reapply for exemption. How do we account -- how do we account for interested -- okay. I think we've already addressed -- addressed that. You could just skip that slide, please. How is the City protected? So let's talk about liability. The City does not hold liability to the property; CAPFA indemnifies the City. The City will be listed as an additional insured on the financial statements, so -- I'm sorry, insurance policies. I also wanted to add here for liability that we did also get a question as to whether or not our financial advisor was contacted, and what was their input. And so they did review the documents; they did identify the tenets that I mentioned before that the City is not the issuer of the bonds. It doesn't appear that the City has any financial obligation to the project, in terms of on -- ongoing support. The financial risk, they point out, is giving up our ad valorem taxes; and as for the City itself -- as for the deal itself, it's highly leverage and requires growth over time, which we anticipate that the property would -- would increase in -- in -- in value over time. And, having said that, they finalized that they don't see any major risk to the City other than giving up the ad valorem taxes. They also were -- you know, were interested



in knowing what happens if it defaults, and we explained that it would go back on the tax roll. The City would have first right of refusal to cure the default, and it would go back on the tax roll. Debt recourse: Debt is issued by CAPFA with no recourse to the City, and will not be included in the City's financial statement. The cost: Cost and expenses are fully funded from the project revenues, capital operating and debt service reserves are funded to provide cushion against any financial challenges. Next slide, please. Leasing: Leasing services are managed by third-party property manager, and is not done by the City. However, the City has a right to ensure that the income covenants are being maintained on an annual basis. The property condition, like we said before, there are reserves to make sure the property is being maintained in the -- in a manner that the City would anticipate. Property value: The City has a right to purchase, like we said before, at the 15-year mark, and to remedy any default, and assume the property if we so choose, and we could choose to maintain it for affordable housing. We could -- we could choose to sell the property, but once it's -- once it's the ownership of the proper -- once the City has ownership of the property, then we could make those decisions. What is the current rent breakdown for AMI? So we look at the current rent roll, and in the -- in the -- in the respective income categories, the total that we're -- we're dedicated to 50 percent AMI, is no less than 20; there are five units that are currently occupied at this income category, which means 15 units would be available for this category. For the 51 to 80, that was 86; there are 35 units, currently, on the rental that would qualify under this income category, which means 51 units would be available. For the 81 to 100 percent AMI, 86 units are -- are -- are set aside; 65 are currently occupied, which means 21 units would be available in this income category. And, of course, in the 101 to 120, for the 188 units, 75 are currently occupied, and then 113 would be available. I did -- wanted to point out in this slide that we spoke about the property fully occupied by income -- income-eligible individuals over two years. And so where we came up with the rationale for the two years, we reached out to Greystar, who is one of the largest property management firms in South Florida, and they upgrade about 12,000 multifamily residential units, and they're verifying that in their experience, they -- they see a turnover rate of 50 percent per year, with the expect -- so this -- this is -- this is right in line with the two years that we're thinking the turnover will happen for the folks who are currently in the building who are not certified in the income categories. We reached -- we also reached out to the current property owners and looked at the last year of activity, and they had a 40.5 percent turnover rate, so we're anticipating if that continues over the next two years, then the turnover will continue to meet -- and -- and to achieve the anticipated 100 percent of --- of workforce housing tenants. One -- two other things I wanted to mention here. We did talk about a waiting list, and we -- we made sure that this was included in the city services agreement under Section two, that the -- the owner shall, on an annual basis, they will maintain a waiting list, but on an annual basis, they would recertify the list to only keep those folks who are still interested in housing at that time. We also talked about City engagement, and we also had in the -- the agreement that the City would, on a quarterly basis, use their public spaces to do engagement to help them understand that services are available within the City, and how they can interact. And so to summarize, the term of the agreement is over a 35-year period. \$1.5 million due to the City at closing, with \$260,000.00 on an annual basis, escalating three percent each year. The will do annual inspections, and an annual

audit. The City has no responsibilities or liabilities. The City has the option to purchase at 15 years, or wait until 35 years. Current ad valorem and non-ad valorem taxes over time, we said, was \$11.7 million for the net present value, 16.7, you know, considering the -- the -- the value of the asset, and the asset value at that time, we're thinking, is anywhere from 238 to \$250 million. The \$1.5 million at closing, and the annual payments would be deposited into the City's Affordable Housing Trust Fund for further affordable housing activities in the City. So, in summary, we -- we can identify that the gap exists. The City has done several initiatives over time to help to address this issue. The Luma project is a part of that solution, and would present a pioneer opportunity for -- for the City to begin to tackle this problem. City Commission approval tonight would give the City Manager the authority to enter into an agreement with CAPFA through the signing of an ILA, and is -- and a city services agreement for the financing of the Luma project for income categories under 120 percent AMI. I just wanted to point out that the -- the resolution that was issued to the City Commission had a few minor changes that we received from bond counsel, and bond counsel is here today. They did prepare the resolution. Because it was within the 48 hours, we could not republish, so we just pointed out the changes, and they are very minor changes. In the first "Whereas" clause, the proceeds of which will be loaned to CAPFA, we added "or made available", loaned or made available to CAPFA. In the fifth "Whereas" clause, the bonds, when issued by the authority, we included "or the borrower, as applicable, will be special limited obligation bond of ..." The authority was there, that was removed; we have "aid entity payable solely from the proceeds derived" -- from the proceeds to be derived from the repayment, and that was removed, and -- and "revenues derived from the project" was included. On Section 1(c), on the third line where it says: The issuance of the bonds by the authority, "or the borrower" was included. And Section 2(a), for the purposes of the Inter Local Act, the City authorizes the authority -- the -- the words "or the borrower" were included. After, "\$170 million, and to the loan proceeds thereof of the borrower or", that was removed, and it just says: "to finance the acquisition of the existing facility." I just wanted to point out that these changes were also forward to our City Attorney, and they advised that they were okay with the changes. The City Manager recommends approval with one condition; that the Broward County Property Appraiser provides reasonable assurance of tax exemption for the property prior to closing. The reason why we have this condition is because we did have a meeting with the Broward County Property Appraiser's Office. They expressed to us that they were really impressed with the City's approach to this project, however, they wanted to get some input from the Department of Revenue, and so they ask that they have the opportunity to do that before they provide their written response. At this time, we also have Senator Nan Rich. I'm not sure if she is still online, and would like to say a few words regarding the project.

MAYOR MESSAM: It shows that she's on -- online. If we can IT mute Senator Rich's mic, please. Senator Rich, are you there?

SENATOR RICH: Yes. Thank you. I'm -- I'm here. Can you hear me?

MAYOR MESSAM: Yes. Good evening, welcome. You can proceed.

SENATOR RICH: Thank you so much, Mayor Messam, for the call you gave me to enlighten me about this project, knowing my passion and priority for affordable housing. And I notice that the City Attorney, Burnadette Norris-Weeks is there tonight, and I wanted to just say that one of the exciting things that happened in 2018, as a result of the Charter Review Commission, on which she served -- I think, actually, was the chair. She participated in a discussion and a commitment to putting onto the ballot the hou -- the Broward County Affordable Housing Trust Fund exactly for this purpose for working with people in Broward County up to 120 percent of AMI to -- for the - for the County to be able to provide funding for gap financing, which we have been doing since 2018. Over \$25 million already has gone in, and each affordable housing development usually takes -- at 100 units -- takes about \$5 million in gap financing. And we -- we are excited about the fact that we are now fund -- finding even more resources to be able to provide for our communities all over the County who are interested in doing affordable housing. And I just want to say that when Mayor Messam called, I was very excited. I had not been familiar with this type of a project, and I heard the word pioneering used, and I think that's the case. It is very exciting, and I want to congratulate all of you on the Commission for considering this effort to close the affordable housing gap, as was mentioned in the presentation of the -- the gap that has grown, as it has all over Broward County. This is the number one critical issue in Broward County, affordable housing. And I want to just mention -- well, first of all, I want to just say thank you to all of the Commissioners, the Vice Mayor Colbourne, and Commissioners Chambers and Davis, and I just special mention to Commissioner Winston Barnes, because he was on the Commission when I represented Miramar while I was in the State Legislature, and he's still there. I think he was elected in 2003 for the first time, so thank you so much for allowing me to just say a few words. I would like to just say that it was mentioned that the County did -- had a needs assessment done by Florida International University Metropolitan Center, and they conducted this needs assessment in 2018. At that time, they found that Broward is one of the most unaffordable places to live, not only in Florida, but in the country. It's a combination of low wages and high cost of housing. Approximately 54 percent of its -- of our 760,000 households, homeowners, and renters, are cost burdened, meaning that they spend more than 30 percent of their family income on housing. Further, with an average cost of a two-bedroom apartment at -- this was in 2018, \$1,902.00, 147,000 plus renters are cost-burdened, and of those 77,000 are severely cost burdened, which means they spend over 50 percent of their family income on housing. And according Florida Finance Corporation, Broward County is the lowest-ranked county in Florida for housing affordability, and is the only county in the State with less than 25 housing units for each 100 families earning 60 percent of area median income; this is over 50 percent of our population. And it also showed that there was not a single municipality that had enough low and very low-income housing; only three cities had enough moderate. So, as I -- as I mentioned, this is seriously a -- a -- a -- a crisis in our -- in our community. I -- I just had one other -- other thing I wanted to mention. If I can find it here. Yeah. So in 2018 when we did this study, when the County did this study, 12.7 percent of all families could afford the median-priced home, only 12.7 percent, and, at that time, the median-priced home was \$360,000.00. That price today has risen to \$464,000.000, so the FIU study of 2018

is out of date; we know that, and we voted on the Commission a couple of weeks ago to update this study this year to provide an accurate assessment of our needs post-pandemic. And we believe that the percentage of families able to afford purchasing a home at \$464,000.00 will be in the single digits. So, again, this is a major, major issue. I want to thank you all, because it's not every city -- we have 31 municipalities, and I wish I could say that all 31 were active and interested in really helping to provide affordable housing for their residents. Unfortunately, you know, we're -- we're -- we're building, we're getting there, but we -- we do have, right now, just a handful, and I want to thank Miramar. You -- you joined Fort Lauderdale, and Pompano, and Hallandale, and just a couple of other cities that are really committed to providing affordable housing to their residents. So this is a very exciting project. I'm not here to say, you know, yes or no; that's not my place. But just to say that I'm excited that you are interested in -- in investigating and -- and hopefully moving forward with -- with another project that can provide -- I believe it was 380 units. And I want to say one of the biggest issues for us in Broward County right now is the fact that we don't have units. We have people that stayed in hotels in Fort Lauderdale during the pandemic. The County is now paying to keep people in the hotels, because there is no place -- there are no affordable units, and it's -- it's something that we all -- we're all in this together, and we need to help solve the crisis together, and thank you for everything that you're doing. And thank you for giving me the opportunity tonight to speak.

MAYOR MESSAM: Thank you, Madam Senator.

MS. GAYLE: Staff and consultants are -- are available to field any questions. Staff and the consultants are ready to field any questions.

MAYOR MESSAM: Okay. Thank you. As stated, there are no comments received or requests to speak from the public on this item, so back to the dais. We have a couple of speakers. Vice Mayor Colbourne, followed by Commissioner Davis. Vice Mayor, you're recognized.

VICE MAYOR COLBOURNE: Thank you. Thank you for a lengthy presentation. Lots of details. Do have a -- a couple of questions and comments. I did tour the facility. I would consider it luxury apartments, and I do -- I do believe that that's how I've -- I've seen it listed, as luxury apartments. Is that correct?

MS. GAYLE: Is it listed as luxury apartments? Yes.

VICE MAYOR COLBOURNE: I mean there were absolutely beautiful. I was ready to move in. But it would have been moving up for me. Absolutely lovely area. The -- the entire -- the entire development. In fact, I believe I was told that it's 99 percent occupied. Is that the standard these days, to have 99 occupancy? Because I believe I was told it really wasn't.

MAYOR MESSAM: Yes, you can come and respond.

VICE MAYOR COLBOURNE: A yes or no would do, for now.

MR. SCOTT: Hi. Mark Scott with Plenary. So the occupancy has increased quite significantly over the course of this year coming out of the COVID pandemic, and I think most multifamily properties saw a slight decline in occupancy last year, as people had various challenges they were facing, but that's recovered. And so 99 percent is actually quite high; 95 percent is the occupancy level that the pro forma for the 35 years has been based upon. So if the project is able to maintain that out performance over that period, that would contribute to the excess net operating income, which would then increase the City's revenue.

VICE MAYOR COLBOURNE: Okay. And -- and the development is up to date on your ad valorem taxes, right?

MR. SCOTT: Yes.

VICE MAYOR COLBOURNE: I view this as a success story. You have luxury apartments, and I -- do you have any photos of this that you wish -- that you can show, because I didn't see any in the presentation. I really want folks to see what it looks like. I'm not sure -- what is the average rent that -- that people are paying there now?

MR. SCOTT: So market rents on a go-forward basis, for a one bedroom would be projected at \$1,735.00 per unit for a one-bedroom, for a two-bedroom, \$2,085.00, and for a three-bedroom, \$2,384.00; that's at market rates.

VICE MAYOR COLBOURNE: At market rate, and it's 99 percent occupied. It's beautiful. Well maintained, and the ad valorem taxes are up to date. To me, that's a success story. That is what we would want with anything that's built, you know, to know that it's being used, and it's being paid at -- at market rate. I don't -- you know, I don't see why we would take a property like that and convert it in the manner that's being asked. I would think that you would find a underutilized property, a property that -- if this property was -- like you say, you're asking \$3,284.00 for rent, and nobody wants to rent it, and it's just sitting there, but that's -- that's not the case. So I'm -- I'm kind of stuck with that. I know I've given -- I've been given a lot of information, but I am just kind of stuck right there. Why would I, as a -- as a sitting Commissioner, vote to give up ad valorem taxes for something that's a -- a success. If it was an underperforming property, and we were doing an arrangement of some sort, which would increase the ad valorem taxes, which is a benefit for -- for all, and we were able to provide affordable housing at the same time, then I would stop and take a look at it and go, "Hm, you know, let me -- let me get into the details of this. It -- it looks good. It looks like, you know, something we should work with." I mean I believe that other affordable housing type builds, if you will, have really come out, either a vacant lot that's built on, or an underutilized property. So I'm stuck there. Let me -- let me just say that again. But some of the quest -- some of the other questions that I have, which I didn't hear staff mention, and may -- maybe I overlooked it in what

was provided to me, is just some transparency of this. This came to the City in May, brand new, never been done anywhere in Florida. Not a single other municipality -- I think maybe you said there's one person -- one -- one municipality in California, if I recall correctly. But a month later we're here being asked to vote on this. So the questions that I haven't -- the things that I haven't seen is some information on the individuals, such as source of income that goes into this, and the revenue. There have been a lot of, you know, talk on terms of what the City is giving up, you know. We're giving up ad valorem taxes for a number of years, and -- and what -- you know, what -- at the end of 35 years what the difference would be if the City did this or if the City did that. But what is the revenue for -- is -- how do we know this is a -- a good deal? What is -- what is your revenue? Do we have any documents that shows that, because I -- I don't really need you to tell me that on the mic, but I'm just wondering if these are questions that staff asked, and if it's been provided, and did I miss seeing it in the documents?

MR. LIFF: Thank you, Mayor and Commission. Eric Liff, Lambert Advisory. We actually assisted in the due diligence of this transaction, and what -- the most important part of this is, you know, you ask what -- what does the City get? Yes, it's for -- you know, it's -- it's giving up some of its ad valorem, but you're getting the affordable housing, which is critical, number one. Number two, from a financial perspective, the value of the asset upon reversion is actually, in terms of net present value, considerably greater than the present -- than the value of the ad valorem tax you're giving up. So we did that analysis, and we verified that amount, and it's in excess. So it just said the net present value today is greater than the val -- for the transaction that's being proposed is greater than the net present value of the ad valorem taxes being forgiven.

VICE MAYOR COLBOURNE: So do we have the source of income and the revenues?

MR. LIFF: I'm sorry, say that again?

VICE MAYOR COLBOURNE: I'm looking for some transparency in this deal. Do we have -- do we know what the company is going to make out of this?

MR. LIFF: Yes.

VICE MAYOR COLBOURNE: Was that information provided? Maybe you know.

MR. LIFF: It was.

VICE MAYOR COLBOURNE: I haven't seen it.

MR. LIFF: We did -- preview the pro forma that was provided to us.

VICE MAYOR COLBOURNE: Yes.

MR. LIFF: We did analyze that. We analyzed the -- both the revenue side of the pro forma, in terms of the income that was going to be generated, and we also analyzed the expense side of the pro forma based upon our number -- industry experience, our own personal or, you know, corporate experience dealing with transactions of this type, and operations of this type, and this type of asset. So we reviewed thoroughly the operations of the -- of the property, and had determined that the net operating income is actually -- is being presented in a -- in a very -- you know, in a very accurate manner. And it -- and it provides enough support for our financial analysis going forward to be able to evaluate the deal.

VICE MAYOR COLBOURNE: And, I'm sorry, you're with which -- which firm are you with?

MR. LIFF: Lambert Advisory.

VICE MAYOR COLBOURNE: You're working for?

MR. LIFF: We're -- we're working with the City.

VICE MAYOR COLBOURNE: You are working with the City?

MR. LIFF: Correct.

VICE MAYOR COLBOURNE: It's good to know.

MS. GAYLE: Yes. Like I mentioned earlier, Eric Liff from Lambert Advisory, and he did the economic analysis on this project for the City.

VICE MAYOR COLBOURNE: I'm sorry. Say that again?

MS. GAYLE: He's from Lambert Advisory, and he performed the economic analysis for the project.

VICE MAYOR COLBOURNE: Got it. I would cert -- I would certainly like to see the pro forma.

MR. LIFF: I think all that information has been provided, so -- and -- at least from the staffs and the consulting, respectively, you've seen in the --

VICE MAYOR COLBOURNE: I may -- I may have missed it.

MAYOR MESSAM: Are there any other questions, Vice Mayor?

VICE MAYOR COLBOURNE: I -- not at this time. I would let some other -- my other colleagues go, thank you.

MAYOR MESSAM: Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Thank you, Mr. Mayor. Couple of questions, and I -- I did bring forth some earlier in -- in our one-on-one meeting. But I'm still curious as to the chart that you had up with the -- the units that are currently occupied. You could put that chart up, in terms of the affordability, and who's in there now, and the percentages of people that would qualify. And it -- it also shows that 200 units -- right, that slide there. So it's 380 units, and currently the folks that would qualify that are currently in there occupy 180 units. And -- and there are 200 units that we still need to fill, and you're -- you're saying that that will be filled in two years?

MS. GAYLE: Yes, that's correct, based on -- based on the 50 percent turnover experienced in the South Florida market on an annual basis. We're anticipating that within two years, those 200 units would have had the turnover to make them be -- become occupied by individuals who are income qualified under the workforce housing structure.

COMMISSIONER DAVIS: And so the -- the idea is that every year about how many units, in your estimation, will become available? Because right now you -- you only have five. So if, for example, somebody's lease is up, and they don't qualify in any of these categories, are you then saying you're not going to renew their lease?

MR. SCOTT: No. So under the program, nobody will be forced out of the property. The data at the property in the two years, roughly, that it's been in operation has shown an average of 40 percent turnover in units just voluntarily, and that's generally consistent with the market data that Shaun had highlighted, which is in the South Florida market in multifamily properties. Typically, the turnover in a multifamily unit is about 50 percent per year, and so most properties like this generally see very -- relatively high levels of turnover, and so that's what has led to support the view -- and which has been consistent with the California transactions that have been previously implemented. That over approximately the first two years after implementation of the project, the non-qualifying tenants will gradually move out on their own accord, as they pursue different opportunities and so forth. And as those units become available, they will be offered to only qualifying tenants in the income categories that are outlined on the slide.

COMMISSIONER DAVIS: And I know you've not done this before in Florida, but Florida's situation, especially now with housing prices that are skyrocketing, and -- and right now it is where folks tend to rent more than they could -- they can't qualify for that, and it's totally out of their reach right now. In the foreseeable future, was that analysis done? I mean if -- if the trends continue, then you -- you're going to have people staying in rental property, because where are they -- you know, where are they going to go? So just to say that in two years this is what's going to happen, with the current trends, I -- I -- I'm not even -- right now, you're 90 something percent occupied. I'm concerned that you're not going to have kind of turnover, because, again, where are they going to go. So was any analysis done based on current conditions, and how long, if you have any idea, how we



can tell. Will this -- this market be in effect, where house -- housing prices are just skyrocketing.

MR. SCOTT: No specific analysis was done to look at the housing market's condition as of today, and how that might impact that particular datapoint. One thing -- two things I'll maybe just note, if -- if I may. One is that any nonqualifying tenant who elects or wants to renew their lease will have to renew that lease at then current market rates, so they will not have any economic benefit of staying in that property, versus going to a comparable quality market rate property. And so if the market rate and the market demand continues, as you outlined, which -- which is the case, then that drives up market rents, and it would also mean that any of those tenants who sought to renew at this property, that renewal rate would match what the other opportunities are within the market, so that's one contextual factor at least. And then other item would be if there is a delay in how quickly that transition happens, what we have calculated is that -- or as an example, 20 nonqualifying tenants who stay in the property beyond the two-year transition period that we've estimated, that would translate into an additional \$50,000.00 in average, annual revenue to the City from the additional rental income that has come into the property from those nonqualifying tenants paying market rate for that extended period. So that -- while the -- there would be a -- a delay in a portion of the public benefit being realized under that circumstance. The City would have more revenue coming into it from the property as the tradeoff.

COMMISSIONER DAVIS: So where is that in the agreement?

MR. SCOTT: That's in the city services agreement, which has the obligation for the property to pay 50 percent of all net operating income in each year to the City, excess net operating income to the city in the city services agreement.

COMMISSIONER DAVIS: But I'm not sure that that's the same as if -- if things stay the same as they are right now, two years from now, so you're saying we're going to get \$50,000.00?

MR. SCOTT: Right. So the -- the project pro forma, which sets out the expected revenues from the project, minus its expenses and debt service and -- and for the -- the term of the project is based upon, at the end of two years, 100 percent of the units being rented at reduced -- at reduced rental rates, and that provides sufficient revenue to cover the cost to operate the project, and to pay the debt service. And so if there's a subset of units in the property after year two that are still being rented to higher-income tenants, who are being charged a higher market rate, that's income that's not currently planned for the project, so that would fall to the bottom line excess net operating income, of which 50 percent of that is required to go to the City as a payment, and the other 50 percent goes to prepay the principle on the bonds, so that the bonds are paid sooner than the 35-year term.

COMMISSIONER DAVIS: Sorry. It's not \$50,000.00, it's 50 percent?

MR. SCOTT: Correct. So 50 percent of all excess net operating income goes to the City, and apologies for the confusion, that they both happen to be 50; the calculation that we did as -- as an example, if 20 units continue for one year past that two-year timeframe with higher-income tenants in them, the calculation is that that would be estimated at \$50,000.00 in additional income reflective of the 50 percent of net operating income. And the reason I say estimated is it would just vary slightly, depending on if it's a one-bedroom, a two-bedroom, or a three-bedroom that they had --

COMMISSIONER DAVIS: And if it's 200 units, which -- if -- if you don't meet any of the criteria, and it's 200 units that you have to fill, and -- I'm just trying to think. So in two years, you're only expecting to fill 20 of the 200?

MR. SCOTT: No. So in two years, we're expecting that all 200 units will have transitioned to qualifying units. We just picked 20 as a number as an example, because we don't know if anyone whose higher income will -- will stay past two years or not, so we wanted to come up with a calculation to show what is that number. So 20 units would equate to \$50,000.00. If, by chance, just doing some simple math while I'm standing here, all 200 units, no one ever moved out, then that's ten times the amount, so the revenue increase would be \$500,000.00 instead of \$50,000.00, so 200 units, \$500,000.00, 20 -- 20 units paying \$50,000.00.

COMMISSIONER DAVIS: Right, so that clarifies that for me. So it's an incentive to ensure that those 200 units are close enough to where you need to be, otherwise you'll be paying the City -- you'd also be gaining.

MR. SCOTT: I'm sorry. What was the last --

COMMISSIONER DAVIS: You'd -- you'd also be gaining, because now you have higher rents. So --

MR. SCOTT: Then only thing I'll just note on that is -- we have no economic interest in -- in the project, and that's important to enable the tax exemption under both the State law that provides for the property tax exemption, and the IRS code that provides for the tax exemption on the bonds. There cannot be a private profit element in the transaction. So any incremental or excess revenues goes to one of two places; either to the City as an increased net payment, or to a prepayment of the bonds, and a prepayment of the bonds would simply result in the City gaining title to the property for free earlier than the 35-year period.

COMMISSIONER DAVIS: Thanks for clarifying that. The other thing that -- the -- the folks that are in there now that, say, qualify for like the five units and so on, once their lease is up, you will automatically reduce their rents?

MR. SCOTT: We will automatically reduce their rents immediately upon closing, so we won't wait until their lease is up. When the transaction closes in August, if it's approved, then the first action we would do is reach out to all the tenants, and go through an income validation with them, and then inform them of their new, reduced rental rate.

COMMISSIONER DAVIS: And so you've got that figure, the figures that you're using, you got that because you already asked, or you know?

MR. SCOTT: Correct. As part of the property due diligence, we were provided that information from the seller to be able to review.

COMMISSIONER DAVIS: And then just to the -- the -- the annual waitlist, and I had mentioned before that we used to have a -- a long waitlist when we were doing the rehab for the homes, and people would complain that they -- they've been on the list five years, six, seven years, and could never get any benefit. And so I had mentioned that we don't want this to be in the same situation, where somebody is on the list for affordable housing year in and year out, five years down the line and can't get in. And so that was when I suggested that you have an annual list, and that people had to reapply; that's not what I was hearing here. What I heard is that you're going to look at your list, and then check to see who is no longer interested. And then, I guess, you would fill in from there, but you would keep the same people on the list, if they were still interested. And so you could have somebody, again, being on the list four, five years, and never being able to get in. So why would you not want to do where you apply annually on -- the way we do it now, first come, first qualified to get in, but then you wouldn't have a waiting list going on and on and on. And it's been proven to be a deterrent to people, right. "Well, you have affordable housing; I can never in." And it happens; City of Hollywood has the same thing. There's a place on Sheridan that people have been -- you -- you apply, you're in the waitlist, but you're behind a five-year list of people, so it's really not benefiting folks. So could I explore that, why are we not looking at that.

MS. GAYLE: Absolutely. So when we talked through it, Commissioner Davis, and -- and we can certainly change the language. When we talk through it, the -- the way how the City program works is that you get the monies at one time, and so you open that up at -- at one time. The way how turnover would work for the housing property is that units would become available as time goes by, so the list wouldn't be sitting there, essentially, stagnant for a year, but as time goes by and units become available, then you would take folks from the list. So we thought that if you recertified every year and just keep the people who are interested, then you would keep taking from the list, and keep taking from the list as turnover happens. But if -- but -- but if -- but we could -- we could -- and the -- the conversation we had was at what of the year; do you do it at the end of just automatically, December 31<sup>st</sup>? So we could -- we could -- we could rework the language to do -- to -- to make it work that way, we just thought that because turnover happens on an ongoing basis, just picking from the list and continuing to go, and then on an annual basis, if you have folks who are still remaining, you can ask them if they're still interested, and -- and

you -- you know, you have them to be able to pick from. But we can certainly modify the language.

COMMISSIONER DAVIS: Yeah, if you could. Because I'm assuming that other -- other places are doing the exact same thing. They're not just keeping obsolete lists. I'm sure if it's a five-year list, they're going through and purging the list, but it's still a list that's five-years old. So if we -- if we could look at that option as well.

MS. GAYLE: Okay.

COMMISSIONER DAVIS: I believe that's all I have, thank you for now.

MAYOR MESSAM: Thank you, Commissioner Davis. Commissioner Barnes, you have any comments or questions?

COMMISSIONER BARNES: Yes. Some observations. I -- I had the -- the pleasure of viewing the project this past Friday, and I came away very impressed. I'm convinced, for one thing, that what we have done here, we've created a template, which I've -- I'm convinced is going to be copied elsewhere, hopefully in -- in South Florid as well. In addition, it is my understanding that -- that some occupants -- occupants already in the place here are some of the people we have been looking for -- looking out for over a number of years. Because one of the questions I asked the representatives of the developers was: Is there something of a demographic chart to indicate who have so far rented into this building? And what I was hearing was nurses and doctors and teachers. And if I -- if my memory serves me right, these are the people that we've been looking out for where affordable housing is concerned. So, if nothing else, I think one of the -- one of the priorities has already been met by -- by this development. And I think it -- it is also my conviction that approval of this project is not merely meeting a need, I think it offers hope for the residents, going forward. The matter of a -- a list, that list is not something that is going to remain stagnant. As was explained by the representatives for the developers, these lists change over time. People come into the situation, and as their fortunes improve, sometimes jobs bring them outside of not only our -- our city, but out of state as well. I suspect that these are lists that are going to change more dramatically over the shorter run than over the longer run. And what I'm also hoping is that us authorizing this to go forward will give other developers the encouragement, the idea that, maybe, this is a city that they need to be looking at, going forward, in creating this kind of -- of -- of -- of development. I also want to be ready to acknowledge we're not going to get any project, under any circumstances, that is going to be perfect. I think we -- we authorize this for a number of reasons. It begins -- it only begins to meet a need that has existed in our city for a while. It also encourages other developers to look at the template has been -- that's been set by this developer. And it also gives, I am hoping, others who have departed our city, have thought of coming back to -- to reside in our city, hope that this is going to be a possibility down the road, you know. So I -- I -- I'm in wholehearted support of the -- of this -- of this initiative.

MAYOR MESSAM: Thank you, Commissioner Barnes. Commissioner Chambers, you have any questions or comments?

COMMISSIONER CHAMBERS: Not yet, sir.

MAYOR MESSAM: Okay. I'd like to thank staff for working on this item to bring it forward to the Commission for -- for our consideration. I understand this was not an easy feat for the nature of real estate transactions. Unlike city government, where we have an opportunity to do five-year CIP plans, forecast for an upcoming budget year to identify our priorities, and apply resources to meet those obligations, in -- in real estate transactions, especially for properties in -- in our city that is very competitive, and it moves very fluid. And that's why it's -- can be a challenge for the private sector to work with government in public/private partnerships like this, because there are other suitors, other purchasers that are competing for these types of development. So I would like to thank staff, as well as the proposer for considering our city, and considering a project in our city to address a very important need in our county. And -- and I know that the purchaser had to work under very tight and competitive environment to even get to the point to get on the contract, and to sit down with the City to see if this is something that we would consider, so I thank all parties involved in that process. I guess where I stand on this item is -- even when during the workshop, as I stated before, when I was made aware of this opportunity, I had many questions in regards to the City. We, as a commission, and as a city, has made it a priority to begin to address affordable housing in the City, and we have many programs that are in place, but not enough, but we have begun to go beyond just the typical CDBG grant funding that we receive to establishing an affordable housing trust, as well as working with applicants for various developments in our city for multifamily housing to include workforce and affordable units among the units that they are asking to build. And that has made some incremental change in the City, in terms of adding to our stock. But we all know that those are all a drop in the bucket, as it relates to the number of units that are needed. So for the City of Miramar to solve its affordable housing challenges, it's going to require multiple options. The pathways that we've taken, along with those we have not, and those that we are considering, including the one tonight, there's no one project that's going to solve all of our workforce and affordable housing needs. So when we do have an opportunity to entertain or consider one that could be transformative, in terms of making a significant dent, meaning 380 units, I think we should seriously look at the opportunity, and see if it works for our City. So when I look at this opportunity, I think about, okay, outside of this opportunity, if the City of Miramar was to develop 380 units, how much would that cost us? What resources would we need? The City of Miramar, we -- we do have a few properties that could, perhaps, add some units; I'm not sure if it's 380, but we do have some -- some vacant land where we could do something; it would definitely require a public/private partnership. If we decide to do it ourselves, it would take a -- a -- a heavy lift to do 380 units with a significant debt service, or some public/private partnership, with an outside developer, and I would still include and entertain those options if and when they are presented to us. So the question is, is what is our commitment to affordable housing and the workforce housing? So how I choose to look at this, and this is what I told staff in my one-on-ones with staff is, where

is our risk; are we doing to be required to go into -- go -- go into any debt; are we giving up taxes; several questions that I asked. And the only -- well, one of the challenges that came back was, okay, well, this would -- this deal structure would require us to take the property off of the tax roll, \$750,000.00. So I said, "Well -- well everything is -- is negotiable, so let's see, you know, what can we negotiate, in terms of seeing what -- what income we can get in lieu of taxes to at least help offset the servicing of that development." And staff came back with what we saw today. Along with the input from many of my colleagues on the dais, with some, I saw for the first time tonight, which I thought were very good ideas to incorporate in this presentation. So -- so, basically, if the City is providing affordable housing, it's going to come at some cost to us. Cost that would either have to come out of the Affordable Housing Trust, cost that would have to come out of the General Fund, cost that would have to come, either from a form of a loan, or -- or from some source, but it would cost us. So the question become, based on what's before us today, we will be getting income of about 40 percent about -- of what we normally would receive. So the balance or the difference is what could \$490,000.00 afford? Could it afford 380 units? Not just 340 units, but 340 Class A units. So if the question is should we do this? I think we should for the following reasons: There isn't a vacant piece of property in Miramar right now that we could acquire to put 380 units on; that's just a fact, it's a reality, that we could purchase, that we could acquire right now to build, there's no vacant lot. To my knowledge, I don't know if there is a -- a depressed or struggling multiunit development that's 300 units or even 200 units that is underutilized that could be acquired and brought up to standard to solve this challenge, that the City could do on its own right now. Not saying that it wouldn't be possible with a partner, but we have to go out and get a partner, go out with a solicitation, the whole effort, to try to do this. So, yes, we do have other options, but this is a very good option before us. There's no risk to the City in terms of debt obligation. There's no risk to us in terms of liability to the tenants there. We have first right to purchase at 15 years if we choose. The economic setup for this is the property manager and operator, Plenary, of this property has no economic interest. Any additional and extra revenue generated from the property, 50 percent goes to the City, the other 50 percent goes to paydown the debt service. And I-- I keep pinching myself saying: What am I missing, what am I missing?" Because I've always been told if something, you know, -- it's like it's -- it's -- it's -- the -- it's like a perfect storm. And our legal has reviewed this, our financial advisor has reviewed this, and this has been structured in such a way where we get to check so many boxes. And I think it's a wonderful thing to give average, working class people with a qualify average median income a wonderful and beautiful development to live in; that clubhouse is immaculate. But our residents and our future residents, I believe, deserve that. A rookie police officer, a rookie fire rescue professional, a Utilities Department worker, a Public Works, or a Community Services or Community Development, our Park & Rec staff that comes to work for this city, and wants to live in this city. As attrition takes place at that development for those individuals who are there right now that don't qualify, and don't meet that income, trust me, those units are going to fly off the shelf. As each unit becomes available, trust me, just as we were impressed when we walked on there, and I can get a two-bedroom for \$16,000.00, me and my husband and two kids, yes, we would take this. I think there'll be a lot of individuals that would want to do that, so I don't see there being a challenge of

these units being vacant once they become available, because it's -- and it's basically brand new; that opened in 2019. So I've been trying to find reasons on not to support this, or what's the challenge, or what's the issue, and I keep looking, and I don't see one. And I think that Miramar is well known to being the first. Out west would not have been built without the ingenuity and smart individuals that worked for the City that structured the financing for developers to build our West Water Treatment Plant. It was the first time in this nation's history on that deal structure, and look what we have right now. Miramar broke up solid waste disposal monopoly; we did that. And in housing, we have an opportunity to do the same. And what makes this even better is that after discussions and meeting with staff and the proposer, asking the question: Well, you've done a lot in California, you haven't done nay in Florida. Has any other municipality been able to get any money at closing, in our case, \$1.5 million? Has any other municipality ever been in the position to get over, at a minimum, \$260,000.00 with escalation annually of income in lieu of taxes? And guess what the answer is? No. It's because we didn't smile at the first blush. We looked at where our risk was, what were our issues and our concerns, so that we could be able to work and make it a win/win. So I'm sure we can always find something that's imperfect in any deal, but I think the benefits far outweigh any remaining risk that may be there. So I really urge our Commission to understand the nature and the sensitivity of what is before us. It may appear to be that, okay, it just came before us. Well, the property just got on the market. The property came on market, when, March, April? It just came on the market, so it wasn't like staff sat on it. It just went on the market. And staff worked very hard to bring something that could at least be presented to us on the Commission. So -- and like in any real estate transaction, there's a time when you have to close, so we have to be sensitive to the fact that there's a closing that has to take place. Our staff has done their best, along with the -- the applicant, to remove all of the barriers that would have us have some concern in terms of is the public at risk. Well, the only risk we have is to say that, are we willing to spend \$400,000.00 a year, which would be the difference between the revenue that we're not collecting in property taxes to provide nearly 400 workforce and affordable housing units to our community. And that's really what the question boils down to, and it doesn't cost us a dime. And, in fact, when the bonds are paid up in 35 years or, if not, sooner, we can maintain those units as affordable housing, or the City has the right to sell it at market rate. Think about a legacy that we could leave a future commission, a future city at the end. How many times have we said: If only the Commission's of the past would have established a CRA, what position would be in in the revitalization of Historic Miramar. Let's not make this opportunity be a similar what if the Commission at the time would have taken this opportunity to provide affordable housing to our community. Commissioner Chambers, followed by Commissioner Davis, then Commissioner Colbourne.

COMMISSIONER CHAMBERS: Nice presentation, Mayor. I think you wanted to ask the question that if something is too be good to be true, then it is, but I guess you pulled back; I'm not sure. But I -- I think we're going through an exercise right now that it shouldn't have to gone -- go through. I have a few questions, but I'm not sure if I need to ask them, because from where we started with this item to where we at now, from what I'm seeing, it's -- we make some things that's going to have come back, and I don't want to waste my

time, waste staff's time tonight, and I -- I do have my daughter at home. And if this need to come back on the 18<sup>th</sup>, I think that's what -- instead of going through the whole exercise just to waste time, and at the end it's still the same result, we got to look at what we need to do, whether we need to come back. The Mayor said he was first told about it -- fine. Clearly, you knew about it before we know about it, and I keep hearing workshop. We were -- we had a workshop, not on this item; it was supposed to be another item, and this one got on the workshop agenda, so it's -- it's kind of a -- a little bit disingenuous, because we -- we had a workshop on an item that we didn't know we were having a workshop on, which was -- I was a bit taken back when we came up, you know, and that was the first item on like -- I thought we were here for something else. And -- and these are the things that keep happening to the Commission, just like the -- the item earlier with the container, where bits and pieces were left out. And -- and it's frustrating, you know. So it don't seem like this going to -- I'm not saying it's bad or good, but I'm -- I -- I don't think it's going to - - from what I'm seeing right now, like it's going to pass tonight, and I don't want to keep beating the -- the drum or I don't want to get on that hamster wheel tonight. So if we decide it's not going to go, then we should do that, so we can move on the rest of items, not -- I guess I think I'm going to leave it at that.

MAYOR MESSAM: Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Thank you. Just a couple of questions on the due diligence in terms of the previous properties that have gone through this in California. To we have testimonials from -- from them?

MS. GAYLE: We -- we -- when Plenary came to us with this, we asked them for a list of the transactions that have taken place in California, and then, subsequently, we called all of those municipalities, and for the ones that we were able to get in touch with we got from them what their structure looked like. We asked them to send us some documents. If -- for those who would send us documents to compare to what we were doing, we asked how much of ad valorem they were getting, and none of the ones we spoke to were getting any payment in lieu of taxes. We -- we ascertained the number of units for the -- for the projects that they had done; what were the number of units that they had. Most of them were similar to ours or more than ours. There was one particular one that had over 1,000 units in four different developments in their city. So we -- we -- we -- we just talked to staff to get a feel for what the process was for them, what is it looking like for them, how is it working for them, and that's what we did in order to -- to -- to be able to identify how is that similar or dissimilar to the project that we were doing within the City, and what we could anticipate.

COMMISSIONER DAVIS: But did you -- did you ask about, for example, the upkeep of the facilities, the -- the type of facility it was, the location, the -- you know, were they brand new developments, or were -- were they developments --

MS. GAYLE: I don't think we asked if they were new developments, just the building size, but we didn't -- we didn't get the year built.



COMMISSIONER DAVIS: Right. Because I know Vice Mayor Colbourne looked at that; but, me, I hadn't looked at that. But the point of where -- were these buildings that really needed, at the conversion, were they half empty.

MS. GAYLE: I'm not sure (unintelligible 3:15:02) --

COMMISSIONER DAVIS: Were they in need of some boost, in terms of, you know -- or were they fully occupied and brand-new buildings, because that's, you know, something I would like to know, what type of buildings were these, and were they similar to what we have now.

MR. SCOTT: They are. So the -- one of the unique elements that makes this model work financially right now is the low interest rates that can be secured on the bonds in the bond market right now, and one of the key elements that allows that to happen is the fact that there is no construction risk involved in the project, either new construction or major rehabilitation or renovation. Because that risk within a project drives up the -- the cost of the bonds. So to answer your question, the projects that have been done in California are the same model as this, and that -- that seems to be the projects that most likely fit this model, is that they are newly constructed; it's a developer who took the risk on developing as a private property to manage the construction process successfully, and - and lease up the property, and is then ready to exit their ownership when it comes to the market, and the structure is able to come together for this model, and so that's how it's been implemented in California before.

COMMISSIONER DAVIS: Then the other question would be -- just so for folks who are watching, when -- when you hear about affordable housing --

MS. GAYLE: I don't mean to cut you off, Commissioner Davis, I just wanted to double check with Shalima, because she did most of the calls to the -- during that due diligence, she did also look at the press releases that were issued after the transactions, and they - those were being listed as luxury apartments, or newly built structures, so she did uncover that as part of her due diligence.

COMMISSIONER DAVIS: Great. Thank you. And then just for those who -- who may be skeptical, in terms of affordable housing units/workforce housing, and so we're -- we're talking about salaries in the range of --

MS. GAYLE: Go to the AMI slide, please.

COMMISSIONER DAVIS: Salaries in the range of -- I think it's the -- the single-fam -- the -- the single person would earn like 70 -- \$73,000.00 at the highest level.

MS. GAYLE: Slide number six.

COMMISSIONER DAVIS: So it would appear to me -- right, so at the moderate to income -- a family of one would earn \$73,000.00, and how many of those units you're going to have, moderate income was what, 80?

MS. GAYLE: So it -- it -- it depends on how -- what AMI they fall in, so if --

COMMISSIONER DAVIS: Moderate income.

MS. GAYLE: Right. So if you -- moderate income, we had set aside -- can we go to the unit breakdown. Could you go to the AMI slide with the number of units.

COMMISSIONER DAVIS: The moderate income, I think it was 80 something units. Does -- do you know off hand?

MS. GAYLE: So the -- the moderate income was 188 units for 120 percent AMI, so for that one person, 100 percent AMI would be 86 units, and 120 percent AMI would be 188 units.

COMMISSIONER DAVIS: All right, so put back the other slide for me, please, just have that in your head; the other slide with the AMI.

MS. GAYLE: Go back to the AMI slide.

COMMISSIONER DAVIS: Okay. So a household of one that earns \$73,920.00, how many units would be for that category; a household of one, two, three, for that category, moderate -- moderate income would be how many units?

MR. SCOTT: So that category there captures two of the categories we have, that's 81 to 120. We've split it out into 81 to 100, and then 101 to 120.

COMMISSIONER DAVIS: Okay.

MR. SCOTT: So the 101 to 120, there'll be 188 units available for that income category as a maximum, and then there'll be 86 units available for the 81 to 100 percent income range.

COMMISSIONER DAVIS: And -- so the average -- so this is really not low income per say -- well, it's more workforce, because I could see somebody, a person with one household earning 73; that's top -- that's a good earning, but they will be able to qualify to get into one of these units?

MR. SCOTT: Within that proportion -- within that proportion of the units, they would. So you're correct, this model is workforce housing, predominantly, and then there is, through the request of the City, 20 units to what is classified as very low income, which is 50 percent AMI or less, and then there are 86 units to what is classified as low income, which

is 80 percent or less, and then then there is the two moderate or workforce income bands, which are 86 units and 188 units.

COMMISSIONER DAVIS: So in -- in Miramar area, what is the average -- who will benefit? How much percentage of the population would benefit from this? I could -- have to know what's the average household income, and what type of folk would benefit. Because I -- I -- I want to be clear that there's something for everybody here. It's not that you're going to run out the people who are, you know, white collar, per say, as people would say, and all of a sudden we're going to have like a Section 8 in here. Because there's some folk that would worry about that. But, really, what you have is ordinary, working-class people being able to afford a place to live, but that has to be clear, because if somebody is earning -- the average household in Miramar -- and I don't know why we wouldn't have that. There's nobody here that knows the average household income in Miramar -- say, well, this is something that really would benefit, because it's not like you're -- you're -- you're saying it's only people that are not working, they don't have a job, or they're not educated or they're not -- see what I'm saying. So it's for your neighbor, it's for your friend, it's for -- so I can see if that's the push that this would benefit a lot of people that can't afford the higher rents but are working. So, for example, when -- when we had homes that we were selling; for example, remember we had those properties that we acquired, and we were allowing teachers and police officers to -- to get these grants for - - for down payments, because they really -- even though they're working hard, they can't afford it. So I'm trying to see -- this is -- looks like it's a similar type of arrangement. So even though it's -- people will think: Oh, no, no, what's going to happen with this -- this community is going to be run down, it's going to be -- but I -- I don't see that in this scenario.

MS. GAYLE: According to the -- the U.S. Census, \$70,699.00 in 2019 was the median income. When -- during the workshop, we also showed that slide that was a result of the 2018 County assessment, and they were showing median renter household income at \$45,000.00, so that was 2018. And, of course, they're updating that, so we're -- we're not sure what the number would be right now. And -- and that was representative of the City of Miramar, so that -- that's the only data that we can go to.

COMMISSIONER DAVIS: Right.

MS. GAYLE: But, again, the census data is showing median income in the City of Miramar at \$70,669.00, and that was past information.

COMMISSIONER DAVIS: That would be like a family of, maybe, four?

MS. GAYLE: It just says median income. I'm not sure what -- what the family size would be, but it said median income is \$70,000.00 or about \$71,000.00.

COMMISSIONER DAVIS: So, you know, I've -- I've done a lot of thinking and thought myself on the project, and I've come up with questions, and I've come up with, you know,

making sure that I'm doing my due diligence to look at if there are any loopholes, or anything that we should add to the -- the agreement, and even though it seems like it's too good to be true, it does sound like it's something that's workable. Right. It does sound like it -- it -- it would assist us in what we need to do. If we've talked to California, we've talked to the various entities that's supposed to look at what serves the City's interest, and yet they've come up with the same outcome, that there doesn't seem to be an issue with going forth with this project. And if it's going to allow, especially, our employees who are really at odds in -- in trying to find affordable places to live -- many of them earn -- maybe they earn \$50,000.00 a year; I don't know, but the fact is if it's going to benefit, especially our employees, which I think it will, and many of them are struggling, I think it's just something that we should seriously consider. And, again, I've done my due diligence. I've really wrapped my hands around it, trying to look into every nook and cranny, and -- and, you know, I don't often agree with the Mayor, but the idea about the CRA that we lost to, because we didn't have people, kind of, looking at the totality of what that would mean for our community. I was skeptical at first, because I'm not looking at how there seems to be more positive than the negatives. I can't seem to -- see what I'm saying? I can't put my finger on a negative, so, for me, I'm at the point where I could support the item at this point.

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

VICE MAYOR COLBOURNE: Thank you. I'd like to say, in terms of affordable housing, I -- this Commission has done a lot of stuff. I have introduced the Affordable Housing Trust, which -- which we implemented. I've even identified small amount of monies that we were able to put in the affordable housing. We've had developers contribute, as well as provide some of the -- some of the apartments for -- for affordable housing. It wasn't easy to get them to do that, and even though it's a few, they agreed to having that in some of the developments. We do have the development out west, affordable housing that St. John's Church is working on building. We also have the proposed development for affordable housing on Miramar Parkway at the site of the old, former -- former police headquarters off Douglas and Miramar Parkway. So there is a number of things that we -- that we have done. I don't -- I don't know, as I sit here tonight, whether or not there are any other buildings that -- that would yield a better -- a better effort from the City of Miramar, because it would address individuals who are in need, because it -- it -- you know, it would -- maybe we wouldn't be losing as much, in terms of ad valorem. What I do know is that one of the main obligations that I have when I sit here is to protect the City assets. So when I ask questions, or when I see things that come before -- before me, I don't emphasize being the first, I emphasize us doing what's right for our city. And, to me, that takes a little time. That's -- that's not something that you rush. And I -- I -- Commissioner Chambers says it looks too -- too good to be true, then it's usually not; sometimes it is. But I think if we give it a little more time and not rush this, that some of the questions that ask and answers that were given could be looked at again. You know, maybe there are other options, you know. So you spoke to -- to someone in -- in -- in California, but I still don't have a clear concept of did they say, "Oh, this is the best thing

we've ever done for our city." I didn't hear that. So some of the things that I -- that I took from this evening, and some of the things that I did not hear -- and given enough time, something of this magnitude, I just don't think is something that -- that -- that we rush into, and from -- from -- from us getting this in May to July, and we're committing -- how much money is it that we're committing from our ad valorem taxes on a yearly basis?

MS. GAYLE: The last tax year was \$750,000.00.

VICE MAYOR COLBOURNE: It's about \$750,000.00. That's -- that's big -- that's a big decision for me, to take it directly off of the ad valorem taxes, of the income that the City -- it would otherwise receive. We're coming -- we're just now coming back as -- as a -- as a city, as a country from COVID; we've made it thus far because of -- of aid that we have received from the federal government. I'm not sure that the timing is right. But maybe if we gave this some more time, I could be more comfortable with it. The County has an affordable trust; I suppose significant dollars have -- have gone through the County. Is there a possibility of the County giving up ad valorem taxes towards this? Some of the County's instead of ours?

MS. GAYLE: The Broward County --

VICE MAYOR COLBOURNE: These are the --

MS. GAYLE: -- is giving up their ad valorem taxes, and we had a meeting with them; they are aware that they are giving up ad valorem taxes, and they were okay. They actually said to us when somebody approaches us with a project like this, they're asking for subsidies from the County, and they were elated that they -- we were not asking -- there was no request for a subsidy from the County, except the foregoing of their ad valorem taxes, and they were okay with that.

VICE MAYOR COLBOURNE: I don't have a clear picture or understanding of it. I'm still asking questions on the fly. So I am -- I'm -- I'm not there. If the County is giving up ad valorem taxes, what -- why are we giving up ours? Did the County -- can the County give up all the ad valorem taxes? What is a reduction in -- in -- what does that amount equal to when it comes to our millage rate when we give up that much? You know, what do we have to -- this is for 15 -- 15 years commitment, or a 35-year commitment that we -- that we would not be receiving this direct ad valorem taxes?

MS. GAYLE: Right. So we would be receiving a minimum of \$260,000.00 per year, escalated three percent. We're getting \$1.5 million up front, that would essentially --

VICE MAYOR COLBOURNE: I understand that. I'm saying what we're not -- you're saying what we're receiving. But we're not receiving the full ad valorem taxes.

MS. GAYLE: Right. So we're --

VICE MAYOR COLBOURNE: We're -- we're not -- we'll never get what we're currently getting --

MS. GAYLE: Except for the value --

VICE MAYOR COLBOURNE: -- from the ad -- ad valorem taxes.

MS. GAYLE: Except that the value of the asset would be contemplated.

VICE MAYOR COLBOURNE: I'm sorry.

MS. GAYLE: Except that the value of the asset over that time period would be contemplated.

VICE MAYOR COLBOURNE: What happens after 15 years? We could sell the property; what happens to the affordable housing after that? Is the -- does the person who buys this, would they want to continue affordable housing?

MS. GAYLE: So if the City --

VICE MAYOR COLBOURNE: You seem to have a lot of the answers right away, but I don't -- I don't have -- I don't see the plan. And -- and maybe -- maybe it is that, you know, you -- you do have all the answers, but the plan hasn't come together. I don't have a level of understanding of this that would -- that would allow me to say, tonight, that we need to move forward on this. I would like to see that we take our time with it. We can defer this to another meeting, giving us -- giving us more time to go through this, giving me an opportunity to better understand this, because this is important to our city, and it's important to our residents, whether or not they're aware of it. But we're the ones who get to make the -- the decision. So I want to make sure that I understand this, and I -- I don't. The impact that it will have on our fire fees, when we do the fire fee study, the Property Appraiser Office is requesting something else. I don't -- I don't think that it is crucial that we approve this tonight. I think there is time for us to get more answers, and -- and -- and take our time with it.

MAYOR MESSAM: Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you. Just for the record, the \$70,000.00 or \$71,000.00 median income in Miramar, that's for two people working; the median income for one person is about \$31,000.00; I just want to make clear on that. And if they could put up the slide, median income slide, I'm going to just take some of our employees here, example, that are in the \$18,000.00 to \$50,000.00 range. Can somebody put up the slide, please. This is the reason why we need to go home, I guess. In -- in the meantime, I'm going to ask a question in regards to the ad valorem taxes. If we are slated for seven -- \$750,000.00, that mean the County is a little bit above us and the School Board also. All

right, Ms. Gayle. I'm looking at the chart right now, \$18,500.00, \$30,800.00, and \$49,300.00. If someone is at, say, the \$30,800.00, where would they qualify in this unit.

MS. GAYLE: So they would qualify under the -- the -- the 20 units that are set aside for the individuals that are at the 50 percent of AMI; that's where that individual would qualify.

COMMISSIONER CHAMBERS: That's just at units, not at the 80, and that would be --

MS. GAYLE: So if one of those units are available, then they would get those units; but all those units would be occupied by individuals, if it's a one-person, that that person in that unit would be a person earning a -- around that amount.

COMMISSIONER CHAMBERS: So the person making \$18,500.00 wouldn't be able to live at this place?

MS. GAYLE: So -- so the 50 percent AMI is 50 percent on the low. I -- I don't know that -- I don't know that we can whether somebody at -- at --

MR. SCOTT: There's no floor requirement, so if that person wanted to live there, the rent rate is set based upon the 50 percent level. So for someone who is making 30 percent of AMI, they would have the ability to live there, and they would be offered the lowest available rent, which is based upon the 50 percent AMI income band, but it would be up to them to make the determination of affordability at that level.

COMMISSIONER CHAMBERS: Okay. So what I'm looking at is now a workforce here, especially with GAME -- the GAME union; a lot of those workers here is way more than the 20 unit that would be set aside. They're not going to be able to get a chance to even live there based on the amount of unit. A lot of them are way below the \$49,300.00. So I'm not sure -- I guess this is not a affordable income, it's a workforce deal. So I think we getting it mixed up for the low income and workforce, that's -- that's not been clear. I think it's -- it's a workforce from the gentleman --

MS. GAYLE: It was presented as workforce housing.

COMMISSIONER CHAMBERS: Okay. So I'm -- I'm not sure if it's went off into -- a lot of the presentation earlier from the County and -- and everybody else, it's low income, low income, low income. I think when someone is building a low-income property, it's low-income right across the board, it's not portioned out. I'm not sure; am I correct?

MS. GAYLE: So it was presented at work -- as workforce housing, and as we explained in the slide, that when -- before there were no units set aside for 50 percent. During the negotiations, we asked that there's a set number of units that were set aside for the 50 percent AMI, but it was presented as workforce housing; it was not presented as affordable for that income category. So it was during negotiations --

COMMISSIONER CHAMBERS: Right.

MS. GAYLE: -- that we ask that a certain number of units be set aside specifically for those who are earning the 50 percent AMI or less, and during that -- that transaction, we got the -- the -- allocation of 20 units.

COMMISSIONER CHAMBERS: So with -- with the average in Miramar of one person working, making \$31,000.00, with 20 unit, we're not going to be able to serve that many people. This -- this 20 unit won't even be enough for the City alone, the City employees, much for the residents in Miramar. And moreover, we can't force to rent to employees or to rent to the residents, so it's not a -- a direct benefit to the City.

MS. GAYLE: Except -- except for the provision in section two that we spoke about earlier that there is a prioritization, and so the people at the top of the list would be anyone the City has identified as having a hardship, and -- and, you know, that would -- person would be prioritized for whatever income category, and then City employees, and then people who are currently living within the City.

COMMISSIONER CHAMBERS: But we having two issues. Availability, which is 20 units, and the number of folks that need to rent at that level. It's -- it's just not going to add up as to what we're really looking for.

MS. GAYLE: I understand.

COMMISSIONER CHAMBERS: Right.

MS. GAYLE: And at any income level, it would be based on availability.

COMMISSIONER CHAMBERS: Right. So I -- I don't see a lot of benefit for the City, in terms of folks being able to access this rental market, because there's no way we can put anything in place, any mandate to guarantee that the resident will get it, or the employees will get it. We just can't, based on the housing regulation. So wherever you coming from, you're going to be able to walk right in and rent this place, as opposed to someone who already living in the City or working with the City would be enable to acquire one of these units. It's -- it's -- it's just not possible. Am I correct?

MR. SCOTT: May I ask, just to try to clarify, so I can make sure that I try to answer your question accurately. Is your question trying to understand if there will be provisions that allow employees of the City to have the first priority to live in the property over people who don't -- aren't Miramar residents?

COMMISSIONER CHAMBERS: Well, my statement is, based on the current housing regulation, that's discrimination. With this project, there's no way we could mandate that resident of Miramar, or City employees, or folks who already working in the City, you



know, be able to get one of these unit. We can't mandate that. It's not something that we can put in place, based on the current federal regulation.

MR. SCOTT: Right. So there would not be a mandate that those are the only people who can rent there, but there would be a prioritization of the waitlist, which would help those prospective tenants have a higher likelihood or probably of securing the unit.

C: And how we -- would we do that without violating the -- the laws that are on the books?

MR. SCOTT: It -- it -- it comes down to the nature of it being -- excuse me, a prioritization of the waitlist, as opposed to a -- a mandate, as you -- as you highlight it, and that's another element in -- in -- you know, I'm glad you brought up the fact that there are the Fair Housing laws, the Federal Fair Housing laws, which we, obviously, have to comply with. And -- so in the precedent transactions that have been done, the concept of this prioritization has been implemented on those with different municipalities setting their different priorities, based upon kind of their specific needs, and so that's a model that we're rolling forward to apply here based upon the prioritization that's been shared with us through discussions with the City.

COMMISSIONER CHAMBERS: Let me ask you. After 15 years, how much is the property worth? What -- what would be the cost of us purchasing the property in 15 years? Do we know?

MR. SCOTT: Yeah. So the -- the purchase price of the property for the City, and when that option begins in year 15, is a repayment of the outstanding principle on the bonds. It's not a purchase price that set by then -- their market value or anything like that, it's strictly what's the remaining amount left on the bonds that hasn't been paid off in those first 15 years. And then, at any point after year 15, until the bonds are fully repaid, the City can exercise that option as the -- if it doesn't want to do so right at year 15 as it -- as it amortizes, until they're fully repaid in year 35, at which point the property goes to the City for free. So --

COMMISSIONER CHAMBERS: Do -- do we have a estimate at the 15-year mark.

MR. SCOTT: I might. I don't -- I don't have it in the data that I have in -- in my folder right here in front of me. I do know it'll be significantly less than what the property is worth, because what the property is worth is the full amount of the bonds being issued today, and that'll have 15 years of amortization applied to it prior to that point in time.

COMMISSIONER CHAMBERS: And that's \$250 million? \$250 million? That's -- that's what the property worth, right?

MR. SCOTT: Did you say \$450 million?

COMMISSIONER CHAMBERS: Two -- 200.

MR. SCOTT: \$250 million? That was the estimate that the City's financial advisor came up with for the value of the property in 35 years.

COMMISSIONER CHAMBERS: In 35 years, okay.

MR. SCOTT: It would depend on cap rates, and market, and stuff at that point in time.

COMMISSIONER CHAMBERS: Let me ask you. Let's say we do nothing, the property is currently rented fully, and operational. What will happen?

MR. SCOTT: If you -- if we do nothing tonight?

COMMISSIONER CHAMBERS: Right.

MR. SCOTT: So then the -- the seller, unfortunately, would elect to sell the property to a market rate buyer, for which they received a number of offers when they marketed the property in -- in April and May. And so the property would likely close in roughly a month's time to a market rate purchaser, who would be estimated to raise rents on the property between three and five percent, and continue to operate it as a market rate, rental property.

COMMISSIONER CHAMBERS: And if we elect to move this to the August meeting, which I think Vice Mayor is suggesting, which is the 18<sup>th</sup>, just like the property appraisal, want to take some time to get some more answers. That's -- that wouldn't be unreasonable, right?

MR. SCOTT: It -- unfortunately, not speaking to the reasonableness of it, just -- just sharing with you the -- the context of the nature of the real estate market that we're -- we're operating within. If it were to move past this meeting here today without authorization from the City, the seller has indicated that they would elect to just sell the property to a market rate purchaser to benefit from the certainty of an expeditious closing that they -- they received. So, under that scenario, based upon the information that we currently have an understand, there wouldn't e an opportunity to move forward with this property in the future.

COMMISSIONER CHAMBERS: Okay. So I -- I think there's a confusion with the workforce housing and affordable housing. I think it's get muddy up earlier with all the presentations from the Broward Commissioner and so forth. And I -- it's not -- it's -- wasn't presented right as to exactly what it is. This is a workforce housing, and not affordable housing. Whatever the Commission elect to do, I guess we can -- it seems to me like it's -- if we want to move to the next Commission meeting; thank you.

MAYOR MESSAM: Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Thank you. You -- you mentioned that the seller, after tonight, would not entertain your proposal, and that begs the question, if you said that, and they have other offers on the table. So why would they sell to you instead of them?

MR. SCOTT: Right, so we -- we placed an offer for the property, in -- in accordance with their process. They came back to us with requests in a negotiation, as they did to the other -- other purchasers. I can't -- haven't seen the other offers they received; I certainly can't speak to their thinking, but I can presume that we were able to, through the structuring of this transaction, provide them the most competitive offer. Based upon the negotiations, my understanding is that it was likely close with each other, and -- and there was a -- a debate, certainly, amongst the seller of should they agree to proceed with this offer, given the more protracted timeline that it would entail, versus the more certain offer that they could close within 14 to 28 days from a traditional market rate seller. And through those discussions, they identified to us a willingness to allow this process to play out, and allow an opportunity for the City to perform diligence, and leading up to this July 7<sup>th</sup> date, and with the determination that, were the City able to come to a decision by this date, then that would be acceptable to them in terms of the delay to their sale. But if -- if the process were to extend beyond that, then they would likely reconsider and go back to a different offer.

MAYOR MESSAM: Excuse me, Commissioner Davis. I need a motion to extend the meeting. We are on item five --

COMMISSIONER DAVIS: Motion to extend the meeting to 11:30.

MAYOR MESSAM: We have like five more items, and we're going to go on a break.

COMMISSIONER DAVIS: 12 o'clock.

MAYOR MESSAM: Okay. Do I have a second? Sure not 12:01? Can I have a second, please.

COMMISSIONER BARNES: 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 Commissioner Davis, seconded by Commissioner Barnes, to extend the Commission meeting to 12:00 a.m., the Commission voted:

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

**Approved**

COMMISSIONER DAVIS: So -- I have a --

MAYOR MESSAM: Finish your questioning, and we'll do a -- a five-minute recess for a bio break that's been requested.

COMMISSIONER DAVIS: But I wanted to see -- since we have so many items left and, you know, there's some questions from the Commissioners, and the Vice Mayor, from the Commissioners and Vice Mayor. Is there a way to -- I don't know if somebody wants to do this, but to come back to a -- to a Commission meeting, outside of the -- the vacation? That's my question.

VICE MAYOR COLBOURNE: If that's a motion to move it to the next Commission meeting, I'll second that.

MAYOR MESSAM: I didn't hear that as a question for the move --

COMMISSIONER DAVIS: No, it was --

MAYOR MESSAM: -- it to the next Commission meeting.

COMMISSIONER DAVIS: It was if we would convene another meeting sooner than the next Commission meeting.

VICE MAYOR COLBOURNE: That -- we can do that.

COMMISSIONER DAVIS: Is that something that we could do?

VICE MAYOR COLBOURNE: I would be agreeable.

MAYOR MESSAM: We -- we -- we as a Commission can do as we choose, in terms of meeting, as long as we provide the adequate public notice for the meeting with the stated agenda. But what I would advise the Commission that either a up or down vote tonight would probably be best, because pushing this to another meeting, even as -- even if it's within 48 or let's say next Monday or next Tuesday, would, perhaps, kill the deal, in terms of the seller having confidence in the applicant being able to close. I -- I express or -- or -- or plead to envision or have a sense of -- sensitivity to a market transaction. The seller has, perhaps, taken an option for this deal. I mean -- and I don't know the deals, I don't know what was proposed, in terms of offers, but as a property owner myself, I would imagine that this deal probably pays more than the other offers. That's probably the concession that this seller is taking to say: Okay, the City of Miramar, reputable city, let's see if it goes through this process. I'm willing to wait 30 days longer than I normally would to sell a property to make the extra money. However, I have three other offers that are competitive, not as much, perhaps, and these folks buy cash. They can close in 20 to 30 days. So I deal with the uncertainty of a governmental entity that this buyer is trying to work with to close this deal, when I can go to bed at night and go to the bank and close in two weeks, by the time the Commission makes up its mind. That's really a -- that's what a real -- that's what the reality is. So, Commissioner, we can do what we want to do. We can push this off, and I know some of us may have questions, but, you know, this really is a good deal. And if all we're talking is less than -- or just over \$400,000.00 that we're not getting or collecting, because it's not 750, because we're getting one and a half up front, and we're getting a minimum of 260,000 per year. So the true number of what we are not receiving is a little over \$400,000.00 per year; that's what the question is. So what we have to decide is \$400,000.00 in the present, in the now, worth more than all of the benefits this possess. When you look at the assets of this property, when you look at even the revenue we'll be collecting over the 35 years, plus the excess share of revenue of this deal, plus owning it free and clear. And how much did we have to spend to provide this? It's the concession of trading off \$400,000.00 plus for all this benefit. So for those of us who think this is a good deal and truly want -- I want to extend more time for everyone in here to be at a, okay, I'm comfortable. But, unfortunately, this scenario may not offer us or make available that option to delay or to extend. Whether we want to accept it or not, whether anyone wants to believe me or not, I'm just saying that this is a reality that the applicant is facing. So I go back to the question: How important is providing this affordable housing solution to our city? Can we go back to our community --

COMMISSIONER CHAMBERS: Workforce housing; no.

MAYOR MESSAM: It's both; workforce, affordable; it's a mixture, which is -- the -- the -- the mixture of the housing income levels is really what makes this very attractive. So,

yes, there will be some folks in there that are very low income, 20 units, as we ought to make available. Because no matter what your socioeconomic situation is, you should have an option. And this property doesn't provide the housing options that we need to meet this challenge, but it puts a nice dent into it, by making nearly 400 workforce and affordable available units. So I know there is a struggle in wanting to extend professional courtesy for our colleagues who are not quite there yet, but I think that enough information, you know, is there to say that the benefits outweigh the uncertainty. The benefits outweigh any risk that may be causing any unreadiness, and I -- and I just would urge us to either -- let's just make the decision up or down, up or down, and give the courtesy of the applicant to know if they have a deal or not. They've given a lot. They've given a lot, and they've given us a good option, and our city staff has negotiated good position for the City; this makes all the economic sense in terms of what the trade off is, and what we're getting for any ad valorem that we may not be collecting. So, Madam Commissioner, to your question, we can decide to do whatever we want, but the realities are what they are.

COMMISSIONER DAVIS: Right. Well, for me, I'm -- I'm okay, I don't need extra time. I've kind of -- I guess I'm going to hedge my bet that this is a duel that -- that will, in the end, ultimately benefit our residents and our employees. And I was only, you know, trying to extend the time by a week to see if that would help. But maybe we'll be in the same situation. So for me, looking at the totality of it, initially I was -- again, I admit I was skeptical, but I've come around to seeing the benefits, and I can make -- I feel I can make that decision in the short space of time that I have, and I -- I feel that my decision would benefit more than hurt the community in terms of our housing shortage. So, for me, I'm okay to go forward.

MAYOR MESSAM: Based on the -- Commiss -- Commissioner Barnes, you -- you have a comment?

COMMISSIONER BARNES: Motion to approve.

COMMISSIONER CHAMBERS: I don't think up or down is going to --

MAYOR MESSAM: Is -- is there a second?

COMMISSIONER CHAMBERS: -- is going to -- I -- I -- I think --

MAYOR MESSAM: Is there a second -- there's a motion on the floor. Is there a second?

COMMISSIONER CHAMBERS: Vice Mayor, like you -- and I'm like you -- there's two of us in the queue to --

MAYOR MESSAM: Excuse --

COMMISSIONER CHAMBERS: -- to speak.

MAYOR MESSAM: There's a motion on the floor.

COMMISSIONER DAVIS: I second the motion.

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: No.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Barnes, seconded by Commissioner Davis, to continue Resolution #R7444, the Commission voted:

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

**Approved - no resolution no. assigned**

**Recess/Reconvene**

MAYOR MESSAM: I'm going to move up a couple of items, because of their urgency and needing to pass, definitely tonight. It will be items eight, nine, and ten in that order, which will adopt our storm water manage -- storm water management services rate, as well as our millage -- our proposed millage rate for the tax year 2021. Madam Attorney, number eight, please.

8. Temp. Reso. #R7438 relating to the provision of **Stormwater Management Services** in the City of Miramar, Florida; establishing the preliminary stormwater assessment rate for Stormwater Management Services for the Fiscal Year beginning October 1, 2021; directing the preparation of an assessment roll; authorizing a Public Hearing and directing the provision of notice thereof. (*Public Works Director Anthony Collins*)

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, relating to the provision of Stormwater Management Services in the City of Miramar, Florida; establishing the preliminary stormwater assessment rate for the Stormwater Management Services for the Fiscal Year beginning October 1, 2021; directing the preparation of an assessment roll; authorizing a Public Hearing and directing the provision of notice thereof; and providing for an effective date.

MR. COLLINS: Good night, Mr. Mayor, Madam Vice Mayor, Commission, City Attorney, Tony Collins, Public Works Director. So the item before you tonight is the storm water management services preliminary assessment rate for fiscal year 2022. So the issue is City Commission approval is required for the annual reauthorization of storm water assessment, establishing preliminary rates, and establishing dates and time for public meeting for final approval of the annual assessment rate for fiscal year 2022. Just a little background. The purpose of the storm water management system is to regulate, maintain, and manage stormwater runoff within the City. The City's storm water assessment was established as an enterprise fund in fiscal year 1998. It provides annual funding for storm water system operations, maintenance, construction, debt service, and administration. In fiscal year 2015, the City commenced collecting storm water fees as non-ad valorem taxes. It maintains the ERU billing method, improve collection of fees, and there are 3,619 square feet, which is equivalent to one ERU; there's a total of 56,901.64 ERU throughout the City. So the fiscal year 2022 impact: The current assessment is \$102.00 per ERU. Proposed assessment remains \$102.00 per ERU, so there's no proposed increase. The projected storm water management service revenue for fiscal year 2022 amounts to \$5,571.809. So this slide depicts some of the projects that are funded through the storm water assessment; so we have the Canal Embankment Restoration Project, and we have the Phase IV Drainage Improvement Project. So there's a need for noticing of public hearing, so published -- needs to be published by August 23<sup>rd</sup>, 2021; hearing is scheduled for September 13<sup>th</sup>, 2021, at 6:00 p.m. in the Commission Chambers, 2300 Civic Park Place, Miramar, Florida 33025. City Manager recommends approval.

MAYOR MESSAM: Caught me in the middle of a swallow. Thanks for the presentation. The Clerk did not receive any requests to speak on this item from the public, so back to the dais. Are there any questions or comments on this item? Hearing none, may I have a motion, please?

COMMISSIONER DAVIS: Motion to approve.



VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Davis, seconded by Vice Mayor Colbourne, to approve Resolution #R7438, the Commission voted:

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

**Resolution No. 21-129**

MAYOR MESSAM: Items number nine and ten, please.

9. Temp. Reso. #R7435 establishing a **proposed millage rate** for **Tax Year 2021 (Fiscal Year 2022)**; providing for the rolled-back rate; providing for the date, time, and place of the Public Hearing to consider the proposed millage rate and tentative budget; providing for advertisement and for transmittal to the Property Appraiser and Tax Collector. (*Management and Budget Director Rafael Sanmiguel*)

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, establishing a proposed millage rate for Tax Year 2021 (Fiscal Year

2022); providing for the rolled-back rate; providing for the time, date, place of a Public Hearing to consider the proposed millage rate and tentative budget; providing for advertisement and for transmittal to the Property Appraiser and Tax Collector; and providing for an effective date.

MAYOR MESSAM: Good evening.

MR. SANMIGUEL: Good night, Mayor, -- Tony stole my joke -- Vice Mayor and Commissioners. Rafael Sanmiguel, Management & Budget Director. I'm going to present tonight the fiscal year 2022 proposed budget, the millage rate, and the fire protection assessment. Next slide. So the -- the total budget for 2022 is \$323 million for all funds; the General Fund makes up 56 percent or \$182 million; the enterprise funds, which are made up by the utilities and storm water funds make up 20 percent or \$52 million; internal service funds, which include the health fund, risk fund, fleet fund, and IT fund make up 14 percent or \$45 million; debt service funds is four percent or \$12 million; capital project funds three percent for \$6 million; and special revenue funds, which include the grants funds and LETF fund is three percent or eight million. Next slide. So in terms of the sources of funds for the -- for the general fund, the largest and steadiest source of revenue, which is the ad valorem property taxes make up 44 percent. Permit fees and special assessments is 21 percent. Other taxes, which include utility taxes, insurance premium taxes, communication service taxes is 11 percent. The charges for services, which include ticket sales, rentals and park fees is ten percent. Intergovernmental, such as the local government half cent sales tax is eight percent, and the remaining six percent is merely transfers from grants funds, interest earnings, rebates, and miscellaneous. In terms of the expenses -- next slide. Thank you. The largest expense category, of course, is salaries and benefits at 71 percent, followed by upgrading expenses at 21 percent, so those two make up the variable expenses for the General Fund. The remaining eight percent is mainly comprised of transfers to CIP and debt funds, departmental capital outlays, such as vehicle replacement program, and the OPEB and pension trust transfers. Next slide. So breaking down the General Fund salaries and benefits a little bit further, employee pay is 60 percent, the pension is 20 percent, together that's 80 percent for the current employee pay and retiree pay. The rest is made up by health at eight percent, which we are trying to decrease going forward by going self-funded with the use of the Wellness Center, payroll tax, Worker's -- Worker's Comp, and other benefits stand at four percent each. Next slide. So breaking down the General Fund by category, the lion share of -- is the public safety, which stands at more than -- more -- more than half or 53 percent. The remaining 47 percent is made up by community and culture, which includes Cultural Arts, Parks & Recreation, Community Services, which is -- make up 19 percent. Administration, which includes HR, Finance, Procurement, Clerk's Office, City Manager's Office, Management & Budget, and City Commission is 12 percent. Public Works six percent. Others, which includes nongovernmental, is five percent, and debt service stands at five percent. So this chart shows revenues on the left, expenses on the right. The top of the left column, the ad valorem and fire fee revenues, which amount to \$102 million or 56 percent of the General Fund revenues, that pays for the public safety, police and fire on the top right column. So this shows that we have a structurally sound and

balanced budget, where the ad valorem taxes, and fire fee revenues pay for the public safety expenses. So the bottom left of the column then shows all the other revenues, such as other taxes, charges for services, permit fees, special assessments, and intergovernmental revenue and other, which amount \$80 million, in turn pays for all of the services -- all of the governmental services on the bottom right, which are Community, Culture, Administration, Public Works, debt service, and other. Next slide. So how was this budget balanced? So through the voluntary -- voluntary retirement incentive plan or VRIP, which afforded a savings in fiscal year '22 of \$1.9 million for the general fund or \$53 million for all funds. No COVID impact on the revenues for fiscal year '22, because of the basis of the revenue was increased from the previous year's of revenues to due to COVID. And the -- the onetime use of the American Rescue Plan funds; that's also used to balance the budget. So I know this is hard to read, so I'm just going to go through the highlights of the -- as far as the proposed position summary for '22. The FTE account for all funds is 1,113.5, which is a reduction of 13 FTEs, as compared to the fiscal year 2021 of that account of 1,126.5 FTEs, so that's to the bottom right. In the General Fund, the grey row toward the middle, we have a proposed FTE count of -- for fiscal year '22 of 880.5, which is a net reduction of 8.5 FTEs from the '21 adopted level, which consists of 15.5 deletions, six additions, and one transfer in. So in terms of the property tax impact on the average homestead, single-family home, again, we're not proposing to raise either the millage or the fire fee in fiscal year '22. The proposed millage rate for '22 is 7.1172, which is 4.45 percent greater than the rollback rate of 6.8137. The proposed residential fire fee is unchanged at \$398.23, so in terms of the average homestead actual value, it has increased by around \$4,800.00, and that's wholly due to the property valuation, which are capped for homestead properties at around two percent for the Save Our Homes provision. So that means that the average homestead property will see a modest tax increase of \$34.34. That varies on the individual basis, based on valuation where properties that have higher valuation, of course, correspond to a higher tax, and properties with a lower valuation correspond to a lower tax. Again, there's no increase to the fire assessment, so that's zero, so the totality is \$34.34 for the average, homestead, single-family home for the entire year, or \$2.86 per month. On a different -- go back one slide, please. Thank you. On a different -- on the same note, on the average commercial for -- the actual valuation has gone up by \$29,300.00, which corresponds to an increase in the City taxable -- City tax, rather, of \$209.00, and the average commercial has grown in size by around 143 square feet, which corresponds to \$107.00 fire assessment increase, for a total of \$316.00 increase in taxes and fees for the average commercial, or less than \$1.00 per day. Next slide. So, again, we're not proposing an increase to the fire fee for fiscal year 2022; it is proposed at the same rate of \$398.23. The fire protection assessment study was update in 2018, and we're doing an update next fiscal year. Provision of the fire protection services is fully funded through the fire protection assessment through the principle of cost recovery, and please keep in mind that this principle of cost recovery is based on the fire suppression, and excludes fire rescue and EMS service costs. So there exists a residential hardship exemption that is available to residents who meet the requirements, and the application period runs from May 1<sup>st</sup> through July 31<sup>st</sup>, so that's the end of this month. So that includes seniors that are over the age of 65 who receive the additional senior homestead exemption, also receive this

fire exemption, and households who own and reside in the property, and whose combined household income does not exceed a preset, maximum adjusted gross income also qualified for the exemption, and the details for this are on the website, as well as the application, and all of the documents that need to be turned in; and 93 properties qualified for the exemption in tax year 2020. So Miramar represents only 35 percent of the total tax bill; the remaining 65 percent is comprised of the School Board, County, and other, which includes the hospital districts, the South Florida Water Management District, and the Florida Inland Navigation District. So each of these entities, they set their separate rates, millage rates during the board meetings, and I do encourage residents to contact those entities, and attend the meetings regarding their portion of the tax bill. So we have partnered with Stantec Consulting for the past several years to build our Five-Year General Fund Sustainability Model, and they bring an independent and objective view of our finances going forward, so now I'd like to introduce Peter Napoli from Stantec Consultant to present the latest General Fund Five-Year Sustainability Model. Next slide.

MR. NAPOLI: Good evening, Mayor, Vice Mayor, Commissioners, City Manager, my name is Peter Napoli, and I work with Stantec Consulting, and I have a brief presentation for you, summarizing the results of our updated financial sustainability model. So just a brief refresher, where our financial sustainability model fits into the -- the picture of finances and budget within the City. Audit deals with the -- an analysis of historical results, and the City budget deals with a -- the preparation of the current year's budget, and our financial forecasting model projects the revenues and expenses of the City for five years, and gives you a tool in which you can analyze the impact of different scenarios, and prepare for a financial -- financially sustainable future. A little background. We updated our model earlier in the year, and -- and presented the results at the financial visioning workshop on February 2<sup>nd</sup>; that was before the -- the budget was finalized, and the results of our analysis are shown in those two graphs on the middle of the screen. As you can see, on the left-hand side, those blue bars represent the projected fund balance in the City's General Fund, which is basically the savings account for the City's General Fund, and the black line is that minimum reserve target at which you'd like to keep that fund balance. Back in February, we were projecting the City's fund balance falling below that reserve target, and -- and, basically, being depleted by fiscal year 2025, and this was a projection that required urgent attention. And we had some proposed solutions that we worked with City management and staff to -- to put forward. They included FTE reductions, 20 FTE -- FTEs reduced annually between fiscal year '22 and fiscal year '25, so that's 80 total, 20 in each of those four years. Healthcare cost savings associated with moving to a self-funded model, and the Employee Wellness Center, and also reduced salary increases associated with collective bargaining. And that's a -- a reduction to the salary increases when compared to historical trends for salary increases in the City. So our baseline scenario has been updated for you today, and it includes the preliminary fiscal year '22 budget, as presented as by your budget staff. Some important things to highlight includes the continuation of your capital improvement transfer and funding, the continuation of the vehicle replacement program, and the OPEB and pension trust fund transfers in each of the five years of our projection. Our projection also reflects the ARPA funding that will be received by the City, and this comes into our forecast as onetime cash

inflows that are utilized for the allowable government services based on the revenue recovery calculations done by your staff. And this is consistent with our experience throughout the State; a lot of cities were impacted by the loss of economic activity related to the COVID-19 and lost revenues due to that fact. So the ARPA funding is being used, based on those revenue recovery calculations for -- for government services. We have \$11 million coming in fiscal year '21, \$5 million coming in fiscal year '22, and another \$2 million coming in fiscal year '23, and that -- after -- afterwards, the funding expires. Some budget initiatives that are active in our baseline forecast that I'm going to show you. We have workforce reductions associated with the -- the VRIP, the voluntary retirement incentive program. In the -- the first year, reflected in fiscal year '22, assumptions are included related to collective bargaining negotiations, so continued reductions to salary increases, and continued cost savings due to the -- the healthcare initiatives. So this is a screenshot of the panel from our financial model, and it shows you the -- the summary of the results of our analysis, and I'll just walk you through the important aspects of this page. At the top, the millage rate is presented for all five years of the projection period, and that is assumed to be held flat. Then our taxable value increase, which is the other component of your -- your property tax revenue, we have those projections represented there, and we have included the projections of additional taxable value from new development that is known about in the City associated with projects that are -- are coming down the pipeline. We have the ARPA funding coming in, highlighted in that green section in the middle, and after fiscal year '23, there's no additional funding related to that. So, as you can see, in the left-hand graph of the projected fund balance, it's a lot healthier than we previously expected when did not -- did our projections in February. The fund balance falls below the target in fiscal year 2026, and that's a result of a -- those expenses -- the growth of the expenses kind of outpacing the revenues. In that right-hand graph, you can see the trend of both revenues and expenses; expenses represented by the red line, revenues represented by the black line. You'll see in the first few years of the projection period those revenues are above expenses, and that's due in part to the inflated revenues related to the ARPA funding. So once that expires, you can see you -- you enter into a cashflow deficit scenario, where you start drawing down on that fund balance again. The updated baseline results overall provide a much healthier outlook from the previous baseline, and that's due to the several adjustments, including ARPA funding that's allowable for the government services. The reduced salary increases, reduced workforce associated with the VRIP, and healthcare cost savings. However, the reserve balance is still projected to fall below the target in fiscal year 2026, and we have a proposed solution for correcting that deficit in the last year of the projection. And that include -- that entails a continued workforce reduction of an additional 20 full-time equivalents in fiscal year 2025. And it's important to note that you could achieve that reduction through means of attrition, gradual attrition over time. It doesn't have to be the -- the VRIP, it -- it could be any number of sources for lowering the workforce. So the next panel screenshot just shows the result of that additional 20 employees being reduced in fiscal year 2025, and this is a -- a -- a successful, sustainable outlook for the City for the next five years. You're maintaining your fund balance above that reser -- reserve target, and you're not depleting the -- the City's savings account. With that -- that concludes my presentation, and thank you for your time.

MR. SANMIGUEL: So, at this meeting, we are asking to pass the tentative millage rates that we will send out to the -- in the TRIM notices to the property owners in August. So this is the maximum millage rate and fire assessment that can be levied on the properties. So the City Manager recommends approval of 7.1172 operating millage rate, and the 100 percent fire protection assessment rate at this point. Thank you, and staff is available to answer questions.

MAYOR MESSAM: Thank -- thank you for the -- the presentation. City Clerk received no requests from the public to speak on this item, so back to the dais. We'll be taking two votes. The first is to adopt the proposed millage rate for tax year 2021 for item number nine, and for item number ten, the assessment of fire protection services. Are there any questions or comments on the presentation.

VICE MAYOR COLBOURNE: I'll just --

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

VICE MAYOR COLBOURNE: Yeah. I'd just like to a -- a quick thank you to -- to the budget staff and -- and everyone for -- for putting this together. To the City Manager for - for not recommending an increase within this year. You know, with us coming out of COVID and -- and everything, I'm sure it's really appreciated by our residents, so thank you all.

MAYOR MESSAM: Thank you, Vice Mayor. Are there any other comments or questions? If none, may I have a motion for item number nine, please.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Colbourne, seconded by Commissioner Davis, to approve Resolution #R7435, the Commission voted:

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

**Resolution No. 21-130**

10. Temp. Reso. #R7434 relating to the provision of **Fire Protection Services**, facilities, and programs in the City of Miramar, Florida; establishing the estimated assessment rate for Fire Protection Assessments for the Fiscal Year beginning October 1, 2021; directing the preparation of an assessment roll; authorizing a Public Hearing and directing the provision of notice thereof. (*Management & Budget Director Rafael Sanmiguel*)

MAYOR MESSAM: May I have a motion for item number ten, please.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner 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 #R7434, the Commission voted:

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

**Resolution No. 21-131**

CITY ATTORNEY NORRIS-WEEKS: Mr. Mayor, if you could just get clarification from the Clerk, as to whether item number ten was actually read into the record.

MAYOR MESSAM: We read -- we read items number nine -- I called for items numbers nine and ten.

CITY ATTORNEY NORRIS-WEEKS: I think we just read -- we -- we would take them separately, and we would have just read item number nine, for -- but -- I will -- if the Clerk can verify.

MR. SANMIGUEL: I do believe that only item number nine was read.

MAYOR MESSAM: Well, can you read number ten into the record, --

CITY ATTORNEY NORRIS-WEEKS: Yes.

MAYOR MESSAM: -- please.

CITY ATTORNEY NORRIS-WEEKS: Yes, sir. A resolution of the City Commission of the City of Miramar, Florida, relating to the provision of Fire Protection Services, facilities, and programs in the City of Miramar, Florida; establishing the estimated assessment rate for Fire Protection Assessments for the Fiscal Year beginning October 1, 2021; directing the preparation of an assessment roll; authorizing a Public Hearing and directing the provision of notice thereof; and providing for an effective date.



MAYOR MESSAM: Do we need to take another vote:

CITY ATTORNEY NORRIS-WEEKS: Yes, sir.

MAYOR MESSAM: May I have a motion on number -- number ten, please.

COMMISSIONER CHAMBERS: Motion to approve.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner 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 #R7434, the Commission voted:

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

**Resolution No. 21-131**

MAYOR MESSAM: Now item number six.

6. Temp. Reso. #R7442 authorizing the City of Miramar Florida to join with the State of Florida and other local governmental units as a participant in the Florida Memorandum of Understanding and formal agreements implementing a **unified plan** for the **proposed allocation and use of the opioid litigation settlement proceeds**. *(City Attorney Burnadette Norris-Weeks)*

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, authorizing the City of Miramar Florida to join with the State of Florida and other local governmental units as a participant in the Florida Memorandum of Understanding and formal agreements implementing -- implementing a unified plan for the proposed allocation and use of opioid litigation settlement proceeds; and providing for an effective date.

MAYOR MESSAM: Is there a presentation, or comments?

CITY ATTORNEY NORRIS-WEEKS: Mr. Mayor, I believe my name is on this one, and I'll just briefly present. The City Commission is being requested to approve a -- this memorandum of understanding. The approval is required for the City to join the State of Florida and other local governmental units as a participant in the Florida Plan, a formal agreement implementing a unified plan. And, just very briefly, as you all know, Florida has been struggling, as many other states, with opioid -- with the opioid litigation, I mean epidemic. And this comes about as a result of negotiations to enable Florida to achieve the maximum amount of recovery. Many of the subdivisions and the State have been negotiating this litigation process which resulted in this memorandum. And you will see, as you review the MOU that the State and its subdivisions who executed it are agreeing almost -- that all -- pretty much all of the funds from any settlement was owed toward abatement activities. In other words, funds must be utilized for strategies, programming, and services used to expand the availability of treatment of individuals impacted by opioid use disorder. And you can see from the memorandum of understanding this is one that is being requested by all of the municipalities throughout the State, and I don't know of any municipality that's not approving this to be able to get some portion of the share that's going to specifically to counties and cities. And, with that, Mr. Mayor, I'll turn it over to you now.

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

VICE MAYOR COLBOURNE: Sorry. What does this item do?

MAYOR MESSAM: Item number six.

VICE MAYOR COLBOURNE: What does it do? What exactly are we approving?

CITY ATTORNEY NORRIS-WEEKS: Excuse me. What it does is it -- it, pretty much, allocates -- allows for the City to accept a funding allocation based upon a formula. There would be -- the -- the State will be, in the coming weeks, contacting the city managers or their representatives to be a part of devising plans of what you want to do in your specific locale to encourage the programs that will combat opioid use, and its effect that it's had on communities. And each municipality, there is a formula that is broken, you know, down, and -- and each municipality will -- will get a certain amount of -- of funding that -- or assistance that can be used, really, to combat, you know, this epidemic. And so it -- it has been going on for a couple of years, in terms of the litigation, and it's now resulted in this -- in this memorandum that the -- that the Attorney General's Office is asking all of the municipalities to sign.

VICE MAYOR COLBOURNE: So we will be getting an allocation?

CITY ATTORNEY NORRIS-WEEKS: We will be getting a small allocation, but I think the more important thing is the -- being able to target, in terms of a strategy, how this could be -- how the support will be distributed throughout the State. And for the specifics on that, the managers will be contacted according to the letters that we received. All of the managers who partici -- who agree to participate -- all of the cities through their managers who have agreed to participate, they will be contacted about, you know, the specific things and -- that the monies or support will be funneled through, and that should be within the next 30 to 60 days.

MAYOR MESSAM: Okay. Any further questions? May I have a motion on item number six, please.

COMMISSIONER DAVIS: Motion to approve.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Davis, seconded by Vice Mayor Colbourne, to approve Resolution #R7442, the Commission voted:

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

**Resolution No. 21-127**

MAYOR MESSAM: Item number seven, please.

7. Temp. Reso. #R7386 approving the award of Invitation for Bids No. 21-005, entitled **"Ansin Sports Complex- Phase IV- Access Drive"**, to the lowest responsive and responsible bidder, Bejar Construction, Inc.; authorizing the City Manager to execute the proposed agreement with Bejar Construction, Inc. in an amount not-to-exceed \$924,206.26 and allocating a 10% construction contingency allowance of \$92,420.63, for a total project cost of \$1,016,626.89. *(Senior Project Engineer Leah deRiel and Procurement Director Alicia Ayum)*

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving the award of Invitation for Bids No. 21-005, entitled "Ansin Sports Complex- Phase IV- Access Drive", the lowest -- to the lowest responsive and responsible bidder, Bejar Construction, Inc.; authorizing the City Manager to execute the proposed agreement with Bejar Construction, Inc. in an amount not-to-exceed \$924,206.26 and allocating a 10% construction contingency allowance of \$92,420.63, for a total project cost of \$1,016 -- 16 -- \$1,016,626.89; and providing for an effective date.

MAYOR MESSAM: Good evening.

MS. DERIEL: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners, I am Leah deRiel, Senior Project Engineer. This item is for the approval of award of RFP #21-005, Ansin Sports Complex, Phase IV, Access Drive to Bejar Construction. Little bit of background. This is an ongoing, multiphase project began in 2008; it's still underway. Phase IV is a part of the City's Capital Improvement Program already. It was adopted in fiscal year '21. This does involve other improvements on the existing practice field and open space area; those are planned to be accomplished in future phases, and this project

is being funded from the Park Development Fund. The project scope is fairly straightforward; it's the construction of a two-lane wide road on the north and east sides of the existing practice field area. It includes roadway drainage and lighting, and, of course, site restoration at the post-construction stage. Some of the project benefits. This project is being implemented to allow better traffic circulation and access to the sports complex during large events. It will also enhance safety by providing emergency access, and reducing some conflicts between vehicles entering and exiting the facility, and the pedestrians who are trying to cross the road at certain points. I'd like to bring up our fire chief, Chief Palmer, to further expound on the safety improvements that the addition of this roadway will produce.

FIRE CHIEF PALMER: Good evening, Mayor, Vice Mayor, Commissioners, City Manager, City staff. I just wanted just to come up with this -- share some points on how this proposal would actually assist with our public safety. One of the points is to make it a much more efficient emergency access. As you know that -- that park, it's difficult to get in on a normal day, so imagine what -- with the events that we have, it -- it will actually improve our -- our response into the -- into the event, then actually let us get back out also in a quicker manner. Also, to reduce the pedestrian injury from traffics with the out streets and patrons. We've actually had several incidents there already, where we've had pedestrians injured from vehicles, so that -- it's definitely one of those things that would help prevent that, that we've seen in the past. And one thing that you do see constantly there is the close calls when you're at the -- at that event, when it -- when it's in action. Another point to follow is it allows for rapid evacuation emergency. Right now, it's only one way out, so this will allow for a secondary means, and with that 24-foot road will actually allow a lot of access for us to get the -- the -- everybody out of there, in case we did have an emergency. And just to make another point, it's to improve that car stacking, and decreases the vehicle incidents. If you look at the proposed road, and also the -- the -- the driveway correction, utilizing the -- the middle school, for almost 100 cars to be actually stacked inside the -- the -- the venue, you know, plus the middle school, which is another 100 cars that are outside of the Miramar Park -- Miramar Boulevard, which allows for -- you know, it's safer. It's 100 cars that are out of -- out of that Miramar Boulevard, allowing for more traffic, and -- and, hopefully, decreasing some of the instances that we've had there with the car accidents. And also we'll -- we'll assist with the smaller events, almost keeping almost all the -- all the vehicles inside the venue, as their -- you know, the riding for that. This where I make just a few points that we've observed through the years, and this is just one -- one improvement that will help our situation that we have there. Thanks.

MS. DERIEL: So what you see before you on the screen there is a rendering of what the new roadway would look like. Just a note, this has been -- been designed to hug the edge of the right of way, so that we maximize the remaining open space to allow for future development. Some of the limitations of the existing condition that we have out there now, the first one is, we only have one ingress and egress, as Chief Palmer just talked about a little bit. This is not ideal for larger events, and causes a little bit of conflict there with the pedestrians trying to cross from the overflow parking area to the -- the track, and,

of course, that produces a safety conflict, the close calls that he mentioned, as people try and make that -- make that jump in between the staging area, both -- both the folks who are coming in from the overflow parking lot, and the athletes who are in that staging area trying to cross. It causes conflicts, especially with large events. The third issue that you have there is the limited car stacking. Right now, we only have space for about 37 cars before those cars start spilling onto Miramar Boulevard. So, as you can see there, that queue length is only sufficient for those 37 cars. The proposed road circulation will address those issues. It will expand the access to two ingress and egress points. Those two points are there at the -- at the existing intersection with Miramar Boulevard, and also at the school entrance. That will -- these -- adding these two points will allow us to restrict that little piece of roadway that you see next to the track there in the blue hash mark to only be open for pedestrians and emergency vehicles during those event times. This'll increase the safety. There's going to be no conflict between those cars and pedestrians, and then the second benefit, obviously, is -- is going to be the increased car stacking. So -- and there you can see -- the stacking area is in red, and allows for 74 cars, and that's -- that's only in a one-lane configuration. If we were to open it to a -- the two-lane configuration, you would have -- you would, essentially, double that volume. And then another note about the -- the egress here, we have been in conversations with the School Board to create an additional connection on the school side. You see in yellow there, it's highlighted as the new driveway connection. That allows us to route traffic out via the school entrance when the event ends, and this will only be used for -- for those event ending times, not for ingress. That will also provide an additional 33 cars' worth of stacking space, so traffic will come out; at that decision point, they'll be either proceed through the intersection, or go out the school egress point. A little bit of background on the procurement process. February 16<sup>th</sup> of 2021, the Procurement Department advertised RFP 21-005, the Access Drive; March 16<sup>th</sup> was the date of the schedule bid opening; five bids were received. The lowest responsive and responsible bidder was Bejar Construction. He came in with a total bid price of \$924,206.26; after adding a ten percent contingency to that, the total contract award amount is \$1,016,626.89. So the City Manager recommends approval, and I will open it for any questions from the dais, and we do still, I think, have the contractor on the line if there are any questions for him as well.

MAYOR MESSAM: Thank you for the presentation. The Clerk received no requests from the public to speak on this item, so back to the dais. I see we have a question. Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Yeah. We had discussions with Parks and our Assistant City Manager Kelvin -- I mean I did. And it was clear that this -- this is necessary in order for us not to have accidents. I was over there during one of the major events that we had, and we had athletes crossing over in between cars, and it just wasn't a good sight. And other stadiums that I've been to, there is always an area where the cars don't interact with pedestrians. So I -- I -- I -- believe this is a good -- a good addition now that it's been thoroughly explained, where we wouldn't have the athletes and others interacting with -- with vehicular traffic. So I'm in support of -- of this item.

MAYOR MESSAM: Thank you. We have this item and three items to complete; it's now midnight, so we have to have a motion to extend the meeting to proceed. May I have a motion please with the time certain.

COMMISSIONER DAVIS: Motion to extend to 12:30.

MAYOR MESSAM: May I have a second? Do I have a second?

COMMISSIONER BARNES: Second -- yes, you do.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Davis, seconded by Commissioner Barnes, to approve extending the meeting to 12:30 a.m., the Commission voted:

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

**Approved**

MAYOR MESSAM: Are there any comments or questions? If none, may I have a motion on item number -- oh, Commissioner Bares, you're recognized.

COMMISSIONER BARNES: Yeah. Just a word of thanks to staff for our meeting yesterday; as usual, comprehensive, and -- and detailed information of not only why this has been necessary, but one of the features that I like most is the feature of increasing the stacking of cars going -- going in. And, also, explanations were given to of the forthcoming parking that is going to be available at the I-95 express parking lot, so thanks again to staff.

MAYOR MESSAM: Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Yeah. I just want to ask. What do we get for 89 cents? What are we buying? I mean I'm serious. Anybody answer that? Maybe not, maybe not.

MAYOR MESSAM: Any other questions, or may I have a motion on the item?

COMMISSIONER DAVIS: Motion to approve.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne. Vice Mayor Colbourne.

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 Davis, seconded by Vice Mayor Colbourne, to approve Resolution #R7386, the Commission voted:



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

### **Resolution No. 21-128**

MAYOR MESSAM: Item number 11, please.

COMMISSIONER DAVIS: Before we go forward, Mr. Mayor, I -- I'd like to make a motion. I -- I was a little hasty, and I -- I -- I want to reconsider item number five, and to defer it to the next meeting. When -- when I looked at the totality of it, we still have to get the approval of the Property Appraiser, so even if we approved -- if we did tonight, you still have that time to get the report back from the Property Appraiser, so the rush is really not that rushed, because nobody put a timeline on when the Property Appraiser is going to come back with their response. So on -- on second thought, whereas it seemed like there was a rush to get this done, there is still -- this was approved pending the Property Appraiser's information, which we don't know when they're going to come back. So I -- I -- I do believe there's still time for my colleagues to -- to get more information that they seek, and for me to review some of the points that they -- they brought forward. And -- and again, this -- this sudden rush, I -- I realize that there was that caveat that we had to wait on the Property Appraiser to thoroughly do what they had to do, so even approving today was not going to go forward today. And -- and that's where I have an uneasiness about. So the motion on the table right now is to reconsider number five, and defer to the next -- next meeting.

VICE MAYOR COLBOURNE: Second the motion.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: No.

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: No.

On a motion by Commissioner Davis, seconded by Vice Mayor Colbourne, to reconsider Resolution #R7444, the Commission voted:

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

### **Approved**

MAYOR MESSAM: I think it's big mistake, and the issue was really pending on the -- the Property Appraiser. Their deal was -- was commensurate on the City approval. The Property Appraiser -- since, basically, is just making a determination on tax exemption. It has nothing to do with the City's approval.

COMMISSIONER DAVIS: But if they didn't approve the tax exemption, it wouldn't go through anyway, so we're still not at the conclusion. What we're -- what we're saying today, if the Property Appraiser says --

MAYOR MESSAM: Well, the will of the -- the will of the dais is --

COMMISSIONER DAVIS: If the Property Appraiser says they're not going to exempt it, it cannot go through, and I -- and I realize that now.

## **PUBLIC HEARING**

MAYOR MESSAM: Item number 11, please.

11. Temp. Reso. #R7410 approving the **Program Year 2021 - 2022 Community Development Block Grant Program Action Plan**; authorizing submission of the Program Year 2021 - 2022 Community Development Block Grant Action Plan to the U.S. Department of Housing and Urban Development. (*Community Development Assistant Director Deborah Stevens*)

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving the Program Year 2021 - 2022 Community Development Block Grant Program Action Plan; authorizing submission of the Program Year 2021 - 2022 Community Development Block Grant Action Plan to the U.S. Department of Housing and Urban Development; and providing for an effective date.

MS. STEVENS: Good evening, Mayor, Vice Mayor, --

MAYOR MESSAM: Good evening.

MS. STEVENS: -- Commissioners. Deborah Stevens, Community Development Department. This item is a Community Development Block Grant for program year 2021 - 2022. As an entitlement city, Miramar is required to develop an annual action plan each year. This plan serves an application for CDBG funding. This year we expect to receive \$831,904.00 for program year '21, '22, which begins October 1<sup>st</sup>, 2021, through September 30, 2022. CDBG funds can be used to revitalize neighborhoods, provide decent and affordable housing, expand economic opportunities, and also improve community facilities and services. The allocation will be for residential rehab, \$645,563.00, of commercial rehab, \$100,000.00, and for program administration, \$186,391.00. This action plan does require citizen participation. There was a predevelopment meeting held on April 8<sup>th</sup>, with a public notice on June 27<sup>th</sup>, which was followed by a public comment period. There's a public hearing tonight, and any comment received will be included when the action plan is sent to HUD. The 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 this item? None? May I have a motion, please.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes. Commissioner Barnes.

COMMISSIONER CHAMBERS: Yes.

MAYOR MESSAM: You're mute, Commissioner Barnes.

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.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R7410, the Commission voted:

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

**Resolution No. 21-132**

MAYOR MESSAM: Okay. Item number 12 and item 13 will be presented together. Can we read both items?

CITY ATTORNEY NORRIS-WEEKS: Mr. Mayor, we have to take them separately.

MAYOR MESSAM: Okay, all right. That's right, that's correct. Item number 12 please.

- 12. SECOND READING** of Temp. Ord. #O1743 considering an expedited state review comprehensive plan amendment to Part 1: Goals, Objectives and Policies of the adopted City of Miramar Comprehensive Plan, pursuant to the provisions of Sections 163.3174, 163.3177, 163.3184 (3) & (11), Florida Statutes (2020), Article 1 of the Administrative Rules Document: BrowardNext - Broward County Land Use Plan, and Section 303 of the City of Miramar Land Development Code; specifically by amending the texts of the Future Land Use Element at Policy 1.14 to create the **Miramar Innovation and Technology Activity Center ("MITAC")** Future Land Use Designation featuring the following density and intensity of land uses: 450 multi-family dwelling units, 300,000 square feet of commercial uses, 200,000 square feet of office uses, 160,000 square feet of municipal facility uses, 276,000 square feet of public school uses and 10.23 acres of park/open space; and by further amending the Future Land Use Map to delineate the boundary of the MITAC and also change the Future Land Use Designation of the 83.2-acre area also known as the Miramar Innovation and Technology Village, generally located along Miramar Parkway between the Florida Turnpike and SW 67TH Avenue and legally described in Exhibit "A", from Institutional and Public Facilities (47.4 acres),

Commercial (24.1 acres), Recreation and Open Space (7.4 acres) and Low (5) Residential (4.3 acres), in order to create an economically productive and socially inclusive innovation district to help **revitalize Historic Miramar**; providing definitions; making findings; providing for adoption; providing for transmittal; providing for severability; and providing for an effective date. ***(Passed 1st Reading on 03/18/20) (Continued from the meeting of 06/16/21) (Community Development Director Eric Silva)***

CITY ATTORNEY NORRIS-WEEKS: An ordinance of the City Commission of the City of Miramar, Florida, considering an expedited state review comprehensive plan amendment to Part 1: Goals, Objectives and Policies of the adopted City of Miramar Comprehensive Plan, pursuant to the provisions of Sections 163.3174, 163.3177, 163.3184 (3) & (11), Florida Statutes (2020), Article 1 of the Administrative Rules Document: BrowardNext - Broward County Land Use Plan, and Section 303 of the City of Miramar Land Development Code; specifically by amending the texts of the Future Land Use Element at Policy 1.14 to create the Miramar Innovation and Technology Activity Center ("MITAC") Future Land Use Designation featuring the following density and intensity of land uses: 450 multifamily dwelling units, 300,000 land use for -- 450 multi-dwelling units, 300,000 square feet of the commercial uses, 200,000 square feet of the office uses, 160,000 square feet of the municipal facility uses, 276,000 square feet of the public school uses, and 10.23 acres of the park/open space; and by further amending the Future Land Use Map to delineate the prop -- boundary of the MITAC and also change the Future Land Use Designation of the 83.2-acre, also known as the Miramar Innovation and Technology Village, generally located along Miramar Parkway between the Florida Turnpike and SW 67<sup>th</sup> Avenue and legally described in Exhibit "A", from Institutional and Public Facilities (47.4 acres), Commercial (24.1 acres), Recreation and Open Space (7.4 acres) and Low, Residential (4.3 acres), in order to create an economically productive and socially inclusive innovation district to help revitalize Historic Miramar; providing for definitions; making findings; providing for adoption; providing for transmittal; providing for severability; and providing for an effective date.

MAYOR MESSAM: It's the second reading. There's been no changes, so -- have there been any changes to the reading?

MR. SILVA: Yes, there have been changes since the first reading.

MAYOR MESSAM: Excuse me?

MR. SILVA: There have been changes since the first reading.

MAYOR MESSAM: Okay.

MR. SILVA: We previously presented this item on June 16<sup>th</sup>, then we had the workshop on June 22<sup>nd</sup>. I can run through some updates since the workshop; there were a couple items we had to get back on, if you'd like.

MAYOR MESSAM: Okay, yes.

MR. SILVA: One question for the City Attorney. My PowerPoint covers both the land use plan amendment and the rezoning. The rezoning is quasi-judicial. Are we going to do the swearing in now?

CITY ATTORNEY POWELL: Item number 13? Florida Courts have determined that there are certain types of matters, including the following application, which is to be treated differently than other issues considered by the Commission. Most decisions of the Commission are legislative in nature, which means that the Commission is acting as a policymaking body. In contrast, in quasi-judicial matters, the Commission is applying existing rules and policies to a factual situation and is, therefore, acting like a judge or a jury in a courtroom. In cases -- in such cases, the courts have decided that due process and fundamental fairness requires that more formal procedures be followed. The City of Miramar's procedures for -- for quasi-judicial hearing are as follows: Alls who -- all who wish to speak shall be collectively sworn in by the City Clerk. The hearing shall be conducted in an informal manner. I will read the title of the item to be considered. City staff shall present a brief synopsis of the application and make a recommendation. Next, there will be a presentation by the applicant. The Commission will then hear from the participants in favor of and in opposition to the application. All witnesses are subject to cross examination by the City staff, City Commission, and the applicant. A participant may request that the 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 upon 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 recommend -- recommended conditions, unless otherwise stated in the motion for approval. The -- the Clerk will now swear in anyone who's going to testify.

CITY CLERK GIBBS: All of those wishing to provide testimony 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? Thank you.

CITY ATTORNEY POWELL: Item number 13, an ordinance of the City Commission of the City of Miramar, Florida, relating to the Land Development Regulations; amending the Zoning Map of the City of Miramar for approximately 32 acres of real property generally located and lying on both sides of Miramar Parkway, between the Florida Turnpike and SW 68<sup>th</sup> 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; that certain parcel with Parcel ID Number 5141-2604-0022 from Open Space/Recreation (OS) Zoning District to Mixed-Use Low (ML) District; number three, those certain parcels with Parcel ID Numbers 5141-2600-0060 and 5141-2066-06 -- 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 Multifamily 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.

MR. SILVA: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners. Eric Silva, Community Development Director. This application -- this presentation includes two applications. It's second reading for a land use plan amendment, and the first reading for a rezoning application. This application was before you on June 16<sup>th</sup>, those two items, and we had a workshop on June 22<sup>nd</sup>. This slide here shows the general location. It's 83 acres, and it's located on the Turnpike to 6700 Miramar Parkway where the Multi-Services Center is; it's approximately 83 acres, and includes the shopping plazas to the north and south, schools, the Aquatics Complex and new Public Safety Center, and several fields. Next slide, please. Just a little bit on the history of this application. So efforts to redevelop this area have been ongoing since the mid 1990s. The Economic Development Forum, and the East Miramar Neighborhood Vision Plan, and the Community Redevelopment Agency study, which we discussed quite a bit at the last meeting, there was the State Road Collaborative to the east, the Miramar/West Park Citizen's Plan, the transit oriented corridor land use designation to the east, and construction improvements throughout the area, the state and federal grant programs for housing opportunities. The process the application has been through, and it's been a lengthy process. We started here at the City Commission in March of last year, that was first reading, and the application was transmitted to Broward County and State agencies. Went to the Broward County Planning Council, and the Planning Council was so supportive of the application, that they did not require a second hearing, usually required. So it was one hearing, and they commended us, this application at that hearing, and the Broward County Commission for two hearings. It was adopted on June 1<sup>st</sup> by the Broward County Commission, and between then it went to the State agencies: Department of Transportation, Department of Economic Opportunity, the South Florida Regional Planning Council had hearings on it; everybody recommended approval. And also the State Land Planning Agency commended us in this application, calling it innovative for affordable housing, and trying to create this mixed-use center in the historic area. What is a future land use plan map amendment? So, typically, land use plan maps show a parcel of land as commercial or residential or recreation use. What we're trying to do here is to create an 83-acre area; we have an activity center that allows for mixed use by right. That means they don't have to go back through that long process with the State

and the regional agencies, and the County. So developers have much more certainty when they come before us. All they need to do is file a site plan, and a building permit application, basically. This presentation includes the rezoning application, which it basically mirrors the land use. We're also trying to create mixed use for the zoning, and it's shown here in purple. The zoning that's proposed: Most of the area and the two shopping centers are zoned B2, which is our most popular business district that allows for business, office, restaurants, retail-type uses. We also have areas that are zoned for spaces and community facilities. Here are our City facilities and the schools. So the idea here is to take those areas that are zoned for business, and to take the areas -- two areas that are zoned for park right now, Shirley Branca, the YEC, and make them a mixed use low, which provides for a mixed use by right. The design of those properties will be more pedestrian oriented, and try and create more of an activity center and uses for the community. There's one parcel in the back that we're recommending goes to a residential zoning. That's the Wellman Field. This would allow for residential uses in the form of apartments or townhomes. Not going to go through all these meetings tonight; we've talked about this before. I just wanted to point out a couple of key dates, and these meetings have been over the last year and a half or so. On March 18<sup>th</sup> of last year, we had our first reading here at the City Commission, that's when the transmittal occurred to the State regional agencies, and the Planning Council meeting was on January 28<sup>th</sup>; approval with no need for a second hearing. Required County Commission: first meeting was March 9<sup>th</sup>, then approval on June 1<sup>st</sup> by the Broward County Commission. Then on June 8<sup>th</sup>, we had a Planning & Zoning Board meeting, and they also recommended approval. Along the way, we had a lot of meetings with the residents throughout that process, and there were really three issues that were relevant to the application, and one was traffic. And throughout that process, that long review process with that and Broward County, the analysis showed that based on what's allowed by right now on the Land Use Plan Map, you could have certain uses, and then you propose certain uses, but only increase the number of trips by 13 trips during the p.m. peak hour. There were questions about housing, and it's a public housing project; this is not a public housing project. There were questions about the loss of park space; we talked about the agreement with the School Board before to replace the park space at Wellman Field, and also protecting about a third of Wellman field for a plaza or park space. Other comments that came up in those meetings with the community, and the City Manager also created a task force with different departments: the Police Department, Utilities, Public Works; we all got together and addressed these issues related to mosquitos, and drainage, and sidewalks, and traffic, and crime. So the change. Since the first reading, there was a change. The original proposal before you included 942 units; this application tonight includes 450 units. The original proposal had 40 -- 400,000 square feet of commercial use; this application has 300,000 square feet; it's a reduction of 100,000 square feet. And it should be noted here that that commercial square footage includes the square footage that are on the ground, and the net increase is just over 81,000 square feet. The office, that's a new use we're introducing, 200,000 square feet of municipal, including the municipal uses that are on the ground, so the increase is about 59,000 square feet. And the park space, in both the County application and the City application, that's a minimum acreage of park space, so we expect to have more in the area than that. Well, since the last meeting on June



16<sup>th</sup>, we did a couple things. First we had the workshop here in the Chambers, but then we also reached out to property owners, and one was here tonight, he had to leave, and we got several emails and letters of support for the application. One was from the B & M Market, Bergeron sent both a letter and an email in support. Mr. Suh, who owns the property adjacent to the Publix shopping plaza there, he also sent an email of support, and we spoke with all of these people too, so we talked to them on the phone, we talked to Publix, and they have quite a bit of bureaucracies, so they couldn't send an email on time, but they did thank us for the information and, generally, I believe they liked the project, and the same with Dacar. And Dacar they own the Bravo section of the plaza. And, unfortunately, that owner is out of the country, but, in general, we've talked to them in the past, and I believe, also, they're very excited about the project. We also did some research on other mixed-use projects. So the research that we were looking into were: what could Miramar Parkway look like? What could the mixed use look like on Miramar Parkway? And the -- the photo on the right is something you've seen before at the project in Davie, but extending north of Davie Road, the Town has taken the initiative to get more mixed-use projects, and that's another one along the road, and it's all four stories with commercial on the bottom and residential on the top. There's also a couple of other buildings that look like that too, along that section of Davie Road, and that is an activity center in Davie. This is in Wilton Manors, along Wilton Drive, and they have several projects like this in that area, also four stories. A little bit of a different design; this is more Mediterranean, but they do have commercial, retail, restaurants on the bottom floor, and the residential on top. We were also asked to look into Publix; these are some creative designs that Publix has incorporated into several different cities. On the -- and they're both in activity centers. On the right is in the Pompano Beach Activity Center, and that has different uses in the front; there's shops and restaurants in the front and Publix in the back. And the one on the left is in downtown Fort Lauderdale, that's the Publix GreenWise, and they have the Publix on the first floor, parking in the middles, and the residential on top. And this one is in Hollywood, and there's really a lot going on with this building here. So Publix is sort of on the right, where that angled parking is on the first floor, and then to the left what you have is a -- a hotel, a condo, and on the top you have a rooftop bar and restaurant, and then you also have a rooftop green scape and a pool. So this is just some examples of how Publix -- you know, at first they might not be, you know, so crazy about the project, and then later on they can get creative with their designs. And then this is in Oakland Park. Oakland Park also has an activity center, and this is a section along the railroad tracks just north of Oakland Park Boulevard, and if you've ever driven by that, there's really a lot happening there now. They reded their city offices, quite a few new businesses, and that all started with one -- one business, this Funky Buddha Brewery, and it's just a brewery, not even a restaurant. They have a brewery and food truck, and then all these other businesses followed, which really is kind of -- a little bit like our situation. We have a very popular ice cream shop, and he was here tonight to support the project, but he had to leave. So we have the potential to grow like they did in Oakland Park. And the recommendation from the City Manager's Office is for approval of the Land Use Plan amendment for or second reading, and the rezoning first reading also for approval.

MAYOR MESSAM: Thank you for the presentation and update. City Clerk is in receipt of one eCom -- eComment. Mr. Eric Young submitted an eComment, and his eComment goes as follows: This is a dramatic reversal for me. But I would like, again, to thank Commission for its recent engagement with residents, amending this project, ultimately explaining what's to come. What has been done recently regarding public hearings have been inspiring, to say the least. If this would have been done before, I truly believe the pessimism towards the initial plans would have been more enlightening and skepticism. I hope the Commission has more trust in the people they serve in the future. This comment from Mr. Eric Young who submitted the eComment. There are no additional comments or requests to speak on this item, so back to the dais for item number 12, second reading for Temporary Ordinance O1743. Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Thank you, and thank you, staff, for your presentation. I -- I just want to bring up an -- an -- a proposal for the -- the innovative and technology -- innovation and technology activity center. And I know, previously, what was thought of to be in the area of where the YEC is right now was a -- a building and a public/private partnership. What I'd like to also see there, which is a proposal, is the Caribbean Museum. So, currently, the museum is being housed in the City of Plantation, and it's the only such museum in the world at -- at the moment. I think, for the City of Miramar, it would be an ideal location. The -- the -- the folks that run the museum also believe that to be the case. Miramar has a very diverse population. I would be, you know, even -- I wouldn't even say it goes far as saying the majority of the residents are from Caribbean descendants, or directly from the Caribbean, whether they are French speaking, Dutch, Spanish, or otherwise. But I'd like to see this explored and -- and put in a Caribbean museum at this location. I know it looks like we're short of time, so that's my two cents. I'll come back if I need to, but I'd like to -- to have that incorporated in -- in the village.

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

VICE MAYOR COLBOURNE: Yes. Thank you. I know we talked about -- about this at -- at length at the last meeting. Two things that I really want to discuss; one is the change that was proposed, and the other is the hub. There is -- there is language in -- in this item that says that -- that we shall -- I take it to mean we -- we shall move forward with a -- with a -- with a hub, with some sort of transportation hub. City Manager says -- you know, he's assured me that -- that it's not part of the plan, but it seems to be in here. In terms of a transportation hub, I don't feel that that's the ideal location for it, but I do feel that University Drive, closer to the Turnpike would -- would be more suitable for some sort of a transportation hub, where we can actually -- not only have the -- the -- the commute into Miami-Dade County, and -- and -- and north Broward, but you can also have, you know, this type of activity center in that area, as being proposed here. My thought was that we could actually extend it, the same way you have extended it over to the community center, if you would extend it over to -- to University for include -- to include that area, so that we can -- we can make that part of the development, make the -- make bus -- the

transportation hub in that area, rather than inside of that community. Mr. Manager, can -  
- can you give me some feedback on that?

MAYOR MESSAM: Before we get into that discussion, it is beyond our 12:30 point, so we need a motion to extend the meeting.

VICE MAYOR COLBOURNE: Another time certain?

MAYOR MESSAM: Yup. What is the desire of the Commission? May I have a motion with a time certain, please? Otherwise I'll --

COMMISSIONER CHAMBERS: Motion to time certain to 12:45.

MAYOR MESSAM: May I have a second?

VICE MAYOR COLBOURNE: Second the motion.

MAYOR MESSAM: All right. Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: No.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: 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 Davis, seconded by Commissioner Barnes, to approve extending the meeting to 12:45 a.m., the Commission voted:

Commissioner Barnes	No
Vice Mayor Colbourne	Yes
Commissioner Chambers	Yes

Commissioner Davis  
Mayor Messam

Yes  
Yes

**Approved**

CITY MANAGER HARGRAY: Vice Mayor Colbourne, I had a talk with -- my voice. I had a conversation with Eric. One of the things that we want to get locked out of is that there can be multiple activity centers, so there's no reason why we should not consider University as a activity center. So I have directed staff to pursue that, because, obviously, we know that in Dade County, they are looking at the Metro Rail, they're looking at going down 27/University; that's always been a conversation. We also have the -- the -- the stadium there, and -- and -- and staff is -- is benson and making us quite a bit of dollars there in that area in here, and -- and yet we don't have no means to -- to get there, so we -- we're going to pursue that -- that as an activity center in here, with that idea. One of the challenges that we had, we tried to wait on the County, but the County is kind of like -- has held us up in terms of some of the things that we had in mind. So we're moving forward in here, because it's -- it's more important for us to redevelop that area right there, so we're moving forward. We'll look at that as a hub in there in the future. It is a part of the activity center they have in Lauderhill, but it is time now that -- the director has been directed to -- to pursue this here.

VICE MAYOR COLBOURNE: Okay. I -- I appreciate that, so staff has been directed to pursue the activity center on University, including the hub, the transportation hub? Is that what I'm hearing?

CITY MANAGER HARGRAY: Yes.

VICE MAYOR COLBOURNE: Okay. So the transportation in this particular area -- if we're not going to do it, and that's -- that is my preference here, then how do we make sure that we're -- we're not compelled to do it, as it is stated in the document?

MR. SILVA: Earlier today, I was able to get written confirmation from the person who -- who wrote that, basically, the person who wrote that into the Broward County Land Use Plan, and what she said -- that's the executive director on the Broward County Planning Council. So what she said was the statement is already open; it says that you shall, basically, coordinate with Broward County Transit to customize the hub to meet the needs of the area. So it could be as simple as, you know, another bus shelter, something like that. It could be as simple as we got another bus route that comes through the area, and she put that in the email, that it's customized to the area.

VICE MAYOR COLBOURNE: Okay. If you can make that part of the -- part of the item, the email.

MR. SILVA: I believe it's part of the record, because it was read into the record by me as part of this hearing. So if the question ever comes back, in the future, from Broward County, we can always refer to that.

VICE MAYOR COLBOURNE: I did -- I'm not sure that was read into the record, but --

MR. SILVA: I -- do you want me to read it, verbatim, I can read it if you like now: Regarding the MITAC remark that the City shall coordinate with Broward County Transit to plan for an integrated transit hub within the activity center, in order to reduce reliance on automobile travel. It is the Planning Council staff's understanding this does not mandate a transportation hub, but does require coordinate with Broward County Transit to determine what types of connections and transit activities will work best for this area. What's customize for this area.

VICE MAYOR COLBOURNE: Still kind of vague. Okay. So the -- the other question I had -- this -- 12 and 134 were -- were sort of combined, so I know --

MAYOR MESSAM: We will vote on them individually.

VICE MAYOR COLBOURNE: The other individuals will -- will comment, but I do want -- perhaps after they -- before we vote on it, if we can just, you know, get a -- some like clarification on exact -- what we voting for on this one and the other one when we're voting for it.

MAYOR MESSAM: What kind of summary? Trying to understand what -- what is being requested. Well, the item reads -- what -- the item reads -- number 12 is the land -- if for the -- the Comprehensive Plan amendment, that's item 12; it gives its designation, and then item 13 is the Land Development Regulations, amending the zoning map. Those are the two items that we'll be voting on separately. So the clarification, one is the Comprehensive Plan amendment, and the other is the Land Development Regulations, amending the zoning map for the designated area.

VICE MAYOR COLBOURNE: When we -- when we did the presentation, we're just going to tie them both together. I don't need a full presentation, but I just wanted to make sure that it -- it's clear, when we're voting --

MAYOR MESSAM: On which item? 12 versus 13, correct?

VICE MAYOR COLBOURNE: Right.

MAYOR MESSAM: Okay. Okay. Commissioner Chambers, you're recognized. No, you've got to do that after 12:45, we have five minutes. Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: I just want to say the presentation with the commercial piece, as far as Publix and Bravo, I know I'm okay with that. But based on the amendment and the zoning, and the land use change, it's all tied together, so if I have to vote for the whole thing in one, but when it comes back, when we start to do this piece by piece, I just want to be on the record that I'm not supporting this taking away Wellman Field, and the innovative district. But, as this present to us, the whole thing ties together, so we have to approve the whole change. So -- am I correct, sir?

MR. SILVA: Yes, it's all together.

COMMISSIONER CHAMBERS: Thank you. Thank you.

MR. SILVA: Just -- Mr. Mayor, regarding Vice Mayor Colbourne's comment about what we're voting on, I can put up the slide that shows the Land Use Plan development program, and then show the rezoning map, if you like.

VICE MAYOR COLBOURNE: Yes, thank you.

MR. SILVA: Welcome.

VICE MAYOR COLBOURNE: Actually, a quick question. On the change -- the change that you made, after -- after this meeting, does that have to go back as an amendment?

MR. SILVA: For the Land Use Plan amendment, what happens after this is on recertification by Broward County. So what we do is we tell Broward County what the Commission's action was, and they confirm that it matches the action that was taken by the Broward County Commission on June 1<sup>st</sup>. And then --

VICE MAYOR COLBOURNE: And this won't match?

MR. SILVA: Well, this will match. Yes, that matches.

VICE MAYOR COLBOURNE: It will match, even though it was reduced here?

MR. SILVA: The reduced amendment was sent to Broward County.

MAYOR MESSAM: Okay. We are running down to three minutes. Do I have a motion on item number 12?

COMMISSIONER DAVIS: Motion to approve.

MAYOR MESSAM: Is there a second?

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Davis, seconded by Commissioner Chambers, to approve Ordinance #O1743, the Commission voted:

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

**Ordinance No. 21-19**

## **QUASI-JUDICIAL HEARING**

13. **FIRST 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. ***(Continued from the meeting of 06/16/21) (Community Development Director Eric Silva)***

MAYOR MESSAM: On item number 13, Land Development Regulations amending -- amendment of the zoning map, may I have a motion, please.

COMMISSIONER DAVIS: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.



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

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

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

SECOND READING SCHEDULED for August 18, 2021

MAYOR MESSAM: I do have to read this into the record to note that items number 14 under quasi-judicial first reading of TO 1776 is to be continued to August 18. Staff wishes to continue item number 15 under quasi -- TR 7441 to August 18<sup>th</sup>.

CITY ATTORNEY POWELL: Mr. Mayor, before you leave, just so that the record's clear, concerning item number five. The make of the motion to reconsider, since we make a motion to continue item number five to the next meeting in August.

MAYOR MESSAM: All right. I need a motion to continue item number five to the

14. **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 06/16/21) (Community Development Director Eric Silva)*

**Cont'd. to 08/18/21**

15. 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 08/18/21) (Community Development Director Eric Silva)***

**Cont'd. to 08/18/21**

MAYOR MESSAM: I do have to read this into the record to note that items number 14 under quasi-judicial first reading of TO 1776 is to be continued to August 18. Staff wishes to continue item number 15 under quasi -- TR 7441 to August 18<sup>th</sup>.

CITY ATTORNEY POWELL: Mr. Mayor, before you leave, just so that the record's clear, concerning item number five. The make of the motion to reconsider, since we make a motion to continue item number five to the next meeting in August.

MAYOR MESSAM: All right. I need a motion to continue item number five to the next Commission meeting.

COMMISSIONER CHAMBERS: Motion to continue.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: No, motion to the next Commission meeting.

VICE MAYOR COLBOURNE: Motion -- motion -- did somebody --

COMMISSIONER CHAMBERS: Motion to continue item five to the next Commission meeting.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: This will be a manual vote. Commissioner Barnes.

COMMISSIONER BARNES: No.

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: No.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to continue Resolution #R7444 to the next City Commission meeting on August 18, 2021, the Commission voted:

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

**Cont'd to 08/18/21**

## **OTHER BUSINESS**

**Reports and Comments:**

**Commissioner Reports:** NONE

**City Manager Reports:** NONE

**City Attorney Reports:** NONE

**FUTURE WORKSHOP:** NONE

## **ADJOURNMENT**

MAYOR MESSAM: Meeting's adjourned.

The meeting adjourned at 12:45 a.m.

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Denise A. Gibbs, CMC  
City Clerk  
DG/cp