



MINUTES OF THE CITY OF MIRAMAR REGULAR COMMISSION MEETING

SEPTEMBER 29, 2021

7:00 P.M.

A regular meeting of the Miramar City Commission was called to order by Mayor Messam at 7:03 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 Maxwell B. Chambers
Commissioner Alexandra P. Davis

Upon call of the roll, the following member of the City Commission was absent:

Commissioner Winston F. Barnes

The following members of staff were present:

City Manager Vernon E. Hargray
City Attorney Burnadette Norris-Weeks (Late)
City Attorney Norman Powell
City Clerk Denise A. Gibbs

MAYOR MESSAM: Good evening. The meeting of the Miramar City Commission is now called order. Commissioner Barnes will be appearing remotely for this meeting. An opportunity was given to the public to register to participate or email the City Clerk 24 hours prior to the Commission meeting with any questions, comments, concerns on items we will hear on this evening's agenda. Any person may be heard by the City Commission through the chair, and upon registering, pursuant to the published notice for not more than three minutes on any proposition before the City Commission, unless modified by the chair. This meeting is being streamed live at miramar.gov/commissionmeeting, and televised on Comcast channel 78, and AT&T U-verse channel 99 for City of Miramar subscribers. As of September 29th, 2021, at 2:45 p.m. one members from the public has 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 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 City Commission. All comments submitted will be included as part of the record of this meeting, and will be considered by the Commission, and prior to any action being taken. Madam Clerk, at this time, please call the roll.

CITY CLERK GIBBS: Mr. Mayor, I just want to correct the record. Commissioner Barnes will be absent tonight.

MAYOR MESSAM: All right, thank you. Let the record reflect Commissioner Barnes will be absent for tonight's meeting.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Here.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Here.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Here.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Here.

CITY CLERK GIBBS: City Manager Hargray.

CITY MANAGER HARGRAY: Here.

CITY CLERK GIBBS: City Attorney Powell.

CITY ATTORNEY POWELL: Here.

PLEDGE OF ALLEGIANCE

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

The Pledge of Allegiance was recited.

A MOMENT OF SILENCE

MAYOR MESSAM: At this time, we will observe a moment of silence. We do have a commem -- commemoration list for City of Miramar family who have experienced loss. Antwan "AJ" Scott, Utilities Department lost his mother; City of Miramar Public Works Department: Jean Merlin, Myron Sanders, Public Works, lost his aunt; Premnath Ramjoon, Public Works Department, lost his cousin; Regina Roberts, Marketing, brother; Toya Mcgruder, Public Works, sister. Let's keep our fellow associates and colleagues in our prayers, as they bereave the loss of family members, as well as those condolences we are experiencing in our community. Let's observe a moment of silence. Thank you.

PROCLAMATION & PRESENTATIONS:

MAYOR MESSAM: For our presentations, we do have a couple of proclamation/presentations, followed by -- a presentation after the proclamations.

A Proclamation: Fire Prevention Week (Mayor Wayne M. Messam)

MAYOR MESSAM: Our first proclamation, I'd like to call forward Assistant Fire Marshal Jose Gregorisch and team. Good evening. Our first proclamation is in observance of Fire Prevention Week, October 3rd through 9th, 2021:

Whereas, the City of Miramar is committed to ensuring the safety and security of all those living in, and living in our State; and, Whereas, fire is a serious public safety concern, both locally and nationally, and homes are the locations where people are the greatest -- are at greatest risk from fire; and, Whereas, home fires killed more than 2,770 people in the United States in 2019, according to the National Fire Protection Association, also known as NFPA, and fire departments in the United States responded to 339,500 home fires; and, Whereas, smoke alarms sense smoke well before you can, alerting you to danger in the event of fire in which you may have as little as two minutes to escape safe -- safely; and, Whereas, working smoke alarms cut the risk of dying in reported home fires in half; and, Whereas, Miramar residents should be sure everyone in the home understands the sounds of the alarms, and know -- and knows how to respond; and, Whereas, Miramar's residents who have planned and practiced the home fire escape plan are more prepared, and will, therefore, be more likely to survive a fire; and, Whereas, Miramar residents will make sure their smoke and carbon dioxide alarms meet the needs of all their family members, including those with sensory or physical disabilities; and, Whereas, Miramar's Fire Marshal, first responders, and our Life Safety Division are dedicated to reducing the occurrence of home fires, and home fire injuries through prevention, and protection education; and, Whereas, Miramar's residents are responsive to public education measures are better

able to take personal steps to increase their safe -- their safety from fire, especially in their homes; and, Whereas, the 2021 Fire Prevention Week theme "Learn the Sounds of Fire Safety" effectively serves to remind us it is important to learn the different sounds of smoke and carbon monoxide alarms. I, Wayne Messam, Mayor of the City of Miramar, do hereby proclaim October 3rd through the 9th, 2021, as Fire Prevention Week throughout the City, and I urge all people of Miramar to learn the sounds of fire safety for Fire Prevention Week 2021, and to support the many public safety activities and efforts of Miramar's fire and emergency services. Presented on behalf of the Miramar City Commission.

MAYOR MESSAM: Thank you all for all that you do to keep our community safe, responding, as well as educating during this very important awareness week of Fire Prevention Week; thank you so much.

A Proclamation: Hispanic Heritage Month (Sponsored by Vice Mayor Yvette Colbourne) (Mayor Wayne M. Messam)

MAYOR MESSAM: Our next proclamation, I would like to ask the Miramar City Commission to join me on the dais for our next proclamation, requested by Vice Mayor Yvette Colbourne in recognition of Hispanic Heritage Month. Proclamation, Hispanic Heritage Month, observed September 15th, 2021 through October 15th, 2021:

Whereas, Hispanic Heritage Month is an opportunity to recognize the proud history and rich culture of Hispanic Americans; and, Whereas, Hispanic Heritage Month celebrates the traditions, ancestry, and unique experiences of those who trace their family background to Spain, Mexico, Central America, South America, and the Caribbean islands; and, Whereas, we pay tribute and recognize the important contributions of Hispanic Americans through the national observance of Hispanic Heritage Month, beginning on September 15 through October 15; and, Whereas, September 15th was chosen, since it is the anniversary day of independence of five Latin American countries: Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua, and, in addition, Mexico's independence is observed on September 16th, and Chile's independence is observed on September 18th; and, Whereas, Florida has the third largest population of Hispanics in the country, with more than four million people; and, Whereas, Miramar's Hispanic American residents play a unique and vital role in our economy and workforce, contributing and thriving in all aspects of our society, accounting for 36 percent of Miramar's population. Now, therefore, I, Wayne Messam, Mayor of the City of Miramar, and on behalf of the City Commission, do hereby proclaim September 15th, 2021, through October 15th, 2021, as Hispanic Heritage Month.

MAYOR MESSAM: At this time, I would like to ask if every person in the Chambers who is of Hispanic heritage or descent, if you will please stand. The City of Miramar, we would not be the city who we are if it was not for our Hispanic community that contributes in all aspects, all areas of our lives, and service to our community, and our private sector in all aspects of what makes Miramar the community that we are. At this time, I'll invite Vice Mayor Colbourne to provide some remarks as the sponsor of this proclamation.

VICE MAYOR COLBOURNE: Thank you so much. You know, Hispanic Heritage Month is very special to me, as -- as the only person on this dais who is Hispanic. It's -- it's important for me to make sure that we continue to celebrate it, and this is why I have really been on the front of it ever since I started here, hosting the Hispanic Festival, as well as honoring several Hispanics during -- during the month. And, today, we do have someone that I would like to honor, so we can go right that -- right into that, Mr. Mayor.

A Presentation: Dr. Aurelio Castrellon Community Service Award for the Hispanic Heritage Month presentation (Vice Mayor Yvette Colbourne)

VICE MAYOR COLBOURNE: I would like to call Mr. Aurelio Castrellon. Thank you so much. If you could stand right here. Dr. Aurelio Castrellon is Hispanic, so we're honoring you during Hispanic Heritage Month. But Hispanic Heritage Month also -- is also celebrated throughout October, and we also share Cancer Awareness Month during October. So this -- this recognition really addresses both of those with Dr. Aurelio Castrellon. He works -- he's Hispanic Heritage Month is -- he was born in Panama, studied at University of Panama, he did his residency at Jackson Memorial Hospital, speaks English, Spanish, and Portuguese. He is the author of "Finding Life in Illness", a brief autobiography directed towards any person whose fate might have become affected due to the influence of this world. Dr. Castrellon served as the medical oncologist with board certifications in medical oncology, hematology, and internal medicine. He cares for patients at Memorial Cancer Institute who are battle -- who are battling various stages of breast cancer. He is actively involved in clinical trials and research at Memorial Cancer Institute, which means patients have access to new drugs that are not yet offered nationwide. Oncology is a rapidly changing field, where new development and treatment options are continually being discovered. He considers it a critical part of his job to stay up to date on the latest finding. He's proud to be making a difference in the lives of his patients, and bringing us closer to a cure. Dr. Castrellon states that while the technical side of his jobs are crucial, he says, "I never forget that my main purpose is to help patients during a very difficult time in their life. I want all my patients to feel comfortable communicating with me, to know that I will listen to everything they have to say, and that, together, we will find the right treatment that will give them the best quality of life." Dr. Castrellon, thank you so much for your work in oncology.

DR. CASTRELLON: Thank you. Thank you so much.

VICE MAYOR COLBOURNE: We sincerely appreciate it.

DR. CASTRELLON: I'm honored. Thank you so much.

VICE MAYOR COLBOURNE: It is my privilege to recognize you during Hispanic Heritage Month. I'd like to give you the opportunity to say a few words.

DR. CASTRELLON: Well, I'd like to thank, first of all, the City of Miramar for this kind recognition. I am very grateful, and -- it is a -- like you very well stated, an immense pleasure and honor to serve this community of Broward and South Florida. I have been blessed to help patients with cancer now for many years in this community, and I have built great relations with citizens of this community. I just would like the opportunity to continue to serve the people. That's pretty much it, thank you so much. I'm greatly honored, greatly honored. And thank you for law enforcement for everything you do for us, and keeping us safe; we greatly appreciate you guys too.

VICE MAYOR COLBOURNE: Thank you so very much. Thank you so very much. You can -- he's gone. No, I was saying you can -- you can thank them as well.

DR. CASTRELLON: Oh, thank you very much. Thank you so very much. Great -- great honor, great honor. Thank you.

VICE MAYOR COLBOURNE: Thank you very much. Very proud of your accomplishments.

MAYOR MESSAM: Thank you. And congratulations again. Before we proceed with tonight's agenda, please note the staff wishes to continue item number 13, the second reading of Temporary Ordinance No. 1717 to October 13th, and item under quasi-judicial, Temporary Res -- Resolution No. 7441 to November 15th.

CONSENT AGENDA

MAYOR MESSAM: 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 any items on the Consent Agenda. At this time, are there any items on the Consent Agenda that wish to be pulled, or may I have a motion to approve the Consent Agenda?

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER DAVIS: Second.

MAYOR MESSAM: Madam Clerk, record the votes.

CITY CLERK GIBBS: Commissioner Chambers. Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Davis, to approve Consent Agenda Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, the Commission voted:

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

1. Minutes from the Regular Commission Meetings of September 1, 2021, August 18, 2021, and the Budget Workshop Meeting of June 30, 2021.

Approved

2. Temp. Reso. #R7485 authorizing the **2021/2022 agreement** with the Broward County School District to continue to provide **School Resource Officer services** to the nineteen schools located within the City of Miramar. *(Police Major James Dunkelberger)*

Resolution No. 21-164

3. Temp. Reso. #R7477 authorizing the expenditure of \$150,689.00 for the installation of a **Bi-Directional Antenna System** to ensure emergency radio communications with dispatchers by boosting radio signal within the **Miramar Police Department Headquarters**. *(Interim Police Chief Leonard Burgess)*

Resolution No. 21-165

4. Temp. Reso. #R7475 awarding Invitation for Bid No. 21-018 entitled **“Ansin Sports Complex - Shade Structure - Southside”** to Boromei, Inc., for the

construction of fabric canopy shade structures for the Ansin Sports Complex in an amount not-to-exceed \$431,845.00. (*Parks and Recreation Operations Manager Aubrey Boyd and Procurement Director Alicia Ayum*)

Resolution No. 21-166

5. Temp. Reso. #R7479 approving the second one-year renewal option with H&H Liquid Sludge Disposal, Inc. for the period commencing on October 9, 2021 through October 8, 2022, for purchase of **hauling & disposal services** for FY 22, not-to-exceed \$571,500.00. (*Utilities Assistant Director Jinsheng Huo*)

Resolution No. 21-167

6. Temp. Reso. #R7490 approving the first amendment to the Interlocal Agreement between the City of Miramar and Broward County for **Community Shuttle Service**, authorizing the City Manager to execute the first amendment to the Interlocal Agreement modifying Exhibits “D” and “F” of the Interlocal Agreement. (*Public Works Director Anthony Collins*)

Resolution No. 21-168

7. Temp. Reso. #R7493 approving the ranking and award of Request for Qualification No. 21-06-29, entitled “**Pool of Qualified General and Environmental Inspectors for Residential Rehabilitation Projects**”; awarding the Request for Qualifications to the firms meeting or exceeding the minimum qualifications; and authorizing the City Manager to execute appropriate Continuing Services Agreements with the qualified firms for a term of two (2) years, thereby establishing pools of firms for the provision of general and environmental inspection services for residential rehabilitation projects on an as-needed basis. (*Community Development Director Eric Silva and Procurement Director Alicia Ayum*)

Resolution No. 21-169

8. Temp. Reso. #R7505 approving a three-year agreement with three one-year renewal options between the City and Delta Dental for **group dental plans for City employees and dependents** in an amount not-to-exceed \$575,000.00 for Calendar Year 2022 and an amount not-to-exceed \$1,766,000.00 for the initial term of the contract. (*Human Resources Director Randy Cross*)

Resolution No. 21-170

9. Temp. Reso. #R7506 approving a three-year agreement with three one-year renewal options between the City and Humana Insurance Company for **vision insurance services for City employees and dependents** in an amount not-to-

exceed \$85,000.00 for Calendar Year 2022. (*Human Resources Director Randy Cross*)

Resolution No. 21-171

10. Temp. Reso. #R7507 approving a three-year agreement with three one-year renewal options between the City and Standard Insurance Company for **group life, accidental death and dismemberment, long term disability and voluntary life insurance services for City employees and dependents**, in an amount not-to-exceed \$500,000.00 for Calendar Year 2022 and an amount not-to-exceed \$1,575,000.00 for the initial term of the contract. (*Human Resources Director Randy Cross*)

Resolution No. 21-172

11. Temp. Reso. #R7489 approving a Public Emergency Medical Transportation Letter of Agreement with the State of Florida for participation in the **Medicaid Managed Care Supplemental Payment Program**. (*Fire-Rescue Division Chief Cliff Ricketts*)

Resolution No. 21-173

End of Consent Agenda

RESOLUTIONS

MAYOR MESSAM: Item number 12, please.

12. Temp. Reso. #R7443 creating the City of Miramar Residential **Copper Pipe Low-Interest Loan Program**, pledging one million dollars (\$1,000,000.00) from the City's Utility Fund for the loan program; authorizing the City Manager to develop loan criteria and a loan application process, to approve loans to qualified applicants, and to carry out all additional responsibilities relating to the loan program. (*Utilities Director Dr. Roy Virgin*)

CITY ATTORNEY POWELL: A resolution of the City Commission of the City of Miramar, Florida, creating the City of Miramar Residential Copper Pipe Low-Interest Loan Program, pledging one million dollars (\$1,000,000.00) from the City's Utility Fund for the loan program; authorizing the City Manager to develop loan criteria and a loan application process, to approve loans to qualified applicants, and to carry out all additional responsibilities relating to the loan program.

MAYOR MESSAM: Good evening, sir.

DR. VIRGIN: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners, City Manager, City Attorney, City Clerk. Roy Virgin, Director of Utilities. The item before you this evening is to seek approval for the Residential Copper Pipe Low Interest Loan Program. So City Commission approval is required to authorize the creation of the City of Miramar Residential Copper Pipe Low Interest Loan Program. So I'll give a little background. Over the years, homeowners have experienced copper pipe erosion, causing leaks and property damage. These leaks and resulting property damage has caused financial hardships to the residents of Miramar. The copper pipe failure are caused from many factors, which include: faulty or low-grade building material, improper coating, improper building design, high turbulence in pipes, and dry wall with high emission of sulfur compound. So in March 23rd, 2021, the City Commission conducted a workshop to examine the effects of copper pipe corrosion, and the City committed, after that workshop to help or assist resident through this copper pipe program, by providing a low-interest rate program. The City pledges \$1 million from the City's Utilities Fund for the loan program. In 2008 -- in 2018, the City retained the services of a consulting or engineering firm Kimley-Horn to conduct a corrosion-control desktop and pilot study. And what the study found, very importantly, is that the City's drinking water is in full compliance with national drinking water standard, and that include, most importantly, lead and copper, and that there are no correlation or there is no correlation between the City's drinking water and the copper pipe erosion. So I'm going to crave your -- crave your indulgence, Mr. Mayor, to read through the terms and conditions for the -- for the residents of -- of what this loan will look like. So the maximum loan amount for each eligible applicant shall not exceed \$10,000.00. The interest rate for the loan shall not be -- shall be one percent, sorry. The loan payment terms shall not exceed five years. The owner of record shall be the loan applicant; a certificate of lien and/or mortgage shall be recorded on the property to secure the repayment of the loan. Billing of the loan shall commence thirty days after the loan proceeds are distributed to the owner/owners on their monthly water bill, and a late fee of no greater than ten percent of the current charges will be applied to delinquent balances and accounts, and are subject to disconnection. So what are some of the program criteria? From a homeowner's requirement, there are -- that they must provide an application for the Infrastructure Improvement Program; they should provide the property owner's State ID; copy of property owner's most recent property tax bill; homeowner's insurance policy showing repair -- repair coverage, and/or deductible, and/or a denial of the claim; copy of a current utility bill, written quotes from three different contractors showing the estimate of the same work, and the lowest quote will be chosen; estimates must include, parts, labor, and then permit fees, and a signed contract between property owner and the selected contractor. From the contractor's requirement side. A copy of an active contractor's license; a copy of active contractor's business tax receipt with W-9; copy of a required -- of required permit, which is from the City of Miramar plumbing permit; Notice of Commencement must be recorded and posted on the job site before the first inspection; final inspection for the City of Miramar Building Division, or from the City of Miramar Building Division; and contractor's final -- release of lien; and voucher or authorization of payment to contractor. From the City requirement side, is that an approval letter from the City of Miramar Utilities Department required; a certificate of

lien and/or mortgage recorded on the property to secure the repayment of the loan; and official loan closing with financial services team. City Manager recommends approval.

MAYOR MESSAM: Thank you, Mr. Virgin, for the presentation. The Clerk received no requests to speak on this item, but we did receive an eComment that was submitted from Zachery Derenoncourt submitted the following eCom -- Comment: Me and many of my neighbors in the houses of Honey Place have deteriorating copper and rubber pipes, and it has led to leaks in our homes, predominantly in the laundry room. I thoroughly support this legislation. That was the eComment that was submitted. At this time, we have two commissioners that have requested to speak, starting with Commissioner Davis; you're recognized.

COMMISSIONER DAVIS: Thank you, Mr. Mayor. Thank you for the presentation Mr. Virgin. Of course, I support the item. This is a problem, especially in our western suburbs. I do see that the -- the e -- the person who sent the -- I guess, their support of the item in that lives in the historic or central parts of -- of the City. So the problem exists all round. But, again, I've -- I've heard most of the issues in our western suburb. What I would like to find out -- I know you mentioned that the loan would have to be repaid in five years. What is the monthly payment based on the one-percent interest rate?

DR. VIRGIN: That's a good question, Commissioner Davis. And with the finan -- with the Finance Department will work out what -- what the -- because \$10,000.00 is the maximum, but there are some residents who may require to have less than that.

COMMISSIONER DAVIS: At \$10,000.00, what's the -- because \$10,000.00 is about what insurance companies will normally pay if they're going to pay, so at \$10,000.00. And we have some budget folks here to click on their calculators. At \$10,000.00, what's the average monthly payment?

DR. VIRGIN: If I could hazard a guess from -- just some basic calculation, it couldn't be more than \$200.00, maybe \$230.00 a month; that's just a rough calculation.

COMMISSIONER DAVIS: Okay. So -- that's what you got, I'm assuming? Our CFO. So we're looking about, maybe, \$250.00 a month, every month for five years.

DR. VIRGIN: Susan is doing the calculation as she walks --

MS. GOODING-LIBURD: Yes, that would be a little under \$250 -- 50 a month.

COMMISSIONER DAVIS: Okay. Thank you for that information. The other question I have, and I know you mentioned that a lien will be placed on the property for nonpayment. At what point of nonpayment will a lien be placed?

DR. VIRGIN: That's a -- another good question. I'll have Ms. Susan -- I don't know if we have stated that there, at what point, whether it's two months delinquent or a month delinquent before that has been placed, but if you have --

MS. GOODING-LIBURD: So as -- Commissioner, as soon as the work is done, depending on the dollar amount that the work was done for, the lien would be placed at that time. And once the repayment by the -- the resident has been completed within -- before five years, or a year, two years, then that lien will be removed.

COMMISSIONER DAVIS: So you don't have a timeframe, I guess, it -- one month of none -- two months, maybe maximum three months of nonpayment, then you place the lien?

MS. GOODING-LIBURD: Once the work is completed, the lien will be placed, based on the --

COMMISSIONER DAVIS: Ini -- initially.

MS. GOODING-LIBURD: Yes.

COMMISSIONER DAVIS: And then it comes off after the payment?

MS. GOODING-LIBURD: Yes.

COMMISSIONER DAVIS: So they get a lien placed up front?

MS. GOODING-LIBURD: Once the payment has been completed, then the lien will be removed.

COMMISSIONER DAVIS: And that's typical for this type of loan?

MS. GOODING-LIBURD: Absolutely.

COMMISSIONER DAVIS: Thank you. That's all my questions at this time. Thank you. I like the program. I just want to make sure it's clear to our residents, what they're getting themselves into when they apply for it.

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

VICE MAYOR COLBOURNE: Thank you so much, Mr. Virgin. I just wanted to say that I was very happy to see that the City came up with -- with a way to be able to assist homeowners. I realize that this is a widespread issue, not just in our city, but, you know, nationwide. And -- and it's just good that we were able to find some way to bring some relief to our residents. My only question is how are we going to get the information out to the residents that -- that needs it? And I do realize it's probably going to be very

competitive, because you probably have a lot of individuals that would -- would like to take advantage of this.

DR. VIRGIN: Vice Mayor, if you're asking how are we going to get the message out the residents, --

VICE MAYOR COLBOURNE: To the individuals that -- that are affected by it.

DR. VIRGIN: Yeah. And we have had quite a bit of inquiries already, and -- as a matter of fact, last night we were at a homeowners' association meeting with Commissioner Davis, and there are quite a bit of interest generated. We -- we -- we told them that once this item is brought before the Commission tonight and it's passed, then we'll -- we'll -- we're going to have an outreach program through flyers and different things from our customer service, so as to get the resident to be -- to be aware of -- of the availability of the loan.

VICE MAYOR COLBOURNE: Okay. Very well. Because I know a lot of -- a lot of individual had already asked about, you know, some type of assistance and so forth, so just want to make sure that those that inquired or early on -- given the opportunity to apply.

DR. VIRGIN: Absolutely.

VICE MAYOR COLBOURNE: Thank you so much.

MAYOR MESSAM: Commissioner Chambers.

COMMISSIONER CHAMBERS: Thank you. Thank you, Mr. Virgin. I must say thanks to Miramar. This is Miramar right here at our best. The weather it's -- canal erosion, leaky copper pipe; whatever the issues is, we always step up to -- to the need of our residents. The tree trimming program, all kind of programs that -- humps for, you know, traffic calming device for speeding in neighborhood. And -- and I'm so extremely proud of this best and management team for always try to find ways to, you know, solve certain issues, as far as our residents are concerned. And -- and -- and with this, some people might not need it. They might be able to get their insurance, or some folks might already remedy the situation, or in a position to do so. But this is something on the table that's available for those folks who can utilize it. And -- and as far as the payments is concerned, I -- I -- I think people -- to have that readily funds available to start the process, the contractor know they going to get paid. This is like a win/win situation. And -- and I know that this is no different than other programs, even when we're giving free money for home repair, where homeowners don't have to pay it back. There's no way you can go and get money from the bank without have to pay it back. And I know it's confusing all the time, because I get those calls of: Why they have to put the lien on my home. But it's -- it's not your typical lien, this is just a -- a security lien to make sure that the City is not off the hook, you know, or on the hook for losing that money; it's -- it's -- it's a security blanket. So we have to put these things in place, and we have to be able to explain it more to our

residents, whether it's this program or other programs, because it do get a little confused. But we're not trying to take anybody home, and we will never take their home from them, we wants to help them, and that's why we are here, to help our residents, and make sure they get a hand up, not a hand down. And I'm -- I want to thank the staff, and everyone that's work for this City. Thank you so much.

DR. VIRGIN: And, Commissioner Chambers, just to -- to add to that. I -- I Know with this project, with this item tonight, if it's passed, we will be getting more questions from -- from residents, as they seek a little more clarification, and that's -- that's understood. And so we -- we'll be preparing as much information as possible to -- to -- to assist them with that.

COMMISSIONER CHAMBERS: I'm just wondering if we're going to put other things in place to make sure, in the future, when it comes to construction, that it's a requirement where they use the more high-grade copper pipe to last much longer to withstand the condition from the drywall or whatever is the -- and not this minimum, basic, thin copper pipe, and -- and so forth. So we have to put things in place also. Thank you. Thank you, sir.

MAYOR MESSAM: Thank you, Mr. Virgin for -- for the presentation. Just a couple of comments regarding this item. First, I would like to thank staff for following up on the -- the idea during the workshop, that staff proposed during the workshop to investigate providing some financial assistance for residents have been enduring this issue with the -- with the leaking copper pipes. And just for -- for some clarity for what is to be expected for -- for a homeowner that is borrowing up to the maximum amount of \$10,000.00; at one percent, you know, amortized over a five-year period, it's approximately about \$170.00 per month. If they take all 60 months to pay the \$10,000.00, it would be about \$250.00 in total interest paid for -- for -- for the loan. I know that this -- for some residents that are experiencing a complete swap out of their piping, and the associated drywall repair, and finishes for their home, \$10,000.00, obviously, won't be enough. It -- hope -- hopefully -- hopefully it will be some -- some relief, in terms of the overall cost. I support this item, and I know that staff will be prepared to address any inquiries from those residents that are interested in taking advantage of this opportunity. I do have a request regarding what is being proposed. \$1 million, it may sound like a lot, but it's not really a lot. In fact, I would imagine that, on average, that most applicants would maximize the \$10,000.00, based off what is covered, because most insurances will not cover the replacement of the pipes. Some policies may include drywall repair, or any other consequential damages, as a result of leaking, but they won't replace the piping. So -- and if that's the case, \$1 million would only serve 100 residents, and I would guess that there are probably much more than 100 residents that would need assistance. So I would ask that -- that if we could increase the amount that would be available for this program, with the caveat that we are not infringing or violating any of our covenant bond obligations, resources, required for the upkeep and operations of our utility systems and network that we revisit -- what would be available in utility reserves to -- to make available. Point in case, when we brought online our residents to our water distribution system, and sewer distribution system out in the east, we made available hook up, same situation. This might -- you

know, utility, water and -- and sewer hookups, taking them off of septic and well to our city network. So -- and it was quite a number of -- of -- of homes that had that opportunity to do so. So I'm not sure what that amount is. I think that if -- if -- if we -- is -- is -- it -- would \$2 million put too much of a stress on the utility system? I don't know if we have an answer for that, but I just think that just to -- \$1 million would only serve 100 residents, and there are some -- there are some chat forums on -- on social media that have well over 600 residents that are active -- residents that have either -- currently going through it, or have recently have gone through leaks. So I just want to make sure that -- that we are in a position that -- obviously, I'm not saying that we have the resources to help every possible resident, but if we can, and if -- and if the capacity is there, that we do make more dollars available, because re -- regardless -- I know we've had our engineers, I know we've had our studies done to -- to investigate the cause of these leaks. But, at the end of the day, these are neighbors, these are residents, and the situation is what it is. So I think that whatever the City can do to be of help to as many residents as possible, while keeping the integrity of our utility system, and the financing of the utility system, that we exhaust those opportunities.

DR. VIRGIN: Yes, Mr. Mayor. When -- when we first looked at this, and we came up with the \$1 million number, we recognize that if most people took the \$10,000.00, it would just be 100 people, as you said. And so what we say -- well, let's see what the response rate is, and if the need increases, then we will, again, look at bringing more funds to -- to assist in that, but we were mindful of -- of -- of that also.

MAYOR MESSAM: I have a couple more speakers. Commissioner Chambers, followed by Vice Mayor Colbourne. Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you. That's where I'm at too. I said this is a pilot program, and Mr. Virgin address what I -- my response was going to be. We're prepared to add additional funds, but for right now, we're going to move along with the -- the \$1 million, and see how it go, and we can always come back, and -- and -- and address the need, if -- if necessary. But, you're right. Let's see -- let's -- let's roll it out and -- and -- and we take note, and see where we -- where we going with it, and -- and we'll address it when it's -- at that point in time. Thank you.

MAYOR MESSAM: I just want to -- this is just for -- for -- I just want to be clear that I don't want a single resident to be told that there's no more money in this program to assist you for qualified incident, and there not be an opportunity for us to make more dollar available. So I'm okay with the pilot program, but I'm just stating for the record, that \$1 million only supports 100 residents, and based off of communication throughout the City that I would be shocked, and I would be surprised if less than 100 residents qualify and successfully apply for this loan program, and \$10,000.00, I think, will perhaps be the norm, opposed to the exception, in terms of what will be needed. Because just to repair a single bathroom is going to cost you more than \$10,000.00. I know that includes plumbing and finishes, but for residents that are saying that it makes no sense just to repair my master bathroom, when I have four, five other bathrooms, plus a hot water heater, plus a laundry room that

also needs to be repaired. And to access that, there's going to have to be removal of drywall to access the compromised piping, and the replacement of the piping and the finishes. So being a general contractor, understanding and knowing the cost that is associated with these repairs, I'm just saying that, based off what's presented, will not be sufficient to maximize. And I know the goal is not to replace everything, but to provide some relief. But based off of the \$10,000.00 cap, and the \$1 million, that we be the position to respond when those dollars are depleted. Thank you. All right. Final comment, Commissioner Chambers, and I'll be ready for a motion.

COMMISSIONER CHAMBERS: Thank you. And -- and I think the -- the Mayor point is well taken. I'm wondering if we could give 40 or 50 grand to each resident. Is any way we come up with, maybe, \$300 million, or something like that? Would that cover 600 resident?

DR. VIRGIN: Pardon me, Commissioner.

COMMISSIONER CHAMBERS: Can we do 40 grand for each -- 30, 40 for each resident? Is that a possibility? I don't know, I'm asking.

CITY MANAGER HARGRAY: Commissioner, I can't -- I can't hold no longer. Look, we have gone through this program before, all right, throughout the City in here. If we determine that we need more money, then we will come back to Commission. We have Commission meetings twice a -- a month, so I don't think we need to really go through this, because we've already had the experience since 1998 of this kind of program. So - - and it was a lot more folks involved, and we've never had a issue with this here. So staff is good with this here. We'll find out, all right, we'll get the calls in here, and we'll see what we look at, and we can always come back. That gives Finance and -- and -- and Roy the opportunity to make assessment of what we need to do, so they wouldn't go back and forth. We can handle this.

COMMISSIONER CHAMBERS: Thank you, Mr. Manager. That's where I'm at. And I think we need to really look at building code, that we can address some of these issue, before we get to this point. I'm -- I'm all for this ten grand. I want to move forward, look at it, come back if we have to come back, but we also need to look at our Building Department to strengthen some things to make sure these things does not -- why it happening.

CITY MANAGER HARGRAY: And we'll be okay. I mean I already got hit myself.

COMMISSIONER CHAMBERS: Yeah. I know we're going to be okay.

CITY MANAGER HARGRAY: \$10,000.00. So --

COMMISSIONER CHAMBERS: We're Miramar.

CITY MANAGER HARGRAY: But I'm not going to use this program, so there's going to be some people like that that might not use it, so we -- we -- we're good.

COMMISSIONER CHAMBERS: Definitely.

CITY MANAGER HARGRAY: Staff can handle this.

COMMISSIONER CHAMBERS: We're in a good position right now. Thank you so much.

MAYOR MESSAM: May I have a motion, please.

COMMISSIONER CHAMBERS: Motion to approve.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Madam Clerk, record the votes.

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 #R7443, the Commission voted:

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

Resolution No. 21-174

PUBLIC HEARING

13. **SECOND READING** of Temp. Ord. #O1717 amending Section 2-51(a) of the City Code to add the Miramar Sister Cities Board; amending Article III “Boards, Committees and Commissions,” of Chapter 2 “Administration” of the City Code, creating Division 7 “Miramar Sister Cities Board” to create the **Miramar Sister Cities Board**; and providing for an effective date. *(Passed 1st Reading on 01/16/19) (Economic & Business Development Assistant Director Richard Hughes)*

Cont’d. to 10/12/2021

QUASI-JUDICIAL HEARING

14. 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. *(Continued from the meeting of 08/18/21) (Staff recommends continuance to the meeting of 11/15/21) (Community Development Director Eric Silva)*

Cont’d. to 11/15/21

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

MAYOR MESSAM: I think that’s the balance of our regular agenda. There are two items that were continued, so on to other business. Are there any Commission reports?

CITY CLERK GIBBS: Mr. Mayor.

MAYOR MESSAM: Yes.

CITY CLERK GIBBS: Public Participation.

MAYOR MESSAM: Hmm?

CITY CLERK GIBBS: Public Participation

VICE MAYOR COLBOURNE: Oh boy.

MAYOR MESSAM: Do we have the list?

CITY CLERK GIBBS: There's no one -- no one signed in on the public participation sign in sheet. However, I'm not sure if there's someone virtually.

MAYOR MESSAM: Do we have any requests for public participation on the online audience? If I can get confirmation from IT. No speakers according to IT staff. Thank so much, Madam Clerk. Thanks so much IT staff.

OTHER BUSINESS

Reports and Comments:

Commissioner Reports:

MAYOR MESSAM: On to reports. Moving down. Vice Mayor Colbourne, do you have a report?

VICE MAYOR COLBOURNE: Yes, thank you very much. Just a -- just a request for consensus. The RGB Commission on the Status of Women, they have -- they have been meeting since it's been formed, and I wanted to go ahead and get a consensus from this Commission to ask them to just do a study on -- on the Commission -- on the status, just do a -- a study on the status of women here in the -- in the City of Miramar, as it pertains to wages between men and -- male and female, promotion opportunities, and -- just to see where -- you know, where -- where do women stand, as it compares to men here in the City. So I am going to -- I would like to ask them to do that at our next meeting. So I was just trying to get a consensus from the dais, see if -- if that would be okay with you all.

COMMISSIONER DAVIS: Question for you. Are you -- do you want -- who do you want to do the study?

VICE MAYOR COLBOURNE: Well, they would -- they would assist -- you know, the do report to the HR Department, so they would assist them with that, but it would -- it would be something that they would take a lead on, and -- and help to set the parameters of the study and so forth.

MAYOR MESSAM: Are there any other comments.

COMMISSIONER CHAMBERS: Would that be just women and men, or minority versus - - I'm not sure if -- it's a good idea to -- to know.

VICE MAYOR COLBOURNE: Okay. They can work on the parameters. Absolute -- I -- I'm sure that they could include that type of data in the study as well. But it would be primarily to determine where -- where -- where women stand, as it -- as at -- as it pertains to their -- their counterpart, their male counterpart.

MAYOR MESSAM: Are there any objections to the request?

COMMISSIONER CHAMBERS: No. And I think that's important, because with some female working and only making so much, and then have to pay the 13 and a half percent, I -- I think that it will address some of the issue, as to create some flexibility with the pension. I -- I hope we can really look at that. So I -- I think it's -- we really need to take a good look at a complete situation for our employees. And -- and -- and, in addition, if I want to add, is that back in the days, the employees could do a loan from their savings, and it would be paid back through the City through their payroll deduction. And I -- and I'm wondering if we could definitely bring that back, because it doesn't cost anything to have the payment withdrawn from their check. It's -- it's a little more difficult when they have to do it on their own, so this -- this is something that we -- we could bring back in a -- in a hurry -- help our employees.

MAYOR MESSAM: Any other --

VICE MAYOR COLBOURNE: That's it, thank you.

- Commission consensus directing the RBG Commission on the Status of Women Board to conduct a study on the status of women compared to men in the City of Miramar, as it pertains to promotional opportunities and wages.

MAYOR MESSAM: Commissioner Chambers, you have a report?

COMMISSIONER CHAMBERS: I just want to touch on one of our longtime resident and businessowner here, Sam's West Indian Grocery -- I forget his last name, he passed away, and I want to send condolences to his family, and his customer. He has been a icon in our community, providing grocery. And all of that, before that, I know him from way back in the days when we were making cabinets, and he didn't just make cabinets, he did upholstery, and, you know, it's -- it's a sad time for the community; he will be missed. And I just want to send some condolences. Also a gentleman been on the radio, WAVS, for a long time, Mr. Howard of Broward passed away also, and someone who always giving us some good news from the Caribbean radio. I must say my trip to France was successful. We accomplished quite a bit, and there's a group of 14 people went, and -- you know, there were hiccups here and there but, overall, it was a success, and I think that's it for me. I hope everyone enjoy the rest of the week, and thank you so much.

MAYOR MESSAM: Commissioner Davis.

COMMISSIONER DAVIS: Thank you. A couple of items. I, too, want to offer my sincere condolences to Errol Morrison's family, otherwise known as Sam, who passed away recently. I have been told there are funeral arrangements this weekend, and he definitely was a stalwart in this community. Had been here, his -- his shop had been here for many, many years serving the Caribbean community way before it was as diverse as it was --

as it is today. I'd like to play a little clip, because I am looking to honor him at our Miramar Wall of Honor at Progress Park, but I wanted to just play a little clip, because I'm glad that I was able to, pretty much, give him his roses before he passed. That's very important, to recognize people in our community, because you just never know when their number will be called. So if you can just play that clip for me (video shown). And so I asked staff to provide me with the requirements for having Mr. Errol Morrison be on our Progress Park on our Wall of Honor, and one of the requirements, of course, here, that's why I showed that clip, they must have received a significant honor or award for his contributions, which he did; must have made significant contributions to society, which I believe he did. He -- he served his community well, especially when folks from the Caribbean started to move into Miramar, there was a place that they could get their West Indian groceries, long before we had the Bravos of the world, and the Publix carrying these items; there was Sam's West Indian Grocery. And so I'd like for staff to take a look at what needs to be done, so that we can have him honored on the Wall of Honor. He meets the requirements, as far as I've read here, and I think it would be fitting, and the family, I've already spoken to them, telling them I would bring this to the dais today. And so -- I know it's part of the Parks Department's purview, so if they -- if there's something else that needs to be done, is there a vote that needs to be taken at this point, or do we - do we have to bring it back?

MS. VALERA: Good evening. Liz Valera, Parks & Recreation Director. It would -- to be able to vote on it tonight would be wonderful, and that way we can start the process. So you would nominate the gentleman, and then with -- with a vote from the dais, then we can proceed.

COMMISSIONER DAVIS: Thank you, Elizabeth. So how would that work? Do we do that now, just a consensus, or a vote, Mr. Attorney?

MAYOR MESSAM: Well, if it's just a vote, just make the motion, and then a second --

COMMISSIONER DAVIS: Just make the motion?

MAYOR MESSAM: -- then we can call the roll.

COMMISSIONER DAVIS: All right. So I'd like to make a motion for Errol Morrison to be -- I like the word inducted into the Wall of Honor in Miramar at the Progress Park. Can I get a second?

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Madam Clerk, record the votes.

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 direct City staff to take the necessary steps to draft documents for Commission approval, inducting Errol Morrison into the City of Miramar's Wall of Honor at Progress Park, the Commission voted:

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

Approved

COMMISSIONER DAVIS: And just one other item. Today I had the opportunity to be part of and listen to the event that took place -- it was conducted by Procurement as well BID, and it was to get contractors for -- minority contractors and subcontractors for the Related Group and current builders that are building Block 2. This was an eyeopener for me, because as much as we have done the disparity study, the folks that showed up there made some very important points as to why is it they don't get the major -- involved in major parts of the contract. And so in the construction, the electrical, those types of -- of work, and, instead, what they get is the landscaping and the other stuff is left over that's not as meaningful. And one of the suggestions from a -- a female person in construction, and on that project, they had no female, black-owned subcontractors in -- in -- in their repertoire. And we asked Related and Current Builders to go back to see how they could incorporate having at least one female contractor, and they said they would take a look at that, but there's more work to be done. And one of the suggestions was, as in Miami-Dade, they actually do have a board. And I -- I have the name of the board that they use in Miami-Dade, and I want to see if we can recreate something like that here. It's called the S -- the Small Business Enterprise Advisory Board - Construction. And I think that's something that we should definitely look at implementing in -- in short order, in fact. So that we can have that board who deals with construction, and S -- SBEs to really advise us as to what exactly is going on, and to advise our Economic Development Department, and the BID folks as to what is going on in reality, in terms of making sure that there is

equitable treatment for small, minority-owned, especially women as well, businesses in the construction business. And so I would like to ask -- I know -- is Dr. Hollis here? Dr. Hollis, you made mention that there was some provisions to form a board when the disparity study was done?

DR. HOLLIS: Good evening. Karen Hollis, the BID Administrator. Yes, one of the recommendations for the disparity study is for us to actually create a small business advisory board, and I believe it's like recommendation E or F. It's definitely something that we have planned to do.

COMMISSIONER DAVIS: All right. So if I could ask the Manager to look at what takes place in Miami-Dade; it's called SBE Advisory Board - Construction, and take a look at what they do, and fashion a board similarly to that to bring back before this -- this Commission. And when I say in short order, we've had the study since 2018; I believe we need to move along, because we're going to be in the same situation 2022. We have a lot of -- we have our own public/private partnership that we're looking to do in our historic neighborhoods. We need to learn from these events that are going on now how we want to fashion that to look, so that we get the tangible contracts in the very beginning, and not at the tail end, years later when the construction is about to start, but on the forefront in the planning stages that we are ready and prepared. And so if we could get that done, I'd appreciate it, and bring back something, hopefully -- what timeframe would you need?

DR. HOLLIS: Well, in terms of what we're doing now, we're just finalizing the policies and procedures, and I believe that is already into play; the draft has already been given. And, moving forward, it would take nothing. It's just a matter of developing -- we took a lot of notes with today's meeting, and I've been working on developing a plan of action to submit for review and approval.

COMMISSIONER DAVIS: If we can get an update, maybe, at the next Commission meeting in two weeks.

DR. HOLLIS: Okay.

COMMISSIONER DAVIS: And so we can really, actually act upon some of the suggestions that came out of this very important session. And we'd like to thank you for what you've done so far, because, trust me, it's a long time coming, and you put a lot of work into it, and we do appreciate that, the folks there appreciate that, but we just need to move it along, and make sure we have meaningful results based on the disparity study. Thank you.

COMMISSIONER CHAMBERS: If -- if I may, Commissioner Davis. I want to thank you. Seriously, I want to thank you for being a part of that meeting today, and to have your eyes and ears open and was able to bring this back to the Commission. I'm extremely disappointed for -- that so much things that we have put in place over the years, and some of the knowledge that we have here, and making sure that these sort of things are

forthcoming and put in place. And I know sometime we -- we give lip service and -- and don't follow through on something that we need to do. And -- and I'm -- you know, without saying too much, I -- I'm -- I think I'm -- maybe you should get your GC license. I'm honest, you now, because you could help a lot of people. And -- and -- and -- and I think this is where the -- the Commission comes in, where we can pick up on things, and if one is not there, two is not there, then some -- you know, somebody else is covering. So I -- I just want to thank you again. Thank you so much.

COMMISSIONER DAVIS: Thank you, Commissioner.

MAYOR MESSAM: That completes your report, Commissioner?

COMMISSIONER DAVIS: Yes, thank you, Mr. Mayor.

MAYOR MESSAM: Okay. All right. Couple of updates. Just so -- but before you leave, Dr. -- Dr. -- Dr. Hollis, I just want to -- I just want the public to realize and to understand the extensive amount of work that has taken place with this disparity study. I don't want the public to walk away today to feel like the disparity study has taken place, and there's nothing that has been done. There are specific, prescriptive instructions from the disparity study that a municipal entity has to follow, so that when you are implementing a race and gender-conscious program, that it is defensible in federal court, is that correct?

DR. HOLLIS: That's correct.

MAYOR MESSAM: Thank you. A part of that -- since the conclusion of the disparity study, which was done a couple of years ago, the recommendation or one of the recommendations was for the City implement a race and gender-neutral program, correct, so that we would have sufficient data showing how the marketplace responds to public procurement without race and gender-conscious programs, is that correct?

DR. HOLLIS: Yes.

MAYOR MESSAM: Would you -- in your professional opinion, based off of the couple of years that we have specifically followed the prescriptions of the disparity study that the City has sufficient data to support how the marketplace responds without a race and gender-conscious program?

DR. HOLLIS: Yes.

MAYOR MESSAM: And that was also the recommendation from our consultant who has defended disparity studies, correct?

DR. HOLLIS: Correct.

MAYOR MESSAM: So -- and it is also true that the City has, just within the last -- probably less than six months, adopted a BIDs program, which enables the City to now enter into a race and gender-conscious program, correct?

DR. HOLLIS: Yes.

MAYOR MESSAM: And staff, over the last six months, have been putting together the policies in which our program will act, correct?

DR. HOLLIS: Yes.

MAYOR MESSAM: So is it fair to say that over the last years that we have been following step by step the instructions from the disparity study, and you cannot hastily just apply race and gender-conscious programs to municipal contracts without the grave risk of being in peril in federal court for violating precedent cases based off the Croson suit, in which municipal entities were sued. So I just want the public to understand the process that it takes. And those were just questions from a policymaker's perspective. As a general contractor, which was noted a few moments ago, I understand the program. I was the chair of Broward County's Small Business Development Advisory Board when the Associated General Contractors sued Broward County for its NWE program back in 2008, all on a data flaw, not on the realities of what the issues were, in terms of minorities and women-owned businesses getting work in Broward County. And to this day, Broward County has yet to bring back a program. So as the lead person on this dais pushing for this disparity study, with the professional experience of enduring what it was like representing all Broward County businesses as the chair of the Small Business Advisory Board, and now as the Mayor of this city wanting to ensure that the City of Miramar's I's are dotted, T's are crossed, and, yes, a whole lot of lip service that can stand of a federal judge and defend our program, because we followed the prescription of our disparity study. Thank you, and I rest my case. And on to my report.

COMMISSIONER DAVIS: Let me just respond --

MAYOR MESSAM: No, I -- I -- I --

COMMISSIONER DAVIS: -- when you're done.

COMMISSIONER CHAMBERS: I think the witness was not sworn in.

MAYOR MESSAM: No, no, I take offense.

COMMISSIONER DAVIS: When you're done, because --

MAYOR MESSAM: No, no, you're not going to -- this is a report, it's not even an item --

COMMISSIONER DAVIS: When you are done -- but I -- I have something to add.

COMMISSIONER CHAMBERS: I think we should swear the witness in.

COMMISSIONER DAVIS: Because you made it seem like I did not know --

MAYOR MESSAM: All right. I will recognize -- I will recognize Commissioner Davis, since she brought up --

COMMISSIONER DAVIS: I brought it up, yeah.

MAYOR MESSAM: Yeah, so -- so --

COMMISSIONER DAVIS: You didn't bring it up.

MAYOR MESSAM: -- I'll recognize Commissioner Davis.

COMMISSIONER DAVIS: I was there. So I -- I heard the concerns, so did many of the executive staff. We're not talking about, oh, that you spoke of a while ago. We know that's in the background. We know we're in a good place. That's why we did the study. And we're here now -- I simply brought up the fact that we do need to have this board, we need to have it right away, and it's within timing to have it, because the people, at this point, are not getting these subcontracts done. They are not. Women-owned construction firms are not at the table. And we applaud the work that has been done to date. However, we can't keep going at this snail pace when Related is already up, Current Builders are up, we're going to be moving on to the public/private partnership. And, from what I was told, it's in the planning stages, like four years from the time that they start to build that you have to be at the table. So no point doing it when the folks are already here, because the horse is already gone from the barn, okay. So I want to make sure -- I'm not in this business. But my little intelligence can tell me that we need to start earlier than what we've been doing, so that we can -- just like how the Mayor has been able to get contracts and been very successful, we want that for everybody else. Thanks.

MAYOR MESSAM: So --

COMMISSIONER CHAMBERS: And, for the record --

MAYOR MESSAM: I did not recognize you, Commissioner Chambers. It was an item for -- for -- that Commissioner Davis raised, so --

COMMISSIONER CHAMBERS: But I'm just stating for the record --

MAYOR MESSAM: -- so -- so --

COMMISSIONER CHAMBERS: -- the construction-related --

MAYOR MESSAM: Order, order, Commissioner Chambers.

COMMISSIONER CHAMBERS: It's not a city project, just for the record.

MAYOR MESSAM: All right. So --

COMMISSIONER CHAMBERS: This is not a city project.

MAYOR MESSAM: -- so -- so, in closing on that point, is it also true that staff is preparing a workshop to provide a status on where we are with the program, as it relates to the policies, not just Miami-Dade, the County's program, which is one program, which, by the way, does not have an MWE program, it only has a small business program. But staff has been evaluating the MWBE programs of all the area agencies, including Miami-Dade County Public Schools, Broward County Public Schools, Palm Beach County, as well as Palm Beach County Schools. So staff has done an extensive amount of research to cater a program that can work for us. And, in conclusion, there are distinct differences in construction projects. The meeting today was held by Related Group, which is privately funding the construction of that project. It is not being built by public dollars. Now in public -- in future public/private partnerships that the City will, potentially, engage upon with our adopted program, which will be coming before this Commission in short order, and I understand there may be some questions, because you have not gotten updates on them. But staff is preparing those policies and those updates that we can then now impose participation of women and minority-owned business with our adopted program, which is in the final stages of being adopted. So today's program -- there is an extensive amount of challenges with women-owned and minority-owned businesses getting work in the private sector; that is a fact. And that is why we were able to have a disparity study that -- to answer the -- to -- to basically -- to prove what we already know are market conditions. But Related's project happening across eh street is privately funded. Even if we wanted to, we could not impose a goal on Related on their private dollars, unless there was some contractual arrangement done prior to -- and we -- when they bought the property to move forward, there was not a MBIDS program in place, and that's what we're working to get towards. We're ensuring that our public dollars with our program, the CIP we approved this week are projects, when built, will have this -- these -- these -- these pro -- these programs, and these obligations and requirements for minority and women-owned businesses applied to them. So I want the public to know that your staff is working on it, the program is coming in short order, and the staff has dotted their I's and crossed their T's, because when these types of programs -- they just don't happen at the conclusion of a study; there are specific prescriptions that must take place. So moving on my report.

VICE MAYOR COLBOURNE: Mr. Mayor, I have a comment.

MAYOR MESSAM: I'm not accepting any more comments on my report.

VICE MAYOR COLBOURNE: I am sorry.

MAYOR MESSAM: I'm not accepting any more -- with all due --

VICE MAYOR COLBOURNE: There is something that's being discussed, and I'm part of this board, and I can't see only two members allowed to speak on it.

MAYOR MESSAM: Well, say -- make your -- all right, I'll recognize -- I'll recognize you for a comment -- there will no -- we will not do -- it will be final comment on this item, and then we'll move forward.

VICE MAYOR COLBOURNE: Thank you. I'm just -- I just want to say that I -- I definitely would like an update as to where we are with the program, and if we can have that -- I don't know, at the next Commission meeting, or the following one, but I certainly would like to see an update on it. Thank you.

MAYOR MESSAM: Thank you, Vice Mayor. Couple of notes on the report. I also would like to extend condolences to the Morrison family, for Sam and his -- his grocery store that has meant so much to this community. So many individuals have been touched, not just from the products and goods and services that he provide, but also his generosity to the community as well, and that a proclamation will be presented for the family on behalf of the City and the City Commission, recognizing his contributions to the City of Miramar and throughout South Florida and the diaspora. Also would like to mark the date for the community for November 10th, where I'll be giving the State of the City Address to give updates on the City's accomplishments and forecasts for the City. Also, I would like to give an update. I was on a -- on a call with the White House in regards to the treatment of Haitian migrants that took place down in Del Rio in Texas with the African American Mayors Association as a board member. And many of the questions that the community asked that I raised, one being of which the -- the development and cause of why certain migrants were repatriated to Haiti without any due process to make a case for asylum, and what is being done for those who were not. We all know that there were a couple of thousands of Haitians that were sent back to Haiti without due process, but we were informed that the remaining migrants were taken to several locations throughout the United States in communities to -- to process them. We have requested the locations of those cities, as well as information regarding for individuals that would like to assist the migrants, specifically with the legal community who, perhaps, would like to assist Haitian nationals in properly applying for asylum status, depending on their situation, and that information is being compiled and sent to the membership of the African American Mayors Association. As soon as I am in possession of that information, I will be circulating that to -- to the community and to the Haitian diaspora, who has been working very hard to provide resources to those individuals. They were caught in a very unfortunate situation down at the border. That concludes my report.

City Attorney Reports:

MAYOR MESSAM: I understand we have an announcement from the City Attorney.

CITY ATTORNEY NORRIS-WEEKS: Yes, Mr. Mayor. Thank you. Mayor, Vice Mayor, Commissioners. I do have an announcement for a notice of executive, close-door session

for the City of Miramar to take place approximately 6:15 p.m. on Wednesday, October the 13th or soon thereafter, as may be heard. The City Commission shall meet privately to discuss pending litigation, pursuant to Section 286.0118, Florida Statutes, for the following case: Christine Perrier et. al. vs. City of Miramar, Case No. CACE 19-00025014. This Executive Session, close door, will take place the third-floor, Commission Conference Room at 2300 Civic Center Place, Miramar, Florida. Present at the attorney/client session will be Mayor Messam, Vice Mayor Colbourne, Commissioner Barnes, Commissioner Davis, Commissioner Chambers, City Manager Hargray, City Attorneys Burnadette Norris Weeks, Norman Powell, and Michelle Austin Pamies, and On The Record Court Reporters. The estimated length for the attorney/client session will be 30 minutes. Thank you, Mr. Mayor.

MAYOR MESSAM: Thank you, Madam Attorney.

City Manager Reports:

- Solid Waste/Bulk Update (*Solid Waste & Recycling Manager Ralph Trapani*)
(Continued to the meeting of 10/13/21)

FUTURE WORKSHOP: NONE

ADJOURNMENT

MAYOR MESSAM: And being no other business, this meeting is adjourned.

CITY CLERK GIBBS: Mayor. Mr. Mayor. There was a solid waste update on the agenda. Yes. Under City Manager's Report.

DEPUTY CITY MANAGER GORDON: Mr. Mayor, Vice Mayor and Commissioners. I know we did a one-on-one with all the Commissioners. I just want to know if you still want to have the presentation on that.

MAYOR MESSAM: If it's the will of the Commission, there's a solid waste presentation. I don't know if any of you all have had that presentation. If you all want to hear it now or at another date. Yeah, so -- so it's at the --

DEPUTY CITY MANAGER GORDON: Thank you.

MAYOR MESSAM: Okay. So we'll see you next meeting.

The meeting adjourned at 8:23 p.m.

Denise A. Gibbs, CMC
City Clerk
DG/cp