



MINUTES OF THE CITY OF MIRAMAR REGULAR COMMISSION MEETING

NOVEMBER 5, 2018

7:00 P.M.

The regular meeting of the Miramar City Commission was called to order by Mayor Messam at 7:15 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 (Late 7:18 p.m.)
Commissioner Winston F. Barnes
Commissioner Maxwell B. Chambers
Commissioner Darline B. Riggs

The following members of staff were present:

Interim City Manager Vernon Hargray
City Attorney Jaime Cole
City Attorney Alison Smith
City Clerk Denise A. Gibbs

MAYOR MESSAM: Good evening, everyone. The meeting of the Miramar City Commission is now called to order. Please call the roll.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Here.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Here.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Here.

CITY CLERK GIBBS: Vice Mayor Colbourne.

CITY CLERK GIBBS: Commissioner Riggs.

COMMISSIONER RIGGS: Here.

CITY CLERK GIBBS: Interim City Attorney Hargray.

INTERIM CITY MANAGER HARGRAY: Here.

CITY CLERK GIBBS: City Attorney Cole.

CITY ATTORNEY COLE: Here.

CITY CLERK GIBBS: City Attorney Smith.

MR. COLE: Here.

MAYOR MESSAM: Let us all rise for the Pledge, and Color Guard by Cub Scout Troop 441.

TROOP LEADER: Color Guard, attention. Scout salute. Color Guard, forward march. Color Guard, post the colors. Please join us in reciting the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

TROOP LEADER: Audience, you may be seated. Color Guard, you may return to your ranks.

MAYOR MESSAM: We would like to thank Cub Scout Troop 441 for their presentation of colors, and leading us in the Pledge of Allegiance. They've been waiting a couple of months to do this for the Commission, and they've done a -- a great job. Madam Clerk, let the record reflect the presence of Vice Mayor Yvette Colbourne.

A MOMENT OF SILENCE

MAYOR MESSAM: We have one proclamation -- before the proclamation, in haste to try to move the agenda with our late start, we did omit us taking the opportunity to observe a moment of silence. As we definitely have a few issues in the country for some of our neighbors, particularly in the City of Tallahassee with the shooting in Tallahassee, as well as the shootings in Pittsburgh that took place. So if we could join in a moment of silence

to remember those families in those communities as well -- as well as any other condolences we may be observing in our community. Thank you.

PRESENTATIONS & PROCLAMATIONS

Proclamation: 602-HELP Month (Mayor Wayne M. Messam)

MAYOR MESSAM: At this time, I would like to call forward Tiffany Polanco from Public Utilities Administrative Services, supervisor and CSRT staff to the -- all right, all right. If we can get everyone to come to the dais for the presentation for 602-HELP Line Month. Okay. This proclamation is in observance of 602-HELP Line Month, November 2018:

Whereas, the City of Miramar provides public information and/or services through our 602-HELP, which is 4357 line; and, Whereas, the 602-HELP Line was established as the initial point of contact and communication avenue for all Miramar residents; and, Whereas, the 602-HELP Line is a 24 hour, seven days a week phone line that allows City residents to communicate and connect with City personnel; and, Whereas, the CSRT, Customer Service Response Team, provides individual customer service in English, Spanish, and Creole; and, Whereas, the 602-HELP Line, through the CSRT staff can initiate service requests for the various types of services provide by the City of Miramar; and, Whereas, the 602-HELP Line is the fastest way to report nonemergency, neighborhood problems, code violations, water leaks, main breaks, and all city-related issues that require an immediate response; and, Whereas, the 602-HELP Line, through CSRT, accepts water payments and provides information with reference to all City inquiries; and, Whereas, the 602-HELP Line, through CSRT helps residents connect with special services, such as loans, grants, and/or free-of-charge material provided by the City; Whereas, the City of Miramar has designated November as 602-HELP Month to familiarize residents with all services accessible through the HELP Line. Now, therefore, I -- let it be resolved that, I, Wayne Messam, on behalf of the City of Miramar and City Commission, do declare 602-HELP Line Month for November 2018.

MAYOR MESSAM: Thank you so much for all you do, for being the frontline of the City.

CONSENT AGENDA

MAYOR MESSAM: Okay. Now we're onto Consent Agenda. Items listed on the Consent Agenda are viewed to be routine, and the recommendation will be enacted by one motion in the form listed below. If discussion is desired, the items will be removed from the Consent Agenda and will be considered separately. Anyone wishing to comment on any item on the Consent Agenda should approach the podium at this time. Good evening.

MS. SCIALABBA: Good evening. Debra Scialabba, 6490 SW 26 Street. I'd like to comment on number five on the agenda, about B&M. First, I want to thank Mayor Messam, Commissioners Darline Riggs, Max Chambers, Commissioner Winston Barnes, Vice Mayor Yvette Colbourne, Former City Manager Kathleen Woods-Richardson, Interim City Manager Vernon Hargray. You worked on this project when you were assistant city manager with us, before you retired. ACM Michael Moore, you also worked on this project when you were acting city manager, City attorneys, Eric Silva, Richard Hughes, Nance Getty, Bissy Vempala, and if I forgot anyone, I thank you as well. This has been a long and lengthy project, and it hasn't gone unnoticed. Thank you for your persistence and patience with the owner, even when he was slow to respond providing you with documents. I especially want to thank you for protecting our investment with Exhibit "D", lien terms and agreements. I do have a question though regarding the demolition work on page one of one, Exhibit "B", and how that's going to affect the tenants that are there. Your work has been well appreciated, but as far as the demolition with this project, what effect is it going to have on the -- on the tenants, especially the Chinese restaurants that's been there forever. Thank you.

MAYOR MESSAM: Thank you. Are there any other members who wish to comment on any items on the Consent Agenda? Seeing none, are there any items by the Commission that would like to be pulled? All right. Since there was a question from the public on item five, I'll pull item five, and I'll take a motion on the balance of the Agenda.

COMMISSIONER BARNES: 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: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Barnes, seconded by Commissioner Vice Mayor Colbourne, to approve Consent Agenda Items 1, 2, 3 and 4, the Commission voted:

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

1. Minutes from the Regular Commission Meetings of August 22, 2018 and September 17, 2018.

Approved

2. Temp. Reso. #R6774 authorizing the purchase of **software and equipment** for the **Police Department** using Law Enforcement Trust Funds in an amount of \$248,704.00. (*Police Chief Dexter Williams*)

Resolution No. 19-22

3. Temp. Reso. #R6827 approving and authorizing the Interim City Manager to execute the **Proposed Traffic Signalization Agreement** between the City of Miramar and Monarch Towne Centre, LTD, for the design and installation of a traffic signal at the east 100' opening on Miramar Parkway for the **Park Plaza Shoppes Plat**. (*City Engineer Bissy Vempala*)

Resolution No. 19-23

4. Temp. Reso. #R6830 authorizing the acceptance of grant funding from the Areawide Council on Aging of Broward County, Inc., in the amount of \$617,140.00 for the period from January 1, 2019 through December 31, 2019; approving and authorizing the Interim City Manager to execute the funding agreement with the Areawide Council on Aging to provide **senior center services**. (*Social Services Program Officer Katrina Davenport*)

Resolution No. 19-24

MAYOR MESSAM: Item number five, please.

5. Temp. Reso. #R6853 approving the **Commercial Rehabilitation Agreement** and **Construction Agreement** for the commercial property located at **6927 Miramar Parkway in Historic Miramar**. (*Community & Economic Development Director Eric Silva*)

CITY ATTORNEY COLE: Item five is a resolution of the City Commission of the City of Miramar, Florida, approving the Commercial Rehabilitation Agreement and Construction Agreement for the commercial property located at 6927 Miramar Parkway in Historic Miramar, authorizing the Interim City Manager to execute the agreements, and providing an effective date.

MAYOR MESSAM: Yes. Thank you. Mr. Silva, I don't think there's a presentation required, but there was a question from the public regarding the impact -- demolition impacts on the tenants that are at the site. Do we have a response for that?

MR. SILVA: Eric Silva, Community & Economic Development, good evening. We have not talked to the owner about that issue, and whether those tenants will need to close during the demolition, but we will definitely ask him that question.

MAYOR MESSAM: Okay.

MR. SILVA: Okay.

MAYOR MESSAM: All right, thanks. At this time, if there are no further questions, I'll take a motion.

VICE MAYOR COLBOURNE: I'd like to make a comment on it.

MAYOR MESSAM: Okay.

VICE MAYOR COLBOURNE: I do want to go ahead and take the time to thank staff for working on this. It has been some time since we started this project, and I'm glad we're here at this -- at this juncture, where it's finally approved, and I say finally approved, because I am hoping that this is the last time that it has to come before this Commission. Because this item has actually been before us a number of times; I want to say maybe three times at least, in addition to the budget approvals. Mr. Silva, can you comment as to whether or not this is the final approval of this item?

MR. SILVA: Correct. This the final approval of this item.

VICE MAYOR COLBOURNE: Praise God. Thank you.

MAYOR MESSAM: Commissioner Chambers.

COMMISSIONER CHAMBERS: thank you, Mr. Mayor. I too want to thank staff, everyone that worked on this project. I'm hoping that when we speak about this project the next time, it's completed, and they complete the beautification of this shopping plaza. For all the millions of dollar that we spending over there on the east side, no one should complaint that we're not trying to beautify Historic -- east Miramar, so I'm really looking forward to this project completed. Thanks everyone involved.

MAYOR MESSAM: Thank, Commissioner. If there are no other comments, I will entertain a motion.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Madam Clerk, 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 Riggs.

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R6853, the Commission voted:

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

Resolution No. 19-25

End of Consent Agenda

MAYOR MESSAM: Item number six, please.

RESOLUTIONS

6. Temp. Reso. #R6708 approving the **employment agreement** with **Vernon E. Hargray** to serve as the **City Manager**; authorizing the Mayor to execute the employment agreement. *(Continued from the meeting of 10/17/18) (Mayor Wayne M. Messam)*

CITY ATTORNEY COLE: Item number six is a resolution of the City Commission of the City of Miramar, Florida, approving the employment agreement with Vernon Hargray to serve as the city manager; authorizing the Mayor to execute the employment agreement, and providing for an effective date.

MAYOR MESSAM: Thank you, Mr. Attorney. This item is to -- for the approval to have our Interim City Manager Vernon Hargray to be appointed as the city -- city manager for the City of Miramar. The only question I have, in terms of -- from you, Mr. Attorney -- has the -- the agreement or terms have been finalized, negotiated? Any issues?

CITY ATTORNEY COLE: Well, Mayor, the agreement is attached and is finalized. These are, basically, the business terms, as requested by the City Manager. It's not really a negotiation. These are the terms that he requested, and they were put into the agreement.

MAYOR MESSAM: Okay. All right. Are there any members from the public that wish to discuss this item?

MS. SCIALABBA: Debra Scialabba, 6490 SW 26 Street. I hope you support this. We do need a -- and I stand by what I said last meeting. 1997, we had two city -- interim city manager. And, please, he's familiar with the City, he's familiar -- he's gained your confidence. As far as his pension goes, approve that also, because he would receive -- he earned the -- the years he worked here, he received -- he earned that pension benefit, so he should receive his checks, and get that restarted. It was suspended when he was Interim City Manager. It would be the same as if he received his pension benefits, and got employment somewhere as a city manager in another city. Thank you.

MAYOR MESSAM: Thank you. Are there any other members from the public that wish to comment on this item? Seeing none, back to the dais. I have a speaker. Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Yeah. On this, I'm going to be the odd man out, I think, but let me just share my thoughts on this situation. I find it extremely difficult to fathom for even a single second the fact that we struggled and struggled months ago, arguing whether there should be a six-month contract versus a nine-month contract. Lo and behold, we're being asked to create a contract for three years. I have a problem with that. That's all I'll say.

MAYOR MESSAM: Thank you, Commissioner. Commissioner Riggs, you're recognized.

COMMISSIONER RIGGS: Thank you. I'll say, Commissioner Barnes, you're not the only odd one out on this. So it would seem to me as though this was the plan from the beginning, that there was really never any intention on looking for a permanent city manager. So my thing is, I'm not completely in opposition of this, but I don't like the way you all went about it. It just seemed to have happened in a very sneaky way, for lack of a better word, because I can't think of a better word to say how this took place. And even the fact that this was first mentioned to happen while I was not even present during a Commission meeting. Those types of things, they don't sit right, and it just seems like this was really the plan to start with, which is in a bit disrespectful, for the lack of a better word. And my other concern is the culture that I see, and I saw this with our previous city manager, and I see it now with our Interim City Manager, where, again, I can't sugarcoat what I'm seeing. It would seem as though the Interim City Manager and most of our staff only answers to the Mayor, and it's not supposed to be that way. This is supposed to be where they answer to the Commission. And I'll give examples, because I don't want to just come out and say these things. So one example would be last night we had an effort that was put here at the City for -- for Mr. Andrew Gillum, and I found out about it at 12:32, I believe the email came to me, and it would seem as though, Mayor, you knew about it for two weeks before the rest of us -- before the rest of us knew about it. Let me give you another example. The State of the City. The State of the City, I found out about the State of the City from another -- an employee. I would imagine when you sat down with the Interim City Manager and with staff to talk about the date for the State of the City, that somebody would have said, "Send an email to the rest of the Commission." You know what, let me speak for myself, because I don't know if the rest of the Commission did get an email asking whether they were in town or out of town for the State of the City, but I didn't. I found out about the State of the City from an employee, which I don't think that's how these things should go. To me, they're disrespectful, and I'm -- I'm a bit upset, but I'm trying to handle this with all the respect from my end, and all the love that I can muster. But those type of behavior are not acceptable, for the lack of a better word. So, like I said, I'm not completely in opposition of Mr. Hargray being permanent, I just don't like the way things are being done, and I don't like the culture that I've been trying to stop, where it seems like you're employed by one member of this Commission, and that's not right, that's not the way things should be. And I'm hoping that if this does pass through, that that culture will change, because we cannot continue to operate like that. And it's just flat out rude. So one thing I -- I -- I see as a plus is that staff has gotten used to the current management, and there doesn't seem to be a negative component to it. I do fear the direction we're heading financially. Some things just seem to be very robust. So I'm hoping, financially, you know, that doesn't get us in any -- in any more of a bind than we are in now. But I just wish we had gone about this differently, that's all. Thank you.

MAYOR MESSAM: Thank you, Commissioner. Since I was directly named in some of your allegations, I'll take this opportunity to address them one by one. First of all, I respect you as a colleague, in terms of your election into office, and to represent the City of

Miramar and its residents as an at-large member. So let me first start with the manager process. The interim manager process was done when our prior manager accepted or decided to -- to vacate her appointment. There was a robust discussion to decide on the interim manager. I nominated Mr. Hargray to be the interim city manager for the following reasons: first, his long legacy in the City. Second, his knowledge of the staff, and the familiarity with our processes, and the challenges that the City was ongoing. In fact, as a retired civilian, the prior manager often consulted him for the very issues -- varied issues, challenges the City was facing, in terms -- to address these issues. So as opposed to going out for a search, it only made sense to name someone to be the interim manager that was familiar with the City to get us through the budget process, as well as to -- my first and initial request was to have him be named as interim manager for a year. I did not get support from the Commission for a year. I received support, in terms of naming him interim manager, but did not get the same support as -- for the entire year. I conceded that issue, and we finally agreed, as a Commission, that we would name him as an interim manager for six months with the concession being with the -- with a three-month extension. To me, it didn't make sense at the time, but that's what prevailed. I was on -- I was not on the prevailing side on that, so I accepted the will of the Commission. Mr. Hargray has done a stellar job as interim manager in navigating us through the budget process -- in addition to that, helping us set the foundation to move forward years from now. I don't speak to any of you on issues relating to what will come before us on this dais. I, on my own, recognizing his accomplishments with the budget, his accomplishment in setting the foundation and groundwork for us to move forward, and the observation of our City staff and their obvious confidence in him leading us forward made the recommendation to name him as our city manager. I am one lone vote. I am one lone vote, and I got the support to at least get it to the point where we are today to entertain his appointment. So, obviously, Commissioners on this Commission, or at least many of us, have noticed his performance, have noticed his production, has noticed the confidence the staff has in him, and this vote will determine if we move forward. That's how we operate as a Commission. If there's a majority vote on most issues we vote on, the issue moves forward. I'm not always on the prevailing side, but when I'm not on the prevailing side, I am not the one to stand up and say that things are sneaky, that things are -- you're basically saying that there's communication. That's how I interpret. I don't talk to you, I don't talk to Commissioner Barnes, I don't talk to Commissioner Chambers, nor Vice Mayor Colbourne on any issue. I do what we're supposed to do. I brought it up in my Commission report. I stand by my recommendation, I'm proud of the work that he's done. I don't always agree with Mr. Hargray. I meet with Mr. Hargray every other week and discuss issues that are important that I would like to see, and if it's a issue that comes before -- it has to come before the Commission, it has to get the vote. So your statement is false, and it's incorrect in terms of your words, "...almost sneaky ... he only works for - - trust me, if he only works for me, this item would not have even gotten to this point. He works for all of us. If this Commission may not necessarily agree with something that you want to do, then that's an issue of this Commission. Second, private event yesterday. It's a political event. The Democratic National Party paid for that event. That is not a City event. There was no obligation for the DNC to contact you or anyone about that event. And, for the record, I did not know that event for two weeks ago. I was contacted last

week. Campaigns move -- especially the gubernatorial race move at a moment's notice. I was contacted, I think, on Wednesday or Thursday, and I put the representatives in touch with City staff, so that they could get information, so that they could get a quote on our police, safety, anything that they had to rent, in terms of the stage, for them to have that event yesterday. It was not a City event. So there was no obligation for the DNC -- and offer -- and then -- then there was a communication that was sent out by staff that notified what the event was. Yes, it was last minute, because the campaign just contacted the City just days before the event. So I hope that clarifies that. So you -- there was no knowledge two weeks ago about this event. There wasn't confirmation that was reached out, and staff can attest in terms of when I made that request to see how much it would cost. Obviously, with the profile of Mayor Gillum, that we want to make sure that there was ample security in place, and to get a quote from -- from PD to provide those services. Finally, State of the City. State of the City is held every year after the budget is passed, and it typically takes place the last Thursday of October. It took place on November 1st, a week later, only because we had a visioning session a couple of weeks ago. I met with staff, told staff at least two to three weeks ago to notify, to give the annual notice for every elected official to record their initiative video. I don't know when staff contacted you, but I know staff can tell you I met -- and I know that staff gave some notice, in terms for you to get with our video production company to produce your video. I don't know when you were contacted. Again, the reason why I don't know, is because I don't communicate with any of you directly. So, Madam Commissioner, you have every right to keep the sentiments that you have, in terms of what you may feel or not feel for Mr. Hargray, but you do not have the right to make comments the way in which you've just stated them, as if they're fact, because they're not fact. Those were the facts that I just reported. So we're not going to go back and forth. The item that we're discussing right now is this -- is the approval of the city manager. It's either up or down. If you have an issue with his direct performance, you either vote in affirmation, or dissent. If you have any issues with me, as the Mayor and my communication with him, you have every right to bring it up in your reports, and I encourage you to do that. Are there any other comments from the Commission? If not, I'll entertain a motion.

VICE MAYOR COLBOURNE: I have a comment.

MAYOR MESSAM: Vice Mayor, you're recognized.

VICE MAYOR COLBOURNE: Thank you very much. As far as the item is concerned, I do support the item. I would like to say that Mr. Hargray has been very responsive to -- to our requests. I appreciate the openness that he has brought to the City in providing us information as to what's -- what -- what he has going on, what's upcoming, what's new, what events are happening. I do -- I do believe when it comes it information, I have seen a drastic different with -- with prior management, and it has been very positive. I do see that employees -- the employee morale seems to be better in the City. So I -- I am supporting this item, and I do look forward to working with Mr. Hargray. And, in terms of the comments that were made, although my name was not called, there was a statement, "...you all went about..."-- "...the dislike about how you all went about this ..." I sit here

on -- on this Commission, and I respect each and every one of my colleagues here, and City staff. I don't -- I don't know what's meant by "...you all went about this..." Commissioner Riggs, previously, you have called this Commission, entire Commission corrupt as well without any justification. Today, the insult is "...the sneaky way things were ..." It's not very collegial. It does not bring a good working atmosphere on this dais, and it's not substantiated. I do not like to be pulled into things like this. But on the item, again, I do support the item, and I look forward to us moving forward on this. Thank you.

MAYOR MESSAM: Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you, Mr. Mayor. In regard to the State of the City, can I have my time increased from two minutes to, maybe, five minutes? In regard to the item before us, for employment for three years, Mr. Hargray, I did have a nomination for -- to be the City Manager, Mr. Whittingham Gordon, and I only had two vote, so we didn't make it. But as far as the previous administration was concerned, I -- we were like pretty much dead in the water. As you can see tonight, GAME is there, PD is here, the Fire is here, so I've seen some improvement in the negotiation, communication with the employees, which is key for me. Our employees are the -- the -- very extremely important for me here, and we got to treat them well, and I want all employees to be recognized and to be acknowledged, to be trained, to move up the ladder. And they gave so much to this community when we went through the recession. So next in line is our business community; we want to make sure -- I want to make sure everyone is treated with respect, all of the businesses in Miramar and our resident. Extremely, extremely important to resolve any issue that we have with our resident; amicable, that's my first request that I'm asking, okay. So I thought Mr. Hargray was going to be here six months, maybe nine months, but it's -- it's working out. So I'm in support of moving forward. I know we had a item a while back on the agenda which would have changed from a four fifths vote to get rid of the city manager to make it a simple majority. That failed. That would have been a great idea to have that in place, but it didn't, so we have to work with what we have and, hopefully, we can have someone else in line to help us move this community forward once Mr. Hargray's two or three years is up. So tonight I'm going to be supporting the item moving forward. Thank you.

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

COMMISSIONER BARNES: I -- I really had only one statement to make on this, but I think I need to further say the reality is, regardless of the contradictions that this attracts, regardless of the contradictions that my fellow Commissioner attracts. One could very easily get the impression that the original intent behind bringing Mr. Hargray back was not six or nine months, but an extended period. I got that impression as well. I don't know where I could have gotten it, except right here in the City of Miramar, so I, too, share that belief and convictions. For it to have removed from six months to three years in one fell swoop, one could come away with the impression, yes, this was the original plan. I share that understanding and belief. Let's be clear about that. What I am resenting very

strongly here is the implication, the suggestion that this City had literally run aground until Mr. Hargray was brought back. That has not been my experience. So to give that impression is also erroneous, and misrepresenting the facts. That he has done work since he came back -- and I'm going to very strongly submit that this work would have been done anyway, because of the momentum that this City has had for a number of years. I think it necessary that I insert that in the record. I cannot remember sitting on a city here -- on a Commission here six months ago when the City was falling down and breaking up. I do not remember that. So to give the impression that we've been bailed out, saved from calamity is untrue.

MAYOR MESSAM: Couple brief responses. Commissioner Barnes, I'll just respond to the items that -- that refer -- at least I -- let me clarify. The words calamity, the words running down to the ground is not from this Mayor. In fact, I did not support the ouster of the prior manager, more so because of the way it was handled, so I can't be part or included -- included in the choir that's saying the City was being run down. I just didn't like the decorum and the way that it went about. Again, I just had a difference with colleagues on something. I was on the losing end, and I accepted the will of the Commission. What I did with that scenario was say we need to have at least someone on an interim basis than can -- can create stability, because whenever you leave -- lose your chief executive officer of a organization, not only is staff looking to see what is going on, but our stakeholders in the community as well. That is why I nominated Mr. Hargray with a longer period, and a long established experience with the City. The motion as it was approved six months, with three months extension, I did not support. In fact, that was a compromise, because two of us wanted another professional in the position. It is okay for us to want different professionals to lead the City, that is why we have discussion and debate, and we settled on six months with a three-month extension. I'll explain again. I did not support that. That is what the two other voters wanted. Because of his performance, I made the motion. I can't talk to you all. I felt that because of his performance, he should be permanent, so during my report a month ago, I brought the item up. This commission could have voted it down. No, he will stick to six months with three-month extension. But there were at least two other Commissioners that agreed, let's go through the process to make it permanent; that was not the original agreement, that was me bringing it forward. Nothing more, nothing less. I didn't speak to anyone. In fact, I didn't know who would support it. I did it at the risk of no one supporting it, but that was my conviction based on this man's performance. I'm not saying he's the Messiah that came down from the highest of the elevations of heaven to rescue us from calamity. That is not what I said. The business community respects this man. Our residents respects this man. Our employees respects this man. Is he perfect? No, he's not. I'll be the first to say. But I think for the right time, for the right moment, where we are in this City, he deserves to be permanent. It gives stability to the City, it gives stability to staff, it gives stability to our external stakeholders that are looking to invest in our community; it only makes sense. For us to have a yoyo situation, our position in terms of city management is not in the best interest of the City. That is why independently brought it forward. And, through debate, convinced two others who also share that vision based on comments, and that's why we're voting on it. Nothing more, nothing less. I hope that this

explanation clears up the matter. There's no sneakiness going on, no collaboration going on, and especially when you look at how we got to this point. We were on opposite ends. We did not agree. When I nominated Vernon Hargray, it probably shocked everyone that I was -- that I even nominated him to be the interim manager. So it was no coordinated effort, and it was -- to have the assumption that: I believe this was the original intention from the start -- when you go back to the record and listen to that debate, I don't see how anyone can draw that conclusion. At this time, I'll entertain a motion.

COMMISSIONER CHAMBERS: Mr. Mayor, for the record.

MAYOR MESSAM: Yes.

COMMISSIONER CHAMBERS: The previous administration, the morale of our employees was extremely low. That was a problem for me. And, for the record, again, no one ousted the previous city manager. She and her attorney worked out a deal with the City Attorney, very lucrative; they took it, and she went home, so I did not have the authority to get out of here. We didn't have four votes, so that's what happened, for the record. Motion to approve number six.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: No.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Riggs.

COMMISSIONER RIGGS: No.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Resolution #R6708, the Commission voted:

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

Resolution No. 19-26

MAYOR MESSAM: Item number seven, please.

7. Temp. Reso. #R6849 approving a **three-year Collective Bargaining Agreement** between the City of Miramar and **Local 2820, International Association of Firefighters (IAFF)** for the period from October 1, 2018 through September 30, 2021. *(Interim Human Resources Director Randy Cross)*

CITY ATTORNEY COLE: Item seven is a resolution of the City Commission of the City of Miramar, Florida, approving a three-year Collective Bargaining Agreement between the City of Miramar and Local 2820, International Association of Firefighters (IAFF) for the period from October 1, 2018 through September 30, 2021, authorizing the Interim City Manager to execute the proposed collective bargaining agreement; and providing an effective date.

MAYOR MESSAM: Good evening, Mr. Cross.

MR. CROSS: Good evening, Mr. Mayor, Mrs. Vice Mayor, Commission, Randy Cross, Human Resources Director. This item before you is a contract between the City and International Association of Firefighters. This for the 2019 to 2021 fiscal year. The estimated cost for the collective bargaining agreement over the course of the agreement is \$3.49 million over the prior agreement. The significant changes to this agreement include one percent COLA for the first year, a one percent COLA for the second year, a 2.5 percent COLA for the third year of the agreement, and in the second year of the agreement, beginning January 1st, 2020, the membership will move to an independent health plan. The City will provide approximately \$1.85 million towards this cost with a five percent escalator. The contract also continues the STEP Plan and other established benefits that are outlined in the collective bargaining agreement. Approval is recommended.

MAYOR MESSAM: Thank you. Are there any comments from the public on this item? Are there any public comments on this item? Seeing none, back to the dais. Comments?

COMMISSIONER BARNES: Yeah.

MAYOR MESSAM: Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Just to have our residents and persons in attendance in the Chambers understand that this -- these are items we're voting on that we just okayed in our meetings before the Commission meeting.

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

COMMISSIONER CHAMBERS: I want to make a motion.

MAYOR MESSAM: Go ahead and make your motion, sir.

COMMISSIONER CHAMBER: 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 Riggs.

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Resolution #R6849, the Commission voted:

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

MAYOR MESSAM: Item number eight, please.

8. Temp. Reso. #R6847 approving a **three-year Collective Bargaining Agreement** between the City of Miramar and the **General Association of Miramar Employees (GAME)** for the period from October 1, 2018 through September 30, 2021. *(Interim Human Resources Director Randy Cross)*

CITY ATTORNEY COLE: Item eight a resolution of the City Commission of the City of Miramar, Florida, approving a three-year Collective Bargaining Agreement between the City of Miramar and the General Association of Miramar Employees (GAME) for the period from October 1, 2018 through September 30, 2021, authorizing the City Manager to execute the proposed collective bargaining agreement; providing an effective date.

MR. CROSS: Evening again. This is an item for the collective bargaining agreement between the City and the General Association of Miramar Employees for fiscal years 2019 through 2021. The cost of the agreement over the three years is \$6.85 million. The significant changes to the agreement include a four percent lump sum (unclear 45:16) check for the first year of the agreement, COLA salary adjustments and merit increases ranging between two to six percent, depending on the years of service for the employees for the second and third year. It also includes a change in the benefit for the General Employees with an increase to the multiplier, and an increase to the contribution rate; it's 9.5 percent, a multiplier increase of 3.25 percent for the first 20 years, and three percent for the remaining years of service, with a 100 percent cap. There's also a partnership in the upcoming health insurance process that the City will be beginning in early January, and establishing a A Viva 45:48 depending on the outcome of that process. And approval is recommended.

MAYOR MESSAM: Thank you. Are there any members from the public that wish to comment on this item? Any members from the public? Seeing none, back to the dais. Are there any comments. I do have one speaker. Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you, Mayor. This is a item that's -- prove the way things are moving here in the City of Miramar in regard to our employees. This item, I want to thank staff for working on this. It's not an easy item we've been working on for God knows how long, and it come to this point, so I'm very thankful for the people that work on this, everyone that work on it and get it to where it is today that we can vote on this item. I also want to thank the GAME employees for their patience, their dedication to this community, and just thank you all so much, and congratulation. This is where we need to be, so thanks again for all your patience.

MAYOR MESSAM: Thanks, Commissioner Chambers. Any other comments? If none, I'll entertain a motion.

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 Riggs.

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R6847, the Commission voted:

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

Resolution No. 19-28

MAYOR MESSAM: Item number nine, please.

9. Temp. Reso. #R6845 approving a **three-year Collective Bargaining Agreement** between the City and the **Police Benevolent Association of Broward County, Florida**, representing City Police Officers and Sergeants, for the period from October 1, 2018 through September 30, 2021. (*Interim Human Resources Director Randy Cross*)

CITY ATTORNEY COLE: Item nine is a resolution of the City Commission of the City of Miramar, Florida, approving three-year Collective Bargaining Agreement between the City and the Police Benevolent Association of Broward County, Florida, representing City Police Officers and Sergeants, for the period from October 1, 2018 through September 30, 2021; authorizing the Interim City Manager to execute the proposed collective bargaining agreement; and providing for an effective date.

MR. CROSS: Good evening again. This item is an agreement between the City of Miramar and the Police Benevolent Association for fiscal years 2019 to 2021. The cost of the agreement is approximately \$4.27 million over the three years of the agreement. The agreement includes a two-percent lump sum not the base for the first two years of the agreement, and a two and a half percent COLA for the third year of the agreement. In addition, the pension benefit will change for the tier two members, where the benefit will go from 75 percent at 25 years to 75 percent at 20 years of service. The union is also partnering with the City in the upcoming health insurance process and reopener. Approval is recommended.

MAYOR MESSAM: Thank you. Are there any members from the public that wish to comment on this item? Any members from the public? Seeing none, dais, any comments? Just a brief comment before we vote on this item. This -- these three items -- well, the two we just passed and the one that we're discussing is very important for the City of Miramar in terms of the benefits, the pension, all of the -- all of the enabling resources that these bargaining agreements provide to the men and women that help build the City, maintain the City, and to keep the City safe. And since we just got off of the approval of now Manager Hargray, my first meeting with him, we discussed some important priorities with the City. And this is just from my office, and every elected official has the opportunity as well to meet with -- with the Manager. He doesn't just meet with me or just work for me, as was stated earlier. Let's get a budget that appropriately funds this city, providing the level of service for our residents, and let's get to an agreement with our unions, because we have to include the resolution of these bargaining agreements to be able to address our fiscal issues and challenges in the City. So, for an interim manager to come in and successfully negotiate with his team, not one, not two, but three unions, I think is remarkable, and I think should be commended. It should be commended. And that's the kind of work that he has done. And it's not easy negotiating with the police, negotiating with fire, and negotiating with our general employees. It's not easy. Because the City has limited resources, and each bargaining unit are unique and want the resources that they need for the benefit of their members, and they were able to work out agreeable terms for all unions. So I'm happy for our employees, and I am happy for our staff that brought resolution to these agreements for this Commission to consider for approval. So for all those who were involved in these very important negotiations is to be commended, and I'm glad that we're moving forward, because we're working together, as a city, as we move forward. Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you, Mayor. I just want to say, for the record, these three unions did not support me in my reelection, okay, but I don't hold grudges. They did not. They -- they did not. And GAME did not support me in my first election, nor the second one, but these are men and women on the ground doing the work, doing the lifting. And when staff and these unions can come together and work out a great deal, you have to give credit where credit is due, and you have to recognize the work that these fine men and women have done on the ground every day in the City of Miramar. Keeping our water plant operating round the clock, the recycle water plant, PD doing what they do best to keep this community safe, fire showing up in less than six minutes at your home. I was just carried out here recently to the hospital a few weeks ago before my birthday, so doing what we have to do for our residents, our community, and that's what counts, that's what matter to me, okay. So, guys, we're going to keep on doing what we do best in this great city we call Miramar, and thank all of you so much for your dedication and your hard work.

VICE MAYOR COLBOURNE: Mayor.

MAYOR MESSAM: You have a comment or a motion?

VICE MAYOR COLBOURNE: Yes.

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

VICE MAYOR COLBOURNE: Ditto.

MAYOR MESSAM: May I have a motion?

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 Riggs.

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Resolution #R6845, the Commission voted:

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

Resolution No. 19-29

MAYOR MESSAM: Item number ten, please.

- 10.** Temp. Reso. #R6837 approving a **Comprehensive Pay Plan** for Unrepresented Employees for the period beginning October 1, 2018 through September 30, 2019. (*Interim Human Resources Director Randy Cross*)

CITY ATTORNEY COLE: Item number ten is a resolution of the City Commission of the City of Miramar, Florida, approving a Comprehensive Pay Plan for Unrepresented Employees for the period beginning October 1, 2018 through September 30, 2019, and providing for an effective date.

MR. CROSS: If I could, for just a moment, I wanted to wait until we were done, but between the staff from human resources, including Melanie, our assistant director, Heather and Sabine, Na'Imah, the union folks, James and Tom and Jeremiah. It was a long process over three months -- the last three months I've been involved in this since July. A lot of long meetings, a lot of long hours, but you do have an amazing staff on the City side and the union side. In the 17 years I've been here, this is one of the more challenging and privileged projects I've had the ability to work on, so it was personally very satisfying for me. And you can see the turnout, and the -- it's not a reflection on me. Even the Manager, the folks that were both sides of the team, both sides of the table really worked hard to come to the middle on some of these issues. Some of them were very, very polarizing, and it was an incredible job from everyone involved, so I just want to personally thank everyone, because I -- we wouldn't be here if it wasn't for both sides.

MAYOR MESSAM: Here, here.

MR. CROSS: So this item is the Comprehensive Pay Plan for fiscal year '19. This Comprehensive Pay Plan covers employees not covered by the three collective bargaining agreements that were just discussed -- comprised of approximately 219 regular full-time employees, and 116 regular part-time employees. The proposal for this year in the Comprehensive Pay Plan maintains most of the benefits that were in place from the prior year's pay plan. It also includes the two-percent base salary, one-time lump sum payment for employees from the rank of deputy or assistant director, and below based on merit, so it would be based on the satisfactory performance of the performance evaluation. In addition, the nine percent 457 match for directors -- for deputy directors and above will be reduced to six percent. PBL hours will be reduced by 40 hours for all FLSA exempt employees. If approved, also, this will go before the Pension Board, the Management Pension Board for consideration. That employees hired after an ordinance would be read into the record. The vesting will change from five to seven years. The multiplier will be reduced for the last -- the first ten years of the con -- of the pension. So, basically, what would happen is, right now, at 20 years of service, you're at 67.5 percent. The benefit would be reduced to 57.5 percent at 20 years of service. The overall savings for this Comprehensive Pay Plan is about \$142,000.00. And approval is represented.

MAYOR MESSAM: Thank you. Are there any members from the public that wish to comment on this item? Any members from the public? Hearing and seeing none, back to the dais. Are there any comments? If not, I'll entertain a motion.

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 Riggs.

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R6837, the Commission voted:

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

Resolution No. 19-30

MAYOR MESSAM: Item number 11, please.

11. Temp. Reso. #R6786 awarding Request for Proposals No. 18-09-01, entitled **“Turn-Key” Modified Shipping Containers for the Miramar Regional Park Amphitheater** to CEPODS, LLC, and related expenditure for the provision of design and construction services in an amount not-to-exceed \$729,000.00, with a contingency of \$25,000.00 for unforeseen circumstances, for a total amount of \$754,000.00. *(Support Services Administration Senior Project Manager Daryll Johnson and Procurement Director Alicia Ayum).*

CITY ATTORNEY COLE: Item 11 is a resolution of the City Commission of the City of Miramar, Florida, awarding Request for Proposals No. 18-09-01, entitled “Turn-Key” Modified Shipping Containers for the Miramar Regional Park Amphitheater to CEPODS, LLC, and related expenditure for the provision of design and construction services in an amount not-to-exceed \$729,000.00, with a contingency of \$25,000.00 for unforeseen circumstances, for a total amount of \$754,000.00; authorizing the Interim City Manager to execute the authorized agreement; and providing for an effective date.

MR. JOHNSON: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners, City Attorneys -- oh, I'm sorry. Good evening, everyone. Members of the dais, Daryll Johnson, Support Services. Brief history and background on this project. In May of 2014, the original concessions and bathroom design concept for the proposed amphitheater project consisted of two conventional reinforced masonry and concrete building structures valued at about 2.8 -- \$2.7 million. Later, staff did its research, and was introduced to the container concept, which we concluded it was less costly and a viable solution for the concessions. On September of this year at the fiscal year '19 public hearing, the City Commission unanimously approved the modified shipping containers design for the amphitheater and concessions bathroom as part of the CIP budget for fiscal year '19. Next slide, please. Scope of work consist of 11 modified containers placed at various locations within the amphitheater, containing the following functions: beverage dispensing, food preparation, and VIP experience. The exterior shells and the interior of the shipping containers are altered and fully remodeled, creating a functional retail space.

Next slide, please. This is a site plan of the various locations throughout the amphitheater where the containers will be located. Next slide. This is a rendering of the VIP experience, which will show an observation deck at the top. Also it's handicap accessible to the lower left-hand corner of the -- of the lowest slide, you will see a handicap lift there. Next slide, please. This is the -- in the upper left-hand corner, you have the -- the standard beverage container, a total of seven of each, and to the right of that, you have the -- the restroom container, and the lower container, you have two each of the refrigeration units. The procurement process; earlier this year in September 2018, the City advertised requests for proposals of the containers to a newspaper general circulation and DemandStar. On September 26, we received the sealed bids. Next slide. On October 3rd, a selection committee made up of City staff reviewed, evaluated and scored the sealed proposals and deemed CEPODS' proposal in the amount of \$729,000.00 to be qualified, responsive and responsible. In addition, a \$25,000.00 contingency allowed amount will be added to the project. Interim City Manager recommends awarding the contract to CEPODS, LLC. Approval is recommended.

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

COMMISSIONER BARNES: Yeah. A quick couple of questions. When you say they're turnkey modified, are we talking about -- what condition they were in? Are they -- are -- they have been modified yet?

MR. JOHNSON: Yes. Once we receive -- turnkey means that it's going to be totally complete, totally functional, and they just turn over the key to us, and we'll be ready to --

COMMISSIONER BARNES: In other words, the shell has been transformed into something completely different?

MR. JOHNSON: Yes, exactly. Yes.

COMMISSIONER BARNES: Okay.

MR. JOHNSON: Yes. Yes, sir.

MAYOR MESSAM: Are there any other comments? One quest -- well, a question I have. In terms of -- obviously, this is all alternative option to other building systems to accommodate the same use, so for traditional, let's say, masonry unit construction for something similar, what would be the delta and premium for that versus this option?

MR. JOHNSON: Well, as I stated before the presentation, the original concept was two conventional, concrete reinforcement masonry, which was about \$2.8 million; this was back in 2014. And I would say per square foot -- it would be about 300 to 325 a square foot, whereas, with these containers, you're about, on the average of about \$253.00 a

square foot. And you have a lot of -- it's a lot of diversity with these containers. We can -- we can move them around. They do not -- although they're stationary, again, it's just a better concept for this -- which we thought or staff thought would be for this -- for the amphitheater.

MAYOR MESSAM: I think it's a wonderful idea, wonderful concept, and I think it provides a unique amenity for the -- for the facility, and I'd just like to commend staff for looking for cost effective ways to provide the assets necessary for -- for -- for a world class venue. Are there any other comments? If not, I'll entertain a motion.

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 Riggs.

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R6786, the Commission voted:

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

ORDINANCE

MAYOR MESSAM: On to ordinances. Item number 12, please.

- 12. FIRST READING** of Temp. Ord. #O1704 **amending the Land Development Code**; making findings; amending Chapter 10 relating to **signage**; amending Sections 1002, 1005, and 1007 (Table 1) pertaining to definitions, design, maintenance, general standards, and permanent signs; providing for associated renumbering and relettering modifications; providing for severability; providing for inclusion in the Code; providing for interpretation; and providing for an effective date. *(Principal Planner Michael Alpert)*

CITY ATTORNEY COLE: Item 12 is an ordinance of the City Commission of the City of Miramar, Florida, amending the Land Development Code; making findings; amending Chapter 10 relating to signage; amending Sections 1002, 1005, and 1007 (Table 1) pertaining to definitions, design, maintenance, general standards, and permanent signs; providing for associated renumbering and re-lettering modifications; providing for severability; providing for inclusion in the Code; providing for interpretation; and providing for an effective date.

MAYOR MESSAM: Hello, sir.

MR. ALPERT: Good evening, Mayor, Vice Mayor, Commissioners, City Manager, City Attorney, City Clerk, Michael Alpert, principal planner. This is an ordinance proposed to amend chapter ten, signs, of the land development code in order to allow digital menu board signs. The ordinance amends the definition section, the design standard section, and the table and text for the permit sign standards. Next slide shows you examples of what they look like traditionally, and the next slide shows you what the digital menu boards look like. Staff recommends approval.

MAYOR MESSAM: Thank you. Are there any members from the public that wish to comment on this item? Any members from the audience? Seeing none, back to the dais. Are there any comments or questions? If not, I'll entertain a motion.

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 Riggs.

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Ordinance #O1704, the Commission voted:

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

Passed 1st Reading

SECOND READING SCHEDULED for November 28, 2018

MAYOR MESSAM: Item number 13, please.

- 13. FIRST READING** of Temp. Ord. #O1707 approving the **end-of-year amendment** of the **Fiscal Year 2018 Operating and Capital Improvement Program Budget**; and providing for an effective date. (*Management & Budget Director Norman Mason*)

CITY ATTORNEY COLE: Item 13 is an ordinance of the City Commission of the City of Miramar, Florida, approving the end-of-year amendment of the Fiscal Year 2018 Operating and Capital Improvement Program Budget; and providing for an effective date.

MR. MASON: Good evening, Mayor, Vice Mayor, Commissioners, City Manager and staff, Norm Mason, Management & Budget team. I'd like to present the final budget amendment for 2018 to adjust the yearend budget column for the final results of the year.

Per State statute, the amendment must be adopted within 60 days following the end of the fiscal year, which would be about November 29th. So the second reading will be on November 28th. The numbers I'm presenting you tonight, unfortunately, are subject to change, as Finance closes the yearend, so these numbers will change on November 28th, and I will present that at that time. The City Manager wishes to amend this budget in order to correspond with the actuals, in terms of the General Fund and other funds. So this is the -- as you hear me say, the third, consecutive year you haven't had a budget amendment during the year. This is the yearend closing, so this is your first and final budget amendment to your operating budget, and so that's a significant accomplishment, because you're not taking money from fund balance, which other cities do throughout the year. If we didn't need an amendment, we would have come to you during the year to address these issues, but because of the continuous improvement process, you don't need to do that, and we didn't come to you. So at the yearend, there are a couple of issues. Number one, Fire 1.8 million, due to higher than anticipated pension costs, higher than anticipated overtime, and DROP transfers, which were higher than anticipated. The police, 1.4 million due to overtime and DROP transfers. I do want to add one thing, as the Mayor said today, it's 35 days into the year, and I see issues with public safety for this year, due to the scope of the responsibility of what's happening in this country. I won't get into that, but I don't know and they don't know their scope of what they have to protect due to the issues that you are all aware of, and until something changes, in my opinion, to address the problem not the symptoms, that's not going to change. So I just want to let you know that we see issues already with public safety in regard to the current year. The Office of the City Manager, 262,000, you know, in terms of the two managers, and also the Business Inclusion Diversity Program was added into that, so that came out a little higher than budgeted. The Office of the City Clerk, \$5,900.00, due mainly to a lump sum payment. We try to anticipate those, but we have to estimate them as best we can. Now to -- to say something -- the continuous improvement process, if we didn't do that, the efficiencies you so desperately seek, and I appreciate that, but we deliver them at the yearend here. Administrative services, 491,000 for the Clerk, Finance, HR, Management & Budget. 677,000 of operational service savings in Construction and Public Works. Public services 1.2 million in Community & Economic Development, Cultural Affairs, Parks & Rec, and Social Services. So I appreciate all your support in the budget, and so we will deliver the efficiencies if you allow this process to do that, instead of delivering efficiencies up front by cutting your budget, and then failing to deliver throughout the year. So if you allow me and the team to continue this, I appreciate that. So for the third consecutive year, you see we have savings right there, because of these efficiencies. If not, we would have to go into fund balance for those four -- first four items to the -- about -- about three and a half million dollars. So I -- I appreciate your support on that, and the efficiencies allow us to make those savings. Also, the hurricane debris removal savings are about 1.9 million, thankfully, from the estimate that was done for that. Again, these numbers will change on November 28, but because of your support and the Management & Budget team working with the departments, we will be able to deliver savings again, I'm fully confident with that to the increased numbers that you are going to see on November 28th. Now that concluded the General Fund. In terms of other funds, I'm going to explain the cause, and then why we have to make the adjustment. So Public Safety

Outside Services fund, detail revenue was sufficient, about 326,000, so both sides of the equation: the money came in, and it was paid for to deliver those special duty services by police and fire. So it's just an adjustment to the budget to record that money. Machinery and equipment came in \$86.00. That's just \$86.00 higher than anticipated, so the State and County Grant, EMS, will pay for that \$86.00 adjustment. Debt service; the interest payment on a 2012 revenue note, which Finance can speak more eloquently than me about was \$4,500.00 more than we budgeted. Interest earnings are used to pay for that, because they were higher than anticipated. The Park Development fund, impact fees received, 405,500 less than anticipated. It's my understanding that this is a timing issue. They haven't been recorded yet or received. Those impact fees will come in, and they will be added to fund balance. Right now, we're using 405,000 of fund balance to balance this fund at this time, because it has to be balanced. And, in addition, there were bank service charges of \$500.00 that had to be covered, in terms of higher than anticipated, so that's the adjustments for the Park Development fund. But those impact fees will come in. the 2017 CIP loan; I'll let you know that we got a very attractive interest rate. Interest earnings, 94,900 higher than budgeted, so this is a good thing. This is an increase in fund balance of \$94,000.00, so your fund balance is going up. And the bank service charges, again, were \$700.00 higher, so there's a slight adjustment to record that \$700.00. Developer donations in the Capital Projects fund of 118,000. That simply is being appropriated on the expense side to the additional southbound left-turn lane on 145th Avenue and Miramar parkway in the amount of \$118,000.00. The Utility Construction Revenue Bond fund is being closed out. That 11.9 million will be transferred to the utility fund. Here's the receiving of that amount, as you see it being transferred into utility fund, recognizing revenue 11.9 million, and the fund balance would go up by the corresponding amount. The Utility fund CIP, capital outlay reserve of 1.5 million, approximately. That's being reduced there, and will be used the construction of the reclaimed water system expansion 1.5 million. That item will be brought to you on November 28th. It's Resolution No. 6861 to appropriate that \$1.5 million, and approval is recommended.

MAYOR MESSAM: Thank you, sir. Are there any members from the public that wish to comment on this item? Any members from the public? Seeing none, back to the dais. Are there any comments? Commissioner Chambers.

COMMISSIONER CHAMBERS: I just have a question. In terms of when we have -- Mr. Norman -- and I'm going to hold you accountable for fiscal year 2019. I just want to ask, in terms of when we have like a private event, and we have to use Public Safety, and that service is paid for, how does that factor into our budget, in terms of the -- does that cover for itself? Let's say we need 20 -- like this previous Sunday?

MR. MASON: Yeah, we budget events. I can have Public safety speak directly about how those are arrived at, but those are included in the budget as we go through the expected events that are to be held during the year. That is incorporated into their budget.

COMMISSIONER CHAMBERS: So the -- the revenue that generates on that event, that come right back and clear the wash, right?

MR. MASON: Yeah. I'll let them speak to exactly -- sometimes it isn't an exact wash, of course, but, yes, that's the idea of it.

COMMISSIONER CHAMBERS: Okay. Okay. Let's say when we do a public event, where we have to cover the cost for PD and fire, if we can minimize those event, there will be a savings, right?

MR. MASON: Absolutely, yes.

COMMISSIONER CHAMBERS: Okay. So that's what we have to do, as a team, to make sure we keep our costs down, because -- I see Chief is coming up. I'm not sure -- all right. So I just want to say that. I want to understand -- because, obviously, fire and police is a very big cost, and any savings we can -- any way we can save something, we have to be able to keep that cost down. I mean unforeseen event, we can't control that, so -- thank you.

POLICE CHIEF WILLIAMS: Good evening, Mr. Mayor, Vice Mayor, Commissioners, Dexter Williams, Police Chief. Yes. There's a conversation when you want to talk -- discuss about the discretionary/nondiscretionary. Sometimes, a lot of the events that the Police Department does is really nondiscretionary, because you have to have public safety for these events, no matter what it is. And I can't look at certain situations and become very frugal with it and have minimum staffing there, knowing that I -- you know, the crowd might be a lot, staging issues might be there. We have to -- to address our safety needs 100 percent. And especially when we have events dealing with children and so forth, you know, the City is not in a position to address any casualties at all, so sometimes I may have to go a little above to make sure that we ensure that -- that safety is there. And, yes, it does come at a serious cost. And -- and, you know, the Director is 100 percent correct; public safety does cost a lot to do.

COMMISSIONER CHAMBERS: So, my question is, even though it's a private event that's paid for a private vendor, don't normally cover the cost.

POLICE CHIEF WILLIAMS: It covers the cost of coverage for the staff member, yes, at that particular event. But if you're talking about -- are you breaking it down for our equipment and all that --

COMMISSIONER CHAMBERS: No.

POLICE CHIEF WILLIAMS: -- and -- okay. You're just talking about -- it's a watch, yes.

COMMISSIONER CHAMBERS: Thank you.

POLICE CHIEF WILLIAMS: Yes. If -- that's what you're referring to, yes, the cost for cost, yes.

COMMISSIONER CHAMBERS: Thank you.

POLICE CHIEF WILLIAMS: The City isn't paying for that. They -- the private vendor is paying for that.

COMMISSIONER CHAMBERS: Right. Thank you, sir.

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

VICE MAYOR COLBOURNE: For the Budget Director. I just wanted to -- this is the first reading on this?

MR. MASON: Right.

VICE MAYOR COLBOURNE: I just would like to have a meeting before the second -- the second reading.

MR. MASON: Absolutely.

VICE MAYOR COLBOURNE: Thank you.

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 Riggs.

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Ordinance #O1707, the Commission voted:

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

Passed 1st Reading

SECOND READING SCHEDULED for November 28, 2018

MAYOR MESSAM: Item number 14, please.

- 14. FIRST READING** of Temp. Ord. #O1715 **amending the City Code Chapter 15 “Pensions”, Article V “City Retirement Plan and Trust Fund”, Division 3 “Benefits”**; amending Section 15-312 to provide for a 3.25% multiplier for the first twenty years of credited service and 3% thereafter; amending Section 15-337(a) to provide for a 9.5% employee contribution; providing for severability; providing for codification; providing for an effective date. (*Interim Human Resources Director Randy Cross*)

CITY ATTORNEY COLE: Item number 14 is an ordinance of the City Commission of the City of Miramar, Florida, amending the City Code at Chapter 15 “Pensions”, Article V “City Retirement Plan and Trust Fund”, Division 3 “Benefits”; amending Section 15-312 to provide for a 3.25% multiplier for the first twenty years of credited service and 3% thereafter; amending Section 15-337(a) to provide for a 9.5% employee contribution; providing for severability; providing for codification; providing for an effective date

MAYOR MESSAM: I would like to thank Cub Scout Troop 441 for your contribution to our meeting. Thanks a lot. Mr. Cross.

MR. CROSS: Good evening, again, Mr. Mayor, Madam Vice Mayor, Commissioners. Randy Cross, Interim Human Resources Director. In October of 2017, the General Employees Pension Board approved TO 1673. The actual impact totaled approximately \$46.6 million over a 30-year period. At that time, the Commission and the union decided to pull the item and have it go back and become incorporated as part of collective bargaining, the results of which were approved earlier this evening with the collective bargaining agreement for the General Association of Miramar Employees. As a result of

the collective bargaining, the changes to the ordinance is a 3.25 percent multiplier for the first 20 years of service, a three percent multiplier thereafter, which brings the average final benefit for -- to 65 percent at 20 years, with a 100 percent cap for that benefit. It also increases the member contribution from 7.3 per -- 7.36 percent to 9.5 percent of pensionable earnings. So this is the first reading. If approved, it will come back the following Commission meeting for second reading, and then if approved, it will go into effect after.

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

VICE MAYOR COLBOURNE: No.

MAYOR MESSAM: Okay, no? May I take a motion?

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 Riggs.

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Ordinance #O1715, the Commission voted:

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

Passed 1st Reading

SECOND READING SCHEDULED for November 28, 2018

MAYOR MESSAM: Item number 15, please.

PUBLIC HEARING

- 15. SECOND READING** of Temp. Ord. #O1709 amending the City Code at Chapter 2 "Administration," Article III "Boards, Committees and Commissions," Division 1 "Generally," Section 2-54 "Procedures for Commission appointment of members to boards, committees, authorities and agencies; procedure supplemental," to **require City board and committee members to resign from a City board position upon seeking elective political office**; and providing for an effective date. *(Passed 1st Reading 10/17/18) (Vice Mayor Yvette Colbourne)*

CITY ATTORNEY COLE: Item 15 is an ordinance of the City Commission of the City of Miramar, Florida, amending the City Code at Chapter -- "Administration," Article III "Boards, Committees and Commissions," Division 1 "Generally," Section 2-54 "Procedures for Commission appointment of members to boards, committees, authorities and agencies; procedure supplemental," to require City board and committee members to resign from a City board position upon seeking elective political office; and providing an effective date

MAYOR MESSAM: Are the -- at this time, I think -- I don't think there are any changes to this ordinance, but this item, basically requires any members who are serving on City committees or boards who seek election for office to resign, so -- this item was presented by Vice Mayor Yvette Colbourne. At this time, I will provide an opportunity for her to provide any comments, and then we'll move to public discussion and Commission discussion. Vice Mayor Colbourne, you're recognized.

VICE MAYOR COLBOURNE: Thank you very much. This resolution requires City board and committee members to resign from City boards' position upon becoming a candidate. And I'll like to just offer a little background. The City of Miramar has several advisory boards. Example of such -- some of them, you have the Affordable Housing Board, you have the Firefighters Pension Board, Police Pension Board, Planning & Zoning Board, Blasting Advisory Board, Civil Service Board, Cultural Arts Board, and many others. All advisory boards each have their stated purpose. Members of boards and committees are appointed by City Commissioners -- by the City Commission to research, report findings,

and recommendations back to the Commission. Serving on an advisory board is an opportunity for residents to get involved in the decision-making process on matters relating to our community. Advisory boards are a link between residents and elected officials. The reason for this resolution -- advisory boards are intended to provide residents a voice, a link between the residents and the Commission, and this goes through our staff. Advisory boards and committees are intended to be nonpolitical in nature. When a residents become -- when a resident becomes a candidate, he or she becomes political, with a political agenda and a political voice. Advisory board members meet with staff, and provide recommendations for Commissioner -- for the Commission consideration. I do not want the politics of a candidate to infiltrate advisory board recommendations to the Commission. This ordinance prevents City boards and resources from being used by candidates for their platform. This ordinance keeps politics out of our advisory boards. Several other cities have implemented the exact same or similar legislation, such as the City of Margate, City of Fort Lauderdale, City of Miami, Miami-Dade County, in fact. This ordinance was prepared by our City Attorney, and it is recommended by our City Manager. I believe that this ordinance provide good policy for our city.

MAYOR MESSAM: That concludes your comments?

VICE MAYOR COLBOURNE: That's fine. And I ask for the support of my colleagues on it. That's --

MAYOR MESSAM: Okay. Thank you -- thank -- thank you, Vice Mayor. At this time, are there any members from the public that wish to comment on this item? Would you state your name and address for the record, please, thanks.

MS. RAMSAY: Good evening, my name is Lina Ramsay. Address is 3595 SW 142nd Avenue in the great City of Miramar. I serve on an advisory board, and I'm here in support of this item. I believe that anyone that's seeking any elected position should step down from advising -- giving advice, giving their opinion, giving any information that's going to relate to any business that the City has. I think that any participatory member who is seeking support from the community should not be at the same time -- I think that is just a conflict of interest. City advisory boards and the members they are the community, and they're not political members. When you become a candidate, you need to resign. I think that it's something that not just in other cities, but in any commission. I am a teacher, and I know that when our issues involving that -- opinions, I need to step down and have parents or have other officials involved. I think that that standard should apply, definitely to the advisory committees. Thank you.

MAYOR MESSAM: Thank you. Good evening, sir. Welcome.

MR. BROOKS: Good afternoon to all. My name is Fred Brooks. I reside at 4501 SW 131 Terrace in the community of Silver Falls. I believe that if you do participate on any one of these advisory boards, and you elect to be a candidate for a political position, I believe

you should step down. Because, first of all, it creates a conflict of interest, and you start to have the potential of blurring lines. And I also believe that it could create a very high possibility of undue either intentional or unintentional influence across these -- these lines, so I believe they should step down. And being a person that have served on many of this City's boards, I think it would be the right thing for that individual to do. Thank you.

MAYOR MESSAM: Thank you.

MR. HILL: My name is Edward Hill. I live at 14906 SW 19 Court in Silver Shores. And the previous two speakers, they basically said the same thing I'm going to say. I think if you're on a board -- a City board member should not run for public office or be a candidate. It does cause a conflict of interest, I think. That's my opinion. And, like I said, the previous two speakers just -- I ditto everything they just said.

MAYOR MESSAM: Thank you.

MS. HOLLINGSWORTH: Good evening. Kyra Hollingsworth, 12000 SW 29th Street, Montclair. I just jotted down a few things of why I do support this ordinance. I currently serve on an advisory board. I'm here in support of the advisory board members resigning from the board when they do become candidates. The City advisory board members are members of the community, not a political member. When you become a candidate, you become political. As a candidate, your ability is to advise the City staff and the Commission, which could become conflicted. Keep politics out of the advisory boards. If I was to become a candidate, I would happily resign as I pursue elected office. Thank you.

MAYOR MESSAM: Thank you. Any other speakers from the public? Good evening.

MR. AKEEL(SP): Good evening. May name is Akeel. I live at 6321 SW 26 Street, and as my previous colleagues stated before, I agree with their sentiment and also with Vice Mayor Colbourne that we should have the separation between the politics, and also the advisory board. The advisory board is here to serve and progress our certain ideas, and we don't want the ideas of the politicians to conflict with the advisory board. Thank you.

MAYOR MESSAM: Thank you, sir. Good evening.

MS. DAVIS: Good evening, Mayor, Vice Mayor, Commissioners, City Attorneys, City Clerks. Alexandra Davis, 3149 SW 133rd Avenue, Miramar. I too have served on several boards, and I do believe we should keep them separate. We have our politicians that are you guys, our Commissioners, we have the residents, and we have the boards. And, you know, the thing is the boards do report to the Commissioners, and I wouldn't like to have any kind of conflict between Commission and the board members, as well as the board members and residents and businesses. So I think if you keep them separate, I'm sure it would, you know, bode well for the City. I'm sure any member that's gained the experience from being on a board, I'm sure they can use that in their political endeavors,

which nobody has a problem with that. But, however, once you're serving, there could be a potential -- you come up against businesses that want to do business in the City, the Planning & Zoning Board, they make, you know, decisions on items that go before you, and I think that could be a conflict. So -- whereas they could use their position to say they have served in that capacity, there is a potential to use it for their benefit, and they don't get the same kind of ethics training, as far as I know, that the Commissioner do. So I think we should just leave it as the public residents being on boards, and keeping it that way. Thank you.

MAYOR MESSAM: Thank you. Any other members from the public? Good evening.

MS. SCIALABBA: Debra Scialabba, 6490 SW 26 Street. I find this very interesting. After all these years, and every one of you, prior commissioners, served on a board at one time, another, and I'd like to thank you, and I support this. Thank you.

MAYOR MESSAM: Any other members from the public that wish to speak on this item? Hearing none. Commissioner Barnes, you're recognized. If you wish to speak, if you can just tap your screen, please. Thanks.

COMMISSIONER BARNES: I hardly have anything to add to what has been said by our residents, who, I'm pleasantly surprised, have actually made the time to come in to talk about this. I'll just add that my -- my position, as indicated in our previous vote, and -- and my comment the last time around is that if someone is truly interested in service to the City, resign. If you don't win, you could very well be reappointed. For me, it's that simple.

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

COMMISSIONER RIGGS: Thank you, Mayor. Well, this is interesting. When this item first came in front of the Commission, I wasn't sure what the purpose was, what the agenda or the reason for -- for bringing this. And one of my concerns was why now, of all the years that you have folks have been sitting on the dais, why now. But I've recently learned that there's some ulterior motives behind this ordinance, where certain folks are being forced, for the lack of a better word, to get out of a particular race, and I don't believe this is the way to do it. If you believe someone is being unprofessional, as a board member, then whoever appointed them -- if they were at large, then that decision can be reversed. There's no reason to punish them. I imagine if I were the one on the other end of the spectrum sitting on a board, running to run for Commission, I wouldn't want to be punished. As we said last time, this is a voluntary position. It's not a paid position. These folks are giving up their time. So, from what I understand, there is -- there's a particular gentleman that's being targeted to drop out of the race that's coming up in March, and this is the rationale or the reason behind this ordinance. So I don't agree with such behavior, and I don't see the need to do this. As far as I know, I don't know anyone in the past who has behaved in a manner where we need to put such an ordinance. And if

that's the case, I believe the best way to deal with these situations is to be a good example. I would encourage the gentleman who is experiencing this heat to conduct himself in a manner that teaches others how to be professional, but I don't think we should punish him by passing such an ordinance. And this is one of those -- this is a spade, and we need to call it a spade. Let's not play politics and play around. This is being put in place for a certain reason, and I'm going to call it out. That's what I see. Thank you, Mayor.

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

COMMISSIONER CHAMBERS: Commissioner Barnes, you're right on. Thank you so much. You know, it's real simple. I remember back in the days, you used to be able to pull up to the gas station, and you pump your gas before you pay, then you go pay later. People start taking off and don't pay, so they have to change the rules. Now you got to pay before you get the gas. It's just like going to a Chinese restaurant, you got to pay before you eat. You know, I want to thank the residents for showing up and voice their opinions. And I think, you know, changes happen sometimes, so I'm okay with this item. I'm a yes. I'll make a motion at the appropriate time.

MAYOR MESSAM: Thank you, Commissioner. I'll -- I'll add a few observations, and my sentiments don't change from the first reading. I think I can see the application of this ordinance working. There's pluses and minuses, disadvantages and advantages from this perspective. From our first reading, I stated that if this is the will of the Commission, that for this item to come up at this juncture on the cusp of an upcoming election, it just raises eyebrows for me. I don't have any specific information -- I'm not getting into any -- any notions of what the intent is. I'm just looking purely at the merits of the -- of the ordinance. It's been mentioned that other cities have this prohibition, but there are more cities that don't have this prohibition than those that do have them, so we'll make that fact. Yes, there are cities that has taken this position. I'm not saying it's right or wrong, I'm just saying that there are more cities that allow committee members and advisory board members to run than those that prohibit that possibility, so I'll just put that for the record. Second, advisory board, committee members, they provide a value -- valued -- they add value in the civic process, in terms of being the voice of the community for that specific area. These residents and, depending on the board, entities, stakeholders in the community provide valuable input for that specific board or committee that helps advance the City in terms of opinions, ideas, perspective, recommendations. But that's where it stops. Other than the Planning & Zoning Board, which is a quasi-judicial board, which can take action, all of the other committees and boards have no authority; no budgetary authority, no policy authority, it's just recommendations, ideas, and opinions that can be valued by the City to provide input from the community, using their expertise to make a policy directed by the Commission. So there's been a lot of comments about conflict. Conflict arises when there's authority, and these boards -- other than the Planning & Zoning Board do not take action, so I'm just presenting that as -- as -- as -- as information. Also, one of my comments from the first reading is I think that something -- this action is

prohibition, I think protects incumbents. It protects, to some degree -- it provides a -- a barrier for incumbents that are in office. It protects me, it protects the Vice Mayor, it protects other Commissioners who are in office, because -- for whatever reason. And it is -- it is what it is. And I think that we do a disservice for Miramar when we prohibit our residents who want to serve on these boards to prohibit them from being part of that process. I think that it hurts the City more than -- than helps the City, in terms of a candidate. I also think that it's punitive, even when you're running for office. If any one of us decides to run for higher office, whether it's the County, the State or a federal office or whatever, State statutes require us to resign, but we can make that resignation effective upon the start date of that new position. So you can actively run a campaign in a position where you actually have authority, and still serve all the way through your election. Even the State does not make that requirement the day you cast your candidacy for higher office immediately you have to resign your elected office where you do have authority. And that's where I strike the difference. These are just fundamental differences that I have with the ordinance. It's not a personal attack on the -- on Madam Vice Mayor for bringing it forward, it's just my observation of the impacts it has on this city. And I still keep the same position. Obviously, based on conversations on the dais, there's enough support to move this item forward, and I would make the request that whether -- I don't know if it will be accepted, that if this item should move forward, that because there is an active campaign or -- well, there are individuals who have opened up accounts, have declared their candidacy for office. Okay, so we're changing the rules in the middle of the race, and I think that's unfortunate. So if the will of this Commission is to move forward on this item, I'm okay on being on -- of not being on the prevailing side. I'm just saying be fair to those individuals that have entered into or expressed their candidacy for office with the current rules that are in place, and for this Commission to change those rules midstream, I think, is not in the best interest of the City, and I just think that it's -- it's just unfortunate if this should move forward, especially in regard to this specific time. Make it -- make it effective on the next election, so when everyone who does file, if anyone who is serving on a board knows now that these are the rules -- but to do it during this stage is unfortunate, and that's the reason why I'm not supporting this item. Thank you. Okay, so I'll allow Vice -- Vice Mayor Colbourne to respond, and then we have Commissioner Riggs who has raised her hand.

VICE MAYOR COLBOURNE: Okay. Thank you. I'd like to address some of the things that you said, or some of the things that were said in general. I'd like to start with protecting the Commission. This is not intended to protect the Commission. In fact, this even the playing field. You have individuals who serve on boards, you have individuals who run for office who do not serve on boards. So, in terms of that, it even -- you know, it evens out the field for everybody who is running for office. This has nothing to do with anyone who is already in -- serving as a Commissioner. It's just -- it's just your observation, but it's not a true statement. You talked about there are less cities -- yes, there are less cities that have adopted this. You have an entire County that has adopted it. So there's really -- there's really no point. I do believe that this is good government policy for our City. For something that's -- that's supposed to be so -- so -- so

meaningless, it seems like a lot of meaning is being placed into it. This is supposed to be a simple resolution, just good government policy. But, instead, it just seems to -- it has gone -- you know, ridiculous. So -- so you're saying that it should not take effect now, it should take effect some other time because -- before -- because we're in an election period. Well, you know what, we're not in an election period. Qualifying begins in January. Someone can open an account at any -- at any point in time. So that's -- that's -- again, it's not a valid statement, in my opinion, okay. So, at any given point, anybody who open an account at any point in time -- it just begins an election season -- this is not the official election season. Qualifying is in January. Once again, every time -- and I won't generalize and say every time. But you have Commissioner Riggs -- you can disagree on an item. You really can't -- in fact, I will say it's healthy. Because when we disagree on something as a Commission, the residents get to hear both sides of it, so I'm quite okay with that. What I'm not okay with is the -- is the insults and insinuations: oh, someone is targeted to be -- to be forced off of a race. Where are these conspiracies coming from? I mean if -- if you have something, you know, that you -- that -- go ahead, show some facts to it. But, please, give some credible statements. Who is forcing who to do what? When and where and how is it happening? It's just -- it's just -- it's just not a response. It's just not -- it's just -- it is not responsible to make statements like those. They're offensive. I mean disagree any day of the week. It's healthy. We can disagree, you know, but we don't have to disrespect each other that way. I do believe this is good government policy, and I -- and I ask for a -- I do believe we have consensus on this. At the appropriate time, I would like to move this item.

MAYOR MESSAM: Thank you, Vice Mayor. We have Commissioner Riggs, followed by Commissioner Barnes. Commissioner Riggs, you're recognized.

COMMISSIONER RIGGS: Thank you, Mayor. Oh, Lord. Commissioner Colbourne, please don't sit here and act this is best for the community. This has nothing to do with the community, and that is not your intention, so that's the fact. Commissioner Chambers and Commissioner Barnes, I would like for you to reconsider your -- your supporting this item, because think about it. If you were the gentleman on the other side that is being forced to drop out of the race, it wouldn't be fair to you, nor is it fair to him today. So the Mayor is right. If something like this -- if you are supporting it, it should be in effect, not in the middle of a campaign going on. It shouldn't be -- this is actually not good for me. I'm -- I'm opposing it, because it's the right thing to do. This doesn't help me. Because for me, it would be one less opponent, but it's not the right thing to do. It is not about me. I imagine if I were him, and this was happening to me, it wouldn't be right, period. So if - even if you are in support of it, as far as the impact on the public when somebody is sitting on a board, it shouldn't be now, because he is already sitting on a board, appointed by this Commission, and decided to serve the City at the same time, so -- and the other thing. If you're going to support this, let's support this only for the Planning & Zoning, because, as the Mayor said, that's the only board that really has action, the others do not. So why punish everybody else for one board that has some clout. So if you are supporting this, it should be only if you're part of the Planning & Zoning Board, not every other board in the City. So I have folks that I've appointed in the Historic Miramar, because I created

that board. Let's say one of them decide to run for commissioner, so they step off that board? No. And we received an email recently from the City Clerk with a whole bunch of vacancies. So, if anything, we should be encouraging people to get on those boards, and share their opinions, lead and govern, not the other way around. This is a punishment. How are we supposed to get more folks to sit on these boards when we're doing things like this? And the intention behind this is unethical, and that's a fact. So, Commissioner Chambers and Commissioner Barnes, I would love for you to please reconsider supporting this item. It's not being proposed to you for the right reasons.

MAYOR MESSAM: Commissioner Barnes, you're recognized. Let us all agree that we're all going to have our own separate opinions, and we're going to vote accordingly. And, no, I'm not going to change my position, because I want this done for the right reasons. Again, I am saying, if the intention of an individual is to truly serve, and you intend to move a step higher in that service to this municipality, I am going to find it extremely difficult to understand where a problem lies in resigning. Why does it have to be punitive? No. This is just another way to do what has been done in the past. It doesn't have to be punitive. I absolutely disagree with that. Then we make it arbitrary by saying, "No, this should apply to only one board." No, come on. Either -- you know what, I think we need to just vote on the item and get it done, whichever direction it's going to go in.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: It's been moved and seconded. 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 Riggs.

COMMISSIONER RIGGS: No.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: No.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Ordinance #O1709, the Commission voted:

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

Ordinance No. 19-04

MAYOR MESSAM: Item number 16, please.

- 16. SECOND READING** of Temp. Ord. #O1711 amending the City Code Chapter 15 “Pensions”, Article VI “**Senior Management Pension Plan and Trust Fund**,” creating Section 15-355(j) of the Management Plan to permit in-service distributions to the City Manager or Interim City Manager as permitted by the IRS Code and Treasury Regulations; providing for severability; providing for codification; and providing for an effective date. ***(Passed 1st Reading 10/17/18)***
(Interim Human Resources Director Randy Cross)

CITY ATTORNEY COLE: Item 16 is an ordinance of the City Commission of the City of Miramar, Florida, amending the City Code Chapter 15 “Pensions”, Article VI “Senior Management Pension Plan and Trust Fund,” creating Section 15-355(j) of the Management Plan to permit in-service distributions to the City Manager or Interim City Manager as permitted by the IRS Code and Treasury Regulations; providing for severability; providing for codification; providing for an effective date.

MR. CROSS: Good evening again. Randy Cross, Interim Human Resources Director. There are no changes from first reading.

MAYOR MESSAM: Okay. Are we have any members from the public that wish to comment on this item? This is the second reading; no changes. No public comments; back to the dais. Are there any comments? If not, I'll entertain a motion.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER BARNES: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Riggs.

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Barnes, to approve Ordinance #O1711, the Commission voted:

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

Ordinance No. 19-05

QUASI-JUDICIAL PUBLIC HEARING

MAYOR MESSAM: Item number 17, please.

CITY ATTORNEY COLE: Yes, Mayor. These are quasi-judicial items, so I'll read the rules. Florida Courts have determined that if there are certain types of matters, including items 17, 18, 19 and 20 on this evening's agenda that are to be treated differently than other issues considered by the Commission. Most decisions of the Commission are legislative in nature, which means that the Commission is acting as a policymaking body. In contrast, in quasi-judicial matters, the Commission is applying existing rules and policies to a factual situation and is, therefore, acting like a judge or a jury in a courtroom. In such cases, courts have decided that due process and fundamental fairness require that more formal procedures be followed. The City of Miramar's procedures for quasi-judicial hearings are as follows: anyone who wishes to speak on any of the items will be collectively sworn in by the City Clerk. The hearings will be conducted in an informal manner. I will read the title of the items to be considered. City staff will make a brief

synopsis of the application and make a recommendation. Next will be a presentation by the applicant. The Commission will then hear from participants in favor of and in opposition to the application. All witnesses are subject to cross examination by City staff, City Commission, and the applicant, and a participant may request that the Commission ask questions of a witness. The applicant and staff will make concluding remarks. No further presentations or testimony shall be permitted, and the public hearing will then be closed. All decisions of the Commission must be based upon competent, substantial evidence presented to it at the hearing. All backup materials provided to the City Commission as part of the agenda will automatically be made a part of the record at the hearing. All approvals will be subject to staff recommended conditions, unless otherwise stated in the motion for approval. At this time, the City Clerk should swear in all witnesses.

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

- 17. FIRST READING** of Temp. Ord. #O1710 considering **Application No. 1701999, Rezoning** a 4.62-acre parcel, a 4.81-acre parcel, and a 4.81-acre parcel from Rural (RL) to Residential 1 (RS1), located at 14200, 14299 and 14201 Southwest 41st Street, respectively; and providing for an effective date. ***(Staff recommends continuance to the meeting of January 16, 2019) (Principal Planner Michael Alpert)***

CITY ATTORNEY COLE: Item 17 is an ordinance of the City Commission of the City of Miramar, Florida, considering Application No. 1701999, Rezoning a 4.62-acre parcel, a 4.81-acre parcel, and a 4.81-acre parcel from Rural (RL) to Residential 1 (RS1), located at 14200, 14299 and 14201 Southwest 41st Street, respectively; and providing for an effective date. Staff has requested that there be a continuance of this item to January 16th meeting.

MAYOR MESSAM: May I have a motion for continuance to -- until the January 16, 2019, meeting, please.

VICE MAYOR COLBOURNE: Motion to continue.

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 Riggs.

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to continue Ordinance #O1710, the Commission voted:

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

Cont'd. to 01/16/19

SECOND READING SCHEDULED for February 20, 2019

MAYOR MESSAM: Items 18 and 19 will be read together. Items number 18 and 19, please.

- 18. SECOND READING** of Temp. Ord. #O1695 considering **Application No. 1707473, Rezoning** a 0.59-acre parcel from Planned Unit Development (PUD) to Residential Multifamily 4 (RM4), located between University Drive and South Douglas Road, north of Miramar Boulevard and south of Pembroke Road; and providing for effective date. ***(Passed 1st Reading on 09/17/2018) (Continued from the meeting of 10/17/18) (Principal Planner Michael Alpert)***

CITY ATTORNEY COLE: Item 18 is an ordinance of the City Commission of the City of Miramar, Florida, considering Application No. 1707473, Rezoning a 0.5-- .59-acre parcel from Planned Unit Development (PUD) to Residential Multifamily 4 (RM4), located between University Drive and South Douglas Road, north of Miramar Boulevard and south of Pembroke Road; and providing for effective date. Item 19 is an resolution of the City Commission of the City of Miramar, Florida, Variance Application No. 1707476 from the Pedestrian Landscape Zones Requirements, considering Variance Application No.

1707478 from Residential Landscape Data Table Requirement, and considering Site Plan Application No. 1707472 and Community Appearance Board Application No. 1707474 for a 11,096 square foot 8-unit Townhome Development, located between University Drive and South Douglas Road, north of Miramar Boulevard and south of Pembroke Road, and providing for an effective date. I've read these two items together, but we'll need to vote separately on them, and also need to vote separately on each of the applications in item 19.

MAYOR MESSAM: All right. Thank you, Mr. Attorney. This is a -- this is the item, and the first reading is one of the items that I have a professional conflict on, so on this item or these two items, I'll be passing the gavel over to Vice Mayor to proceed over this item. Thank you.

Mayor Messam left the Commission Chambers.

VICE MAYOR COLBOURNE: You may proceed with the presentation.

MR. ALPERT: Good evening, Vice Mayor, Commissioners, City Manager, City Attorneys, City Clerk. Michael Alpert, Principal Planner. Next slide, please. This property is located between University Drive and south Douglas Road, north of Miramar Boulevard, and south of Pembroke Road in the University Park community. The parcel is 0.59 acres in size. There's an application to rezone this from the planned unit development designation to RM4. This is the last undeveloped parcel within this University Park planned unit development, and the applicant is here seeking rezoning site plan, Community Appearance Board, and two variance applications to -- in order to develop a three-story, eight-townhome unit development. Staff found that the rezoning criteria -- that the application was compatible with the surrounding, existing uses, and consistent with the density and intensity standards of the Comprehensive Plan. Pursuant to Land Development Code section 304, City Commission approval is required in order to rezone properties in the City. A community meeting was held on March 5th. One resident was in attendance; just had some basic questions, as well as in support of this. Planning & Zoning Board recommended approval on March 13th. Land Development Code sections 310, 311 and 315, City Commission approval is required for site plan, architectural design, and variance approvals. The two variances are landscape related. One is for pedestrian landscape zones, and the other is for parameter landscape buffer yards. These -- staff feels that these variances are warranted, due to the parcel size and shape. This is the site plan. Actually, north is looking to the left off of Sherman Circle. The building is brought up close to the street, and the parking is underneath the -- the units, as well as off to the side behind, so it's not visible. Next couple slides show some renderings of the project. Staff feels that this is a very good example for small, in-fill site development throughout the City, including in the historic area of the City, and staff, therefore, recommends approval of these applications with conditions. And the applicant is here, if you have any questions for them. Thank you.

VICE MAYOR COLBOURNE: Thank you or the presentation. Have any questions from the dais at this time? Would the applicant like to come up and give comments?

MR. MUNOZ: Good evening, Vice Mayor, Commissioners, City Attorney. My name is Giovanni Munoz, and my address is 2417 Hollywood Boulevard, representing the firm and the applicant. While I think Alpert did a pretty good summary of what the project entitles, this is the second reading. It has certain conditionals in regards to the South Broward Drainage final approval that we had a conditional approval that -- extending certain decisions the owner wished to make based on financial decisions, whether -- which option they want to opt to make the driveway over the drainage easement. I guess you're familiar with the style of the townhomes. It's Mediterranean and it's eight townhomes rotating, and we're very happy to see your project coming to your city. And if you have any questions, please --

VICE MAYOR COLBOURNE: Thank you.

MR. MUNOZ: You're welcome.

VICE MAYOR COLBOURNE: Are there any questions from -- or comments from anyone? Okay. Back to the dais. Are there any questions for the applicants, any comments? Commissioner Barnes.

COMMISSIONER BARNES: Talk a little -- maybe the response should come from Michael. Talk about the density, because we're talking about the -- the -- the whole Sherman Circle area, which is fairly dense already, at least in relative terms. Talk about how this adds or affects what already exists in this area.

MR. ALPERT: Okay. That is correct. Actually, University Park has a mixture of multifamily and single-family, different parcels in the community. Our Comprehensive Plan designation is 10.8 units per acre for the overall community. This, actually, has eight units. With the additional property that South Broward Drainage easements, they -- they are within that density requirement overall, so it did not exceed the density cap.

COMMISSIONER BARNES: We're talking about eight units?

MR. ALPERT: Yes.

COMMISSIONER BARNES: Parking?

MR. ALPERT: They meet the parking requirement.

COMMISSIONER BARNES: Okay. I'm done.

VICE MAYOR COLBOURNE: Any other comments?

COMMISSIONER CHAMBERS: Parking always an issue here in Miramar in quite a few communities, so -- that's -- want to make sure we have adequate parking. I'm okay with that, and we do, so. Don't want no issue with the residents. Thanks.

MR. ALPERT: Sure.

COMMISSIONER CHAMBERS: I'll entertain a motion.

VICE MAYOR COLBOURNE: Before -- I did want to make sure that I offered the public an opportunity -- is there anyone from the public who wishes to comment? Okay. And there's no other comments on the dais? I will accept the motion.

COMMISSIONER CHAMBERS: Motion to approve.

COMMISSIONER BARNES: Second.

CITY ATTORNEY COLE: This motion is on item 18, which is Application 1707473 and Ordinance 1695.

VICE MAYOR COLBOURNE: Call the roll.

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 Riggs.

COMMISSIONER RIGGS: Yes.

On a motion by Commissioner Chambers, seconded by Commissioner Barnes, to approve Ordinance #O1695, Commission voted:

Commissioner Barnes	Yes
Commissioner Chambers	Yes
Vice Mayor Colbourne	Yes
Commissioner Riggs	Yes
Mayor Messam	Abstain

Ordinance No. 19-06

19. Temp. Reso. #R6829 considering **Variance Application No. 1707476** from the Pedestrian Landscape Zones Requirement, considering **Variance Application No. 1707478** from Residential Landscape Data Table Requirement, and considering **Site Plan Application No. 1707472** and **Community Appearance Board Application No. 1707474** for a 11,096 square foot 8-unit **Townhome Development**, located between University Drive and South Douglas Road, north of Miramar Boulevard and south of Pembroke Road. ***(Continued from the meeting of 10/17/18) (Principal Planner Michael Alpert)***

CITY ATTORNEY COLE: So you'll now need to have separate motions on each of the different applications in item 19.

- a) Variance Application No. 1707476

CITY ATTORNEY COLE: So the first motion should be to approve Variance Application No. 1707476.

VICE MAYOR COLBOURNE: Okay. Motion to -- do I have a motion to approve?

COMMISSIONER BARNES: Motion to approve.

COMMISSIONER CHAMBERS: Second.

VICE MAYOR COLBOURNE: 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 Riggs.

COMMISSIONER RIGGS: Yes.

On a motion by Commissioner Barnes, seconded by Commissioner Chambers, to approve Resolution #R6829, Variance Application No. 1707476, the Commission voted:

Commissioner Barnes	Yes
Commissioner Chambers	Yes
Vice Mayor Colbourne	Yes
Commissioner Riggs	Yes
Mayor Messam	Abstain

Approved

b) Variance Application No. 1707478

CITY ATTORNEY COLE: The next motion should be a motion to approve Variance Application No. 1707478.

COMMISSIONER BARNES: Motion to approve.

COMMISSIONER CHAMBERS: Second.

VICE MAYOR COLBOURNE: Call the roll.

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 Riggs.

COMMISSIONER RIGGS: Yes.

On a motion by Commissioner Barnes, seconded by Commissioner Chambers, to approve Resolution #R6829, Variance Application No. 1707478, the Commission voted:

Commissioner Barnes	Yes
Commissioner Chambers	Yes
Vice Mayor Colbourne	Yes
Commissioner Riggs	Yes

Mayor Messam

Abstain

Approved

c) Site Plan Application No. 1707472

CITY ATTORNEY COLE: The next motion should be a motion to approve Site Plan Application No. 1707472.

VICE MAYOR COLBOURNE: May I have a motion?

COMMISSIONER BARNES: Motion to approve 1707472.

COMMISSIONER CHAMBERS: Second.

VICE MAYOR COLBOURNE: Call the roll.

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 Riggs.

COMMISSIONER RIGGS: Yes.

On a motion by Commissioner Barnes, seconded by Commissioner Chambers, to approve Resolution #R6829, Site Plan Application No. 1707472, the Commission voted:

Commissioner Barnes	Yes
Commissioner Chambers	Yes
Vice Mayor Colbourne	Yes
Commissioner Riggs	Yes
Mayor Messam	Abstain

Approved

d) Community Appearance Board Application No. 1707474

CITY ATTORNEY COLE: And then the last motion is -- or the next motion is a motion for Community Appearance Board approval for Application No. 1707474.

VICE MAYOR COLBOURNE: May I have a motion.

COMMISSIONER BARNES: Motion to approve.

COMMISSIONER CHAMBERS: Second.

VICE MAYOR COLBOURNE: Call the roll.

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 Riggs.

COMMISSIONER RIGGS: Yes.

On a motion by Commissioner Barnes, seconded by Commissioner Chambers, to approve Resolution #R6829, Community Appearance Board Application No. 1707474, the Commission voted:

Commissioner Barnes	Yes
Commissioner Chambers	Yes
Vice Mayor Colbourne	Yes
Commissioner Riggs	Yes
Mayor Messam	Abstain

Approved

e) Resolution #R6829 - Complete item

CITY ATTORNEY COLE: And then the final resolution -- motion should be a motion to approve the resolution as a whole, No. 7 -- 6829.

VICE MAYOR COLBOURNE: May I have a motion to approve the overall project.

COMMISSIONER BARNES: Motion to approve.

COMMISSIONER CHAMBERS: Second.

VICE MAYOR COLBOURNE: Call the roll.

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 Riggs.

COMMISSIONER RIGGS: Yes.

On a motion by Commissioner Barnes, seconded by Commissioner Chambers, to approve Resolution #R6829, the Commission voted:

Commissioner Barnes	Yes
Commissioner Chambers	Yes
Vice Mayor Colbourne	Yes
Commissioner Riggs	Yes
Mayor Messam	Abstain

Resolution No. 19-32

- 20.** Temp. Reso. #R6820 approving a **Conditional Use Permit** for removal of fill from **Snake Creek Residential** and **Miramar Residential Plats**. (*Continued from the Meeting of 10/17/18*) (City Engineer Bissy Vempala)

CITY ATTORNEY COLE: Item -- item 20 is a resolution of the City Commission of the City of Miramar, Florida, approving a Conditional Use Permit for removal of fill from Snake Creek Residential and Miramar Residential Plats, and providing for an effective date.

MAYOR MESSAM: Good evening.

MS. VEMPALA: Good evening, Mr. Mayor, Madam Vice Mayor, and the rest of the City Commission. Bissy Vempala, City engineer. This item is for the approval of a conditional use permit to move fill from Snake Creek and Miramar residential plats to Miramar Park of Commerce Phase VI plat. Sun Beam Development Corporation was the original owner of both Miramar residential and Miramar -- Miramar residential plat and Snake Creek residential plat. During site development of these two plats, excess fill was generated from lake excavations, and it was stockpiled at adjacent undeveloped parcels within those two plats. The lake excavations were made to the minimum size required by South Broward Drainage District, and South Florida Water Management District, so that all parcels within these plats would have sufficient storm water storage capacity in these lakes, and the sites would not get flooded. The excess fill is currently stockpiled at the proposed Catalina development site, and the (unclear 2:03:43) development site. Sun Beam Development Corporation, the applicant, is requesting approval to remove the fill from these parcels, and transport them to the Miramar Park of Commerce Phase VI plat, which is owned by the same applicant. There is about 115,000 cubic yards of fill to be transported. They plan on removing the fill on every day of the week, Monday through Sunday, 9:00 a.m. 'til 4:00 p.m. No lake excavation is proposed at the Phase VI plat and, therefore, all the plans for the fill will be used to fill the site. Can you go back? Go back; okay. This slide shows the proposed route of transportation from each site to the Miramar Park of Commerce Phase VI site. Route one is about two and a half miles, and route two is about one mile. So what they're going to do is from -- from Miramar resident Snake Creek plat, they will exit onto Flamingo Road, going north, and then on Miramar Parkway go east, then onto Red Road turn left, and to Hiatus Road, and then to the site for filling. For the -- From the (unclear 2:05:02) site, they will enter onto Miramar Parkway and -- go east, and turn left onto Red Road, and then head to the site at Miramar Park of Commerce. The City's Land Development Code requires a conditional use approval from the City Commission to remove fill from the site. The City's Development Review Committee reviewed and approved the application for conditional use on September 13, 2018. The applicant will be required to post a \$100,000.00 bond to ensure all roads are cleaned and properly maintained during and after the fill transportation. There will be truck wash areas at the entrance and exit of each site, and there will also be water trucks and sweepers standing by to make sure the roadways stay in clean and safe manner. Approval is recommended.

MAYOR MESSAM: thank you. Are there any members from the public that wish to -- actually, are there any questions, because we're still in quasi-judicial. Questions from the dais for the applicant? Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Yeah. Just -- just a question regarding dust. We're talking about removing fill. Is this damp fill, dry fill that -- that blows in the wind?

MS. VEMPALA: This has been sitting there for quite a while, so it could be damp. But there will be water trucks to --

COMMISSIONER BARNES: Okay.

MS. VEMPALA: Yeah.

COMMISSIONER BARNES: Okay. Okay.

MAYOR MESSAM: Any other questions?

COMMISSIONER CHAMBERS: Yes.

MAYOR MESSAM: All right. Commissioner Chambers.

COMMISSIONER CHAMBERS: In terms of traffic, is this fill going to be removed within a reasonable time of day, where it doesn't affect traffic too much.

MS. VEMPALA: They are not going to be able to transfer during the peak times, so we will be limiting the time of operation from 9:00 a.m. 'til 4:00 p.m. so once the peak traffic comes in, they have to stop.

COMMISSIONER CHAMBERS: Great. Thank you.

MAYOR MESSAM: Are there any other additional questions for staff? Seeing none, at this time, -- is the applicant here or would like to say anything? Good evening.

MR. HODGES: Good evening, Mayor, Vice Mayor, Commissioners, City Manager, City Attorney, Scott Hodges representing Sun Beam Development. Now what we have -- what we're seeing here is -- Bissy has described everything in -- in good detail. But in the big picture, sort of, the last pieces of these two properties are nearing the end or at the, you know, light at the end of the tunnel kind of thing, and so the fill that had been moved along now is stockpiled there and is in the way, and we just need to move it to Phase VI for -- the use. It's a fairly simple operation.

MAYOR MESSAM: Okay.

MR. HODGES: I'll -- any questions you have, I'll be glad to answer them.

MAYOR MESSAM: Are There any questions for the applicant? Seeing none, are there any members from the public that wish to comment on this item? Seeing none, back to the dais. May -- may I have a motion on this conditional use permit item.

COMMISSIONER CHAMBERS: Motion on this item -- 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 Riggs.

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Chambers, seconded by Vice Mayor Colbourne, to approve Resolution # R6820, the Commission voted:

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

Resolution No. 19-33

OTHER BUSINESS

21. Reports and Comments:

Commissioner Reports:

MAYOR MESSAM: On to reports. All right, so do we have any reports? I'll start with you, Vice Mayor. We'll work our way down this time.

VICE MAYOR COLBOURNE: I didn't really prepare any, but I'll take this opportunity to thank my colleagues that supported the advisory committee item today. And I will pass it on, thank you.

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

COMMISSIONER CHAMBERS: Thank you. Mr. Mayor, I have a request from one of our business here in Miramar. And I know we approved his use of opening hours for this liquor store, but what he's asking for now is some extended hours over the holiday until he complete another application process to change his hours. We do have a copy of the request, and I want to recommend approval. This applicant have gone through a lengthy process. It took him a year and three, four months to open. They have lost -- lose a lot of his capital, and he need to recoup some of his funds, so we want him to be able to operate during this holiday season, and recover some of that loss, so Mr. Attorney, can you elaborate a little bit, so we can have some clarity as to what I'm asking for.

CITY ATTORNEY COLE: Certainly, Commissioner. The City Commission, on September 19, 2017, passed Resolution number 17-207, which granted a conditional use approval to allow alcohol package sales from Palm Liquors at this location. Section 4(d) provided that the hours of operation are limited to 12:00 p.m. to 10:00 p.m. every day. In order to change that permanently, the applicant will need to make an application and go through an entire process, going through the boards, etc., and eventually coming to the City Commission. The request that's being made is for you to do an -- basically, a 60-day temporary -- temporary trial period to let them -- first those 60 days, have from Sunday to Thursday operating from 12:00 p.m. to 12:00 a.m., so they would have an extra two hours each of those nights, and Friday and Saturday, they want to go from 11:00 a.m. to 1:00 a.m. You know, the City Commission could pass a -- if you choose to, you could -- you could vote to, basically, give that 60-day period to allow -- to see how that goes while the application is pending. It's certainly completely within your discretion whether you want to do that or not.

MAYOR MESSAM: Thank you, Mr. Attorney. Are there any members from the public? Is the requester here? Yeah, he's here?

COMMISSIONER CHAMBERS: Yeah, he's here.

MAYOR MESSAM: Would you like to plead your case?

MR. SALAAM: Mayor --

MAYOR MESSAM: Please state your name and address for the record, please, sir. Thank you.

MR. SALAAM: Rashaan Salaam, 8645 Beacon Drive, Miramar, Florida 33025. Once again, I'd just like the opportunity, like I said, recoup some of my funds, and also the hours kind of limit me from hiring right now, and also like keeping steady security also, because I have to pay a higher rate on security, because I'm doing less hours. I'm only doing four hours a day on -- it's just like a lot of different things. And then, financially, you know, basically.

MAYOR MESSAM: Are there any questions directly from the Commission?

COMMISSIONER CHAMBERS: I just want to say these hours are within keeping with other liquor store that are in the City of Miramar, so it's nothing out of the norm that he's asking for. So I want to recommend approval.

MR. SALAAM: It's just that the -- the process to actually get it established, it's going to take too long. I'm going to miss the whole holiday season, also the opportunities.

MAYOR MESSAM: Okay. Are there any members from the public that wish to comment on this request? Seeing none, back to the dais. Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Yeah. One of the things I'd request of you that you be very circumspect and specific about, in keeping your books. Going forward, if this is approved, what I'd love for you to do is that at the end of that 60-day period be able to show us what difference the opening hours have made to your revenue.

MR. SALAAM: Okay.

COMMISSIONER BARNES: To look at, say, the last two, three months, --

MR. SALAAM: Two, three months, and then compare it --

COMMISSIONER BARNES: -- and take this 60-day period, and make a comparison, so when you come back to us, you would have strengthened your case.

MR. SALAAM: Definitely.

COMMISSIONER BARNES: So, please, as -- as detailed as is possible -- so -- so you will be able to convince us: hey, this is what I need to do to -- to move closer to viability as -- as a business. So, please, get -- get that data together before you come back, at least when that 60-day period is up.

MR. SALAAM: The data is in place already, so I -- I will definitely be ready for you at the time.

COMMISSIONER BARNES: You didn't get the 60 days yet. Wait for the 60 days --

MR. SALAAM: I know, but I mean the tracking of the data is already there, so --

COMMISSIONER BARNES: Okay, great.

MR. SALAAM: Definitely.

MAYOR MESSAM: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yeah. I agree with Commissioner Barnes on his request. I think that -- that would be prudent to do.

MR. SALAAM: Well, it's definitely there. Yeah.

VICE MAYOR COLBOURNE: Absolutely.

MR. SALAAM: Of course. We have to prove whether -- yeah.

VICE MAYOR COLBOURNE: I'm -- I'm glad to hear that you have a system in place to track that. And Commissioner Chambers, I appreciate you bringing this before us, and I -- I was also concerned as to whether or not it was in line with other -- other businesses, and you're saying that it is, so I'm okay with the 60 days.

MAYOR MESSAM: Thanks for bringing this up to our attention. We'll be able to fully vet the prospects of making the request permanent during the -- your application process. I would be -- based on the information that's before us, it seems that you've been a good steward since you've been opened. There haven't been any issues and, perhaps, during the process. PD will be able to valid -- further validate that and confirm that as well, so - - so just wanted to wish you the best during these 60 days. Obviously, we want you to be successful, and -- and, at this time, if there are no other questions, I'll entertain a motion.

COMMISSIONER BARNES: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Riggs.

COMMISSIONER RIGGS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Barnes, seconded by Commissioner Chambers, approve Palm Wine & Spirits' request for extended holiday hours, the Commission voted:

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

Resolution No. 19-34

MAYOR MESSAM: Any other reports?

COMMISSIONER CHAMBERS: Of course. I'd like to -- thank you, sir -- the Chief, if you could come to the podium, Police Chief Dexter Williams.

POLICE CHIEF WILLIAMS: Yes, good evening.

COMMISSIONER CHAMBERS: I do have some issue with the same strip mall, and I'm not sure if I'm directing this to you or the -- our City Manager. Quite a number of business owner have their cars towed from their parking space there, and I'm not sure we passed some towing resolution recently. I want this to be resolved to where these businesses are not having their car being towed and costing them more, and be a burden to go pay this towing company to get their vehicle back. I'm not sure -- I can't have this happening to these small business who are struggling to -- to start up their business, and just to be hit with a towing company -- they're inside working late, and their car is gone. So can we look into this, Mr. City Manager and you to resolve this issue for me, please.

POLICE CHIEF WILLIAMS: I'll be glad to look into that. Number one, for the City, we are not responsible for that two. Whatever that contract was with that particular plaza or the HOA that's over there in that area, they're responsible. So what we will do, we will do, we'll reach out to them and find out exactly who has granted them to come in and move vehicles for whatever purpose. This is the first I'm hearing of it, so I'm not sure if the vehicles that you're talking were parking in the area of the strip plaza itself, or was it within the -- the HOA behind the plaza. It's the same one on Palm Avenue, correct?

COMMISSIONER CHAMBERS: Right, right.

POLICE CHIEF WILLIAMS: Right. So I'll have to inquire and find out exactly where these vehicles were --

COMMISSIONER CHAMBERS: Right.

POLICE CHIEF WILLIAMS: -- within there, and whether or not it was at a certain time, and whether signage and so forth -- because there are a lot of rules that regulate that. So I'll look further into that and find out for you, and I'll get back to you with it.

COMMISSIONER CHAMBERS: Well, they have been told that the City is the one who authorizing the towing, which is -- I know it's not true. But if these people rent space from these -- the -- the management company, they cannot come and arbitrarily set up a towing company. I mean if I rent my space, that's my space. I should be able to legally park where my place of business, whatever time it is, so why am I -- my car is being towed, and I have at least ten people that complain to me today about this towing practice. So -
-

POLICE CHIEF WILLIAMS: Okay.

COMMISSIONER CHAMBERS: -- see if we could address this as quickly as possible

POLICE CHIEF WILLIAMS: Yes. Please allow me the opportunity to -- to reach out to the HOA, which is probably the company who hired that tow company to come in and --

COMMISSIONER CHAMBERS: Right.

POLICE CHIEF WILLIAMS: And then I also need to make sure that there's no conflicts that are going on between the HOA and the businesses that are directly in front of their -
- of that development as well.

COMMISSIONER CHAMBERS: Right.

POLICE CHIEF WILLIAMS: So let me reach out to them, both of them to find out exactly what's going on.

COMMISSIONER CHAMBERS: And whatever we have to do on our end here to fix this. We can't have people coming in to do construction, set up business, rent space, and then treat our business owner like crap that live here in the City of Miramar. That's a no no for me.

POLICE CHIEF WILLIAMS: Yes. So let me allow -- allow me the opportunity to try to be the mediator --

COMMISSIONER CHAMBERS: Okay. Right.

POLICE CHIEF WILLIAMS: -- between that -- between them. But, just for the record, PD, we didn't --

COMMISSIONER CHAMBERS: I understand. I understand. Maybe --

POLICE CHIEF WILLIAMS: It's not us, and it's not --

COMMISSIONER CHAMBERS: Maybe from our management staff here, they can reach out to this --

POLICE CHIEF WILLIAMS: Yeah. Yeah.

COMMISSIONER CHAMBERS: -- not the towing company, but the --

POLICE CHIEF WILLIAMS: I will reach out with your behalf.

COMMISSIONER CHAMBERS: -- owner of the plaza, and to get this fixed.

POLICE CHIEF WILLIAMS: I'll take care of it. I will reach out on your behalf.

COMMISSIONER CHAMBERS: Thank you. Thank you, sir.

POLICE CHIEF WILLIAMS: Thank you.

COMMISSIONER CHAMBERS: Move onto the next thing. I just want to share with you that this upcoming November 16, our PAL Board will be having their annual golf tournament at Bonaventure. We looking for as much support as we can to donate liquor or anything they can donate. We're looking for people to sign up to play golf. Even if you can't come, we take your money. It's go to a worthy cause -- cause for our children here in Miramar, so please support in any way you can for this board to continue to provide this wonderful service that they do here every day in the City of Miramar. I must say tomorrow is Election Day. It was a pleasure to stand here in line and support my resident that come out to vote, making sure they have cold drink and water and snack. The line was long, but I enjoy doing what I'm doing. And I know my body telling me I'm not young anymore, so -- but it's a great two weeks of early voting. I hope everyone took advantage. If not, tomorrow is your last day. Please go out and vote for your candidate of choice, and exercise your right. With that says, thank everyone so much, and I'll see you guys soon.

MAYOR MESSAM: Thank you, Commissioner Chambers. Commissioner Barnes.

COMMISSIONER BARNES: Just to advise that I'm still preparing this really lengthy and dramatic presentation for my investiture ceremony in Jamaica for the Order of Distinction, and as soon as this grand production is ready, I'll present it in my Commission reports, hopefully, at the next meeting. But, more importantly, I'd like to ask everyone here,

everyone who is connected with anyone who has any kind of challenge going to the polls tomorrow, please assist them. It has been said perennially, but this is an important election. I've already warned callers and listeners to my program: if you don't vote, I'm going check you when you -- when I say hello, if you cannot convince me that you voted, I will not be talking with you. So, please, whatever you can do to physically facilitate someone going to the polls tomorrow and doing what is required of us as citizens of this great City and of this nation, get up and go vote tomorrow.

MAYOR MESSAM: Thank you, Commissioner Barnes. Commissioner Riggs.

COMMISSIONER RIGGS: Thank you, Mayor. Right. We can't beat that drum enough. So if you haven't had a chance to vote, please get it done tomorrow. It's the last day. Couple of things. I want to remind everyone about Taste of Miramar; that's on Friday, right here in front of City Hall. You know, this has become one of my favorite initiatives. I believe we have 22 restaurants ready to give a taste of their delicious cuisine to the community on Friday, 6:00, right here in front of City Hall, so I'm looking forward to that. I don't know if everyone received the recent emails in reference to the Halloween event. It was mostly from the residents from Franklin Farm. So I think that is something that we really do need to look into, the venue for this initiative. It is a great problem to have great initiative, residents come out. However, the residents who are asking that this initiative be moved are also right, because their properties have been destroyed, the grass -- they're getting cited by code enforcement. So I would ask that our City Manager, Chief, PD, everyone, fire, sit down and look and see a better venue for this event, because the folks are right. And I believe them when they say they're going to send us their bills, and -- and they should. So, again, this is a good problem to have. It's a great initiative, it just needs a new venue, so that's something I would champion our -- our City Manager and our staff to look into for next year. The other concern I have -- I've had quite a few meetings, and spoke to quite a few residents in reference to the noise with the amphitheater. Again, I don't want to have a conversation whether we should or shouldn't have an event there. It's there. We need to make it work. So I would love if we could sit and have a conversation, because this isn't my specialty, it's not my field, on how to decrease the noise, but it is a conversation we should have to see -- because, again, the residents, what they're saying makes sense. You know, they moved to the City for a certain quality of life, and that quality of life is -- is being tampered with somewhat. So I don't know if everybody else is in agreement in just having a conversation about that piece of it. Not going to a conversation whether you support it, don't support it, just about the noise perspective. And some of the residents that I spoke with, the concern was about an event that took place on a Monday. That was just a special case. That's not something that would be on a regular where there would be concerts on Mondays, so they understand that. And the folks that I spoke with, they're very, you know, professional, very understandable with the fact that this is there, and we should make it work. Their concern, again, is -- is the noise. So if we could have a conversation about what do we do about that. I don't -- that's not my, you know, specialty, so I don't know how or what expert we can bring in in order to -- can we even do something about that? I don't know.

MAYOR MESSAM: There are -- from what I've -- what I've heard and what I've experienced is the challenge is when there's particular -- certain types of music; for example, heavy base music carries, so monitors are sensors that measure decibel readings don't necessarily capture the lower frequencies of base.

COMMISSIONER RIGGS: That wasn't English. I have no idea --

MAYOR MESSAM: Well, base: boom, boom, boom, boom, boom. So -- so the point I'm making is that there -- there is a policy in regards to decibel -- acceptable decibel levels that come from the park. There are some forms of music that can have the same decibel reading; however, don't necessarily impact the surrounding area as much. I spoke with the Manager regarding this issue, and -- and there was a discussion regarding using a different metric to measure the music output that could capture the base. It's really -- when there's a production that has heavy base, that plays -- base carries, base carries, and that is what has been some of the issues. So I think what would be beneficial and helpful is for us to ascertain what those limits are that have -- that may be causing some -- some issues, in terms of the setup. Like, for example, when there are certain events that have speakers outside of the canopy, all right. Like, for example, that event after carnival that took place that night. Speakers were set up outside in the lawn, right. So that had no -- typically, sound engineers could set the -- set the settings when the speakers are controlled underneath the canopy, so, perhaps, making some restrictions on that type of setup. So I think in terms of -- there are professionals -- to answer your questions, there are professionals that can -- that can study and engineer those type of solutions, and we can adopt those policies in regards to ensuring that -- that -- that certain levels aren't exceeded, so it doesn't impact residents in the area.

COMMISSIONER RIGGS: If we could also -- I guess the residents in that area, let them know that we're listening, and we're looking into a solution, that would be great. That way they know, you know, they're being heard.

MAYOR MESSAM: Okay.

COMMISSIONER RIGGS: Thank you.

MAYOR MESSAM: Any other reports?

COMMISSIONER RIGGS: That's it, thank you.

COMMISSIONER BARNES: If I may. I think -- I think -- and to confirm the response, the reactions I've gotten as well, I think the -- what makes this event stand out is that it was on a Monday evening, and I think it caught our residents totally off guard.

MAYOR MESSAM: Yeah.

COMMISSIONER BARNES: Regarding the music, the science behind it, you can monitor until kingdom come, there are certain musics that, basically, you would have to put the speaker in the ground for it to be mitigated. Not much we can do about that. I think our real challenge is to place these events at times when they'll be least disruptive.

MAYOR MESSAM: Yes. Yeah. Vice Mayor, you want to make a comment?

VICE MAYOR COLBOURNE: Yes. Yeah. Regarding the Halloween event, I'd like to say that I did receive the email. I think we all did. And I did speak to the sender, as well as a couple of other individuals in the area concerning -- concerning the event. And I think, other than some inconvenience, when we talked about damage, staff actually went out there to see whether or not there was any -- any damage. And Assistant City Manager Gordon can speak on this, but it was reported back that there was actually no damage, and in speaking with our -- there was only stuff that would just be washed away or just -- you know, it was just the inconvenience for that time. So if I could just ask Mr. Gordon to comment on whatever damage was seen.

MR. GORDON: Good afternoon. Whittingham Gordon, Assistant City Manager. Staff did go out and canvass the communities, and really did not find any permanent damage to the community. We found couple tire marks here and there, but we know that's going to come right back once the grass gets back in place, but we didn't find any damage.

VICE MAYOR COLBOURNE: Okay. Thank you very much. And I -- I will -- I will get back to -- to that person. Again, I will speak to the sender of that email.

MR. GORDON: We also spoke to her, and she seemed to be okay.

VICE MAYOR COLBOURNE: Okay. Thank you. Appreciate it.

COMMISSIONER BARNES: If I may. I think it goes beyond just one sender though. I have gotten numerous complaints from residents, and the inconvenience -- for example, I got complaints about people finding it difficult to leave their homes, go to work on the evening shift. But I think, over and above that, this is a park, in my very humble opinion -- as someone who lives three minutes away, this park has been overtaxed over time. Only on this past weekend, it is essentially -- and I know this might not be the designation, but, essentially, this is a pocket park. And there are events that have been staged in that park over time, not just recently, over time; I'm convinced the park is overtaxed. If you understand the configuration in River Run, and I beg to remind that this is a River Run park. For example, the road that heads south along the western end -- I don't remember the exact name -- into what is really a cul-de-sac. So if you get in -- if you go by the park, head south, and then a little bit east, there's no other way to come back out. That's the only way to come out. So if it was a case where you could go in and there'd be a different exit, fine. But there are serious concerns from the residents that I've spoken to over the last few days about this -- and -- and I mean if -- for someone who lives that close to the park, to just approach and see so many cars, very frankly, it's intimidating.

VICE MAYOR COLBOURNE: I -- I -- I absolutely agree with you. And I spoke to residents on that cul-de-sac as well, and, first of all, I want to say that I think things could have been done differently. From the very beginning when this was -- this was started, it was -- it was known that we should not allow vehicles to go in that area. When you have events like that, there's a certain amount of, you know, road blockages and so forth. When we have -- when we have MLK on Sherman Circle, there are certain roads that we block off for a certain amount of time. There were -- there are definitely things that we could do better. We had the large signs out, you know, letting folks know -- the ones that the police uses, letting them know that we have State of the City that was coming up, but we didn't have anything like that for this event. So there are -- there are a number of things that could certainly be done different, so I do certainly appreciate comments that have -- I have received tonight, and definitely would -- would continue that conversation. Appreciate it.

MAYOR MESSAM: Comments I would -- I would -- I would make. It was a well-attended event, well-attended event. The kids had a really great time, and I think the concept definitely -- you know, it's Halloween. Anything with kids and Halloween candy and rides, you know, it's just a festive -- festive time. Oh, by the way, thanks for having enough candy, and it didn't run out. I think it would have been a revolt if it did. But I just think, objectively speaking, you know, that there were a lot of complaints, and just from me driving there, I could -- it took a while for me to navigate through the traffic. I think it's un -- I think it's undeniable that it is a significant on that community on Miramar Boulevard. Madam Vice Mayor, I know this is an event that the City Commission has approved of in terms of you being the host, so I'm not -- I don't want to be in a position to -- you know, to -- to -- to impact the vision you have for the event, but I think that -- that we, at a minimum, for the residents in the area, be able to get an objective report from the police department, in terms of their professional opinion, in terms of the -- the attraction of the event, the vehicular traffic on the road, and if it's -- what those impacts are. And -- and if -- you know, residents -- you know, I know there may not be permanent damage, but, you know, if that's my lawn, you know, you're driving and parking on my grass, and you track up my grass, that's my lawn. I don't care if it takes three weeks to grow back. I mean it's -- I mean I think that we would be very remiss if we tell a resident that it's not permanent. I'm not saying this was stated, but if we tell a resident, you know, "That's not permanent. It'll grow back." I know I would be upset. You know. And we don't want to be in that type of position, so. I think the park itself can accommodate the event, in terms of the people that are on the park. My question is, the roadways and insufficient parking for the amount of people. In fact, you know, had a shuttle service to transport people there. The buses couldn't get through, because folks from out of the area or not in the immediate area looking to come -- they hear about the event, coming to River Run Park. It's just a natural process, because they're taking their kids to get candy for a wonderful Miramar event. So it's just because the logistics in the roadways that lead into Fairway just does not support the amount of people that -- traditionally, that have come to -- you know, to -- to -- to our Halloween event. In fact, I don't even think Ansin Sports Complex would even support it these days, because since there's been four lanes now there, folks can't park

on the -- on the side of the road anymore. There would be a parking challenge as well at Ansin. So I think after this report, and I think staff, you know, sit down with the Vice Mayor, discuss those issues, bring it back to the Commission, and we just have an objective discussion, you know -- you know, on it. I wouldn't want to, you know, cast shade on an event that -- you know, you see the community really enjoying when they come. But we also have to keep in mind though that it's just logistical challenges in having it there at -- at River Run. You know, let's say, for example, all those cars -- let's say someone has a heart attack at their home and fire rescue has to get a response there, I just know, objectively speaking, there's no way -- they would have to find a -- they would have to already have an -- I don't know how they would be able to get there, you know, to someone's home, you know, with that traffic there. And if it's a street that's a cul-de-sac, and it's only one entrance. I know there's different ways you can get into Frank -- into -- to River Run area, so I just -- I just wanted to provide just objective, you know, comments. You know, it's a positive event; the kids really had a great time. But I -- I think, though, that we have to weigh, you know, those -- those options, and -- and, of course, you can provide your input. From that, we have -- have a discussion, you know, so -- but I think we at least owe those residents who may not necessarily support it, that we've gone through the process to be able to tell them that everything is clear, it's safe, and here are the provisions that we can make, you know, to, perhaps, improve. Because there may be some solutions that could improve it, but, you know, that has to come from recommendations from staff.

VICE MAYOR COLBOURNE: Well, I do want to say that, prior to this event, I asked the City Manager to look into the plan, in terms of handling the traffic. The cul-de-sac that was referred to by Commissioner Barnes, the one where you say if there's an emergency and so forth. I spoke to a resident from that area, and she explained that we had a police officer, and that there was no problems while we had them there. But then that person was -- that officer was moved away from that location. So I -- I spoke to the Chief, and I asked the Chief to speak to both of those individuals, and we have not been able to get together and sit down, because I haven't gotten any feedback from him on it. So, again, I have spoken to the residents in this area, and you said there were a lot of complaints. I don't know about a lot of complaints, but I do know it was probably a lot of inconvenience to a lot of people. So I -- I -- I'm not denying that in any way. Whether or not they picked up the phone and called -- I know a lot of folks were inconvenienced. I do know a lot of them. It was Halloween, it's once a year, and it's gone. But it is -- it is bothersome to some. I do -- I do realize that. And I -- I do want to speak to the Chief, and -- and get some feedback, and to the City Manager, to see exactly what was done or -- or what can be done. Because, regardless of where -- where this event goes, it is going to impact the residents in that area. And, yes, you are going to have some "not in my backyard" type things, but these are real issues that present. There is a logistical issue with it, and I certainly would like to know that -- regardless of where we have it, that we have a well-thought out, logistical plan, so that we won't have that inconvenience. Because if we can have 5,000 people at the amphitheater, I think we can -- we can manage other -- other smaller events. So I would certainly like the opportunity to continue this dialog with the -

- with the Chief to see the results of what have happened with this event, since this is something that I've hosted.

MAYOR MESSAM: Commissioner Chambers, followed by Commissioner Riggs. Put your mike on. Is your mike on? Is your mike on, Commissioner? Is your mike on?

COMMISSIONER CHAMBERS: Thank you, sir. Thank you, Mr. Mayor. I think this is a once-a-year event, a fantastic event. This is the first time it grew this big. I had a great time. I had one complaint from a resident with the light coming through their window, okay. Now the City had brought in some temporary light, and that's maybe what it is, but I can't imagine the park light all these years have been going through the window and no complaints. So we have to adjust, and deal with whatever issue comes out of this. It can be dealt with easily, and just plan for the next one. So we can have some offsite parking for people come late, and shuttle them over. I think what happened, people are used to coming to Miramar, even folks that don't live here. Whatever event we puts on here, they comes to support. And I think for Halloween, there's other communities also doing the same thing, so we have to find a way to refer -- refer these people back to their community. I mean, they don't know. It's just like people here don't know that we having it here in River Run. So we want most of our resident to know that this is happening, so they can come, and people don't have to drive from a distance away to come here. I mean Halloween is free, everybody want to show up, but if it's happening in your city, you could stay in your city and support that event there. Okay. So it's just the reality. If we can do that, and have those community get it out to their resident, we doing it here, it's a safe way of doing this event. People don't want to take a chance of walking with their children out, and run the risk, so it is what it is. We're going to fix it, and we're going to move on and have a good time.

MAYOR MESSAM: Commissioner Riggs.

COMMISSIONER RIGGS: Thank you, Mayor. You know, like I said at first, this is a good problem to have; some problems are good problems. It's a great event and, again, children gravitate to it, as they should. But the reality is there are more cars than there are parking spaces, and it's not just one complaint, it's several. And the inconvenience is severe, because I'm thinking in the case of an emergency as well, if, God forbid, somebody has an emergency in their home and somebody is blocking their cars, or our fire rescue can't get through, I mean, my goodness, we put ourselves at -- in a place where we're liable to get sued. And, God forbid, somebody has an emergency, and they don't get the help in time. And I would imagine if somebody will come to River Run, they'll come here where there's plenty of parking space, there's garages, there's plenty of room. So I -- I really think we should reconsider the venue for this initiative. Great, great initiative, it's just the community's concern is real, and we should listen to them. And this isn't the first year either or the second year. This has been said multiple -- multiple times. I think -- I want to think at least three years is what I've heard folks say this isn't the place to have this -- this event. But it's not that we're saying the event shouldn't take place; it should absolutely take place, just it outgrew that park, that's all.

COMMISSIONER BARNES: If I may.

MAYOR MESSAM: Commissioner Barnes.

COMMISSIONER BARNES: I really don't want to extend this, because we passed our bathroom break a long time ago, but I -- I need to insist on this. This, if I may say so, is my community. We've had a number of events in this park where the police had to literally shut it down, because the cars -- there was simply no space for the cars to navigate around this park, and in my neighborhood. I think the -- the -- the success that this event has enjoyed is not for one second to be questioned. There's no question about the success of this event. Was -- was this park in a position that emergency vehicles could navigate more freely, where residents could get up and go to work at the time they're expected to go on that evening, I would not have a problem. The reality is that -- and I'm repeating what I said earlier, this park, over time, has been overtaxed years ago. I heard parents who had brought their children to the park complaining too about the possibility of their children running off into a lake. Something nobody here has said. So it is not just a situation where we're going to have this conversation, and -- and things are -- we need to make a decision with all the relevant information in place as to whether we continue to use this park for this particular purpose. The reality -- the crowds are not going to get smaller. And -- and I think it is a well-known fact that a lot of the people who come to these events don't even live anywhere near River Run. It is a free event, people are going to come, and especially for children. We -- we -- we have to look at this information, as has been said, in a very objective fashion, and decide what is right for the immediate residents surrounding this park.

COMMISSIONER CHAMBERS: I said --

MAYOR MESSAM: And one -- no. This is going to be the last comment on this item. I'll defer for Vice Mayor, and we are moving on. Vice Mayor, you're recognized.

VICE MAYOR COLBOURNE: Thank -- thank you very much. And, once again, I really appreciate all the comments I hear tonight. I do want to say that we had six lifeguards, and we've always had lifeguards every time we've had an event there. The number of events that -- that -- that -- that have created difficulties at River Run Park, it -- it's -- I think Commissioner Barnes is speaking beyond just the Halloween. And on the parking, I do want to say that we have Sea Castles at -- as a location designated for parking, and we have the Town Center, where we had a park and ride. And I think it's a matter of managing that, and sticking to that. That was the plan. The plan was not for individuals to park in any of -- in other -- any other areas. I am more than willing, and I've asked to sit down with the Chief to go over this and, certainly, I agree we need to make an objective decision on it. But I do ask that you realize that it -- it's -- it's just not -- it's just not a simple answer, or it's just not: oh, we -- we move it, and it's going to be okay wherever we go, or we move it from here, if we -- if we move it from here, and we didn't identify the problem,

or we didn't fix it here, you're just taking the problem somewhere else. That's -- that's all. Thank you very much. Appreciate it.

MAYOR MESSAM: Okay. So, for the public that may still be up watching this live, they may be wondering where do we go from here, and how do we resolve this issue. So, the thing is, it is a City event that's funded by the City, hosted by the Vice Mayor, so we'll take the information. There has been at least three of us that have voiced some, you know, concerns to see exactly what can be done, but we -- we'll suggest that staff meets with the Vice Mayor, present the objective information, comes to the Commission with a report. It's either going to be a solution that is viable, or a solution that is not, and it will be a discussion between the Commission. It's a City event. That will go for my event, that will go for any one of our events that's an officially funded City event. So I think that will be the course of action, in terms of -- but for residents who may have concern, it will have to come back to the -- to the dais, because there's at least three of us that at least have called for, you know, a solution. So I -- I thoroughly enjoyed myself. Those kids out danced me, and I'm still upset with that. I tried not to eat any candy. It was a great event, but -- but if it's not a manageable solution, perhaps we need to -- we should look at, perhaps, if we -- if the -- if the issue is to try to keep it in the general area, what other neighboring parks that could support it, you know, perhaps Lakeshore, you know, or Forzano, because you've got the circle with Sherman Circle, or whatever, our City Hall. There's options, but I just -- out of courtesy and regards to the Vice Mayor hosting the event, just meet with staff, come up with a solution. If the solution is viable, we can have a discussion in terms of what the next options are. Okay. Anything else, Commissioner Riggs? Okay. I'll try to quickly get through -- through -- through mine. No, no, no, no, no, no, no, no.

COMMISSIONER CHAMBERS: Bathroom break.

MAYOR MESSAM: I gave you all the courtesy, now give me the courtesy. I promise that -- I promise I don't have controversial items, I hope.

COMMISSIONER RIGGS: I'm timing you.

MAYOR MESSAM: All right. I'd just like to thank staff who -- for the year last year that was able to present the -- the format and the information for the State of the City, and all this -- the staff that worked together to -- to -- to move -- to move -- to make that event possible. It was held at the amphitheater this year just as a change of venue to allow residents who may not have gotten a -- an opportunity to go to the amphitheater to actually experience it. To see that it's not this monster that it's been, you know, portrayed to be. But it was a good event. The weather was perfect, and I'd like to thank all the -- the support from staff to -- to make -- make that possible. And I will make this note. God willing, there will be a Commis -- there will be a State of the City at the conclusion of the budget process next year. So start thinking of your initiatives, start thinking about your videos. Right now, you've got a year to plan, so I don't want to hear anything about not knowing, so just get ready.

COMMISSIONER CHAMBERS: Is that a City event?

MAYOR MESSAM: What's that? Yes, it has ample parking. Okay. Mayor's Aviation Expo will take place December 7th and 8th. December 7th are for our schools, and December 8th is the community day. This event attracts -- we had over 1,000 -- 2,000 kids last year, and the community day had several hundreds of residents to come to look at drones, engine parts. Those who were interested in careers and aviation -- it's a -- it's an event to highlight one of our strongest sectors in our City, and that is basically -- and the whole purpose is to expose our youth to the wonderful field of aviation. What's so great about aviation is there are decent, high-paying jobs in this field, and it's for -- it -- it could fit any academic level of our youth. So whether it's a student that just wants to get a technical trade, they can get their FAA certification and earn \$60,000.00 coming out of just two years of training, from those who may want to be pilots. So it's for all aspects of our students for all aspects of aviation, and it's free to the community. The City will be having a winter camp for kids aged six to 12. It'll be -- it'll take place between -- between December 24th through 28th, and December 31st through January 4th. There are 23 scholarships for eligible residents that will be available. So contact the specific locations, which will be at the Vernon E. Hargray Youth Enrichment Center located at 7000 Miramar Parkway, Ansin Sports Complex, and Sunset Lakes Community Center. So we have a location in the east, central and west for the City of Miramar 2018 winter camp. The City of Miramar, in conjunction with Broward County Public Schools will have a supply diversity business event taking place Thursday, November 29th at the Miramar Cultural Center between 1:30 and 4:00 p.m. at the Miramar Cultural Center. Come find out about over 500 plus -- 500 million plus in contract opportunities from Broward County Schools, as well as Miami-Dade County Public Schools, School -- School District of Palm Beach, the City of Miramar, Miami-Dade County. This is an opportunity for our local businesses to find out about contracting opportunities, especially in the construction field, as well as goods and services. Broward County is in the middle of a \$700 million bond issue, Miami-Dade County Public Schools is in the middle of their \$1 billion bond issue, and Palm Beach County Schools is -- just launched their over \$1 billion in capital projects that's going on. And if you are a minority-owned business, and you certify with these agencies, you have an opportunity to participate in that process, and those agencies will provide you information on how to get engaged, and how to compete for these contracting opportunities, including the City of Miramar. And, finally, this last section is not necessarily for the event. It's to remind everyone to vote. But I just wanted to thank our staff and PD for being responsive to a request to have a private rental at our facility that has such national significance. The City of Miramar and that event, actually, was on national coverage, in terms of the candidate that was -- that -- that came to -- to ask for votes for -- for -- for -- for his candidacy. And I just wanted to thank the staff for -- for always being responsive in regards to these type of events. In years past, we've had a former president in Bill Clinton coming here, and -- and these type of events -- we may not think much of them, but when folks here in Miramar, Florida -- it's in this type of it's -- it's a positive light. And for an event like that to take place with no incident, you know, especially given this political climate, just want to thank, you know, our staff, our Police

Department, fire rescue for being on notice, and -- and putting together a plan to make the event possible. And, finally, everyone, if you have not voted, please vote tomorrow at your precinct. Do not come to the Broward/Miramar Branch Library. Look at your voter registration card, or you can go to browardsoe.org and put in your name and address and birthdate, and it will let you know your voter registration status, as well as where your precinct is located. Because sometimes they actually change. So make sure that you vote. Polls will be open from 7:00 to 7:00. And if you need a ride, you can get a free ride. Just download the Uber app. Uber is offering free rides to polls, so that's it.

COMMISSIONER CHAMBERS: Messam for 2020 --

MAYOR MESSAM: Any reports? Any reports?

COMMISSIONER CHAMBERS: -- presidential --

City Attorney Reports:

NONE

City Manager Reports:

MAYOR MESSAM: Okay. All right. Hey, we can't campaign from the dais. All right. Any other comments? Mr. -- Mr. Manager. Okay? None? Sure. All right. Okay. There was something? Your -- your staff is saying some -- is there a reminder? Something needs to happen? Okay. Yes. Until the gavel strikes. Come on now. We've gotten out later than 10:00. Come on. Yes, Mr. Silva, quickly.

- 1) Senior Affordable Housing Unsolicited Proposal Update. (Economic & Community Development Director Eric Silva)

MR. SILVA: Good evening again. This is an update on a senior affordable housing project. This is the property located adjacent to the Adult Daycare on Miramar Parkway, approximately 2.3 acres. And this is the follow-up to a memo that was sent to the City Commission in August of this year, and staff is recommending two things: one is an amendment to the Future Land Use Map. The property is currently designated for institutional and public facilities, so that needs to be changed. We are proposing to change that to commercial, actually, but we can also build residential under that designation, and allow us to, maybe, get some mixed use, yeah, which would be great for the seniors.

MAYOR MESSAM: Okay.

MR. SILVA: And the other thing we're working on is a proposal that was submitted. It was an unsolicited proposal, and that was for up to 115 units on the property. So now staff is going to go ahead and advertise that proposal to let other people know that we

received that, and give them the opportunity to bid on the project. So from 21 days, at least, it will be advertised for to give people time to apply. And if no proposals are received, we'll just directly negotiate with this applicant. If we do receive proposals, then we'll have to convene a committee, rank them, and then bring -- bring that back to Commission. Most likely, whoever applies and is accepted for this project will ask the Commission for a loan to help them with the tax credit applications at the State. The timeline, November is when the proposals will be advertised. November 28, we're back to you with the first reading for the Future Land Use Plan amendment, and then hopefully by spring, this will all be wrapped up. Just an update. No action required at this time.

MAYOR MESSAM: Thank you so much for the update.

FUTURE WORKSHOP

Date	Time	Subject	Location
11/28/18	5:30 p.m.	Country Club Ranches	Commission Chambers
TBD	TBD	Miramar/Pembroke Pines Chamber of Commerce	Florida International University at I-75 in Miramar
TBD	TBD	Miramar Cultural Arts Center	Commission Chambers
TBD	TBD	Sister Cities Update	Commission Chambers

ADJOURNMENT

MAYOR MESSAM: And, on that note, good evening, see you later, good night.

The meeting was adjourned at 10:15 p.m.

Denise A. Gibbs, CMC
City Clerk
DG/cp