



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

**AUGUST 17, 2022**

**7:00 P.M.**

A regular meeting of the Miramar City Commission was called to order by Mayor Messam at 7:11 p.m. in the Commission Chambers, Miramar City Hall, 2300 Civic Center Place, Miramar, Florida.

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

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

The following members of staff were present:

City Manager Dr. Roy Virgin  
City Attorney Burnadette Norris-Weeks  
City Attorney Norman Powell  
City Clerk Denise A. Gibbs

MAYOR MESSAM: Welcome back from our summer break. The meeting of the Miramar City Commission is now called to order. An opportunity was given to the public to register to participate or email the City Clerk 24 hours prior to the Commission meeting with any questions, comments, concerns on items we will hear on this evening's agenda. Any person may be heard by the City Commission, through the chair, and upon registering pursuant to the published notice for not more than three minutes on any proposition before the City Commission unless modified by the chair. This meeting is being streamed live at [miramarfl.gov/commissionmeeting](http://miramarfl.gov/commissionmeeting), and televised on Comcast channel 78, and AT&T U-verse channel 99 for all City of Miramar subscribers. As of August 17, 2022, at 4:30 p.m., no members from the public has registered to participate virtually in this meeting. If someone has registered later than this time and would like to speak, they can raise their hand, and, at the appropriate time, our IT staff will unmute their mic to allow them to speak. Please be sure to mention your name and address for the record prior to addressing the Commission. All comments submitted will be included as part of the

record for this meeting, and will be con -- and will be considered by the City Commission prior to any action taken. At this time, Madam Clerk, please call the roll.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Here.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Here.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Here.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Here.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Here.

CITY CLERK GIBBS: City Manager Dr. Virgin.

CITY MANAGER VIRGIN: Here.

CITY CLERK GIBBS: City Attorney Norris-Weeks.

CITY ATTORNEY NORRIS-WEEKS: Here.

CITY CLERK GIBBS: City Attorney Powell.

CITY ATTORNEY POWELL: Here.

## **PLEDGE OF ALLEGIANCE**

MAYOR MESSAM: Let us rise for the Pledge of Allegiance. (The Pledge was recited.)

## **A MOMENT OF SILENCE**

MAYOR MESSAM: At this time, we do have a commemoration list of deceased loved ones for City of Miramar staff. Alma Rogers from the Parks & Recreation lost her brother; Ansil Cox, Public Works, brother; Brenda Martin, Procurement, Mom; James Rawley,

Utilities, brother; Ramon DeLeon, Public Works, brother; Richard Rutherford, Public Works, brother; Sofia Powell, Cultural Affairs, husband; Wahid Ishmael, Public Works, uncle, and cousin. Let's have a moment of silence for bereaved families, as well as any other condolences we are experiencing in our community. Thank you.

## **PROCLAMATIONS & PRESENTATIONS:**

MAYOR MESSAM: We do have a few presentations, starting with proclamations; the proclamations are requested by Vice Mayor Colbourne in recognition of India Independence Day, and India Heritage month, as well as Jamaica Independence Day, and Women's Equity Day. The Commission can feel free to join me in the front for the presentations of the proclamations.

VICE MAYOR COLBOURNE: I would like all my colleagues to join, please.

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

MAYOR MESSAM: If we can have Sajjan Kurian, President of the South Florida Asian Caucus to come join us the dais for proclamation presentation in observance of India Independence Day & Heritage Month. Are there any other members from the community present? If you have any other guests, they may join us as well from the Indian community; come join us, sir. Gentlemen. India Independence Day & Heritage Month:

Whereas, the City of Miramar have a great tradition of celebrating significant milestones, and events of historical importance. Therefore, we are proud to join with our fellow citizens of Indian heritage throughout Miramar area and beyond, and commemorate the 75<sup>th</sup> Anniversary of India's independence; and, Whereas, it was in 1947 that India proclaimed independence, and became recognized as the Republic of India, marking the beginning of its identity as a free, and sovereign nation of people; and, Whereas, as a growing democracy, India has proven to be a courageous nation, seeking to establish as its basic, fundamental principles those same values upon which the United States was form -- was founded: freedom, opportunity, and justice; and, Whereas, the local community of people in Miramar who hail from India, or with ancestral ties to India, continually demonstrate the greatness and culture, traditions, and beauty of their homeland, and their contributions are notable, and reflect success in many areas, including education, medicine, science, technology, and retail industry; and, Whereas, Sajjan Kurian of -- on behalf of the South Florida South Asian Caucus, FOMAA, Chief South Florida coordinator, approached the City of Miramar with the idea of a tribute to the South Asian American India diaspora; and, Whereas, Vice Mayor Yvette Colbourne introduced to the Commission in 2017 a resolution declaring India Heritage Month in the

City of Miramar, and the City Commission unanimously approved Resolution R6532; and, Whereas, the City of Miramar welcomes the opportunity to promote a greater understanding of various cultures of the world, and this occasion, the 75<sup>th</sup> Anniversary of India's Independence provides an excellent means by which Miramar residents of all backgrounds can recognize the contributions made by the country and people of India, and extend best wishes to them on commemorating the historic milestone of independence. Now, therefore, I, Wayne Messam, Mayor of the City of Miramar, and on behalf of Vice Mayor Colbourne, and the City Commission do hereby proclaim India Independence Day & Heritage Month to all of our Indian friends and residents in the community.

VICE MAYOR COLBOURNE: Sajan, I just wanted to thank you so very much for all that you do in our community here to encourage everyone, and to teach everyone about the Indian culture. I know that you do a lot, you keep me informed; having Indian heritage myself, I sincerely appreciate all that you do, thank you.

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

MAYOR MESSAM: Our next presentation, we would like to invite Pastor Earl Richards from Miracles Through Prayers Faith Church to join us; I saw him earlier today, there he is. And this proclamation is in observance of Jamaica Independence Day and Heritage Month, presented August 17, 2022:

Whereas, on August 1<sup>st</sup>, 1838, after over 150 years of slavery, Jamaicans of African descent received their freedom after the Emancipation Act of 1838, as passed by the British government; and, Whereas, Jamaica, once a Spanish possession known as Santiago, in 1655, became a British colony. After more than 300 years of British colonial rule, Jamaica gained independence on August 6, 1962. Shortly thereafter, Sir Clifford Campbell, former president of the senate, became the first Jamaican-born governor general to be appointed; and, Whereas, Jamaica's diaspora has established itself in every continent of the world, including North America, and especially in the United States; and, Whereas, as of 2000, Miramar has the fifth highest percentage of Jamaican residents in the United States, comprising of 15.4 percent of the populace. Jamaica has become famous for outstanding achievements in athletics, government, music, and the arts; and, Whereas, the Jamaican diaspora continues to excel in every field of endeavor, including having several Jamaican Americans, or Americans of Jamaican descent service in public office; and, Whereas, the City of Miramar joins the country of Jamaica, and Jamaicans in commemorating both their independence and emancipation from slavery; and, Whereas, on the anniversary of Jamaica's 60<sup>th</sup> independence, we commemorate both significant milestones through the City of Miramar's Emancipation

Celebration on Friday, August -- August 17<sup>th</sup>, 2022. And, now, therefore, I, Wayne Messam, Mayor of the City of Miramar, and on behalf of Vice Mayor Yvette Colbourne, and the City Commission do hereby proclaim Jamaica's 60<sup>th</sup> Anniversary of Independence Day and Heritage Month.

MAYOR MESSAM: And this goes to all of our community of Jamaican heritage who are celebrating the independence, the 60<sup>th</sup> independence of Jamaica.

VICE MAYOR COLBOURNE: And I guess -- I just want to say thank you so much for all that you do in our community, Pastor Earl, and with our police department as well. You're just a awesome support to us always, so thank you. Appreciate it.

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

MAYOR MESSAM: And for our final proclamation, is Ms. Lynn Nazario present? Good evening. How are you? This proclamation in observation of Women's Equality Day, August 17, 2022:

Whereas, Women's Equality Day has been celebrated annually on August 26 since 1971; and, Whereas, Women's Equality Day commemorates the passage of the 19<sup>th</sup> Amendment to the United States Constitution, granting the right to women -- right to vote to women; and, Whereas, in addition to being homemakers, caregivers, mothers, and counselors, women also fill critical role -- jobs in every department of our city; and, Whereas, on October 7<sup>th</sup>, 2020, Vice Mayor Colbourne sponsored Ordinance 17-63, establishing the Commission on the Status of Women for the City of Miramar named after Ruth Bader Ginsburg (RBG) to identify and resolve economic, health, social, and other issues concerning women's lives through education and advocacy; and, Whereas, Lynn Nazario is the senior generalist at the Human Resource Department; and, Whereas, Ms. Nazario is responsible for overseeing the RBG Commission on the Status of Women for the City of Miramar to ensure equality on issues women face today in employment, business, health, and family life are addressed; Whereas, the City of Miramar recognizes that women contribute to the strength and security of our city. Now, therefore, I, Wayne Messam, Mayor of the City of Miramar, and on behalf of Vice Mayor Colbourne, and the City Commission, do hereby proclaim August 26 on -- that's the 26<sup>th</sup> day of the month as Women's Equality Day to be observed in the City of Miramar.

MAYOR MESSAM: So big up to all the women in the City of Miramar.

VICE MAYOR COLBOURNE: Thank you, Lynn. So much appreciate all that you do with -- with the Commission on the Status of Women, and you guys are doing an awesome, so thank you.

A Presentation: Broward County Property Appraiser Presentation (Broward County Property Appraiser Marty Kiar)

MAYOR MESSAM: Okay. So moving on. Our next presentation will be a Broward County Property Appraiser presentation by our Broward County Property Appraiser Marty Kiar, who will proudly proclaim that there will be no taxes collect this year, right? Is that what we're hearing? Yeah. Can you -- yeah, press the -- yeah, there we go.

MR. KIAR: Thank you, Mr. Mayor, and thank you so much to the Commission. I really appreciate you all having me today. I've been really looking forward to this. And I have to tell you I am so proud of what you all have accomplished here. You know, we have 31 cities in Broward County, and I think I can state, you know, pretty accurately, there is no city complex quite like Miramar's city complex; it is pretty awesome what you all have done out here. I think you all should be very, very proud of yourselves. And the other thing about Miramar that I've realized is I've never met somebody in Miramar that dislikes living in Miramar, and so I just think it is a great place, and I really appreciate your great service, and the service of this Commission. And what I was hoping to briefly talk about today, Mr. Mayor, is how our office can help the Miramar public. I wanted to talk about property values, which, just like everywhere else in Broward County, are skyrocketing, and also I was hoping to talk about something that's near and dear to my heart, and that's something called owner alert, which is a program that we've designed to help protect people from title fraud. But there are really a few main functions to our office. The first function is we determine the value of every piece of property in Broward County for tax purposes, whether its residential, commercial, tangible personal property, or essentially assessed property, which are railroads. And the reason that's important is because when the people of Miramar pay their property taxes, the amount of taxes they pay is the relationship between the value of the property that we set, and the tax rate set by the City of Miramar, the School Board, the County Commission, and all of the taxing authorities. And so the most important thing we want to do is just make sure we get it right. And, as you know, Broward County is a big place; more people live here than 13 states, the District of Columbia, and all U.S. territories except Puerto Rico; it is big, and there are more parcels that we appraised than many states. And even though the people that work in our office who are mostly appraisers do a very good job, and their assessments are very accurate, mistakes can occur, or maybe somebody has information about their property that we don't have that we could take a look at, which could help us bring down the value of their property. So I always tell everybody, please go on our website at [bcpa.net](http://bcpa.net), type in your name, your address, take a look at your property record hard, and if you have any concerns with the value of your property, call me by September 19<sup>th</sup> of this year, so we can go through it together; if we can make any adjustments, we actually will. The second thing we do, and this is what I love most about my job, is we give tax-saving exemptions to folks that qualify, and there are a lot of exemptions under Florida Law that people qualify for. The most important one by far is the homestead exemption. If you live here in Miramar, this is where you're registered to vote, if you don't vote, where you're declaration of domiciled, where your car is registered to, if this your primary residence, you get a homestead exemption. And what it basically means is that at the beginning,

\$50,000.00 in value is taken off the tax roll; it can save you at the beginning \$800.00, \$900.00, maybe \$1,000.00 bucks a year, but most importantly, it really protects you going forward, because every year thereafter, the value of your tax, then, cannot grow more than a maximum of three percent, and that is so important right now. Because you're going to see that the market values for the properties here in the City of Miramar are skyrocketing, because people are coming from all over the country, they're paying a lot of money for properties. So if somebody has a homestead exemption, if they've lived in their property on January 1<sup>st</sup>, 2022, call me by September 19<sup>th</sup> so we can apply it, so that the assessed value only goes up three percent, and won't skyrocket with your market value. Also, there are many other exemptions that people can qualify for; there are exemptions for seniors, for veterans, for people with disabilities. You can stack all these exemptions to reduce your tax bill, so if any resident of Miramar wants to go on our website at [bcpa.net](http://bcpa.net), click on exemptions, and if there's something you're not getting, again, contact me by September 19<sup>th</sup>. And this was such a fortuitous time for you all to allow me to come speak today, because this week, and over the next few weeks, every resident of Miramar is going to be getting a document from me in the mail, that's the TRIM notice, the Truth and Millage notice. I always tell everybody, it's not a tax bill, but it's a document, so people can make sure they don't overly pay in their property taxes. And what it's going to show is a few things: it's going to show you the value of the property for tax purposes, all the tax saving exemptions you're currently getting; it's going to show the proposed tax rates that Miramar, and the School Board, and the County Commission, and all taxing authorities are thinking about setting, and it's going to show the dates and times of the taxing authorities' budget hearings. And I always tell everybody when you get this, please read this document; if you have any concerns with the value of your property, or you're not getting every tax saving exemption you're entitled to, again, you can contact our office by September 19<sup>th</sup> of this year, so we can go through it, and make sure that your November tax bill will be accurate in its value, and we'll have all your exemptions reflected, so that you won't pay too much in your taxes. With that said, Mr. Mayor, I have to tell you Miramar is doing very, very well. People are coming from, as I said, all over the world, and they're coming to Miramar, and they're making Miramar their home. And what I've learned recently is a lot of people are coming from states where you have income taxes, where they're sick of paying income tax, they want to live in a place like Miramar and Broward County, where we're a low taxing place, and we have palm trees and just awesome things, and people are coming to Miramar from everywhere, and they are paying a lot more money this year than they did last year for properties. And to give you an idea, if you took all the residential and commercial property in Miramar in 2021, and you sold it on the open market, you would have got right about \$16.54 billion, that's a lot of money; but fast forward of one year to 2022, if you sell all the all the open property on the market, it would bring in about \$19.5 billion; that's a 17.84 percent increase in market value alone just for residential and commercial properties. That is a significant increase. Now the taxable value is the value that you're using right now, that you're going to set your millage rates on, which is going to basically determine the amount of money that you need, and that you need for your budget to provide great services to the people of Miramar. And in 2021, the taxable value for the City of Miramar was right about \$11,288,000,000.00; fast forward to 2022, there's been an 11.5 percent increase

in value to about \$12.585 billion; that's a significant increase. So what that means, if you keep your millage rate the same, which is -- I believe is 7.1172, that's the operating millage rate, that'll bring in an additional of \$9,237,000.00 more dollars this year than last year. And something that I think is very important to note for the people of Miramar, that the vast majority of the residential property owners of Miramar are homesteaded property owners, so their value can't go more than three percent, so the majority of this increase is being paid for by new property owners coming in, and paying top dollar for properties, and also, based on about \$215,000,000.00 of new construction that was added to the tax roll. And, by the way, the biggest new construction project was Catalina of Miramar, which was 300 units, and it's already, I believe, about 98 percent occupied, so that is a pretty incredible thing. You have 26,882 homestead exemptions here in the City of Miramar; you have 921 low-income seniors who get a significant senior exemption, and something I want to thank you for, is you have 238 long-term seniors, and I really want to thank you for this, because only 20 of our 31 cities have adopted the low-income senior exemption, but this City Commission had the foresight to adopt it for its residents. Because they're qualified for the low-income senior exemption, that's the -- the -- the long-term one is not easy, and not a lot of people qualify, because you have to be over 65 years of age, last year you would have to have made under \$32,561.00, you had to have lived in your home for 25 years or more, and the value of your home has to be under \$250,000.00. So, as you can see, not a lot of people qualify. So when it comes to the loss of revenue, it's just a drop in the bucket. But to those 238 seniors who are struggling every day to make ends meet, you really help them have a little better of a life, and so you all really should be commended. I appreciate it, and I hope the other ten cities that haven't adopted it follow Miramar's lead. You also have 1,315 widows who are entitled to an exemption, and you also have 269 totally, permanently disabled American hero veterans who have made Miramar their home; they pay no property taxes. And you actually have five first responders who are totally, permanently disabled that don't pay any property taxes. The average assessed value for a single-family home in Miramar is about \$280,000.00, and the average taxable value is about \$236,000.00. The average assessed value for a condominium parcel is about \$171,000.00, and the average taxable value is about \$157,000.00. Although I think it's very, very important is if you look at what the sales prices are right now for properties, and they are pretty significant compared to last year. And so to give you an idea, in 2021, the average sale price for a Miramar single-family home was right about \$522,752.00; fast forward to 2022, it's increased to about \$602,099.00; that's the average price for a single-family home west -- in -- in -- in Miramar. Now when it comes to condominium parcels, in 2021, the average sale price was right about \$238,000.00; fast forward to 2022, the average sale price right now is about \$274,000.00, and that's continuing to rise every single day. The last thing I wanted to quickly bring up, Mr. Mayor, before I answered any questions that you all have, and, by the way, again, I'm really excited to be here. I have had about five cups of coffee, two Red Bulls, and a diet Coke, so I'm a little bit wired, and so -- and I'm about the only person that's excited about property appraiser's stuff. But before I talk about one other thing, Mayor, I do want to thank your staff. First, I have to tell you, you have literally one of the best legal minds on the face of the earth, it's your lawyer. I love Burnadette Norris-Weeks; we've known each other for a very, very long time, and there have actually been times in



the past where I've called her for legal advice, and, fortunately, she gave it to me for free, so thank you, Burnadette; I appreciate that. And your city manager, your staff, is really just a pleasure to work with. You know, every single day, and every single week the City of Miramar provides to us its permits that we need to make sure that if people expand the footprint of their property, or if they're putting a pool in, that we capture that value, so people only pay their fair share of property taxes. And Miramar is so easy to work with, your staff is awesome, they're always very pleasant, and they always get to us -- everything to us very, very quickly. So I wanted to just thank you for that. The last thing I wanted to quickly bring up is something that I just wanted to bring up for the residents, because it's something near and dear to my heart, and kind of my crusade. You know, unfortunately, South Florida is the title fraud capital of the world. You have, I think, criminals, and what they do is they file fake deeds on people's properties, and they take those deeds, and they try to extort people for money, or mortgage, rent, or sell their property. And the reason it's so easy for them, is because the recording divisions for every single county in the State of Florida have ministerial duty; they have to accept whatever document is filed with them. So you have these people that walk into the recording divisions, and they file these fake deeds, and they do something nefarious with it, and they do it all the time, and it happens in Miramar all the time as well. And so we wanted to give the people of Broward County the opportunity to fight the fraud before the fraud occurred. So what we did was we developed a program in house called Owner Alert; we spent no taxpayer dollars doing it, and we've had about 180,000 Broward County property owners sign up so far, and it's free to the public. And so if anybody that is a resident of Miramar, or owns property in Miramar goes on our website at [web.bcpa.net/owneralert](http://web.bcpa.net/owneralert), or to our other website, which is [bcpa.net](http://bcpa.net), and you click on owner alert; you can type in your name, you can also type in your folio number, which you usually grab from our website, and your email address. And if we have your email address on file, you're automatically verified. If we don't, we ask that you upload your Florida driver's license, and Florida ID. If you don't have that, there are other ways to get verified as well. And then if anybody files any document, legitimate or not, changing ownership on your property, you'll be notified instantaneously, so you can fight the fraud before the fraud occurs. It's a great program, and my goal is to get every Broward County property owner to sign up, because it's there to protect your most important asset, your home. And the last thing I wanted to bring up to the public is, lately, our office has been trying to take this a step forward, because what I found about the people that do this, is they try to pick on some of the most vulnerable people in our communities. They try to pick on the people they think they can get away with this the most. And so lately we've been working very closely with law enforcement to build criminal cases against people, and we've actually been successful in having them convicted, and putting them in jail. Let me give you a couple examples. We work with the U.S. Attorney's Office for the United - the United States Attorney's Office for the Southern District of New York to prosecute two people, and they were convicted and sentenced for stealing \$12 million worth of properties in Broward County and in New York. We also worked with the United States Attorney's Office for the Southern District of Florida to help convict, and had two people sentenced that stole millions of dollars of properties in Broward County. And the way that they would do it, you had -- there was a two wives; one wife worked one of the hospital

districts, and the other wife was a mortgage broker, and the wife that worked for the hospital district would find out when people would die. She would then tell her wife about that, and then they -- her other wife would look to see if they own property here, and if they had heirs, and if they owned property here, but no heirs here, they would file fake deeds on their properties, they'd mortgage the properties, they'd sell the properties, they'd do really bad things to them. Those are just a couple of the examples. And I am very proud of the fact that every single day we're working with law enforcement to build these cases, because I want every single one of these criminals to know that they're not welcome in Broward County, and if they continue to do this, we're going to work very hard to put them in jail for a very long time. And I just want to give a big shoutout to the State Attorney for Broward County, Harold Pryor; he's been an incredible partner; two weeks ago, we actually entered into an interlocal agreement together; we're really working on this. With that said, I just want to thank you again, Mr. Mayor, and to the Commission, for having me today. Like I said, I'm a big fan. I love the fact that City of -- the City of Miramar is such an economic engine for Broward County, and I think you all do such a great job for the residents. Is there any questions I can answer?

MAYOR MESSAM: Thank you so much for the presentation, and enlightening our community regarding the affairs of our assessments and property taxes. My --

COMMISSIONER DAVIS: I have a question.

MAYOR MESSAM: -- indicator is not working, so just raise your hand, because it's --

COMMISSIONER DAVIS: I -- I have --

MAYOR MESSAM: Commissioner Davis, followed by Commissioner Chambers.

COMMISSIONER DAVIS: It's not working on your end?

MAYOR MESSAM: I see it, but I can't see who's raising their hand. So I can't see.

COMMISSIONER DAVIS: Oh, okay.

MAYOR MESSAM: So just raise -- I'll look to see who's -- who's --

COMMISSIONER DAVIS: Not a problem. I'd certainly like to thank Marty Kiar for -- for coming here, taking the time to explain to our residents what's available to them. I do recall several years ago in my first term as a commissioner where I'd proposed the exemption for our low-income seniors who lived in their house for over 25 years. And, at that time, I think we're only one of like nine cities out of the 31. I know since then Broward County has now joined in, and so our residents who qualify for that exemption, also no longer have to pay the Broward of their taxes.

MR. KIAR: Yes.

COMMISSIONER DAVIS: So that's a big help to our residents. And I do believe, and let me know if I'm wrong here, they have to apply every year, or you change that now?

MR. KIAR: Yes. And thank you so much, Commissioner. And, by the way, and thank you so much, again, for your leadership on this issue, because you're right, prior to you and this Commission doing this, and you sponsoring that initiative, only about, I think, nine cities had had the long-term senior exemption. And, as you know, these are seniors that are really struggling to make ends meet. And after Miramar did that -- and Miramar, really, is a trendsetter; it's a big city in Broward County, so when Miramar does good stuff, the other cities definitely watch, and this was one that really led to about another ten cities doing it after that, and the County did it as well. And thank you so much as well for bringing up the automatic renewal; that is so important. So, you know, there -- one of my favorite state representatives in the world is Marie Woodson; I absolutely adore Marie Woodson. I can tell you she gets more accomplished than anybody I've ever seen in the Legislature. And just to let you know, the way that she does that is she is relentless; she will go to the chair people's offices ten times a day; when she sees them in the lunchroom, she pulls out her bills; she hounds them until they say, "We'll hear your bill." And so she's actually very successful in getting a lot of things passed. And one of my favorite things that she was able to pass was to make the senior exemption, and the long-term senior exemption automatically renewed, and the reason being is because prior to this, prior to her passing the automatic renewal, we have about 34,000 Broward County seniors that qualify for the senior exemption, a lot less for the long-term senior exemption. But what would happen is every single year, they would have to physically renew it; they would have to send in a document, and every year about 1,000 or 2,000 Broward County seniors, for some reason or another, wouldn't do that; we would even go knocking their door, but you couldn't get -- find them, and then you had these seniors struggling, who would have a much more difficult time making ends meet, and Marie wanted to fix that. And so she filed a great bill that passed unanimously in the House and Senate, signed by the Governor, and is now the law if -- that's in the State of Florida, where if you qualify for the senior exemption, or the long-term senior exemption, you do not have to automatically apply -- reapply every years; you're automatically going to be -- it's automatically going to affect the year after unless you let us know that your income has changed. And I think it's a great thing, now no senior is being left behind. And I know that was a longwinded answer, but I am so proud of Marie Woodson, and I'm so proud of that bill.

COMMISSIONER DAVIS: Thank you so much. We are -- we are certainly proud of her too, and thank her for the work that she is doing, along with yourself, and your office. Thank you.

MR. KIAR: Thank you so much, Alexandra.

MAYOR MESSAM: Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Yeah, thank you, Mr. Mayor. Thank you, Mr. Marty Kiar. And I -- I must say I know you're a little bit longwinded, but we do have public participation, and folks here that need to get to work. I just have a few questions. The fraud alert, what happen if the person who are committed the fraud go ahead and sign up ahead of the person who actually own the property for the fraud alert? How do --

MR. KIAR: So I -- I think -- and I'd like to apologize so much, but it's hard for me to hear. I think what you had indicated -- so what happens if somebody else signs up for somebody's property for the fraud alert?

COMMISSIONER CHAMBERS: Right.

MR. KIAR: So the way that we have it set up, is only people who own the property can sign up to get alerts. There are a few exceptions. So if you're the owner of the property, what we do is we either verify you through your email address we have on file, because it was there for your homestead exemption, or you upload your Florida Driver's license or Florida ID, so you can sign up. But the only people that we allow to sign up that are not the actual owners of the property is, for example, if you're a son or daughter, let's say, of the senior or others, where you want to be notified of your parents' property, so there's a lot of protections in place.

COMMISSIONER CHAMBERS: Okay. Quite a few questions, but I -- I'll -- I'll get to some of them with you privately. But this one here with the additional \$9 million that you spoke about, is that the net amount to Miramar, or that's just the overall collection in additional taxes through the County?

MR. KIAR: That is such a great question. And, by the way, and also Max, thank you very much for your service. We've been dear friends for a very, very long time, and I'm very proud of the work that you do here too. So the \$9 million, right now, is just based on the current increase in value, the taxable value that we gave you all, and it also depends on what you all, ultimately, decide your millage rate is going to be. I believe that -- unless I'm wrong, that you're proposing to keep the millage rate the same, I believe, which I think last year was 7.1172; that was the operating millage rate. If you keep that the same, then, at least when it comes to the collection of ad valorem, not non-ad valorem, the ad valorem revenues, the property tax revenues, that will be the additional of \$9,237,000.00. And, again, something that's very important to note for the people of Miramar is the majority of that is not being paid for by the 26,000 homesteaded property owners; it's really from people moving in, and paying top dollar for properties, and also the 200 something odd million dollars in new construction added to the tax roll.

COMMISSIONER CHAMBERS: And my final question. The program that was put in place for seniors, both regular deduction, and the long-term, don't you think it need to be revisited, because, based on the current market, a lot of them are not able to based on the guidelines. The guideline is very stringent.

MR. KIAR: You are --

COMMISSIONER CHAMBERS: And now we have this increase in property value, so that really take them out of the zone where they would qualify, so it --

MR. KIAR: You are --

COMMISSIONER CHAMBERS: -- it reduce the number of seniors that would normally qualify.

MR. KIAR: Absolutely. And -- so I didn't mean to interrupt you, but you're 100 percent right, and it's actually something we're working on. So when it comes to the traditional senior exemption that about 34 to 36,000 Broward County property -- seniors qualify for, that, it doesn't matter about the value of the property. For the long-term senior exemption, basically says to qualify, your property at the time of your initial application had to be under \$250,000.00. Well, as you know, the average value for a property in Miramar, the average sale price is more than \$600,000.00, so I think it is important that the Legislature brings it up. It's up to them, but it's actually something that we're -- we're speaking with our legislators about this year, and I'm hoping they consider it, because it is time to increase the roll rate.

COMMISSIONER CHAMBERS: Thank you. Thank you for that.

MR. KIAR: Great question. Thank you so much.

COMMISSIONER CHAMBERS: Okay.

VICE MAYOR COLBOURNE: I just want to say thank you so much --

MAYOR MESSAM: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yeah. I just want to say thank you so much for the information to our residents.

MR. KIAR: Well, and thank you, Yvette, and thank you for the great work that you do as well. I always think back to, oh, my goodness, when I was in the Legislature, and you and I shared a -- like a -- a car together back when we were up in Tallahassee, and I just really appreciate the great work that you're doing as well. And, if I could ask, Mr. Mayor, I noticed your ring. I have my ring on as well from college, but I'd rather have your ring, so if you'd like to trade, I'd be okay with that, because I think yours is like a national championship ring. Is that right?

MAYOR MESSAM: Yes, it is, and many Miami Hurricanes wish to trade as well.

MR. KIAR: Thank you, very much, Mr. Mayor, and thank you all so much, again, for the great work that you all do. Thank you for having me.

MAYOR MESSAM: Thank you so much.

COMMISSIONER CHAMBERS: And, Mayor, real quick. I just want to ask Mr. Kiar. There's a few people work want -- have question about their property taxes. I don't know if you want to take them privately in the waiting room, or --

MR. KIAR: Absolutely. And thank you so much for bringing that up, Max. So a couple things for the people of Miramar. You know, for us, it's very important that we take our office to the people of Broward County, because it's not always easy for people to get to downtown Fort Lauderdale, 8:00 to 5:00 on a Monday to Friday, and so Miramar has been such a great partner with us, as you allow us to come and have a standing event actually at City Hall. So if anybody in the City of Miramar would like to meet with any of our staff members, they could come downtown, they could call us, we would virtual visit. They could go to any one of outreach events. We're actually going to be here on September 12<sup>th</sup> from 11:30 to 1:00 p.m. They can definitely come right here in City Hall. But if there's anybody here now that is concerned about their property -- if you've got your TRIM notice, if you want to talk about it, I'd be more than happy to go through it with them, and, also, it actually works -- it's very fortuitive; the manager of our real property division is Bill Berringer; he's the guy here looking the other way now, he's actually here as well, and he can really help people too. It would be my pleasure to talk with anybody now.

COMMISSIONER CHAMBERS: Thank you.

MR. KIAR: Thank you, Max.

COMMISSIONER CHAMBERS: Thank you so much.

MR. KIAR: Thank you, Mr. Mayor. Thank you everybody, and have a great --

MAYOR MESSAM: Thank you. Thank you for your presentation.

### **PUBLIC PARTICIPATION (7:30 P.M. – 8:00 P.M.)**

MAYOR MESSAM: It is now time for public participation. We do have two members of the public that have signed up to speak. I will call your name, and if you will state your name and address for the record, and you have three minutes to address the Commission. Tracy Samuels. Good evening, welcome.

MS. SAMUELS: Thank you. My name is Tracy Samuels; my address is 9921 SW 12 Street, Pembroke Pines, Florida, and the proud wife of former code compliance supervisor, Jean Samuels. Good evening, Mayor, Vice Mayor, Commissioners, City

Manager, City Attorney, City Clerk. I want to take this opportunity to let you know how much I appreciate you. I'm thankful, and I'm extremely grateful for the park bench that was donated to commemorate the 21 years of dedicated service of former code compliance officer, Jean Samuels to this City of Miramar, and to its residents. Also, a street naming was mentioned by Commissioner Chambers. I am just asking if this is still in process. Thank you so much. Have a blessed evening.

MAYOR MESSAM: Thank you so much for your comment. There is a process for the street naming, and the requested commissioner, in this case, Commissioner Chambers will -- has the opportunity to pursue the provisions that -- and the procedures to go through that process, and it would be, eventually, assessed and decided upon by the City Commission. So our Parks & Recs Department, along with the City Manager's Office helps to facilitate that, and -- and Commissioner Chambers can engage that process with staff to bring forward to the Commission for consideration.

COMMISSIONER CHAMBERS: Thank you so much, Mayor. Thank you, Mrs. Samuels. Thanks to Parks & Rec for expediting those benches. It's a great symbolic thing to commemorate Mr. Jean Samuels' memory. Thank you.

MAYOR MESSAM: Our next requester, Arthur Marecheau. Did I pronounce that correct? Good evening, sir.

MR. MARECHEAU: Good evening. My name is Arthur Marcheau; I am resident of 2131 Acapulco Drive in Miramar. I've been there for over 50 -- almost 60 years now, and I wish to state that you guys are doing a pretty good job in Miramar, and then in the northern side of Miramar Parkway. My concerns is since I've lived there, a number of people come in and go out; one of the hardest thing that I have to endure is people speeding in on my road. And they're continually speeding, and they're forgetting that there's stop signs, or -- or related -- related speed zones there. I wish to have a commissioner and other people responsible for having the roads properly secured; young kids traveling on the -- living on the streets, it is very important that we have proper management, or proper street arrangements in our area. They don't agree with stop signs; they will speed on, and they are people doing all kinds of, you know, driving too fast on the road; they think that it's so very -- it's a good street for speeding. I wish to announce that, and address that, so that we can take care of that situation. Hopefully, we'll be able to do this. I wanted to bring this to your notice, and I'm sure that something will be done about it. Thank you.

MAYOR MESSAM: Thank -- thank you so much, sir, for bringing that concern up. Mr. Manager, if you could have PD, as well as with ACM Burden to meet with Mr. Marecheau to talk about speeding enforcement, as well as any other engineering or street calming solutions to see if that's a prospect as well, and what that process could be to address his concerns.

CITY MANAGER VIRGIN: Yes, sir. Yes, Mr. Mayor. We'll have ACB Burden, and also the City engineer to speak with the resident.

MR. MARECHEAU: Thank you very much.

MAYOR MESSAM: Okay. Moving on to Consent Agenda. Items listed under Consent Agenda are viewed to be routine, and the recommendation will be enacted by one motion in the form listed below. If discussion is desired, the items will be removed from the Consent Agenda, and will be considered separately. The Clerk received no request to speak from the public on the Consent Agenda. Does any member of the public -- oh, I'm sorry. I did miss a presentation, which -- two presentations, actually, for --

A Presentation:       AT&T Check Presentation for Honey Shine After School Program for Girls (Florida AT&T External and Legislative Affairs Regional Director Rashad D. Thomas)

MAYOR MESSAM: First it's AT&T Check Presentation for Honey Shine After School Program for Girls, and that will be presented or accepted by Ms. Liz Valera. Who's presenting the check? Is AT&T present? And is Honey Shine present as well? Good evening, and welcome everyone.

MR. THOMAS: Testing, testing, testing. Good evening, Mr. Mayor, and to the Commissioner. AT&T wanted to partner with the City of Miramar, and not only because of the great work, and the great things that's going on in city -- in the City of Miramar, but because I'm also a resident. So it all -- it just made a lot of sense to for me to partner with Reggie right at the Ansin -- not Ansin, that is the Youth Enrichment Center, where I actually go and -- and workout, and my boys play basketball. And, actually, soon as I run out of here, I have to go to the park to pick up my boys, because they play for Miramar Optimists. So I am a -- a -- a Miramar resident, and I'm all about the City of Miramar. So when I found out about what Honey Shine was doing in the City of Miramar, and me being a father of three boys, I wanted to do something that also was impacting young -- young -- young women. So knowing the great work that Tina does with Overtown Youth Center, and Honey Shine, when Reggie reached out to me, I thought it made a lot of sense. So I'll give Tina a opportunity to say a few words, but I appreciate everything that the Commission and the Mayor is doing in the City of Miramar; I've been a resident for more than a decade, and I'm not going anywhere, especially after hearing Marty Kiar talk about my value going up. Where am I going?

MS. BROWN: Good evening, Mr. Mayor, Commissioners. I just want to say thank you on behalf of myself, I'm Tina Brown, the CEO of the Mourning Family Foundation Programs, Overtown Youth Center, and Honey Shine. And on behalf of Tracy Wilson Mourning, who started the Honey Shine Program in 2002, we just want to say thank you. It is her desire to have girls aspire to shine all over our great city, so thank you. Thank you, AT&T for your support, for giving us the opportunity to inspire, empower, and enrich the lives of young women across Miramar.

Presentation:       COVID-19 and Emergency Management Update. (Fire Rescue Firefighter Tara Smith)



MAYOR MESSAM: Our next presentation will be COVID-19 and emergency management update by fire rescue firefighter Tara Smith. Good evening.

MS. SMITH: Good evening, Mr. Mayor, Madam Vice Mayor, City Commission, and City Manager. Tara Smith, fire rescue. It has been, approximately, six weeks since we last met, and the last time we met, we did touch on the fact that we were entering the school vacation time, they were going to be a lot more gatherings with summer, and that we -- we anticipated that there could be some type of an increase, but, in fact, we're happy to report that we have seen decreases across the board in all of our statistics, so that is certainly good news at this time. And we have continued to see booster shots increase, so there's absolutely a direct correlation between the statistics, for positivity, and number of cases decreasing while individuals are continuing to get their booster shots, and additional doses. So, at this time, Florida is actually at 81 percent of the population. In terms of specific Broward County and Miramar updates, there have not been any specific updates related to COVID-19, and the other thing I did want to note and address is that school did open yesterday in Broward County. And, as of right now, there are no changes to the Broward County School District guidelines, as they were last updated in March as the close of the last school year. For testing updates; testing is still widely available throughout the City at most major retail pharmacies, as well as some of your larger stores, the Walmarts, and Targets that have pharmacies embedded within them, and healthcare providers, and urgent care, so it is certainly out there. And, also, if residents are homebound, there is still the option for you to be tested in your home. And, lastly, the site in the City at the Station 107 on the Parkway is still open 9:00 to 5:00, Monday through Friday, but it will be closing as of September 1<sup>st</sup>. Now in regards to vaccine updates, they, also, are widely available at all of the same locations that you seen the testing at. Last time we spoke, we have just had the approval for children and babies six months to five years to begin getting vaccinated; so happy to report that at this time, there's been an additional 15,000 children that have been vaccinated in the last six weeks, since we last met. And the additional two items of note, as it relates to vaccines; again, shortly after we met, there was a fourth vaccine that was approved for use in the United States; now that is only for individuals 18 and older at this time, as there are still completing the remaining testing for those younger, and there is not a booster shot available yet for this vaccine. But it is on par with the Moderna, and the Pfizer vaccine in terms of effectiveness, but it is easier to manufacture, in terms of quickness, and it is also easier to store, so that makes it a more attractive vaccine. So we wouldn't be surprised if you saw more of that in the coming weeks. And then the last piece is there was a new booster shot that was just approved in the UK on Monday, and the FDA and CDC have noted that they anticipate that this will become available some time in the fall, October timeframe, and it is meant to address any gaps in efficiency for the Omicron variant, specifically, and the BA.5, and all of the other variants that we've seen come along throughout this period of time. But vaccine sites are available everywhere, and, also, there are still homebound options as well for individuals who want to receive their vaccine at home. I thought it worth noting, because it's been certainly in the news recently that there are COVID treatments available. There are two antiviral treatments, and one monoclonal treatment. The purpose of the treatments is to reduce the severity, as well as manage the symptoms for

individuals. Things of note with these is that as soon as an individual is diagnosed, they should be in contact with a physician in order to get the most from the treatments themselves. But, as with everything, everyone should contact a physician who's familiar with them, and their medical history, in order to make sure that it is appropriate for them to be receiving the treatment, and which would work best for them. The biggest thing, it would be the CDC guidelines have been updated as of the 11<sup>th</sup>, so these were fairly large steps for the CDC to take. And in their press release, they said their biggest focus is on returning the country to a more sense of normalcy, while still addressing those populations that are immunocompromised, and have the chance to become more severely ill, based on COVID. However, those individuals would also be severely compromised with most illnesses. So, with everything, and the guidelines, they recommend, of course, being in close contact with your physician. But the guidelines themselves break down into the major categories, so social distancing is no longer deemed a requirement by the CDC at this time. Contact tracing is now viewed as something that they see a benefit for individuals in healthcare, or the high-risk population, such as nursing homes, but not required outside of those specific areas. Quarantining at this time for individuals exposed to COVID-19, it's no longer recommended, but, instead, it is recommended that those individuals wear a well-fitted mask for ten days, and get tested after five days to ensure that they are not, in fact, infected. Isolation for individuals who are actually diagnosed with COVID-19 is recommended right now anywhere from five to ten days. If, after five days, you are asymptomatic, or if you were symptomatic, but have now been fever and symptom free for 24 hours, your isolation can end, and they recommend wearing a mask for the remaining five days. Now for individuals who continue to have symptoms after day five, or who have a return of symptoms, that would mean a continued isolation, or a return to isolation at that time. And, as with everything, additional precautions should -- should continue to be taken by those high-risk individuals. Travel updates. Shortly after we last met, there was a lift of the requirements the CDC had put in place for cruise ships. Otherwise, there have not been any major travel updates, but the CDC has noted that with the introduction of the new guidelines, they have additional items that they are reviewing, but they are starting with the K through 12 settings, and then they will be moving to travel in the near future. All of the resources are, of course, always available on the website, or individuals can call the Broward County COVID hotline if they have any questions, need help signing up for anything, it is still up and running. And our additional monitor items. So we are still following monkeypox. We now are at 12,000 plus cases across the entire United States, and a little over 1,200 in the State of Florida. Now monkeypox is transmitted through close physical contact with an individual who has an active rash, and other potential bodily fluids, but the CDC still does not, at this time, recommend widespread vaccinations. They are still indicating that that should really be for individuals who were in close contact with someone with monkeypox, who have been exposed directly to the virus, or those individuals who work in a setting that continually exposes them to monkeypox; for example, caring for patients who are infected. And the prevention is very similar to everything we've seen throughout COVID, that we have all gotten very good at: washing our hands, continuing to disinfect anything that may have come in contact with an infected individual, and the newest aspect was, I'm sure everyone saw, the transmission of monkeypox to a domesticated pet dog; that

is, actually, the only individual case, but it would not actually differ from pet to human, or vice versa, than human to human. It would still be required to have close, physical contact with the animal, and prevention would remain the same. So, at this time, the CDC doesn't have any additional recommendations, as it goes to that. And, lastly, we are still in hurricane season, so I'm sure everyone has noted the additional wet weather and thunderstorms, but we don't have anything on the radar in the next five days. Any questions?

COMMISSIONER DAVIS: I have a question.

MAYOR MESSAM: Yes, Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Thank you. Thanks for our updates; they're -- they're certainly appreciated. And you mentioned the monkeypox, you know, the State has declared it a healthcare emergency. Are there vaccination locations, and do we know of where someone can get a vaccination or a vaccine?

MS. SMITH: At this time, the CDC -- there aren't any specific Department of Health manned sites, similar to what we had seen in COVID, but the vaccine is available. They have had issues in other states where the population is higher, and the individuals being infected is higher; they have not noted that in Florida at this time, but it would be through a physician, or a direct healthcare setting, not a standalone vaccination site like COVID was.

COMMISSIONER DAVIS: Thank you. And then, in terms of the -- the polio that has seen to have made a return, and was found in the sewer -- the septic or sewer system in New York. Do we have any of those cases here, and are we aware of what's happening with the polio?

MS. SMITH: I can tell you that I have not seen through -- looking through the CDC's press releases and updates; there was not any noted in South Florida. However, I -- I do not know what happened with the New York cases, so I certainly will find out for you.

COMMISSIONER DAVIS: Thank you so much.

MAYOR MESSAM: Are there any other questions or comments? Thank you for the report.

MS. SMITH: Thank you.

## **CONSENT AGENDA**

MAYOR MESSAM: On to Consent Agenda. Items listed on the Consent Agenda are viewed to be routine, and the recommendation will be enacted by one motion in the form

listed below. If discussion is desired, the items will be removed from the Consent Agenda, and will be considered separately. The Clerk received no requests to speak from the public on the Consent Agenda. Has any member of the public present in this Commission Chambers wish to speak on any items on the Consent Agenda? Any members from the public? Seeing none, back to the Commission, are there any items wish to be pulled. I'll make a public note that item four has been pulled. Are there any items on the Consent Agenda. Hearing none, may I have 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 Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

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

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

1. Temp. Reso. #R7702 approving **appointments to various City Boards.** (*City Clerk Denise A. Gibbs*)

**Approved**

2. Temp. Reso. #R7660 approving the purchase of **Microsoft Azure Cloud Services** from SHI International Corp., utilizing the State of Florida Contract #43230000-NASPO-16-ACS, in an amount not-to-exceed \$166,000.00 for a total expenditure of \$240,999.00 for **Fiscal Year 2022**. *(Information Technology Director Clayton D. Jenkins)*

**Resolution No. 22-150**

3. Temp. Reso. #R7694 approving **renewal** of the **Cisco DUO multi-factor authentication software licenses** with AIP-US, L.L.C., providing for the software support and maintenance for this Citywide software application in an amount not-to-exceed \$99,892.00. *(Information Technology Director Clayton D. Jenkins)*

**Resolution No. 22-151**

4. **PULLED**

5. Temp. Reso. #R7685 approving the second one-year renewal agreement for **grounds full maintenance services** for various City parks in an amount not-to-exceed \$371,200.00 with Brightview Landscape Services, Inc. *(Parks & Recreation Assistant Director Billy Neal and Procurement Director Alicia Ayum)*

**Resolution No. 22-152**

6. Temp. Reso. #R7683 approving the second renewal of Contract No. 2254 entitled **"Landscaping, Irrigation Maintenance & Litter Control Services for Various City Parks"**, in an amount not-to-exceed \$260,553.00.00. *(Parks & Recreation Assistant Director Billy D. Neal and Procurement Director Alicia Ayum)*

**Resolution No. 22-153**

7. Temp. Reso. #R7684 authorizing the City Manager to negotiate and execute the **First Amendment** to the Recreation License Agreement with the School Board of Broward County for a joint use of the open space behind the **Henry D. Perry Education Center**. *(Economic Development and Revitalization Director Anita Fain Taylor and Parks and Recreation Director Elizabeth Valera)*

**Resolution No. 22-154**

8. Temp. Reso. #R7690 ratifying the purchase of additional services to complete roadway resurfacing of SW 148th Avenue from General Asphalt Co., Inc., in the amount of \$95,227.00, utilizing Request for Quote ("RFQ") No. 22-PW022 entitled

**“Milling and Resurfacing at SW 148th Avenue”.** *(Public Works Director Anthony Collins and Procurement Director Alicia Ayum)*

**Resolution No. 22-155**

9. Temp. Reso. #R7697 authorizing the City Manager to execute a Local Agency Program Agreement with the State of Florida Department of Transportation, providing financial assistance to the City for **design services of Project FM # 443945.1** entitled **“Miramar Complete Streets Phase III”**. *(City Engineer Salvador Zuniga)*

**Resolution No. 22-156**

10. Temp. Reso. #R7693 approving the purchase of **Workiva Consulting and Setup Services** from Insight Public Sector, through the utilization of the Omnia Partners IT Products & Services Contract #4400006644, in the amount of \$74,840, for a total expenditure of \$125,000 by the Management and Budget Department, for Fiscal Year 2022. *(Budget Manager Carmen Dominguez)*

**Resolution No. 22-157**

***End of Consent Agenda***

**RESOLUTIONS**

MAYOR MESSAM: On to resolutions. Item number 11, please.

11. Temp. Reso. #R7702 approving **appointments to various City Boards**. *(City Clerk Denise A. Gibbs)*

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving the purchase of Workiva Consulting and Setup Services from Insight Public Sector through the utilization of Omnia Partners it -- IT Products & Services Contract #440000 --

MAYOR MESSAM: I'm -- I'm -- I'm sorry, I think item number 11 is the appointments of various city boards. Are you on the right -- on the -- or is my paper incorrect? The Agenda has 11, appointments of City --

CITY ATTORNEY NORRIS-WEEKS: My apologies, Mr. Mayor. You are absolutely correct.

MAYOR MESSAM: Okay.

CITY ATTORNEY NORRIS-WEEKS.

MAYOR MESSAM: Item number 11, please.

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving appointments to various City boards, and providing for an effective date.

MAYOR MESSAM: Thank you. We have three boards for appointments. The first would be the Affordable Housing Advisory Committee, and the vacant seat is Essential Service Personnel, one at-large; we have one applicant recommended by Police Chief Leonard Burgess, Police Major Florinet Derac. May I have a motion for the appointment?

VICE MAYOR COLBOURNE: Motion for the appointment for the Police Major Florinet Derac.

COMMISSIONER DAVIS: Second the motion.

MAYOR MESSAM: Thank you. Parks & Recs -- Recreation Advisory Board. Commissioner Chambers has one appointment, Vice Mayor Colbourne has one appointment. We have three applicants. Are you ready to make your -- to fill your vacancies?

VICE MAYOR COLBOURNE: I am. Ed -- Mr. Ed Hill -- Ed Hill for may appointment.

MAYOR MESSAM: Commissioner Chambers?

COMMISSIONER CHAMBERS: I'm going to go with Carlister R. Gordon.

MAYOR MESSAM: Okay. Record reflect Commissioner Chambers appoints Carlister Gordon, and Vice Mayor Colbourne appoints Ed Hill. Teen Advisory Board. I have two vacancies. I would like to appoint Shaniya Grace, Pembroke Pines Charter High, grade nine, as well as Jaylen Cyril, Pembroke Pines Charter High, grade 11. May I have a motion for the appointments of the three advisory boards.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R7702, with the abovenamed appointees, the Commission voted:

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

#### **Resolution No. 22-158**

MAYOR MESSAM: Item number 12, please.

12. Temp. Reso. #R7699 approving the award of Invitation for Bid No. 22-012 entitled, **"Milling and Resurfacing, Sidewalk ADA Upgrades and Drainage Apron Installation BC-MIRAM-FY2020-0001 - Surtax Project"**, to Weekley Asphalt Paving, Inc., the lowest responsive responsible bidder, with a bid amount of \$1,296,053.00, allocating a twenty percent construction allowance in the amount of \$259,211.00 for a total project cost of \$1,555,264.00. *(Public Works Director Anthony Collins and Procurement Director Alicia Ayum)*

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving the award of Invitation for Bid No. 22-012 entitled, "Milling and Resurfacing, Sidewalk ADA Upgrades and Drainage Apron Installation BC-MIRAM-FY2020-0001 - Surtax Project", to Weekley Asphalt Paving, Inc., the lowest responsive and responsible bidder, with a bid amount of \$1,296,53 -- 206,053 -- 053.00, allocating a twenty percent con -- construction allowance in the amount of \$259,211.00 for a total project cost of \$1,555 -- 555,264.00, and authorizing the City Manager to execute an appropriate agreement with Weekley Asphalt Paving, Inc., and providing for an effective date.



MAYOR MESSAM: Dr. Collins. Good evening, sir.

MR. COLLINS: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners, City Manager. City Engineer Tony Collins, Public Works Director. The item in front of you tonight is the award of IFB# 22-01, Milling and Resurfacing, Sidewalk ADA Upgrades, and Drainage Apron Installation, Broward County Surtax Project. So the issue here tonight is that City Commission approval is required for award invitation to bid, IBF# 22-012, Broward County Surtax Project, number Miramar FY2020-0001 to Weekley Asphalt Paving, Inc., in the amount of \$1,296,053.00, allocating a twenty-percent construction allowances in the amount of \$259,211.00, for a total project cost of \$1,555,264.00, and authorizing the City Manager to execute an appropriate agreement. Just some background here. November 6, 2018, Broward County voters approved a 30-year one-cent surtax for transportation, which took effect January 1<sup>st</sup>, 2019. May 20<sup>th</sup>, 2020, City Commission adopted the Resolution No. 20-120, approving the submission of repair and maintenance, R&M, projects for funding. Each R&M project was reviewed and ranked by Broward County. On May 18, 2022, City Commission adopted Resolution No. 22-116, approving interlocal agreement for Phase I of III R&M projects. Phase I funding totaled \$1,995,001.00. ILA set forth terms and conditions to complete the project, and for Broward County to provide surtax funding for each, individual project. June 2<sup>nd</sup>, 2022, the County executed an ILA. The City must complete all projects, all aspects of the project within one year of notice to proceed to the contractor. This slide here depicts an overall project location. There are numerous locations throughout the City that the work is going to be taking place. The procurement process: June 6, 2022, the City's Procurement Department advertised IFB# 22-012; six bids were received on the closing date of July 14, 2022; bids were tabulated and reviewed in accordance with the minimum qualification of the IFB. Weekley Asphalt is the lowest responsive, responsible bidder. In accordance with Broward County ILA for surtax-funded projects, Weekley Asphalt has contractually agreed 40 percent CBE participation. This slides here depicts the bid tabulation of the various firms that responded to the IFB. The location and scope of work: Resurfacing of 12 lane miles of roadway at various locations throughout the City; scope of work includes: maintenance of traffic, milling top layer of the existing asphalt, resurface, insulation of pavement marking, Americans With Disability sidewalk upgrades, installation of drainage aprons. City Manager recommends approval.

MAYOR MESSAM: Thank you for the presentation. The Clerk received no requests to speak on this item from members from the public. Does any member present in the Chambers have any questions or comments on this item? Any members from the public? Back to the dais. Are there are any questions or comments? May I have 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 Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R7699, as presented, the Commission voted:

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

**Resolution No. 22-159**

MAYOR MESSAM: Item number 13, please.

13. Temp. Reso. #R7664 approving the award of Request for Qualification CMR-RFQ No. 21-06-01, entitled “**Pre-Construction and Construction Manager at Risk Services for the Historic Miramar Innovation and Technology Village - Perry Middle School Property,**” to D. Stephenson Construction, Inc.; authorizing the City Manager to execute the proposed GMP Amendment No. 1 - (Phase I) with D. Stephenson Construction, Inc., for the provision of Construction Manager at Risk Services in an amount not-to-exceed \$2,100,000.00 and allocating a Contingency Allowance of \$100,000.00, for a total (Phase I) Project cost of \$2,200,000.00. *(Support Services Construction Administrator Daryll Johnson and Procurement Director Alicia Ayum)*

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving the award of Request for Qualification CMR-RFQ No. 21-06-01, entitled "Pre-Construction and Construction Manager at Risk Services for the Historic Miramar Innovation and Technology Village - Perry Middle School Property," to D. Stephenson Construction, Inc.; authorizing the City Manager to execute the proposed GMP Amendment No. 1 - (Phase I) with D. Stephenson Construction, Inc., for the provision of Construction Manager at Risk Services in an amount not-to-exceed \$2,100 - -100,000.00, and allocating a Contingency Allowance of \$100,000.00, for a total (Phase -- Project cost of \$2,200,000.00, and providing for an effective date.

MR. JOHNSON: Good evening, Mr. Mayor, Madam Vice Mayor, Commissioners, members of the dais. Daryll Johnson, Construction Administrator. The item I have before you here is the -- approving the award of the Amendment 1 GMP for construction management at risk services for Perry Middle School property to D. Stephenson Construction. Issue: The City desires to procure the construction manage -- management at risk services of D. Stephenson Construction, a minority firm, to build Phase I of the School Board of Broward County Perry Middle School park project. City Commission approval is required for expenditures exceeding \$75,000.00, in accordance with City code. Background: September 25<sup>th</sup>, 2019, the City Commission approved the FY 2020 budget, which included the Historic Miramar Innovation and Technology Village project which -- and allocated \$2.1 million for the proposed Perry Middle School property. April 20 -- April 21<sup>st</sup>, 2020, the City entered into a recreation license agreement with the School Board of Broward County to improve and renovate a recreational amenities of the Perry Middle School property -- property. September 16<sup>th</sup>, 2020, the City Commission approved the award of architecture design consulting services for the Perry Middle School property to Jorge A. Gutierrez, LLC. June 17<sup>th</sup>, 2021, the City Procurement Department advertised the RFQ for the construction management at risk services in a newspaper of general circulation, and on DemandStar. Continue background: August 17, 2021, the City selected D. Stephenson Construction out of five firms that were evaluated through the evaluation and ranking process. September 2<sup>nd</sup>, 2021, D. Stephenson Construction was awarded through contract amendment for preconstruction services in the amount not to exceed \$56,767.00. September 27, 2021, the City Commission approved FY 2022 budget, which included \$2.1 million for the Perry Middle School property parks project. November 8<sup>th</sup>, 2021, D. Stephenson Construction presented the City with a guaranteed maximum price proposal in the amount of \$5.9 million to build the newly designed Perry Middle School property. This proposed guaranteed maximum price far exceeded the amount that the City -- of \$2.1 million, which the City allocated in the fiscal year 2022 budget. Continue background: After that, the City asked that D. Stephenson provide a phasing plan scenario as follows: Phase I: which is currently what we are seeking approval for tonight in the amount of \$2.1 million dollar -- in the amount of \$2.1 million for miscellaneous site work, underground infrastructure, and utilities, landscaping, and -- and irrigation, and also a \$100,000.00 contingency. Future successive phases are to be determined. As of right now, with cost escalating, there was no way that City -- that the construction manager at risk was able to determine a Phase II price as of right now with the apparent market issues. So, right now, we are only seeking approval of Phase I,

which is the infrastructure. A little more detail about the infrastructure scope of work: It will include all site prep work, and underground utilities, lime rock base for the regulation-styled track, and also for the asphalt -- the proposed asphalt walkways, all of the underground electrical conduits, landscape, and irrigation. And to the list is just a schematic of what we are looking for, as far as with -- that will be incorporated in Phase I. The green area, of course, is all of the -- this is a six-acre -- acre site, by the way. All of the green areas is the landscape and irrigation. We have the -- you can see the blue lines, you will see that that's all the domestic water underground. When you see the orange, that is all of the storm water and drainage. And up in the upper left hand is the green -- green outline, that's all of the sanitary sewer that's going to be connected to the proposed restroom building, which will be part of the successive phases. City Manager recommends approval.

MAYOR MESSAM: Thank you for the presentation. The City Clerk received no requests to speak on this item. Are there any members from the public in the dais would like to speak on this item? Have any questions?

COMMISSIONER DAVIS: Yes, --

MAYOR MESSAM: I'm -- I'm checking in with the public first. Seeing none, back to the dais. I see that Commissioner Davis and Chambers have raised their hands, and Vice Mayor Colbourne as well, starting from Commissioner Davis, and working way down. You're recognized, Commissioner Davis.

COMMISSIONER DAVIS: Thank you. Thank you for the presentation. And I had spoken with staff earlier in the week also. I guess my only -- my concern here would be that we initially had budgeted \$2.1 million.

MR. JOHNSON: Yes, back in 2018, yes, ma'am.

COMMISSIONER DAVIS: 2019, and that was what we were planning to spend.

MR. JOHNSON: Yes, ma'am.

COMMISSIONER DAVIS: Now we're looking at the park being over, close to -- to \$6 million, and -- and that was not really expected, of course, and I'm curious to know with the, I guess, the shortage of materials that we're experiencing now, and so on and so forth, that, possibly that amount could decrease, once these -- you know, all these little hiccups, based on COVID and all of that, settle back down. I mean just a year or two ago, it was \$2 million, now it's up to five, --

MR. JOHNSON: Yes.

COMMISSIONER DAVIS: -- and that could come down, hopefully, just like gas prices came down. So I don't -- I'm not sure we want to get locked into a price of 5. -- close to \$6 million for this project.

MR. JOHNSON: That is the reasonable why we're phasing it. As of right now, we're -- right now, we're only asking for the \$2.1 --

COMMISSIONER DAVIS: But the first phase is the entire cost of what we said the project would be.

MR. JOHNSON: Yes.

COMMISSIONER DAVIS: So, either way, it's -- it's going to be more than what we planned.

MR. JOHNSON: Yes.

COMMISSIONER DAVIS: So that would be my first concern. And the second is that I don't know that we anticipated where the rest of the money is coming from.

MR. JOHNSON: Well, in there -- there were funds allocated for the overall Historic Miramar Innovation Technology project, so this is where the funds will be coming from.

COMMISSIONER DAVIS: So they're coming from some other project to go to this project?

MR. JOHNSON: No, no, no, no. This is part -- this is a small part of the -- as I stated in the -- the presentation; it's part -- part of the Historic Miramar Innovation Technology, the overall --

COMMISSIONER DAVIS: But we don't have a overall budget for the whole Technology Village.

MR. JOHNSON: No, no, no, but we do have monies allocated for that particular project also, for this particular project, and also for that overall --

COMMISSIONER DAVIS: So, in essence, this would be taking away from some of the other things that we want to do out there, pretty much.

MR. JOHNSON: Yes.

COMMISSIONER DAVIS: Right. And so -- I -- I think that needs to be though through, but that's just -- initially, that's my thoughts. Thank you.

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

COMMISSIONER CHAMBERS: Thank you. Where do I begin? The \$5.9 or \$6 million, what does that entail?

MR. JOHNSON: That entails the complete project at that time. That entails the infrastructure, as I described, the Phase I, but also it entails 8,000-square foot restroom building, four tennis courts, table tennis, a playground -- a covered playground, a walkway, and also resurfacing of the existing basketball courts. And this is over -- keep in mind, this over a six-acre site.

COMMISSIONER CHAMBERS: Right. I -- I have several concern, in addition to the concern that Commissioner Davis have. One of them is the overrunning cost before we even get started. And the other concern I have, it's the -- looking at this field, it's way smaller than the Wellman Field that we're giving up. And we want to add the tennis pavilion on the field, but that going to even take away more space. So I -- I don't see that happening, because we're going to build restrooms, we're going build -- if you look at the tennis pavilion where it is now, it's a pretty sizeable tennis pavilion. So that will eat up quite a bit of that smaller field than the Wellman Field. So that's another concern there. I'm hoping that we could relocate the Innovative Technology building somewhere else, because look at it, I don't know how we're going to move forward with this project, but tonight we're not going to be able to flush it out. So what I'm suggesting -- one of my concern is, also, is the contractor. I want to have a opportunity to look at other contractors, because I can't seeing the same minority firm over and over again, when we have more minority firm out there. So I'm suggesting, tonight, that we move the item to another meeting, where we can, maybe, do a workshop, and flush out some of these things. We could have some savings by keeping the tennis court where it is, so we don't have to do underground for the tennis court. We know we're going to need restrooms; we're not going to get away from -- and we want to make sure this time we have adequate restroom, not the little dibby, dibby restroom that we have right now at Wellman Field. So I -- I didn't have the opportunity to really look at the complete proposal in the agenda book, so I'm going to suggest to my colleague, if we could move this item to another meeting, maybe do a workshop, so we can voice all our concern, and make sure we all on the same page, so if we're going to move forward, we could move forward with clarity, because I do have more questions. I don't want to hold up the meeting tonight trying to solve this issue. It's -- it's -- it's a lot of money, and we want to make sure we can safely and securely afford it. We're going to have to be responsible to the taxpayers, and, at the same time, we want to make sure that neighborhood have adequate field to play, because what I notice, the last time, just a few weeks ago, when we moved the soccer game to Douglas, at that field there, it was not as well attended, because out there, folks in the neighborhood, they walk to the park, and it's -- it's a community affair, and we don't want to take that away from them. We want to make sure they have a sizeable field, where they can continue to enjoy their games out there. I mean my concern is that it's smaller, as it is right now, than what they -- we giving up. All right? So at the appropriate time, if my colleague has -- we could move it to another meeting. Thank you.

MAYOR MESSAM: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Thank you. First off, I wouldn't -- I'm not opposed to your -- your suggestion, Commissioner Chambers, in terms of -- of moving this. I would definitely agree with that. But let me explain my concern with this item. And if you -- if you could -- if you would bring back the -- the slide that shows the different dates on this approval. Okay. This item -- this is -- first of all, this is the first time that this item comes before us, is that correct?

MR. JOHNSON: That is correct, ma'am.

VICE MAYOR COLBOURNE: I think you started by August 17, 2021.

MR. JOHNSON: Okay.

VICE MAYOR COLBOURNE: Okay. So a year ago, this company was selected, you said by the City, but it wasn't selected by the Commission; it was selected by the City for the C -- CMR through a -- through some sort of a -- a ranking and evaluation process.

MR. JOHNSON: Evaluation and ranking, yes, ma'am.

VICE MAYOR COLBOURNE: But once that selection came -- was done, it didn't come to us.

MR. JOHNSON: No, it did not.

VICE MAYOR COLBOURNE: And it did not because?

MR. JOHNSON: Because of price -- the initial price for the construction services was under the \$75,000.00 threshold, so that --

VICE MAYOR COLBOURNE: So that's -- I'm not even on -- at that level. It didn't even get to the \$56,000.00.

MR. JOHNSON: Okay.

VICE MAYOR COLBOURNE: That selection, in itself, did not come to us.

MR. JOHNSON: Okay. I'll back up.

VICE MAYOR COLBOURNE: The selection of the CMR.

MR. JOHNSON: Yes.

VICE MAYOR COLBOURNE: It did not come to us?

MR. JOHNSON: No, no. No, no, ma'am, it did not.

VICE MAYOR COLBOURNE: Okay. And then, again, on September 2<sup>nd</sup>, 2021, they were awarded a contract for \$56,767.00.

MR. JOHNSON: That is correct, for preconstruction services.

VICE MAYOR COLBOURNE: And that did not come to us either?

MR. JOHNSON: No, it did not.

VICE MAYOR COLBOURNE: And that did not come to us because?

MR. JOHNSON: Because that was under the threshold of the \$75,000.00.

VICE MAYOR COLBOURNE: That the City Manager is authorized --

MR. JOHNSON: Authorized to approve, that is correct.

VICE MAYOR COLBOURNE: Okay. However, looking at this, this has gone from \$56,000.00, which is under the threshold, to a \$6 million contract for this contractor, --

MR. JOHNSON: The initial, yes, ma'am.

VICE MAYOR COLBOURNE: -- without it following a procurement process that we are familiar with, or that I am familiar with, where once you select the contractor, it comes to us. But that didn't happen in this case. This is, obviously, a different process that I am less familiar with.

MR. JOHNSON: Yes. This is what's called a -- it's known at risk delivery method.

VICE MAYOR COLBOURNE: Well, I would have felt more comfortable if -- if you know that you're awarding a contract that's below the \$75,000.00 threshold, and you know that that contract is really going to -- you know, ultimately, it's going to go way over the \$75,000.00, I would think that you would want to bring it to this Commission. We didn't know it was selected back in -- that he was selected back in -- in August '17. We didn't know that he was awarded \$56,000.00, and we didn't know that that \$56,000.00 contract was going to be a \$6 million contract, but he did, and I guess staff did. So I just -- I'm not comfortable with this, so if my colleague is saying let's defer this, I would agree with that, defer that, maybe we can have some more conversations on that, but this particular procurement process that was followed, I'm not comfortable with it. I -- I -- I would definitely be comfortable knowing that a procurement process was followed, and when you got to the completion of it, it would come before us. So I'm not really asking for an explanation of any sort right now, I'm just explaining my issue with it, and why I agree with my colleague.

MR. JOHNSON: Thank you.



MAYOR MESSAM: Okay. A couple of observations. I think, given the -- the circumstances of the -- the current day cost to complete this project warrants further discussion, so that the Commission, as a whole, can have a understanding of the -- the current costs, versus the pre-pandemic budget cost, because there's a gap there, and -- and understandably so. So, in principle, as it relates to further discussion by the Commission, I would support us having a discussion, not specifically for the reasons that were stated, but just for the comprehensive process of just the transition from the pre-pandemic budget of the park cost to where it is now, post-pandemic, and all the other inflationary pressures that have impacted -- in development and construction costs across the -- the globe, basically. I would like to clarify, in terms of the procurement process. It is a common process that the City has undertaken for many of our major capital projects, so it's -- it's -- it's not new. I think the difference is that with the delivery method of construction manager at risk, also known as CMAR, it's a two-step process. The construction manager is brought on early on, along with the design consultant to have the benefit of the contractor to provide cost estimates, constructability reviews, estimate scheduling to go in concert with the design consultant, so that we, as a city, can, perhaps, be in line with the design, and the cost for -- for the project. The first step in that process is a solicitation to the marketplace, so every CM that receives our solicitations had an opportunity to bid on this project. So the -- the company wasn't cherry-picked or hand-picked, they -- they were competitively selected by -- by staff. The first step is once the qualifications and rankings take place, and there's a apparent number one ranked firm, staff negotiates what is called the preconstruction agreement, so that as the design documents are being developed, the construction manager is being paid for services to provide information for construction information, as it relates to each deliverable during the design phase. Correct me if I'm wrong, if I'm just -- I'm -- I'm just -- I'm extrapolating the series of events. Once the recommended firm was selected, and a preconstruction service agreement was established, that preconstruction cost was in the amount -- I think it was 50 something thousand dollars, which, typically, is a percentage of the budget for the project, or if we choose to break it down, in terms of hours of work to - to del -- to -- to provide the reports that are needed during preconstruction. At that point, did staff realize that the construction cost was going to be much more than the -- than the budget?

MR. JOHNSON: No.

MAYOR MESSAM: Okay.

MR. JOHNSON: At that time, once we brought the CM at risk on, he -- he worked in tandem with the architect, and the architect presented a budget estimate to the City, as he worked with the construction manager, and that was with -- within the \$2.1 million.

MAYOR MESSAM: So, obviously, it was not known at the time, at the preconstruction agreement, because the construction documents had not been completed for the contractor to be able to determine or ascertain a price, correct?

MR. JOHNSON: Correct.

MAYOR MESSAM: And because the 50 something thousand dollars was below the \$75,000.00-threshold, per our procurement code, the City Manager is authorized to engage for services below that threshold, understanding, and knowing that there's still a second step that would have to come before the Commission for the City to move forward with the construction phase for the project. So my understanding is that staff proceeded with the design, proceeded with the preconstruction services for the amount of \$56,000.00, understanding that whatever the guaranteed maximum price that would come forward would have to come before the Commission for approval.

MR. JOHNSON: That's correct, sir.

MAYOR MESSAM: Okay. So that is my understanding of the sequence of events, just based off of professional experience, and knowledge of how the CMR process works, and I can understand if that has not been communicated to the Commission, why there are concerns on how the cost could go from 50 something thousand dollars to what is being presented today. So that is a -- that is -- I can -- I -- I -- I understand why there is misunderstanding, in terms of how that can -- can -- can go, because, obviously, the park can't be built for \$56,000.00; it's just for the preconstruction services, so that it can determine the guaranteed maximum price. All right. I would support that workshop, but I think for the workshop to be productive, is that it will be beneficial to breakdown all of the phases of the costs, as it stand today. If the con -- if the construction documents are complete, we can determine what the full cost of the project is at today's cost. We know it doesn't -- it -- it does not -- it does not mean what it may cost six months from now, or a year from now, but we -- we can determine what the cost is today.

MR. JOHNSON: Yes.

MAYOR MESSAM: I think by providing the Commission all of the information up front, in terms of, okay, well, the CIP only budgeted \$2 million for the project; if the cost is going to be more, the Commission has to decide that we're willing to spend \$6 million, or whatever that cost of the project is, and staff presents a payment process in which how to pay for that; that may cover one or two budget processes, if the Commission decides to move forward, but at least the Commission will know what the total costs are. If it's being broken into phases, it would, then, also show the Commission what to expect, as it relates to each phase, and what that cost is. Also, I think it would be beneficial for staff -- and I mentioned this on my one on one, is for staff to bring forward other municipal projects across South Florida, Broward County, Palm Beach County, Miami-Dade County, that shows a precon -- a pre-pandemic budget, in terms of a construction cost that went through a design phase during the pandemic, during all of the turmoil and the supply chain, and all the cost escalations, so that the Commission can have an understanding, and a sense of how other cities are also struggling with some of their project costs escalating. You know, some may decide to -- to table those projects until there's more stability, some may decide to move forward, but, perhaps, phase the funding for the project, but that would, at least, give some insight to the Commission on how other

municipalities are also being challenged, you know, with the cost escalation. So that -- that's my position. If -- if there's a motion --

MR. JOHNSON: If I may, sir?

MAYOR MESSAM: Yes, you may respond.

MR. JOHNSON: I did reach out to our neighboring city to the east, to the City of Hollywood; had a lengthy conversation with my counterpart, his name is Mr. Jose Cortes, and he gave me some relevant information. Currently, -- just as an example, current -- currently, the City of -- of Hollywood is currently in their bond dollar initiative, and their -- initial costs for one of their projects, probably the largest project that they have here, is the -- their police station. The initial budget was \$50 million, and right now, through the CM process, through the design, they're currently at \$59 million. So, again, this is cross -- and, also, he gave me the example of the City of Fort Lauderdale. Right now, they have a CM process. They have police station coming online -- well, they're do -- they're designing a police station. The original cost budget was \$75 million, and not it's at \$100 million due to the current circumstances with the -- the unprecedented time in the industry, with all the cost escalations. So, again, I have reached out to the -- our neighboring cities, like you asked, so -- and I have comprehensive reports, so, definitely, we could sit down and discuss it, yes. That was done.

COMMISSIONER BARNES: Mr. Mayor, --

MAYOR MESSAM: Go with Commissioner Barnes, then Commissioner Chambers.

COMMISSIONER BARNES: Just some observations. One of the things that comes to mind for me is, what do we say -- considering the facilities we are thinking of including in this overall project, what do we say when residents say to us: But are we not duplicating some of the facilities that already exist at YEC, the -- the various courts and so on. I have no problem with a deferral of -- of this item. If nothing else, so that we can get an understanding, get to identify where the balance of funding can come from. And, as the Mayor said, what would make this process easier, workshop or no workshop, is to spell out the costs going forward for particular aspects of this overall development. And -- and I think that would inform our decision going forward better than the information we have at hand as of now.

MAYOR MESSAM: Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you. Suggestion. I want to save you guys some time. You don't even need to reach out to those other municipality. We up here, we not stupid, we not living under a rock. It ain't going make no bearing on what we're going to decide. Everybody is using pre-pandemic. You try to hire someone to perform a singer, they telling you pre -- pre-pandemic price; I don't know if the cost of their vocal cord have gone up. You try to hire a dog walker; pre-pandemic -- everybody is citing pre-pandemic.

The step of walking the dog have gone up. It -- it's -- it's -- it's right across the board. Everybody is using pre-pandemic to escalate the cost. So I -- I don't think we need to visit those other city to see what their budget have gone up; we got to make a decision here when we see what we have to do. The -- the thing is with the -- the initial 50 something thousand dollars, that was awarded -- from what I hear here tonight, from what I heard from the Mayor explanation, is that that was given before we got the cost of the \$2. -- million, whatever that is. So how could we gave -- allocate that 50 something thousand dollars to a firm, and we don't know the actual cost of anything. That -- that was -- that's my issue right there, because it seem like the 50 something thousand dollars was awarded before we arrive at the \$2. -- whatever that number is, two point something million.

MAYOR MESSAM: You're correct, Commissioner, that -- that is -- that -- that is what happened.

COMMISSIONER CHAMBERS: Right.

MAYOR MESSAM: That's be -- yeah, that's how the -- that's how the process works. So there's several delivery methods for a construction project. You have design, bid, build, which means that you hire a architect, they go and design the job, then you publicly bid it to the marketplace, and then the contractor builds the job. Now there's pluses and minuses to that; that's a -- the basically lowest responsive bidder. However, you don't have an opportunity, necessarily, to understand who you're getting in bed with, in terms of a contractor, because a long as they have a general contractor's license, meet the minimum requirements, they can bid the job. Plus the City is exposed by any errors by the design consultant, because the contractor is going to say, "I wasn't involved with the design. Just used the documents that you gave me. I gave a bid price, and I need a change order, because the onsite conditions don't reflect what's on the drawing." So there's a lot of risk there. So a lot of owners, and particularly public governments, like municipalities, for -- for larger construction projects, like police stations, parks, municipal buildings have gravitated to a construction manager at risk. What it does is it allows the owner to qualify and rank a company based off their past experience, interview them, them showing similar projects, and you can -- you know their qualifications, and then the bid process is an open book. It's not a sealed bid, it's a -- it's sealed bids, but the owner has every right to see all the bids that come in from the subcontractors. So get -- to get to your point, in that delivery method, the owner is hiring the -- the construction manager early on in the design process, because it eliminates the ability for the construction manager to say, "I wasn't involved in the design." In fact, "No, we hired you early on during the design, so that you can give us input at every design deliverable; we want to know constructability of that document at that stage, we want to get a cost estimate at that delivery method, we want to be able to -- you to provide us some value engineering, which basically means, give us some alternatives, whether it's materials, or some other process to build the project, so that we can get that information to our designers." That comes at a cost, which is known as a preconstruction cost, and in this case, it was the \$50,000.00 for the benefit of getting the knowledge of the construction manager during

the design phase. So that is why staff would not have known what the end cost would be, because it's early on in the design process. So it's not like staff got the wool pulled over them, it's just that we're -- we're going to hire them early; we're going to hire them real early in the process, so that now we are in this together. And at the end of the design process, the construction manager is now going to offer a guaranteed maximum price. I own everything now, because I've been along the entire way. And what they do now is negotiate their general conditions, general requirements, every -- all the resources they need to build, and then they negotiate a percentage of the overall job to be the fee, to be what they earn. So that has been the method, for especially complicated projects, or park projects like this. So that's why I was saying that I can understand why there are some confusion, because there's a lot of information that just -- I just happened to know, because that's what I do, but if I didn't know, I would have the same questions, like, "How we go from two to six?" Right. So I think that if we allow the process to be -- to show where the costs are right now, staff show us how in the world we're going to pay for this, and then the Commission can decide whether, okay, we know it's going to cost more. We already know right now that \$2 million before -- before the pandemic, when everything was what it was, that was the \$2 million cost for the project. There is some validity to the pandemic portion of it, because materials cost more. Contractors are so busy right now, you know, if we -- they can pick their jobs right now, so it -- there is a -- an additional cost, but we have to decide if we're willing to pay more, to pay that premium. And I think that if we have all the information, then we can use all of the information, based on what the costs are today, and then we can make that decision if we're willing to pay that premium, and that's the point that I was trying to get to.

COMMISSIONER CHAMBERS: Thank you for that explanation. The -- in terms of the liabilities for the construction manager, how much liabilities does that construction manager takes on, his responsibility?

MR. JOHNSON: That's complete liability, because, again, he puts in his price, what is known as a contingency, and if there's any cost overruns above that guaranteed maximum price, he has to eat it.

COMMISSIONER CHAMBERS: So -- so does he provide a bond or something that --

MR. JOHNSON: Yes. All of our projects are bonded.

COMMISSIONER CHAMBERS: Okay.

MR. JOHNSON: But if I may, for the record, respectfully, that \$56,000.00 that you concerned -- concerned about, that has a specific design -- specific scope of work that is -- that is --

COMMISSIONER CHAMBERS: Right. And it was the cause of the confusion, because we -- we -- that wasn't given to us as to what that specific --

MR. JOHNSON: I -- I clearly understand, sir.

COMMISSIONER CHAMBERS: Right.

MR. JOHNSON: Yes, yes. But I just want to make sure you --

COMMISSIONER CHAMBERS: Right.

MR. JOHNSON: That \$56,000.00 was for a clear scope of work.

COMMISSIONER CHAMBERS: Okay. But I also want --

MR. JOHNSON: It's for preconstruction services.

COMMISSIONER CHAMBERS: We got to move on. But I also want to make clear that this is a field that we're doing, so it's not a lot of hidden, unforeseen construction that we're going to -- not seen. It's not like we're building a building. You know, we're going to be doing piping, --

MR. JOHNSON: Right. It's just the size.

COMMISSIONER CHAMBERS: Right.

MR. JOHNSON: It's six acres.

COMMISSIONER CHAMBERS: Right. So we should be pretty -- pretty much straightforward with that. It's -- it's not going to -- right, so.

MR. JOHNSON: Yes, yes. I -- I --

COMMISSIONER CHAMBERS: And -- right.

MR. JOHNSON: Yes, sir.

COMMISSIONER CHAMBERS: And cost wise, it should be not so extranomical. All right, so at the appropriate time when the Mayor call for the motion, I make a motion to move this item to a -- a later date and a workshop.

MAYOR MESSAM: Well -- just a question for the attorneys. Is -- to facilitate the desire of the Commission to get more information from staff, is it better to continue this item, which would have to come with a date certain, or how do we -- what -- what -- what do you recommend, in terms of how to facilitate what the Commission is -- is desiring?

CITY ATTORNEY NORRIS-WEEKS: Yes, sir. We recommend that you continue it, defer it to a date certain.

MAYOR MESSAM: How much time would staff need to put together the information that has been requested?

MR. JOHNSON: Apparently, the construction manager, he's working on the other successive phases, so he's going to get that to me with in the next two weeks, the end of this month, so I would probably say, you know, give me about 30 days; it would be sufficient to acquire all the information, and speak with the executive staff, and come to you with a comprehensive plan as to how to move forward.

MAYOR MESSAM: Is -- is that okay with the Commission?

COMMISSIONER DAVIS: Yeah.

COMMISSIONER CHAMBERS: Okay. With me.

COMMISSIONER DAVIS: It's fine.

MAYOR MESSAM: Okay. So can we get a Commission date in -- toward the end of September, which -- that's the date would need to be in the motion. So when -- I would need a motion of a continuance for that third Saturday in September whatever that date is; I don't have that date, but whoever makes the motion will need to state that date in the motion for the continuance. We have that date, Madam Clerk?

CITY CLERK GIBBS: Okay. So September 7<sup>th</sup> is the first meeting date, then we have the budget public hearing September 14<sup>th</sup>, and then September 22<sup>nd</sup> is another Commissioner meeting, and then we have the budget public hearing on September 29<sup>th</sup>.

MAYOR MESSAM: So the 22<sup>nd</sup> seems to be the next regular Commission meeting, which would be within the 30 days that staff said that they would need. So may I have a motion of continuance to the September 22<sup>nd</sup> meeting, please.

COMMISSIONER CHAMBERS: Motion to continue to September 22<sup>nd</sup>, 2022.

COMMISSIONER DAVIS: Second the motion.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commission Chambers, seconded by Commissioner Davis, to continue Resolution #R7664 to the September 22, 2022, Commission meeting, as presented, the Commission voted:

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

**Cont'd to 09/22/22**

## **ORDINANCE**

MAYOR MESSAM: Item number 14 has been requested to be continued to September 22<sup>nd</sup>. May I have a motion to -- well, let me read it into the record. Item number 14, please.

- 14. FIRST READING** of Temp. Ord. #O1794 amending the Land Development Code, Section 405.11.2 **Bed & Breakfast, Short-Term Rentals, and Vacation Rentals**; providing for severability and interpretation; providing for inclusion in the Code; providing that Officials are authorized to take action; and providing for an effective date. ***(Staff recommends continuance to the meeting of 09/22/22) (Building, Planning, & Zoning Director Eric B. Silva)***

CITY ATTORNEY NORRIS-WEEKS: An ordinance of the City Commission of the City of Miramar, Florida, amending the Land Development Code, Section 405.11.2 Bed & Breakfast, Short-Term Rentals, and Vacation Rentals; providing for severability and interpretation; providing for inclusion in the Code; providing for Officials and authorized to take action; and providing for an effective date.

MAYOR MESSAM: May I have a motion to continue this item for September 22<sup>nd</sup>.



COMMISSIONER DAVIS: 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 Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Davis, seconded by Commissioner Chambers to continue Ordinance #O1794 to the September 22, 2022, Commission meeting, the Commission voted:

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

**Cont'd to 09/22/22**

SECOND READING SCHEDULED for October 19, 2022

## **PUBLIC HEARING**

MAYOR MESSAM: On to public hearing. Item number 15, please.

15. **SECOND READING** Temp. Ord. #O1792 approving the second amendment of the **Fiscal Year 2022 Operating and Capital Improvement Program Budget**; and providing for an effective date. *(Passed 1st Reading on 07/06/22) (Management & Budget Director Rafael Sanmiguel)*

CITY ATTORNEY NORRIS-WEEKS: An ordinance of the City Commission of the City of Miramar, Florida, approving the second amendment of the Fiscal Year 2022 Operating and Capital Improvement Program Budget; and providing for an effective date.

MAYOR MESSAM: Good evening.

MR. SANMIGUEL: Good evening, Mayor, Vice Mayor, Commissioners. Rafael Sanmiguel with the Management & Budget Department. I am here to present item number 1792, the second reading of the second budget amendment for fiscal year 2022. And the City Manager wishes to amend the '22 budget for the purposes of the presentation tonight, and there are changes from the first reading, which I'm going to highlight. So this one is changed from the first reading, so the CIP project for the amphitheater at Miramar Regional Park had a total of \$40,000.00 allocated for the purchase of items for the -- needed to furnish the back of house. This funding happens to be insufficient at this time to complete the project, and we are requesting an additional \$10,000.00 for furniture, fixtures, and equipment costs. In addition, as we proceed to complete the remaining fire department triage portion of the same project, we're requesting an additional \$10,652.00 -- six -- \$10,652.00 for contingency for that portion for the triage. Funding is being reprogrammed from completed Lakeshore Park Improvements Project in the amount of \$9,189.00, and the Fire Rescue and Logistics and storage space at the West Police Substation in the amount of \$11,463.00, which is not expected to forward to changing priority for that project. So in detail, we are reprogramming \$9,189.00 from the Lakeshore Park improvement project, and \$11,463.00 from the fire rescue logistics in storage at the west -- for the substation project into the amphitheater at Miramar Regional Park project, so that's a total of \$20,652.00 of reprogramming dollars; these are not new funding; this is reprogramming dollars in funds .17 CIP loan fund 389, and the capital projects fund 395. So, again, this is also a new item, a change from the first reading. We are seeking approval to reprogram \$13,000.00 from the completed Harbour Lakes Parks project into the park improvements various projects to support the second phase of the Island Park improvements project. Now in detail, we are looking to reprogram the \$13,074.00 from the Harbour Lakes project into the park improvements for each project in the 2020 CIP loan fund number 391. And these are leftover monies from the -- from the Harbour Lakes Park project that we're not expecting to -- to spend in that project. This is the same item that we presented at the first reading, and I'm going to present it to -- in this setting, so that anybody who missed them the first time, we can review it again. So the City's Procurement Department advertised invitations to bid for the Historic Miramar drainage infrastructure improvement project Phase IV. The lowest responsible and responsive bid received was for just under \$13 million, and that excludes allowances for contingencies, and construction management services. We have available \$13,111,900.00 for this project at this point,

which means that we have a shortfall of \$3 million, which we propose to appropriate from fund balance, \$2 million from utilities, and \$1 million from the storm water fund in order to proceed with the project. So in the utilities fund, we are proposing to appropriate \$2 million from fund balance, and allocate \$1.6 million in CIP construction, and \$400,000.00 into contingency. Similarly, in the storm water fund, we are proposing to appropriate \$1 million from fund balance, and allocate it into CIP contingency. The bottom right, you can see a map of where the Phase IV is located. We have, again, prior year's funding of \$14,229,657.00, and we are asking to increase that funding in this budget amendment by \$3 million, for a total project cost of \$17,229,657.00. City Manager recommends approval.

MAYOR MESSAM: Thank you for the presentation. City Clerk received no request to speak from the public. Are there any members from the -- public that are in the Chambers have any com -- questions or comments on this item? Seeing none, this is the second reading. Please -- I think the changes have been summarized, and back to the dais for any questions. Seeing and hearing none, may I have a motion on item 15.

COMMISSIONER CHAMBERS: Motion to approve.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Mr. Mayor. I'm sorry, Commissioner Barnes had requested to speak.

MAYOR MESSAM: Oh, I'm -- okay. I can't see on my side. Commissioner Barnes, you're recognized.

COMMISSIONER BARNES: Console still isn't working?

MAYOR MESSAM: Yeah.

COMMISSIONER BARNES: No. I was just going to make some observations, that it be clarified straight up, especially with the first amendment is concerned, we're not looking at any substantive monetary changes in expenditure. We're looking at reallocating funds from one project to another.

MR. SANMIGUEL: Correct. So those are -- this refer to some dollars that are left over from projects that have been completed, or that have -- that we're not doing anymore.

COMMISSIONER BARNES: Okay.

MR. SANMIGUEL: And they're -- they're -- they're minor. There's no new funding.

COMMISSIONER BARNES: Just -- just wanted to make sure about that, thanks.

MAYOR MESSAM: Now may I have 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, yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Barnes, seconded by Commissioner Chambers, to approve Ordinance #O1792, as presented, the Commission voted:

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

**Ordinance No. 22-12**

MAYOR MESSAM: Item number 16, please.

- 16.** Temp. Reso. #R7688 approving the award of Invitation for Bid No. 22-008 entitled **“Historic Miramar Infrastructure Improvements - Phase IV”** to Man Con,

Incorporated, the lowest responsive responsible bidder, whose bid is in the best interest of the City, in the revised amount of \$12,709,741.00; allocating a 15% Construction Allowance in the amount of \$1,906,461.00 for a total combined project cost of \$14,616,202.00. ***(Resolution placed here for ease of presentation)*** *(Public Works Director Anthony Collins and Procurement Director Alicia Ayum)*

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving the award of Invitation for Bid No. 22-008 entitled "Historic Miramar Infrastructure Improvements - Phase IV" to Man Con, Incorporated, the lowest responsive responsible bidder, whose bid is in the best interest of the City, in the revised amount of \$12,709,741.00; allocating a 15% Construction Allowance in the amount of \$1,906,461.00 for a total combined project cost of \$14,616,202.00; authorizing the City Manager to execute an appropriate agreement with Man Con, Incorporated; and providing for an effective date.

MAYOR MESSAM: Welcome back.

MR. COLLINS: Thank you. Good evening again, Mr. Mayor, Madam Vice Mayor, Commissioners, City Managers, City Attorney. Tony Collins, Public Works Director. So the item here is the Historic Miramar Infrastructure Improvements Phase IV, IFP #22-008. City Commission approval is required to award invitation for bid number 22-008, entitled Historic Miramar Infrastructure Improvements Phase IV Project to Man Con, Incorporated, in the amount of \$12,709,741.00, allocating a 15 percent construction allowance, in the amount of \$1,906,046 -- 461.00, for a total project cost of \$14,616,402.00, and authorizing the City Manager to execute an appropriate agreement. Some background to the project. The City has completed Phase I through III of the Historic Miramar Infrastructure Improvement Project. Phase IV, V, and VI is a continuation of the project. Historic Miramar Infrastructure Phase IV Project includes drainage infrastructure improvements, roadway resurfacing, and elements of water main pipeline replacement. The project area is bounded by SW 64<sup>th</sup> Avenue to the east, County Line Road to the south, Florida Turnpike to the west, and Miramar Parkway to the north. This slide depicts the project area and location of the project. The procurement process: On March 13, 2022, the City's Procurement Department advertised IFP #22-0008. Four bids were received on the closing date of April 26, 2022. Bids were tabulated and reviewed in accordance with minimum qualifications for the IFB. Man Con is the lowest responsive, responsible bidder with a bid total price of \$12,900 and -- 907,322.00. Continuation of procurement process: Due to budgetary constraints, City staff negotiated with the contractor to remove the line item labeled Group C, electrical conduit improvement, cost of \$197,508.00, taking the bid price to an amended amount of \$12,709,074.00. Man Con has contractually agreed 15 percent CBE/SBE participation, and a five percent of services to be performed by a local vendor. The -- this slide depicts the bid tabulation information that was submitted by the four proposers. The project breakdown costs: The portion of the contract and the cost: storm water portion is \$11,929,023.00; the water portion of the project is \$2,687,179.00; the total project cost, \$14,616,202.00, including contingencies. The funding source: So

the storm, we have the State Revolving Fund loan of \$11.5 million; there's a State appropriation grant of \$250,000.00; there's a resiliency grant of \$75,000.00; storm water fund balance of \$1 million; and utility fund balance of \$3 million. The scope of work, construction phase approach to the project: The installation of exfiltration trenches, storm water piping, storm water structures; swale reconstruction, irrigation of repairs, sod restoration, driveway apron and sidewalk replacement, milling and resurfacing, reinstalled pavement markers, water main pipe replacement. The City Manager recommends approval.

MAYOR MESSAM: Thank you for the presentation. City Clerk received no requests to speak on this item. Does any member of the public present in the Chambers have any questions or comments on item number 16? Seeing none, back to the dais. Any questions or comments? Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yeah, just -- just a comment. I know the last phase that we completed, there was a lot of complaints from residents with a lot of inconvenience; I know streets were being dug up all over; it got pretty messy. What are you doing differently this time?

MR. COLLINS: We have certainly learned from that experience, that's why we're planning the project into a phased basis. Once this gets approved, if it gets approval, sitting down with the contractor to provide us with a phasing diagram, and that was part of the RFP process, so that we can do the work in a sequential manner, so that there's minimal interruption, unlike what happened in Phase III; the entire thing was developed; we're going to be doing it sequentially, and doing it in phases.

VICE MAYOR COLBOURNE: Thank you.

MAYOR MESSAM: Commissioner Barnes, followed by Commissioner Chambers.

COMMISSIONER BARNES: Two -- a -- a two-part question. Man Con, a new vendor? Okay.

MR. COLLINS: Yes, sir.

COMMISSIONER BARNES: Were others invited to amend their bid totals, like Man Con amended theirs?

MR. COLLINS: No. And Procurement, you want to chime in on this?

MS. AYUM: Good evening, Mayor, Vice Mayor, Commissioners, City Manager, City Attorneys, and the City Clerk. The way that the bid sheet, or the bid price sheet is set up that the City reserves the right to remove any line items from the -- from the price sheet; it's written in there. So whoever the lowest bidder is, we can ask them to remove any items.

MAYOR MESSAM: Commissioner Chambers?

COMMISSIONER CHAMBERS: Thank you. Mr. Collins, in terms of the -- let me step back a little bit. With the other phases that we have done with the drainage, we still have complaints from residents with water issue, flooding, and so forth. This new phase that we're going to start -- and I know it's difficult to do the Historic Miramar -- just explain a little bit how difficult it is, and how the drainage would be done. Are we going to be draining water in any of those catchment, like, canals or lake or -- it -- it -- it's -- it's challenging, so just elaborate a little bit, if you can give our residents a little more comfort.

MR. COLLINS: So -- so the approach to the drainage, that's been done in the context of the budget. If we have, you know, an endless amount of money, we certainly could design a project that would be 100 percent positive draining, meaning that you would have piping systems that run directly into the canals and to the lake, so it's a combination of positive draining, and some ex -- exfiltration system. We've utilized the canal Miramar has to be one of the point source of discharge. So the engineer is here, we've gone through a thorough design, and we learn from Phase III experience, where we're doing in -- interconnecting piping system. So there's going to be element of the drainage system that's going to be exfiltration trench, and it's going to require, you know, maintenance over time, because, like I said, if you want to have a total positive drainage system, the cost would astronomical. So we have sat with our consultant engineer; he has done his analysis, look at the soil condition, and we've come up with the best solution, given the budgetary constraints.

COMMISSIONER CHAMBERS: So the ex --

MAYOR MESSAM: The exfiltrate --

COMMISSIONER CHAMBERS: Right. That's -- to keep it simple, that's something that would similar to what they call a French drain?

MR. COLLINS: Yes.

COMMISSIONER CHAMBERS: Right. Where it would be -- it's pretty much like a soak away.

MR. COLLINS: Yes, that's percolation. We rely --

COMMISSIONER CHAMBERS: Percolation.

MR. COLLINS: -- on the soil condition; it will have some --

COMMISSIONER CHAMBERS: Okay. And it -- and it's not as efficient as piping the water away into a -- a manmade lake, or one of these canals that takes the water out to sea.

MR. COLLINS: It would not as be -- it would not as -- be as efficient.

COMMISSIONER CHAMBERS: Right.

MR. COLLINS: But it will certainly be a major improvement of -- over what is there right now.

COMMISSIONER CHAMBERS: Right.

MR. COLLINS: Which is pretty much --

COMMISSIONER CHAMBERS: So -- so given that, something what we want to encourage our resident -- obviously, we can't control the rainwater when it's fall, but we - in some ways, we can slow it down, so one of the things that need to be more widely utilized is the way we do our driveways with -- with concrete. Have it to slow down the water running very quickly to the road -- roadway, and that's -- do the driveway in smaller pieces, where you would have those small trenches. I've seen them, you know, around, so it's something that we need to encourage more, because the more roofs we have, the more pavement we have, is the more -- we going to have more water entering into the draining system quickly, and it takes a longer time to -- for that water to evaporate, or to drain away. So it -- it's something that we need to encourage our residents to do, or, maybe, Building Department, the code, we all got to get involved to, somewhat, minimize the flooding system. And -- and especially with trash, and debris, and stuff like that, maintain it, that way we don't have blockage and so forth.

MR. COLLINS: Yeah, every -- certainly, that's a very good point; every -- every little bit adds up.

COMMISSIONER CHAMBERS: Adds up, right, right.

MR. COLLINS: Yeah. Maintenance, not to park in your swale, not to destroy the swale.

COMMISSIONER CHAMBERS: Right.

MR. COLLINS: That swale is there for a particular purpose to assist --

COMMISSIONER CHAMBERS: A purpose to -- right. Okay.

MR. COLLINS: When they build that swale, and plant grass in the swale, and it does allow it to --

COMMISSIONER CHAMBERS: So I -- I think that's going to be -- moving forward, we have to have a educational system for Historic Miramar, as the -- I'm sure as more buildings going to go up, and, you know, it's a comprehensive program to educate the



folks as to how we can maintain the environment, and protect the drainage system that we have.

MR. COLLINS: Yes, certainly. We -- we plan to have a educational component to this, where we'll be having the public relations side of it. We're going to be having meetings with the residents to explain to them the importance of preserving the integrity of the swale system.

COMMISSIONER CHAMBERS: Right. Thank you so much, Mr. Collins.

MAYOR MESSAM: Just brief comments. I'm very excited about this continued progress, especially in Historic Miramar. You know this dates back to probably 12 -- 2012, 2013; then, at the time, I think AC -- ACM Hargray at the time, you know, basically. It was after the failure of the first infrastructure bill didn't pass, and we saw -- we know we needed drainage in the City, and the -- the putting a phased process in -- in -- in -- in the City to, basically, phase out the infrastructure improvements in Historic Miramar, and now we're in Phase IV, so these were promises we made to the community many years ago that, you know, it may take some time, but do know that we're coming. And to see that we finished Phase I, II, III, and now we're on Phase IV, with just a couple more to go. We are working hard to provide more resiliency in our historic side of town, and there will be some growing pains. It's refreshing to see that we have learned from the prior three phases, and that it will be implemented into this phase as well. I would urge staff to ensure that the customer service, and the customer response during construction, in terms of complaints from residents, that we -- that can happen in the process, that the contractor be held accountable to be as expeditious and responsive as possible in dealing with -- with these complaints. So if that requires a dedicated personnel on their part that -- you know, that they give some assurances that that process will be in place, because I know that we'll get the calls, and then we'll call you, and then we'll need them to be responsive. All right. May I have a motion on item number 16, please.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R7688, as presented, the Commission voted:

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

**Resolution No. 22-160**

MAYOR MESSAM: Item number 17, please.

17. Temp. Reso. #R7692 approving an amendment to **Fiscal Year 2021 - 2022 Community Development Block Grant Program Action Plan**; authorizing the reallocation of funds to Commercial Rehabilitation Program; authorizing submission of the Action Plan Amendment to the United States Department of Housing and Urban Development. ***(Resolution placed here for ease of presentation)*** *(Housing and Community Development Administrator Katherine Randall)*

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, approving an amendment to Fiscal Year 2021 - 2022 Community Development Block Grant Program Action Plan; authorizing the reallocation of funds to Commercial Rehabilitation Program; authorizing submission of the Action Plan Amendment to the United States Department of Housing and Urban Development, authorizing the City Manager to take all actions necessary and expedient to implement the strategies resulting from the amendment, and providing for an effective date.

MAYOR MESSAM: Good evening.

MS. RANDALL: Good evening. Good evening, Mayor, Vice Mayor, Commissioners, City Manager, the attorneys, City Clerk. Katherine Randall, Housing and Community Development Chief Administrator. We have before you today an amendment to the Community Development Block Grant Action Plan. Okay. Overview: The proposal to

amend the fiscal year '21/'22 Community Development Block Grant Annual Action Plan to reallocate funds from residential rehab program to the commercial rehabilitation program. The issue is there is a need to add additional funds to the commercial rehabilitation program to cover the increase of construction costs for pending rehabilitation project. Federal statute requires an amendment to an approved CDBG action plan to make a change to a program. The proposed reallocation of funds from fiscal year '21/'22 commercial rehabilitation is -- the existing \$100,000.00; we're proposing to move \$250,000.00 into that year, bring it up to 350. The residential rehabilitation currently has \$670,000.00; we're proposing to reduce that to 420. Now, why I say that, we still, currently, in housing rehabilitation, because that's a big program with the City, we have about -- close to \$2 million in those funds, so we -- even though -- with this change, we still have close to \$2 million in the housing rehabilitation program. Public notice: July 15<sup>th</sup>, we did a public -- a 30-day public comment period, July 16 through August 16; public hearing is tonight. Comments received tonight at this public hearing will be noted when the action plan amendment is submitted to the U.S. Department of Housing and Urban Development. City Manager recommends approval.

MAYOR MESSAM: Thank you for the presentation. Clerk received no request to speak on this item. Does any member in the public that's here in the Chambers wish to speak on this item? Any members from the public? Seeing none, back to the dais. Are there any questions or comments?

COMMISSIONER DAVIS: I have a question.

MAYOR MESSAM: Yes, Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: Thanks for the presentation. However, I -- I -- I know you mentioned about the residential rehab, and, you know, from time to time, maybe just recently, I've had people say they cannot seem to qualify to get any kind of rehab on their home. How is the status? We got \$2 million, and I know people have needs. How are we spending this money? Who qualifies, and who doesn't? And is there a long list of people waiting? I mean how do -- how do we have \$2 million not spent?

MS. RANDALL: Of that \$2 million, about five -- or half a million of it is already encumbered, so we -- it's been assigned to a resident, it's assigned to a contractor, and they're working on the project. So, of that, we still have in the pipe -- we were working off of a waiting list of about 61 people, so that waiting list, we -- we're going to receive, probably, about ten or 12 off of that waiting list, and the new monies come available in October, so we're going to open the list back up in October to receive more applicants. But of the two million, we have people in the queue to be -- be served. Have about, you know, about ten, 12 people in there that have been signed a contract, and everything.

COMMISSIONER DAVIS: Right. But then you still have another million --

MS. RANDALL: Yes.

COMMISSIONER DAVIS: -- that's not being utilized, and you have another amount of money coming up.

MS. RANDALL: We'll be working on the waiting list, so when -- once they assign the contractor, and they get going, then we start working on the other set, so it's a constant work -- working on them. We -- we have the applications come in; the application process, after we income qualify them, and we do the work write up, so we're constantly working. Even though we have in the queue of the \$5 million there, we're still -- wait -- putting more people on that list, so that queue is going to grow until we get it out. We're doing \$90,000.00 per house, so even though I'm saying, you know, \$2 million, that's not a lot when you come to -- and then they usually spend the whole \$90,000.00, especially with construction costs right now. But that's a hot program, and it's -- we recognize it in the City, we love it; we try to get them in as much as possible. Some people wait. I've heard the success stories. They waited, and they finally got called, so I always encourage them, don't give up, keep trying. And if an emergency comes up, if we have an emergency with the roof, then they bypass that waiting list. So sometime the waiting list is here, but if they have an emergency, we take care of that emergency first.

COMMISSIONER DAVIS: What about plumbing emergencies?

MS. RANDALL: Yes. And then we have them that have -- we've taken care of the emergency, and -- because emergency, you can do \$25,000.00, but then we roll them over to the -- the other program, the minor home repair, so you can get emergency, and then up to the 90, you can get the rest, because we had a plumbing in the City that had a problem, and she was on the emergency, and she was on the minor home repair list.

COMMISSIONER DAVIS: And, from what I recall, we were doing away with these -- like when it gets renewed, do they have to reapply, rather than carrying on this waitlist. You know, the waitlist -- people have been on the waitlist for like how long?

MS. RANDALL: Well, this -- the waitlist we're working on now is the waiting list we worked on last year. We -- we ending that list October 1<sup>st</sup>, and starting new, giving the people, you know, another chance to come in.

COMMISSIONER DAVIS: So those people on the list will have to reapply?

MS. RANDALL: Yes, if you didn't get called.

COMMISSIONER DAVIS: To reapply.

MS. RANDALL: We still work that million; we're still calling everybody on that list; we're going to still work that, but then October we're letting a fresh set of people apply.

COMMISSIONER DAVIS: And that fresh set -- set won't be added to the waitlist; that's a different --

MS. RANDALL: Yeah, that's different.

COMMISSIONER DAVIS: Different. Okay. All right, that's the only questions I have.

MAYOR MESSAM: Commissioner Chambers.

COMMISSIONER CHAMBERS: Thank you so much. I -- I -- I -- I glad you mention the \$90,000.00, because this program is such a needed program. So many people needed help; I wish we have \$20 million every year. I think it would get eaten up. How do we encourage our congress person, senator, lobby -- lobbyists to advocate for more money, so we can better serve our residents, because it's -- it's -- it's all kind of needs out there when it comes to someone home, or condo, or -- you know, it's -- how -- how can we accomplishing getting more money?

MS. RANDALL: Okay, so you're talking to add on to the 90, or just to assist --

COMMISSIONER CHAMBERS: Overall. The -- the overall budget, whether it's --

MS. RANDALL: Okay. So we are an entitlement city, so our funds come directly to us, so we really can't ask the County for any. We have three sets of pots: we have the State, we have HOME dollars, and we have the CDBG dollars, and so we -- we're doing SHIP and CDBG with minor home repair, and SHIP also serves as our purchase assistance. But our -- our census determines how much. Well, we had a bump, a little bump in our - - our allocation, but our allocation is what it is right now. Sometime the State -- there is a grant for hurricane mitigation that I'm going to apply for coming up -- it won't start until next year; I'll apply for that. It's like 200 and something thousand, but it only works on windows and doors.

COMMISSIONER CHAMBERS: It's -- it's still not a lot.

MS. RANDALL: It's not a lot, so we can go after everything we can get.

COMMISSIONER CHAMBERS: I mean that -- that might only cover, at a max, maybe three to four homes, when you have 100 --

MS. RANDALL: We -- we have the need. When we do our action plan, you know, we -- we get close to a million with CDBG -- CDBG dollars, but we break it up; we put in -- we put it into different programs, but minor home repair has the biggest pot.

COMMISSIONER CHAMBERS: Right, right.

MS. RANDALL: 600 and something --

COMMISSIONER CHAMBERS: And the biggest need.

MS. RANDALL: Right. And so it keeps -- every year, you know, so over \$1 million is going to hit that pot every year.

COMMISSIONER CHAMBERS: Okay. Because what I'm looking at also, I sees a few seniors, where their driveway need to be redone, it's completely -- asphalt is gone, it's dirt, grass, the exterior -- how do we help those folks? How do we create a program for those folks?

MS. RANDALL: Well, we -- within the minor home repair budget, we can, probably, carve out some money for drive -- but it's still coming out of the same pot --

COMMISSIONER CHAMBERS: Same pot, right.

MS. RANDALL: -- to help our seniors. You know, I -- I try to work with them on the waiting list, and try to get them through the emergency part.

COMMISSIONER CHAMBERS: Let -- let -- let me ask you. Can we do, like, maybe a little assessment, and then we see if it's something we could budget for from our side here at the City? Like what we're doing the erosion embankment for those resident on the east side who are -- their properties have been eroded? So maybe you could pick two homes per year, or three seniors that we could help them to rehabilitate their driveway, or -- and grass, and so forth.

MS. RANDALL: A federal program?

COMMISSIONER CHAMBERS: No. We -- we probably can do that -- look at it from our budget.

MS. RANDALL: Yeah, we can.

COMMISSIONER CHAMBERS: Okay. Thank you.

MS. RANDALL: Later.

COMMISSIONER CHAMBERS: Thank you so much..

MAYOR MESSAM: Are there any other -- any other questions or comments? May I have a motion on item 17, please.

VICE MAYOR COLBOURNE: Motion to approve.

COMMISSIONER CHAMBERS: Second.

MAYOR MESSAM: Record the votes.

CITY CLERK GIBBS: Commissioner Barnes.

COMMISSIONER BARNES: Yes.

CITY CLERK GIBBS: Commissioner Chambers.

COMMISSIONER CHAMBERS: Yes.

CITY CLERK GIBBS: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Yes.

CITY CLERK GIBBS: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Vice Mayor Colbourne, seconded by Commissioner Chambers, to approve Resolution #R7692, as presented, the Commission voted:

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

**Resolution No. 22-161**

MAYOR MESSAM: Item number 18, please.

- 18.** Temp. Reso. #R7691 considering additional Community Development Block Grant funding in the amount of \$100,000.00 for **Phase 2 of the commercial rehabilitation of Tower Shops** located at 6331 & 6343 Miramar Parkway. ***(Resolution placed here for ease of presentation)*** *(Economic Development & Revitalization Assistant Director Richard Hughes)*

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, considering additional Community Development Block Grant funding in the amount of \$100,000.00 for Phase 2 of the commercial rehabilitation of Tower Shops located at 6331 & 6343 Miramar Parkway, and providing for an effective date.

MAYOR MESSAM: Good evening.

MR. HUGHES: Good evening, Mayor, Vice Mayor, Commissioners, City Clerk, and City Attorneys. Richard Hughes with the Economic Development & Revitalization Department. I am here this evening to tell you about this project, and the need for additional funding. This is a Block Grant funded project in the historic area. The Tower Shops center is a 30,000-square foot shopping center that had previously received assistance to do an upgrade on its eastern section of the building as Phase 1. Now the second phase did receive funding from you back in April for \$240,000.00. At that time, it was anticipated that it would cover about 50 percent of the construction cost. So, at that time, following that meeting, we did go through construction bidding, but they came in at a much higher cost than we anticipated. As shown on the first bullet, the range was \$695,000.00 to \$795,000.00. So working with the low bid contractor at that 695 number, we were able to get the contractor to come down to a price of \$675,000.00, which was acceptable to the property owner, provided the City is willing to increase its funding by \$100,000.00, which would still keep it about a 50/50 -- would be around 50/50 percent match, which is typical of the program from past projects; just what the third bullet mentions. As you see on the screen here, this is showing the property at the north; this corner of 64<sup>th</sup> and Miramar Parkway. On the right-hand side in the dotted line was the first phase, and it was completed nine years ago, and the second phase, which is proposed here, is on the dark red -- solid red color in the western end of the property. This is the view standing in the middle of the street looking at it. On the right-hand side, you see the finished portion; you can see the edge there, where that -- that one shop is where the section still needs to be completed, it's to the west. This is just a rendering depicting what's proposed to finish out the project. City Manager is recommending approval. Happy to answer any questions.

MAYOR MESSAM: Thank you for the presentation. The Clerk received no requests to speak on this item. Are there any members from the public that wish to speak on this item? Any members from the public willing to -- wishing to speak on this item? Seeing none, back to the dais. Are there any comments or questions? May I have a motion, please.

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: Commissioner Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: Yes.

On a motion by Commissioner Barnes, seconded by Vice Mayor Colbourne, to approve Resolution #R7691, as presented, the Commission voted:

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

**Resolution No. 22-162**

## **ORDINANCE**

## **OTHER BUSINESS**

MAYOR MESSAM: On to other business. Commissioner Reports.

### **City Manager Reports:**

MAYOR MESSAM: Item number 19, please.

- 19.** Temp. Reso. #R7714 directing the city attorney to prepare an ordinance establishing a **retirement system for elected officials** of the City of Miramar that have served a minimum of eight years. ***(Sponsored by Commissioner Maxwell B. Chambers) (City Attorney Burnadette Norris-Weeks)***

CITY ATTORNEY NORRIS-WEEKS: A resolution of the City Commission of the City of Miramar, Florida, directing the city attorney to prepare an ordinance establishing a retirement system for elected officials of the City of Miramar that have served a minimum of eight years., and providing for an effective date.

MAYOR MESSAM: Is there a presentation for this item? If none, Commissioner Chambers, you're recognized.

COMMISSIONER CHAMBERS: Thank you, Mayor. There's no presentation. Just want to authorize the City Manager to have the City attorney take a look as to how we can look at the elected official retirement to see if we need to make some changes. And once the City attorney take a look and bring it back, then we can have a discussion. It's just to authorize the City Manager to give the City attorney the go ahead.

MAYOR MESSAM: Couple of questions. Currently, right now, the City Commission has a retirement plan through FRS; are there any specific changes to the current retirement plan for elected officials that is desired to be amended or changed?

COMMISSIONER CHAMBERS: Maybe just to look at what other cities are doing, if there's anything different from what we have, or something that, maybe, can strengthen what we have. It's to explore what's out there.

MAYOR MESSAM: Are there any other comments on this item?

COMMISSIONER BARNES: Yeah. HR Director in the Chamber. Maybe this question could be directed at him. Do we not already have rules and procedures that govern what this question is asking us to do? I'm sure Randy heard. Question for Randy.

MR. CROSS: Good evening, Mr. Mayor, Madam Vice Mayor, members of the Commission, Randy Cross. Commissioner Barnes, there are -- are requirements through the Florida Retirement System for the elected officials; it's spelled out in State statute, and a planned summary documents for what your contribution rate is, how the City funds the plan, what the benefits are; that's all laid out in the State statute in -- in the Florida Retirement System plan.

COMMISSIONER BARNES: Thank you.

MAYOR MESSAM: Vice Mayor Colbourne.

VICE MAYOR COLBOURNE: Thank you. I would be okay with doing some sort of analysis, having the City Manager do some sort of analysis, or explore some other retirement system, if there's another retirement system that you -- that you had in mind. The item, it says -- it states that it directs the attorney to prepare a retirement plan of some sort, and we do have one. So I -- I guess I don't like how the -- the item, itself, is written. But if -- if the idea is to -- is to do what you're saying, which is just to explore what else is out there, I would -- I would be okay with the City Manager looking into it, because staff is really the one who would do something like that. And -- and -- and then sharing that with the Commission.

COMMISSIONER CHAMBERS: And -- and -- and if there's something, they bring it back, and then we can have a meaningful discussion. I need consensus to authorize the City Manager to explore what's out there.

MAYOR MESSAM: Commissioner Davis, you're recognized.

COMMISSIONER DAVIS: I don't have a problem checking as to what's out there. I don't know if there's a better system than FRS out there. I know we've had FRS for a long time; I, personally, don't have it. But, you know, if somebody wants to look at some other things because they're in a pension system, then I -- I don't see why not. And if the Manager can go ahead and just do some research on that and bring it back.

MAYOR MESSAM: Is the -- yeah, I guess this is a question for the attorneys. I would imagine that the -- the Florida statutes that govern the FRS system, and we're on that -- that retirement system, as elected officials, would that require -- if there's to be a change, we would have to remove our pension benefit from FRS to a new retirement system, and what would that process look like? Because, based off the item, as written, it's saying to prepare an ord -- an ordinance to establish a retirement for elected officials of the City of Miramar that's -- have served a minimum of eight years, which means that this is a totally new ordinance that would create a new management system for elected officials for the City of Miramar. So what would that -- even when coming back, what would that process look like? Walk us through what that would look like.

CITY ATTORNEY POWELL: That's -- that would be part of the analysis. But, generally, the elected officials do have the option of **(unintelligible 2:36:12)** system. So, for example, if the option would be to create a elected official retirement system for the City of Miramar, obviously, the option would be to **(unintelligible 2:36:26)** into the new city-operated system, as you mentioned. That would managed within the City of Miramar through a board, or some type of process that -- how that retirement plan would be operated. And so I would imagine what the -- what the Commissioner is requesting -- and I believe Vice Mayor Colbourne is requesting also, is to create some type of memorandum or statement as to what are the different options, and what they would look like if, indeed, there was a system set up for the City of Miramar, and how that would function with what is currently in existence, and whether that would be a rollover, would there be an option to stay with what you have under FRS, and choose to -- or choose to invest or be brought into a city-run plan.

MAYOR MESSAM: Any other comments, or -- or statements?

VICE MAYOR COLBOURNE: Yeah. Just -- just to clarify, because you said that I'm requesting. I'm -- I'm just saying, instead of what's been presented to us, I would prefer to see some sort of analysis. I do have the same questions as to how -- what's the impact of the process of getting something done, in terms of changing our retirement system, if, indeed, that's what -- that was the desire of the Commission.

COMMISSIONER CHAMBERS: So I think we -- if we authorize the City Manager and the attorneys to take a look, bring us back whatever options are there, and we look at it. If it's not suitable, then we stay with what we have. If there's something different, if it's better, then we discuss it, and we move from -- from there.

MAYOR MESSAM: If there are no other -- well, if -- are there any members from the public that wish to comment on this item? Any members from the public in the Commission -- wanting to comment on this item? Seeing none, is there a motion on this item 19?

COMMISSIONER CHAMBERS: Motion to authorize the City Manager and the City attorney to bring us back multiple options.

MAYOR MESSAM: Is there a second?

VICE MAYOR COLBOURNE: So is that an amendment to the item, or changing the item how -- I just want to make sure how that is stated. The way that it's stated --

CITY ATTORNEY POWELL: I think the --

VICE MAYOR COLBOURNE: Because what he's saying is different from what the -- what the item --

CITY ATTORNEY POWELL: Right. If I may, Mr. Mayor. I think the motion would simply be a motion -- resolution of the Commission to authorize or direct the City Manager to prepare a memorandum, analyzing the different options, as compared to the FRS system, and what would a city-run system look like. So it would just simply be an informational memorandum, discussing the options.

VICE MAYOR COLBOURNE: Is that just something that we do by consensus?

MAYOR MESSAM: Well, this is a resolution, so it would be an amendment to this resolution -- it's a resolution that's on, it's not for -- it's not a discussion or a topic. It was submitted as a resolution, which needs to be voted on.

COMMISSIONER CHAMBERS: So what -- we're not changing anything tonight.

MAYOR MESSAM: No, you're not. It's -- it's --

COMMISSIONER CHAMBERS: Right.

MAYOR MESSAM: -- it's seeking a resolution --

COMMISSIONER CHAMBERS: It's a authorization.

MAYOR MESSAM: -- to direct.

COMMISSIONER CHAMBERS: Right.

MAYOR MESSAM: So it's -- it's amending your resolution, so it requires a motion and a second and a vote.

COMMISSIONER CHAMBERS: I have a motion on the floor. Motion to approve.

VICE MAYOR COLBOURNE: If, indeed, we want to proceed with it, once we have the information, then that particular resolution would still be good. To me, it would be a matter of deferring it until we get the information. Rather than voting on it, just -- I think you had 90 days or something on there. Just defer it to that period of time, when we have the information.

MAYOR MESSAM: But the item is -- the item is asking for -- for a directive; it's not asking for an ordinance. It's asking for a directive. So the attorney has suggested, based off the interpretation of the discussion to reflect what has been stated, so it would be an amendment to the resolution that has been submitted for our consideration. So my question -- is there a motion, either on this item, or the amendment? So we would need an amended motion to direct the City Manager to do what was stated.

COMMISSIONER CHAMBERS: So making a motion to amend the item, as to what was stated.

VICE MAYOR COLBOURNE: I 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 Davis.

COMMISSIONER DAVIS: Yes.

CITY CLERK GIBBS: Mayor Messam.

MAYOR MESSAM: No.

On a motion by Commission Chambers, seconded by Vice Mayor Colbourne, to approve Resolution #R7714, as presented, the Commission voted:

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

**Resolution No. 22-163**

COMMISSIONER CHAMBERS: I would continue with my --

MAYOR MESSAM: Commission reports -- the motion carries. Motion carries.

COMMISSIONER CHAMBERS: Thank you. Just want to touch on Miramar National Night Out. I want to thank the Fire Department, and the Police Department for coming out and support various events throughout the City; participation was up back from the pandemic. I also would like to say thanks to all the different celebration here in the City of Miramar, and around the County, supporting the Jamaican government, and the Jamaican people that celebrating their independence, a diamond jubilee. Myself have the opportunity to be in Jamaica at the Stadium, it was a tremendous milestone in Jamaican history. It's quite an experience, a country that's so small, and they've achieved that milestone; they have done so many great things in a big way. Also have the opportunity to attend the Jamaican Atlanta Association Ball, which celebrates Jamaican Independence, and at the Atlanta Jamaican Association 45 years in existence. Let me say our -- the country, Trinidad and Tobago is coming up with their 60<sup>th</sup> -- I -- this -- later this month, and I know they have a -- a ball that's going to be celebrated on the 20<sup>th</sup>. I know they are expect us to support them also to their great country, great people, they are here with us in Miramar, and all over the United States. We like their soca and calypso music, so let's give them our support. Quite a number of back-to-school giveback, and the school have reopen, so we welcome back our student and parents and teachers back into our schools. Tonight there's a celebration at the Multi-Service celebrating 135 years of our beloved Marcus Mosiah Garvey birthday, and sorry that I couldn't be there, but I know a lot of folks were there celebrating tonight at the Multi-Service. I know, coming up this week, we're going to have a firefighter graduation, and I wish all my fire folks well. My apology, I won't be there; I have another business to attend to, so my sincere apology, and one of my assistant will be there to represent me in my absence. I want to encourage everyone to talk to your -- to yourself, your wife, your daughter, your mom, just everyone in your family to please not to leave any items of value in your car, not in plain sight. Put them in the trunk, or take them with you, or leave them at home. It take seconds, five

minutes, two minutes, ten minutes once you leave your car for someone to take the opportunity to break your window, and to steal your purse, especially, and your valuables. So, please, let's try to encourage each other not to leave anything in their car. I have a question for staff to -- you don't have to answer tonight. But, please, I notice the rain -- I think it was yesterday, it was a lot of rain, and there's a puddle just between the City Hall and the Cultural Center, big puddle of water there that settle there. I hope that's something that's going to be fixed. I don't know if it's due to the construction, but it's not good driving through there, so please look into that, so we don't have all -- that much water sitting there when it's rain. And, finally, Mr. Mayor, you have released my oxycodone tonight. Thank you for running a successful meeting. You must be complimented for the way you run the meeting tonight. Thank you so much. It's different. I really appreciate it. I applaud you, sir. Thank you.

MAYOR MESSAM: Commissioner Barnes, report?

COMMISSIONER BARNES: Yes. First of all, I would extend the heartiest of thanks to staff who facilitated our citizenship drive this past weekend. Staff is always extending itself, but this time around was -- was more so than before. To give you a measure of what it was like, we processed a 140 something applicants, and I think 107 were ready to go on to actually send in their applications. To understand the extent to which staff gave of their service, the drive should have run 10:00 a.m. until 2:00 p.m.; staff were there until after 6:30. I thank you so much for extending yourselves, and I'd like to also extend a very special thanks to the attorneys who volunteered to work along with us this past Saturday. Thanks to the Mayor for collaborating with us around this time. Regarding Jamaica's Independence, it's a very special occasion for me, as on the evening of Sunday the 5<sup>th</sup> of August in 1962, I was a member of a choir assembled on the field of the National Stadium in Kingston, Jamaica, who sang the national anthem for the first official time, as Sunday night became Monday morning, the 6<sup>th</sup> of August 1962, a very special time for me. I thank you.

MAYOR MESSAM: Commissioner Davis, you have a report?

COMMISSIONER DAVIS: Thank you, Mr. Mayor. I'd just like to commend the City Manager and his staff for the work that they're continuing to do in the City, and, notably, folks who live out the area near where I live will notice that the -- the homeless couple have been relocated, and, hopefully safely so. And I'd like to certainly commend ACM Adam Burden for his work in that; that had been going on for a long time. It's really not an ideal situation to have folks sleeping on bus benches, and -- and defecating and urinating in public. And so I really -- I thank you for having that -- the problem solved, and we want to make sure that the homeless find proper shelter, and -- and -- and a place to really go, and not live on the streets, so that was great. In addition, we talked about the Jamaican Independence, and, for the first time ever -- again, thanks to the City Manager, and in particular the work done by ACM Stevens -- Stephen Johnson, sorry, with lighting up the water tower for the first time. And I've lived in the City over 30 years; that water tower needs a facelift. But when you can see using that water tower as a work of art,

somewhat, where you actually lighting it up, who knew that we had a purpose for that water tower. People always look at other places, Niagara Falls, the Eiffel Tower; we have our own tower here, and it was great to see the colors of the Jamaican flag; I certainly thank you for your efforts, ACM Johnson, in -- in that. And, of course, the team; of course, marketing had a lot to do with it. I'm sure, you know, other departments were involved, and we thank them for their efforts. I -- I have biweekly meetings with the City Manager, and they -- they normally prove very fruitful, and I -- I bring certain things that I see in the community that need attention. And he's currently working on several of them, but I just wanted to bring them to light. One recent one was noticing that there is really no wayfinding sign on Pembroke Road as you enter into the City of Miramar. The City of Miramar does not start on 441 at the intersection of Miramar Parkway. We seem to forget that there is Pembroke Road, and it does need attention, so much so that I traveled there the other day, and I noticed not one bus bench in that neighborhood coming from University Drive heading east to 441. What are those folks supposed to do? The bus stops there, like ancient days, not even a seat for people to sit down on. We need to do a better job of getting the County to recognize that Pembroke Road is still part of Miramar. You cross over 441, you go to West Park, beautiful bus benches with coverings; we cannot neglect, and continue to forget Pembroke Road, which is a portion of Miramar. So I know the City Manager is working on those things for me. And then one final thing that I thought is very interesting, it actually was brought to my attention by a resident who just happened to be a relative of mine with regards to online payments. And it -- it never really occurred to me that I pay my utility bill online; I pay, you know, a lot of my bills that way; I don't try to do automatic, I just like to get my bills in the mail, and pay them. And it was brought to the attention that this person found it very odd, and a little unsettling that all you needed was your customer ID from your bill. Anybody could get your -- your bill, and open it up, customer ID, and go onto the website, and go in and look at your account. And, you know, I don't know if they want to pay your bill, but there was no requirement for username or password, which is typical when you're paying your payments online. So these things I brought to the attention of the Manager, and he's receptive to looking at how we can improve upon these things that I've -- I've -- I've pointed out, and making sure that we have a safer system of online payments, whether it's utilities or anything else, we need to establish a username and password, and so we're looking at that. But that's it from me, and I certainly appreciate all the work everyone's doing. I -- I probably left out a lot of different departments. I'm there's always Parks, always busy. They had a beautiful event just recently, Soggy Doggy event, the only one that really is held in, I think, Broward, and those dogs loved it in that park -- in the -- in the -- in the pool. And the -- the owners of the dogs themselves were enjoying the pool activities. There was ice cream, and these are very innovative ideas, and we certainly thank you for that kind of innovation, and we hope that that will continue in the Parks Department. So, once again, good job. Thank you.

MAYOR MESSAM: Vice Mayor Colbourne, report?

VICE MAYOR COLBOURNE: Welcome back everybody. It's exciting to be back after our summer break, and looking forward to our budget meetings. Just -- just one thing. After



-- one of the things that MPO does is that every five years they update -- they do a update of their -- of all the projects that they have, and they're going to be doing that next year, so in anticipation of that, I will be asking residents to go ahead and submit projects and so forth. So by the time we get to where the MPO is actually soliciting projects, that we will -- the City will have some input from the residents, and, basically, when I -- when I'm talking about projects, it's -- it would be any type of projects or ideas that residents feel will improve our -- our transportation system, our roadways, whether it's a new road or -- or any -- any ideas like that that -- that we can -- we can evaluate, and be ready to submit it, so -- so I will be putting out something on that, and if you guys have any ideas, as well, you can certainly submit them. Thank you.

MAYOR MESSAM: Just a couple of -- just a couple of announcements. Would like to thank the City staff, Manager, and team for responding to just several requests, two of note. There was a concerned re -- resident regarding a tree from Sunset Lakes Community Center that encroached up to the fence on Sunset Lakes, where someone could easily just step on the branch, and hop over into the -- the school property very easily, and staff took care of that, for that potential security breach, as well as tree trimming in the median of Island Drive that we received some calls on. So I just want to thank staff for being responsive to those needs. Kudos to City staff in regards to your support for the Jamaica 60 Emancipendence event that took place at the amphitheater in the middle of a hot, August day. The community came out and really enjoyed themselves, so thanks for the collaboration and the teamwork, and the event was well received. And also would like to thank City -- my colleagues on the City Commission, as well as City staff members who either attended my swearing in as the President of the Florida League of Mayors during the Florida League of Mayors business meeting during the Florida League of Cities Conference, or at the reception. Your -- your presence was felt and appreciated, and as we continue to work together to make our City proud, as it relates to our relationships across the State. And -- and my representation as President of Florida League of Mayors stands on the shoulders of the great work that we're doing here in the City of Miramar, and I know that I don't represent just myself, but I represent this community, I represent the City, and -- and it's a honor to have the privilege to represent mayors across the State of Florida, as we continue to work to make our State the best place to live for our residents throughout the State of Florida, so -- so many thanks.

### **City Manager Reports:**

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

CITY MANAGER VIRGIN: Yes, Mr. -- just a -- a brief comment. I want to thanks staff for -- and this has been a longstanding problem in the -- in the parking garage, where there's -- there's no telephone -- cell phone signal. And we were able to have one company, T-Mobile, who installed six booster units, that's for all three floors, the ground floor, second, and -- and the third floor. So those who have T-Mobile are -- are -- are able to get those signals. We're working diligently to get the other carriers, Verizon and -- and AT&T to do the same. But most importantly, this is coming at no cost to the City. These -- these

providers have committed to install these booster units without any cost to the City. I just really want to take the opportunity to -- to -- to bring that out to -- to the community. That's it.

MAYOR MESSAM: Thank you. I did forget something, and it's just a note. I can't recall if I brought this up at a -- another meeting, but I continue to hear, regarding our schools, and the receptions at the schools. It -- our resource officers can't get radio signal in the buildings. It's not just at one school, it's at several schools. In fact, it's an issue across - - I think it's an issue across the district. I have a couple of calls out to various schools to see if -- if that is an issue. So I'll just make a request if Chief Burgess, if you'll reach out to the Broward Sheriff's Association to -- just to touch bases with the respective agencies across Broward County to see if their SROs are experiencing the same challenges at schools. We really need to get on top of this. If there's a -- if there's a -- a security issue, in terms of a shooter, or any incident that may take place on one of our school campuses, and our police officers can't communicate in the building, due to transmission challenges, where the radio frequency -- I'm not sure if it's because of the structure of the -- the schools themselves that prevent communication transmission, but that's a -- it's a very serious issue. So I'm sounding the alarm. We need to galvanize and take the leadership on this in throughout the County to see what can be done. I'm sure there are some solutions that can -- can either boost signal, just like the topic that you just spoke about, in terms of in -- in the garage, and not having the signals. But, God forbid, that there be some incident at a school, and we can't communicate with our officers with boots on the ground, you know, with -- you know, with -- with the command staff, as it's -- it's -- it's a very serious situation. So I look forward to getting a report on that. Thank you.

### **City Attorney Reports:**

#### **20. PULLED**

MAYOR MESSAM: I think we have a shade meeting to announce.

CITY ATTORNEY NORRIS-WEEKS: Thank you, Mr. Mayor. I have two. At approximately 6:15 p.m. on Wednesday, September the 7<sup>th</sup>, or as soon thereafter as it may be heard, the City Commission shall meet privately to discuss pending litigation, pursuant to Section 286.0118. The case, Christina Bodden, as personal representative for the estate of Lorna Parchment; the executive, closed-door session will take place on the third-floor conference room at 2300 Civic Center Place, Miramar, Florida. Present at the attorney/client session will be Mayor Messam, Vice Mayor Colbourne, Commissioner Barnes, Commissioner Davis, Commissioner Chambers, City Manager Roy Virgin, City Attorneys Burnadette Norris-Weeks, Norman Powell, Michelle Austin Pamies, and on-the-record court reporters. The estimated length of this attorney/client session is 15 minutes. At approximately 6:30 on Wednesday, September 7<sup>th</sup>, 2022, or as soon thereafter as it may be heard, the City Commission shall meet privately to discuss pending litigation, pursuant to Section 286.0118, in the case of Gaston Re -- Redondo vs. City of Miramar, and Flamingo Estates Maintenance Association, Inc., and Florida Sidewalk

Solutions, LLC, Case No. CACE 19-024780. The executive, closed-door session will take place on the third-floor conference room at 2300 Civic Center -- Civic Center Place, Miramar, Florida; present at the attorney/client session will be Mayor Messam, Vice Mayor Colbourne, Commissioner Barnes, Commissioner Chambers, and Commissioner Davis, City Commissioner -- City Manager Roy Virgin, City Attorneys Burnadette Norris-Weeks, Norman Powell, Michelle Austin Pamies, and on-the-record court reporters. The estimated length of the attorney/client session will be 15 minutes. And, Mayor Messam, I also would like to -- and Vice Mayor, and Commissioners, I'd also like to take the privilege to introduce you all to a new associate, who happens to be sitting in the audience; she's been here, and I've asked her to wave. Her name is **Jordan Garry 3:04:34**; she'll be assigned to the City of Miramar, and we'll see more of her in the future, just graduated from the University of Miami Law School. And this is her first Miramar meeting. We're really excited to have her; she's clerked for a judge, she's also been active in law school as the president of the Black Lawyers Association, and -- and she's just a bright, young woman that we're happy to have as a part of our team. Thank you.

MAYOR MESSAM: Commissioner Davis.

COMMISSIONER DAVIS: Yes. Thank you so much. Sorry about that. I did not hear earlier in the condolences my staffer, Erlande, her sister passed away in Haiti, so I'd like to extend deepest condolences to her and her family, and she'll be traveling over to Haiti on Monday to -- to bury her loved one. And -- and then, just in, I do see where condolences are due to the family of Officer Cesar Echeverry, who has succumbed to his injuries from the shooting just recently in Liberty City. So just to keep his family in prayers, and to all of our officers who are out there in the line of duty, we just want to wish them safety in their jobs, and making sure that they -- they go home safely to their families when they're out there. When there's a loss like this, we certainly band together with our officers in extending deepest condolences to you all, and the family of Cesar Echeverry. Thank you.

MAYOR MESSAM: There's a --

VICE MAYOR COLBOURNE: Yeah. I just wanted to -- I was not able to attend your swearing in, but I did want to say congratulations to you, and thank you so much for the way that you represent our city outside of our city. Unfortunately, or fortunately I was at NLC, National League of City event, so I could not attend, but congratulations --

MAYOR MESSAM: Thank you.

VICE MAYOR COLBOURNE: -- to you.

COMMISSIONER CHAMBERS: Congratulations, Mayor.

MAYOR MESSAM: Thank you, Commissioner. Mr. Powell, you have an announcement?

CITY ATTORNEY POWELL: Yes, Mr. Mayor. I just wanted to have the personal privilege -- thank the Miramar Police Department, and just recognize their efforts in enforcing Florida's Red-Flag Laws. Over the last year, the Miramar Police Department has assisted in utilizing the Red-Flag Law process to have 14 risk protection orders entered, and why I'm actually taking the time to do this is because in order to do these cases, at times, some of these officers are on vacation, it's after hours, it's a expedited process, and they do drop what they're doing to help prepare for the evidentiary hearings that go on in this process. So I just wanted to thank them, and to let everybody know that Miramar has become the leader in enforcing risk protection orders. There are a lot of cities that did not take advantage of this process to make their city safe, and the other cities should definitely follow.

## **FUTURE WORKSHOPS**

<b>Date</b>	<b>Time</b>	<b>Subject</b>	<b>Location</b>
<b>09/07/22</b>	<b>4:00 p.m.</b>	Events Workshop	Commission Chambers

## **ADJOURNMENT**

### **21. VOTE TO ADJOURN**

MAYOR MESSAM: May I have a motion to adjourn?

COMMISSIONER CHAMBERS: Motion to adjourn.

VICE MAYOR COLBOURNE: Second.

MAYOR MESSAM: All right, we're adjourned.

The meeting was adjourned at 10:20 p.m.

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Denise A. Gibbs, CMC  
City Clerk  
DG/cp