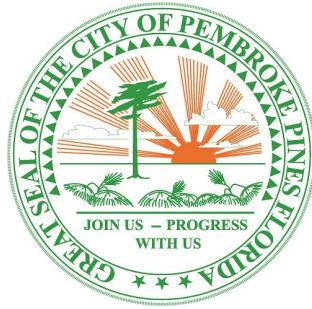


City of Pembroke Pines, FL

*City of Pembroke Pines
Charles F. Dodge City Center
601 City Center Way
Pembroke Pines, FL 33025*



Meeting Minutes

Wednesday, August 30, 2023

6:30 PM

6:30 PM Special Meeting / Closed Door Shade Session / Executive Session (Labor Matters). Option B added to Special Meeting item and republished.

Commission Chambers

City Commission

*Mayor Frank Ortis
Vice Mayor Iris A. Siple
Commissioner Jay D. Schwartz
Commissioner Thomas Good Jr.
Commissioner Angelo Castillo*

6:30 PM SPECIAL COMMISSION MEETING FOLLOWED BY CLOSED DOOR SHADE SESSION.**6:30 PM SPECIAL COMMISSION MEETING CALLED TO ORDER****ROLL CALL**

Present 5 - Mayor Frank Ortis, Vice Mayor Iris A. Siple, Commissioner Jay D. Schwartz, Commissioner Thomas Good Jr., and Commissioner Angelo Castillo

Also present: City Manager Charles F. Dodge, City Attorney Samuel Goren, and City Clerk Marlene D. Graham.

Vice Mayor Siple participated in the meeting by phone.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Ortis.

RESOLUTION:

1. **2023-R-08** DISCUSSION AND POSSIBLE ACTION TO SELECT ONE OF THE FOLLOWING EMERGENCY SOLID WASTE DISPOSAL AGREEMENT OPTIONS, LISTED AS OPTION A OR B BELOW:

OPTION A) MOTION TO ADOPT PROPOSED RESOLUTION 2023-R-08.

PROPOSED RESOLUTION 2023-R-08 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF THE SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR SOLID WASTE DISPOSAL AND SUPPORT SERVICES, ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THE SECOND AMENDMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

OPTION B) MOTION TO APPROVE ENTERING INTO AN AGREEMENT WITH WASTE CONNECTIONS OF FLORIDA FOR SOLID WASTE DISPOSAL SERVICES IN THE BEST INTEREST OF

THE CITY PURSUANT TO SECTION 35.18(C)(8) OF THE CITY'S CODE OF ORDINANCES.

Commissioner Schwartz made a motion, seconded by Commissioner Good, to approve OPTION B as follows: Motion to approve entering into an agreement with Waste Connections of Florida for Solid Waste Disposal Services in the best interest of the City pursuant to Section 35.18(c)(8) of the City's Code of Ordinances.

The motion carried by the following vote:

Aye 5 - Mayor Ortis, Vice Mayor Siple, Commissioner Schwartz, Commissioner Good Jr., and Commissioner Castillo

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren stated the emergency meeting was properly noticed, referencing Section 1.07 of Broward County's Charter for the record.

City Attorney Goren then read Proposed Resolution 2023-R-08, Options A & B into the record by title.

Commissioner Schwartz, Commissioner Good, Commissioner Castillo, Vice Mayor Siple, and Mayor Ortis spoke in support of Option B.

City Manager Dodge responded to the questions of the Commission. He said the City would not be able to modify or terminate the 5-year agreement proposed by the County. Mr. Dodge said that if the City chose Option B, there would be a provision in the agreement for a CPI adjustment that would not exceed 5%.

Mr. Dodge further clarified the difference between the Interlocal Agreement with Broward County for municipal solid waste disposal and recyclable materials rejected by Commission vote at the Special Commission Meeting on August 23, 2023. the 5-year Interlocal Agreement with Win-Waste (formerly known as Wheelabrator) that had an existing Interlocal Agreement with Broward County under Option A. Under Option B the City would enter into a 3-year Interlocal Agreement with Waste Connections of Florida, Inc.

Grant Smith, Esquire, 401 East Las Olas Boulevard, addressed the Commission on behalf the client, Waste Connections of Florida, Inc. Mr. Smith confirmed that municipal solid waste would be hauled to Waste Connections' JED landfill in the City of St. Cloud, Florida. Mr. Smith also confirmed that Waste Connections would not utilize incineration to process waste in their facility.

City Manager Dodge spoke about the letters of interests discussed at the Special Commission regarding utilizing technology that would recycle approximately 75% of the City's municipal solid waste. He said the technology could be ready in less than 5 years and that he did not wish to lock the City in an agreement that could cause the process to be delayed.

City Attorney Goren stated hard copies of the Option B agreement with Waste Connections of Florida, Inc. were available to the public in the Commission Chambers.

The following members of the public spoke on the item:

Vincent Parlatore, Pembroke Pines, FL

James Laskey, 5780 SW 188th Avenue, Southwest Ranches, FL

Marianne Allen, 12701 Mustang Trail, Southwest Ranches, FL

Commissioner Schwartz requested a copy of the Memorandum read and referenced by Ms. Allen who addressed the Commission as a member of the public. Commissioner Schwartz asked for the Memorandum to be included in the minutes for the record. **[Attached hereto as Exhibit "A"]**.

City Attorney Goren reiterated the emergency circumstance according to the County's Charter and re-read Proposed Resolution 2023-R-08, Option B into the record by title.

ADJOURN 7:30 PM

7:35 PM [or such time as the Special Commission Meeting adjourns] PUBLIC PORTION OF SHADE SESSION CALLED TO ORDER

**NOTICE OF SPECIAL MEETING / SHADE SESSION
PEMBROKE PINES CITY COMMISSION**

MEMBERS OF THE PEMBROKE PINES CITY COMMISSION, CITY MANAGER, CITY ATTORNEY SAMUEL S. GOREN, ASSISTANT CITY ATTORNEYS JACOB HOROWITZ, AND MICHAEL D. CIRULLO, AND SPECIAL COUNSELS CINDY LAQUIDARA, ESQ., AND WILLIAM HANDLE, ESQ., BOTH WITH AKERMAN LLP, WILL MEET IN A SHADE SESSION PURSUANT TO SECTION 286.011(8), F.S., TO DISCUSS PENDING LITIGATION IN THE CITY OF PEMBROKE PINES V. CITY OF HOLLYWOOD, 17TH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA CASE NO. 18-015330;
CITY OF PEMBROKE PINES V. CITY OF HOLLYWOOD, 17TH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA CASE NOS. 01-014030, 18-002017.

DATE: WEDNESDAY, AUGUST 30, 2023

TIME: DIRECTLY FOLLOWING THE 6:30 PM
SPECIAL COMMISSION MEETING

PLACE: CITY OF PEMBROKE PINES
CITY HALL FIRST FLOOR
COMMISSION CHAMBERS
601 CITY CENTER WAY
PEMBROKE PINES, FL 33025

ROLL CALL

Present 5 - Mayor Frank Ortis, Vice Mayor Iris A. Siple, Commissioner Jay D. Schwartz, Commissioner Thomas Good Jr., and Commissioner Angelo Castillo

Vice Mayor Siple participated in the meeting by Webex call.

Also present: City Manager Charles F. Dodge, City Attorney Samuel Goren, Assistant City Attorneys Jacob Horowitz and Michael Cirullo; and City Clerk Marlene D. Graham.

Special Counsels Cindy Laquidara, Esq. and William Handle, Esq., both with Akerman LLP, participated by Webex call.

A Court Reporter from Esquire Deposition Solutions, LLC was in attendance.

City Clerk and the public left the room.

SAMUEL S. GOREN, ASSISTANT CITY ATTORNEYS JACOB HOROWITZ, AND MICHAEL D. CIRULLO, AND SPECIAL COUNSELS CINDY LAQUIDARA, ESQ., AND WILLIAM HANDLE, ESQ., BOTH WITH AKERMAN LLP, WILL MEET IN A SHADE SESSION PURSUANT TO SECTION 286.011(8), F.S., TO DISCUSS PENDING LITIGATION IN THE CITY OF PEMBROKE PINES V. CITY OF HOLLYWOOD, 17TH JUDICIAL CIRCUIT IN AND FOR **BROWARD COUNTY, FLORIDA**
CASE NOS. 01-014030, 18-002017.

Shade Session called to order at 7:08 PM

Mayor Ortis opened the public portion of the Shade Session. City Attorney Goren introduced Special Counsel Cindy Laquidara and Special Counsel William Handle who joined the shade session via Webex call due to Hurricane Idalia in northern Florida. Vice Mayor Siple also joined the meeting via Webex call from home due to illness.

7:24 PM public portion of Shade Session recessed.

City Attorney Goren introduced the purpose of the shade session before Mayor Ortis recessed the public portion of the shade session.

RECESS PUBLIC PORTION OF SHADE SESSION

RESUME PUBLIC PORTION OF SHADE SESSION

ROLL CALL

Present 5 - Mayor Frank Ortis, Vice Mayor Iris A. Siple, Commissioner Jay D. Schwartz, Commissioner Thomas Good Jr., and Commissioner Angelo Castillo

Vice Mayor Siple participated in the meeting by phone.

Also present: City Manager Charles F. Dodge, City Attorney Samuel Goren, Assistant City Attorneys Jacob Horowitz and Michael Cirullo; and City Clerk Marlene D. Graham.

Special Counsels Cindy Laquidara, Esq. and William Handle, Esq., both with Akerman LLP, participated by phone.

A Court Reporter from Esquire Deposition Solutions, LLC was in attendance.

City Clerk and the public left the room.

SS-2 23-0631

[SS-2: SECOND SHADE SESSION]: MEMBERS OF THE PEMBROKE PINES CITY COMMISSION, CITY MANAGER, CITY ATTORNEY SAMUEL S. GOREN, ASSISTANT CITY ATTORNEYS JACOB HOROWITZ, AND MICHAEL D. CIRULLO, AND SPECIAL COUNSELS CINDY LAQUIDARA, ESQ., AND WILLIAM HANDLE, ESQ., BOTH WITH AKERMAN LLP, WILL MEET IN A SHADE SESSION PURSUANT TO SECTION 286.011(8), F.S., TO DISCUSS PENDING LITIGATION IN THE CITY OF PEMBROKE PINES V. CITY OF HOLLYWOOD, 17TH JUDICIAL CIRCUIT IN AND FOR **BROWARD COUNTY, FLORIDA CASE NO. 18-015330.**

City Attorney Goren introduced the purpose of the shade session before Mayor Ortis recessed the public portion of the shade session.

RECESS PUBLIC PORTION OF SHADE SESSION

RESUME PUBLIC PORTION OF SHADE SESSION

SHADE SESSION ADJOURNED

Executive Session immediately following the Shade Session

NOTICE OF EXECUTIVE SESSION

NOTICE IS HEREBY GIVEN THAT THE MAYOR AND COMMISSION, CITY MANAGER AND CITY ATTORNEY WILL MEET IN AN EXECUTIVE SESSION TO DISCUSS LABOR MATTERS UNDER THE PROVISIONS OF CHAPTER 447 OF THE FLORIDA STATUTES WHICH WILL COMMENCE AT THE CONCLUSION OF THE SECOND SHADE SESSION.

ADJOURN - 11:30 P.M.

CITY OF PEMBROKE PINES

Marlene D. Graham, CMC
City Clerk