

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, October 17, 2018

6:30 PM

6:30 PM Regular Commission Meeting. Addendum #1 Proposed Resolution 2018-R-40 [ADD-#1] added to agenda on 10/15/2018 [ADD #2] added to Consent 10/17/2018.

Commission Chambers

City Commission

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

6:30 PM REGULAR MEETING CALLED TO ORDER

ROLL CALL

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

Also present: City Manager Dodge, City Attorney Goren and City Clerk Graham.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Wendell Ensey of Century Village.

PRESENTATIONS:

PRE-1 18-1241 PRESENTATION #1: MAYOR ORTIS WILL PRESENT A PROCLAMATION TO THE SOUTH FLORIDA YOUNG MARINES RECOGNIZING OCTOBER 23-31, 2018 AS RED RIBBON WEEK IN THE CITY OF PEMBROKE PINES.

Mayor Ortis read and presented a proclamation to a Representative from the South Florida Young Marines accepted the proclamation.

PRE-2 18-1242 PRESENTATION #2: MAYOR ORTIS WILL PRESENT A PROCLAMATION TO COLLETT SMALL, FLORIDA STATE GUARDIANSHIP ASSOCIATION, RECOGNIZING OCTOBER 2018 AS GUARDIANSHIP AWARENESS MONTH IN THE CITY OF PEMBROKE PINES.

Mayor Ortis read and presented the proclamation to Ms. Heather Hasandras, who accepted the Guardianship Awareness Month proclamation on behalf of Ms. Collett Small.

Ms. Hasandras expressed thanks to the Commission for the honor on behalf of Ms. Small.

PRE-3 18-1243 PRESENTATION #3: MAYOR ORTIS WILL PRESENT A PROCLAMATION TO ROBERT L. GOLTZ, PRESIDENT AND CEO OF THE MIRAMAR PEMBROKE PINES REGIONAL CHAMBERS OF COMMERCE, FOR BEING NAMED "2018 CHAMBER EXECUTIVE OF THE YEAR" BY THE FLORIDA ASSOCIATION OF CHAMBER PROFESSIONALS.

Mayor Ortis read and presented Mr. Robert Goltz with a proclamation.

Mr. Goltz expressed thanks to the audience and Commission for the honor.

PRE-4 18-1250 PRESENTATION #4: MAYOR ORTIS WILL PRESENT A PROCLAMATION TO THE NATIONAL WILDLIFE FEDERATION RECOGNIZING OCTOBER 2018 AS CERTIFIED COMMUNITY WILDLIFE HABITAT MONTH.

Mayor Ortis read and presented the proclamation to Mr. Patrick Fitzgerald, who is one of the leaders of the National Wildlife Organization.

Mr. Fitzgerald spoke briefly about the program, expressing thanks to the audience and Commission. He introduced some of the local members from the City of Pembroke Pines.

PRE-5 18-1253 PRESENTATION #5: NATIONAL WILDLIFE FEDERATION (NWF) WILL PRESENT A CERTIFICATE TO THE CITY OF PEMBROKE PINES CERTIFYING OUR CITY AS A NATIONAL WILDLIFE HABITAT COMMUNITY.

Ms. Rose, NatureScape Outreach coordinator, along with Mr. Patrick Fitzgerald, addressed the Commission, and presented a certificate of recognition to Mayor Ortis, who accepted the award on behalf of the Commission.

PRE-6 18-1264 PRESENTATION #6: MAYOR ORTIS WILL READ A PROCLAMATION RECOGNIZING THE WEEK OF OCTOBER 22-28, 2018 AS FLORIDA GOVERNMENT WEEK IN THE CITY OF PEMBROKE PINES.

Mayor Ortis read the proclamation for Florida City Government Week. Mayor Ortis also spoke about the "Coffee with the Mayor" event taking place on October 24, 2018 from 8:00am to 9:30am.

PRE-7 18-1277 PRESENTATION #7: AWARDS PRESENTED TO THE WINNERS OF THE ANNUAL FIRE PREVENTION WEEK POSTER CONTEST FROM LOCAL SCHOOLS.

Mayor Ortis along with Fire Chief Picarello and Fire Marshall Sandra Lluís presented awards to the following students:

Chapel Trail Elementary School had an honorable mention.

3rd Place Winners

Victoria Arencibia, Kindergarten - Montessori Academy
Amber Huergo, 1st grade - Somerset Academy
Sidharth Mudusu, 2nd grade - Somerset Academy
Addison Grotz, 3rd grade - Lakeside Elementary
Sadie Rodriguez, 4th grade - Somerset Academy
Vanessa Angel, 5th grade - Pines Charter Central Campus

2nd Place Winners

Gabriela Vazquez, Kindergarten - Somerset Academy
Mar'Lissandro Stoute, 1st grade - Pines Charter East Campus
Amari Charles, 2nd grade - Montessori Academy
Vedant Pant, 3rd grade - Lakeside Elementary
Matthew McGovern, 4th grade - Pines Charter West Campus
Vaishnavi Kuppala, 5th grade - Pines Charter East Campus

1st Place Winners

Sophia Borroto, Kindergarten - Somerset Academy
Ronak Arya, 1st grade - Somerset Academy
Alexa Ahamad, 2nd grade - Montessori Academy
Netram Agrawal, 3rd grade - Pines Charter West Campus
Zaniah Richards, 4th grade - Renaissance Charter School
Zane Thompson, 5th grade - Pines Lakes Elementary

ANNOUNCEMENT OF ITEMS TO BE PULLED FROM AGENDA

ACKNOWLEDGMENTS:

Commissioner Schwartz acknowledged the Boy Scouts in attendance at the Commission meeting to receive their community badges.

The Clerk announced no items pulled.

ITEMS AT THE REQUEST OF THE PUBLIC

The Clerk announced there were no items.

ANNOUNCEMENT OF BOARD AND COMMITTEE APPOINTMENTS

BA-1 18-1265 MIRAMAR PEMBROKE PINES REGIONAL CHAMBER OF COMMERCE WISHES TO RE-APPOINT THE FOLLOWING CHAMBER OF COMMERCE APPOINTEES TO THE CITY OF PEMBROKE PINES ECONOMIC DEVELOPMENT BOARD: MR. MARK O'LOUGHLIN AND MR. MARC LIEBESKIND.

The City Clerk announced the re-appointment of Mr. Mark O'Loughlin and Mr. Marc Liebeskind, as the Miramar-Pembroke Pines Chamber of Commerce appointment to the Economic Development Board.

CONSENT AGENDA:

2. **18-1082** MOTION TO APPROVE THE THIRD AMENDMENT FOR LEGAL SERVICES WITH GOREN, CHEROF, DOODY, & EZROL, P.A.

A motion was made to approve on the Consent Agenda

3. **18-1177** MOTION TO APPROVE A CONTRACT FOR THE POLICE DEPARTMENT'S PARTICIPATION IN THE PEDESTRIAN AND BICYCLE SAFETY ENFORCEMENT CAMPAIGN.

A motion was made to approve on the Consent Agenda

4. **18-1233** MOTION TO RELEASE PERFORMANCE BOND #800013193 IN THE AMOUNT OF \$964,099.40, POSTED FOR WATER, SEWER, PAVING AND DRAINAGE, ACCEPT THE MAINTENANCE BOND IN THE AMOUNT OF \$120,604.30 FOR WATER AND SEWER ONLY FROM TERRA CITY CENTER INVESTMENTS, LLC, ACCEPT THE BILL OF SALE, AND TO ACCEPT AND RECORD THE EASEMENT DEDICATION FOR PINES CITY CENTER RETAIL PHASE 1 WATER AND SEWER IMPROVEMENTS ONLY.

A motion was made to approve on the Consent Agenda

5. **18-1234** MOTION TO APPROVE EMERGENCY HOME ENERGY ASSISTANCE PROGRAM (EHEAP) CONTRACT JP118-10-2019 FOR THE PERIOD OF OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2019 FOR A TOTAL AMOUNT OF \$20,927.82.

A motion was made to approve on the Consent Agenda

6. **18-1240** MOTION TO APPROVE THE NOTICE OF GRANT AWARD FFY2018/YR43 FROM FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO THE CITY OF PEMBROKE PINES/SOUTHWEST FOCAL POINT SENIOR CENTER IN THE AMOUNT OF \$286,690.00

A motion was made to approve on the Consent Agenda

- 18-1251** MOTION TO APPROVE THE DEPARTMENT RECOMMENDATIONS FOR THE FOLLOWING ITEM LISTED ON THE CONTRACT

DATABASE REPORT:

- (A) ERICKS CONSULTANTS, INC. - LEGISLATIVE CONSULTING SERVICES
- (B) LAWRENCE J. SMITH, P.A. - LEGISLATIVE CONSULTING SERVICES
- (C) SMITH, BRYAN AND MYERS, INC. - LEGISLATIVE CONSULTING SERVICES
- (D) SRT SUPPLY, INC. - PURCHASE OF POLICE BODY ARMOR

Motion was made to approve Sections (C) and (D) of Consent Item #7.

9. 18-1256 MOTION TO APPROVE OUT-OF-FIELD TEACHING WAIVERS FOR THE 2018-2019 SCHOOL YEAR FOR THE PEMBROKE PINES CHARTER MIDDLE SCHOOL ACADEMIC VILLAGE CAMPUS: JENNIFER CARSON, LISA COOLIDGE, KEISHA GRAY, AND REBECCA LEWIS.

A motion was made to approve on the Consent Agenda

10. 18-1235 MOTION TO AUTHORIZE ADMINISTRATION TO PROCESS BUDGET ADJUSTMENTS TO BALANCE FUNDS AT THE END OF THE 2017-18 FISCAL YEAR, IF NECESSARY.

A motion was made to approve on the Consent Agenda

11. 18-1245 MOTION TO APPROVE THE SUBMISSION OF THE FLORIDA SAFE SCHOOLS ASSESSMENT FOR THE PEMBROKE PINES/FSU CHARTER ELEMENTARY SCHOOL.

A motion was made to approve on the Consent Agenda

12. 18-1248 MOTION TO INCREASE THE ANNUAL COST FOR THE AGREEMENT WITH FPI SECURITY SERVICES, INC. TO AN ANNUAL AMOUNT NOT TO EXCEED \$688,808.12.

A motion was made to approve on the Consent Agenda

Approval of the Consent Agenda

Motion was made by Commissioner Castillo and seconded by Vice Mayor Good to approve the Consent Agenda, including Sections (C) and (D) of Consent Item #7. The motion carried by the following vote:

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

Nay 0

1. **16-0404** MOTION TO APPROVE REQUEST TO ADVERTISE SOLICITATION(S):
(A) FI-18-03 "CONSTRUCTION OF A NEW FIRE TRAINING FACILITY"

A motion was made by Vice Mayor Good, Jr., seconded by Commissioner Castillo, to approve Item #1. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Vice Mayor Good read Item 1 into the record, by title and spoke on the item.

Fire Chief Picarello came to the podium to address the questions of the Commissioner.

Commissioner Schwartz spoke on the item.

7. **18-1251** MOTION TO APPROVE THE DEPARTMENT RECOMMENDATIONS FOR THE FOLLOWING ITEM LISTED ON THE CONTRACT DATABASE REPORT:

(A) ERICKS CONSULTANTS, INC. - LEGISLATIVE CONSULTING SERVICES

(B) LAWRENCE J. SMITH, P.A. - LEGISLATIVE CONSULTING SERVICES

(C) SMITH, BRYAN AND MYERS, INC. - LEGISLATIVE CONSULTING SERVICES

(D) SRT SUPPLY, INC. - PURCHASE OF POLICE BODY ARMOR

Prior to the vote on the Consent Agenda, Sections (A) and (B) of Consent Item 7 were pulled by Vice Mayor Good for discussion.

Vice Mayor Good made an amendment to the motion to proceed with the approval of the Ericks' Consultants, Inc. and Lawrence J. Smith, P.A. consulting service agreements referred to respectively in Sections (A) and (B) of Item #7, on condition that these consulting service agreements terminate on January 31, of 2020, so that City Administration could go out and re-bid. The motion

died for lack of a second. No action was taken on the amended motion.

Whereupon Commissioner Castillo requested Mayor Ortis to move the question. Mayor Ortis said the question was called, referring back to the motion as written to approve sections (A) and (B) of Item #7. The motion carried by the following vote:

Aye 4 - Mayor Ortis, Commissioner Castillo, Commissioner Schwartz, and Commissioner Siple

Nay 1 - Vice Mayor Good Jr.

PRIOR TO THE VOTE BEING TAKEN:

Vice Mayor Good read A & B of Item 7 into the record, by title and spoke on the item.

City Manager Dodge responded to the questions of the Commissioner.

Commissioner Siple and Commissioner Schwartz spoke on the item.

City Attorney Goren responded to the questions of the Commission.

8. 18-1252 MOTION TO APPROVE THE CORRECTED MINUTES OF THE SEPTEMBER 17, 2018 REGULAR COMMISSION MEETING.

A motion was made by Vice Mayor Good, Jr., seconded by Commissioner Castillo, to defer item and refer the item to the City Clerk for remedy. The motion carried by the following vote:

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

Nay 0

13. 18-1269 [THE BACKUP FOR ITEM # 13 WILL BE PROVIDED AT THE NEXT COMMISSION MEETING]. MOTION TO APPROVE THE MINUTES OF THE REGULAR COMMISSION MEETING ON WEDNESDAY, OCTOBER 3, 2018.

A motion was made by Vice Mayor Good, Jr., seconded by Commissioner Schwartz, to defer item #13 and refer the item to the City Clerk for remedy. The motion carried by the following vote:

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

Nay 0

14. 18-1257 MOTION TO APPROVE A LEASE AGREEMENT WITH CHABAD

LUBAVITCH OF PEMBROKE PINES, INC FOR THE +/- 2.271 ACRES OF IMPROVED LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF NW 184TH AVENUE AND JOHNSON STREET AND AUTHORIZE THE PROPERTY CITY OFFICIALS TO EXECUTE THE LEASE.

A motion was made by Commissioner Castillo, seconded by Commissioner Schwartz, to approve Item #14. The motion carried by the following vote:

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

Nay 0

ADD-2 18-1280

[ADDENDUM #2] MOTION FOR THE CITY COMMISSION (GOVERNING BOARD) TO CERTIFY THAT THE PEMBROKE PINES CHARTER SCHOOLS (LOC.# 5051, 5081, 5121, & 0351) COMPLY WITH THE MARJORY STONEMAN DOUGLAS HIGH SCHOOL PUBLIC SAFETY ACT (SB7026) AND APPLICABLE FLORIDA STATUTES FOR THE 2018-19 SCHOOL YEAR.

A motion was made by Commissioner Castillo, seconded by Commissioner Siple, to approve ADD-2 on the School Public Safety Act compliance. The motion carried by the following vote:

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

Nay 0

ORDINANCES AND RESOLUTIONS:

FIRST READING ORDINANCES:

15. 2018-23 MOTION TO PASS PROPOSED ORDINANCE NO. 2018-23 ON FIRST READING.

PROPOSED ORDINANCE NO. 2018-23 IS AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING TITLE XV, "LAND USAGE," CHAPTER 155, "ZONING CODE - SIGNS", OF THE CITY OF PEMBROKE PINES CODE OF ORDINANCES TO PROVIDE FOR AMENDMENTS TO PROVISIONS RELATED TO CONTENT BASED REGULATIONS IN THE CITY OF PEMBROKE PINES' SIGN

CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

SECOND AND FINAL READING IS TENTATIVELY SCHEDULED FOR NOVEMBER 19, 2018.

A motion was made by Commissioner Castillo, seconded by Commissioner Siple, to pass on First Reading. Second and final reading is scheduled for Monday, November 19, 2018. The motion carried by the following vote:

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

Nay 0

Enactment No: 1919

16. 2018-26 MOTION TO PASS PROPOSED ORDINANCE NO. 2018-26 ON FIRST READING.

PROPOSED ORDINANCE NO. 2018-26 IS AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING ORDINANCE NO. 1884; PROVIDING FOR AN AMENDED BUDGET FOR FISCAL YEAR 2017-2018 FOR THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

SECOND AND FINAL READING IS SCHEDULED FOR MONDAY, NOVEMBER 19, 2018.

A motion was made by Commissioner Siple, seconded by Mayor Ortis, to pass Proposed Ordinance 2018-26 on First Reading. The motion carried by the following vote:

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

Nay 0

Enactment No: 1921

RESOLUTIONS:

17. 2018-R-36 MOTION TO ADOPT PROPOSED RESOLUTION 2018-R-36.

PROPOSED RESOLUTION 2018-R-36 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING THE 2016-2019 CITY OF PEMBROKE PINES COMMUNITY SHUTTLE OPERATIONS, TITLE VI PROGRAM PURSUANT TO FEDERAL TRANSIT ADMINISTRATION REQUIREMENTS; DIRECTING THE APPROPRIATE CITY OFFICIALS TO TAKE ANY AND ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Castillo, seconded by Commissioner Siple, to adopt Proposed Resolution 2018-R-36. The motion carried by the following vote:

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

Nay 0

Enactment No: 3624

18. 2018-R-37

MOTION TO APPROVE PROPOSED RESOLUTION 2018-R-37. PROPOSED RESOLUTION 2018-R-37 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING THE PLAT NOTE AMENDMENT (DELEGATION REQUEST) FOR THE PEMBROKE PINES CITY HALL PLAT, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF PINES BOULEVARD AND PALM AVENUE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN; AUTHORIZING CITY ADMINISTRATION TO TAKE ANY ACTION NECESSARY TO IMPLEMENT THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Commissioner Castillo, seconded by Commissioner Siple, to adopt Proposed Resolution 2018-R-37. The motion carried by the following vote:

Aye 4 - Mayor Ortis, Commissioner Castillo, Commissioner Schwartz, and Commissioner Siple

Nay 1 - Vice Mayor Good Jr.

Enactment No: 3625

19. 2018-R-38 MOTION TO ADOPT PROPOSED RESOLUTION 2018-R-38.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING THE PLAT NOTE AMENDMENT (DELEGATION REQUEST) FOR THE PEMBROKE PINES CITY CENTER PLAT, GENERALLY LOCATED WEST OF PALM AVENUE, SOUTH OF PINES BOULEVARD AND NORTH OF WASHINGTON STREET, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN; AUTHORIZING CITY ADMINISTRATION TO TAKE ANY ACTION NECESSARY TO IMPLEMENT THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Commissioner Castillo, seconded by Commissioner Schwartz, to adopt Proposed Resolution 2018-R-38. The motion carried by the following vote:

Aye 4 - Mayor Ortis, Commissioner Castillo, Commissioner Schwartz, and Commissioner Siple

Nay 1 - Vice Mayor Good Jr.

Enactment No: 3626

20. 2018-R-42 MOTION TO ADOPT PROPOSED RESOLUTION 2018-R-42.

PROPOSED RESOLUTION 2018-R-42 IS A RESOLUTION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING THE STELLAR PEMBROKE PINES PLAT FOR THE APPROXIMATE 7.5 ACRES GENERALLY LOCATED SOUTH OF PINES BOULEVARD BETWEEN SW 184TH AVE. AND SW 186TH AVE., AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; RESTRICTING THE PROPERTY TO FIFTY-EIGHT (58) TOWNHOUSE UNITS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Castillo, seconded by Commissioner Siple, to adopt Proposed Resolution 2018-R-42. The motion carried by the

following vote:

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

Nay 0

Enactment No: 3627

21. 2018-R-43 MOTION TO ADOPT PROPOSED RESOLUTION 2018-R-43.

PROPOSED RESOLUTION 2018-R-43 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, IMPLEMENTING ORDINANCE NO. 1914 BY ADDING "NO THRU-TRUCK" SIGNS ON NORTHWEST 208TH AVENUE FROM PINES BOULEVARD TO JOHNSON STREET; AUTHORIZING ALL NECESSARY ACTIONS TO IMPLEMENT THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Castillo, seconded by Vice Mayor Good, Jr., to adopt Proposed Resolution 2018-R-43. The motion carried by the following vote:

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

Nay 0

Enactment No: 3628

ADD-1 2018-R-40 [ADDENDUM #1] MOTION TO ADOPT PROPOSED RESOLUTION 2018-R-40.

PROPOSED RESOLUTION 2018-R-40 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, URGING AND REQUESTING THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO DEPUTIZE THE CITY OF PEMBROKE PINES CODE ENFORCEMENT OFFICERS IN ORDER TO ALLOW THE CITY'S CODE ENFORCEMENT OFFICERS TO INSPECT GAS PUMPS TO PROTECT RESIDENTS FROM CREDIT CARD SKIMMER DEVICES AT FUELING STATIONS WITHIN THE CITY OF PEMBROKE PINES; AUTHORIZING ALL NECESSARY ACTIONS TO IMPLEMENT THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY;

AND PROVIDING AN EFFECTIVE DATE.

Motion was made by Commissioner Castillo but the motion on Proposed Resolution 2018-R-40 died for lack of a second.

No action was taken.

REGULAR AGENDA:

- 22. 18-1255** MOTION TO APPROVE THE PURCHASE OF TWO FORD T-250 TRANSIT VANS FROM COGGIN FORD, IN THE TOTAL AMOUNT OF \$59,283.50, IN THE BEST INTEREST OF THE CITY, PURSUANT TO SECTION 35.18(C)(8) OF THE PROCUREMENT CODE.

A motion was made by Commissioner Siple, seconded by Mayor Ortis, to approve Item #22. The motion carried by the following vote:

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

Nay 0

- 23. 18-1258** MOTION TO APPROVE THE STELLAR PINES PLAT MUNICIPAL DEDICATION AGREEMENT IN THE AMOUNT OF \$167,000.
(REGULAR AGENDA ITEM)

A motion was made by Commissioner Castillo, seconded by Commissioner Siple, to approve Item #23. The motion carried by the following vote:

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

Nay 0

- 24. 18-1267** DISCUSSION AND POSSIBLE ACTION TO COMBINE THE JANUARY 2019 COMMISSION MEETINGS TO JANUARY 16, 2019, AND COMBINE THE NOVEMBER 2019 COMMISSION MEETINGS TO NOVEMBER 13, 2019.

A motion was made by Commissioner Siple, seconded by Mayor Ortis, to approve Item #24. The motion carried by the following vote:

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

Nay 0

REPORTS OF LEAGUE REPRESENTATIVES

REPORTS OF THE CITY MANAGER AND CITY ATTORNEY

REPORT OF THE CITY MANAGER

City Manager Dodge reported on the need to adjust the time of the November 19, 2018 Workshop and Commission meeting to ensure there is enough time to discuss the following topics:

1. Review of the procurement code process.
2. Review of the social media policy.
3. Reviewing the operations of the City Center via presentation from SMG.

It was agreed by consensus to change the meeting time from 5:00pm to 3:00pm on November 19, 2018.

A motion was made by Commissioner Castillo, seconded by Commissioner Siple, to defer the matter to the Commission Meeting of November 19, 2018. The motion carried by the following vote:

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

Nay 0

REPORTS OF THE CITY MANAGER AND CITY ATTORNEY

REPORT OF THE CITY ATTORNEY:

City Attorney Goren reported on the memorandum provided to the Commission on October 11, 2018 to provide updates with regards to the efforts to recover reimbursement costs from FEMA associated with Hurricane Wilma, through litigation using the Baker Donelson law firm. City Attorney Goren asked the Commission to consider supporting the memorandum due to the City complying with the requirements of FEMA back in 2005 however, the City has yet to recoup costs incurred from the debris removal after the hurricane. About 5 million dollars of City funds were spent, paid by the Florida Division of Emergency Management (FDEM), which is supposed to then be reimbursed by FEMA, and the City has been appealing the 3.2 million dollars that they have yet to receive.

The Baker Donelson law firm is also working with the Cities of Deerfield Beach, Lake Worth, and is having discussion with Palm Beach County, who also encountered similar issues as the City of Pembroke Pines. The City filed

claims with the State in a timely manner. However, the State did not submit the appeals with FEMA within 60 days of the FDEM's receipt of the appeal, which was required by FEMA for reimbursement. FEMA then denied most of the claims due to the late submittal, de-obligating the reimbursement of 3.29 million dollars to the City.

City Attorney Goren also spoke about Ernie Abbott who was previously a part of the general counsel for FEMA in Washington, D.C., who now works for the Baker Donelson law firm, and asked him what the recommendations are considering the amendments recently made with regards to the Stafford Act. The recommendation was made to continue with litigation broken up into 3 separate lawsuits in a Federal Court.

Mayor Ortis spoke about the assistance from the Florida League of Cities representatives and local State Representatives who have also tried to assist with the reimbursement issues the City incurred.

Commissioner Castillo made a motion, seconded by Commissioner Siple, to authorize the City Attorney to proceed with the lawsuit on behalf of the City of Pembroke Pines to sue FEMA.

Commissioner Schwartz and Vice Mayor Good inquired about options to cut the costs associated with litigation in the event the appeal is still denied and City Attorney Goren responded to the Commissioners.

Vice Mayor Good made a motion, seconded by Commissioner Schwartz, to defer the item and to bring back the response from Baker Donelson at the November 19, 2018 Commission meeting regarding 1) Having a contingency fee with the Baker Donelson law firm and 2) Having a cap on the contingency fee not to exceed 35 thousand dollars. The motion carried by the following vote:

- Aye** 4 - Commissioner Castillo, Commissioner Schwartz, Commissioner Siple, and Vice Mayor Good Jr.
- Nay** 1 - Mayor Ortis

COMMISSION ITEMS:

25. 18-1254 COMMISSIONER CASTILLO - ITEM 1: MOTION TO REQUEST ADMINISTRATION TO PRESENT THEIR IDEAS, COMMISSION DISCUSSION AND POSSIBLE ACTION, REGARDING A SUGGESTION THAT CITY RESIDENTS WITH CHILDREN ATTENDING PUBLIC SCHOOLS LIVING INSIDE THE "TWO MILE RULE" WITHIN WHICH THEY ARE NOT ELIGIBLE FOR PUBLIC SCHOOL TRANSPORTATION, CAN BE PROVIDED WITH A PRIVATE SCHOOL BUS OPTION AS FOLLOWS: THE CITY SHALL ISSUE AN RLI TO

AREA BUS COMPANIES INVITING THEM TO EXPRESS INTEREST IN PROVIDING RESIDENTS WITH WHOM THEY WOULD DIRECTLY CONTRACT WITH BUS SERVICES AT THE RESIDENT'S COST TO TRANSPORT STUDENTS TO AND FROM PUBLIC SCHOOLS. THE CITY'S ROLE WOULD BE STRICTLY LIMITED TO ORGANIZING THE EFFORT BY HELPING IDENTIFY WILLING PROVIDERS, DOING OUTREACH THROUGH AREA SCHOOLS TO FIND OUT IF PARENTS ARE INTERESTED, LICENSING BUS PROVIDERS TO JOIN THE CITY'S PRIVATE SCHOOL BUS PROGRAM, ENSURE THE VEHICLES THEY USE ARE IN ACCORDANCE WITH STANDARDS, AND TO ENSURE THAT THE POLICE DEPARTMENT CLEARS EVERY DRIVER, USING A FINGERPRINT GENERATED LEVEL II CRIMINAL BACKGROUND CHECK. THE CITY SHALL HAVE NO FINANCIAL INVOLVEMENT OR OTHER LIABILITY IN THE PROGRAM WHATSOEVER AND SPECIFIC WAIVERS OF ANY LIABILITY WOULD BE SIGNED BY BOTH THE PROVIDER AND ANY USER. THE PURPOSE OF THE EFFORT IS STRICTLY TO REDUCE THE NUMBER OF CARS TAKING CHILDREN TO AND FROM SCHOOLS, THUS IMPROVING TRAFFIC CONDITIONS DURING THOSE HOURS CITYWIDE.

Commissioner Castillo made a motion to direct City Administration to come back with information on an out-reach effort to discover the number of parents, city-wide, who would be interested in school transportation options if they lived within the two-mile rule. The motion died for lack of a second.

No action was taken.

- 26. 18-1266** MAYOR ORTIS ITEM #1: DISCUSSION AND POSSIBLE ACTION ON APPROVING THE NW 107th TERRACE/17TH PLACE SPEEDHUMP WAIVER REQUEST TO ALLOW A SPEED HUMP ON THE STREET IDENTIFIED HEREIN WHICH IS UNDER 1000 FEET IN LENGTH”.

A motion was made by Commissioner Siple, seconded by Mayor Ortis, to approve as amended. The motion carried by the following vote:

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

Nay 0

A motion was made by Mayor Ortis, seconded by Commissioner Castillo, to approve. The motion carried by the following vote:

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

Nay 0

OLD BUSINESS:

ADJOURN - 10:15 P.M.

CITY OF PEMBROKE PINES

**Marlene D. Graham, CMC
City Clerk**

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION OF THE COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD INCLUDES TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE SHOULD CONTACT THE CITY CLERK, 450-1050 AT LEAST 48 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATION.