

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, June 6, 2018

5:30 PM

**6/4/2018 Item WS-1 Exhibit #8 Planning & Zoning Board report added.
Consent Agenda Item #4 has been repositioned from the Consent
Agenda to the Regular Agenda.**

Commission Chambers

City Commission

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

5:30 PM WORKSHOP 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 arrived at 5:36 PM. Also present: City Attorney Goren and Deputy City Clerk Debra Rogers.

Commissioner Schwartz arrived at 5:55 PM.

WORKSHOP ITEMS:

WS-1 18-0475 WS-1: BOARD NIGHT: PRESENTATION OF THE ANNUAL REPORTS OF THE CITY BOARDS FOR 2018.

BOARD OF ADJUSTMENT:

Jim Ryan, Member, presented the report for the Board of Adjustment. Mr. Ryan expressed his concern with the variance approval process.

Mike Stamm, Planning and Economic Development Director, addressed the Commission regarding Mr. Ryan's concern.

Commissioner Castillo, Commissioner Siple, Vice Mayor Good, and Mayor Ortis spoke on the presentation.

ENVIRONMENTAL ADVISORY BOARD:

Heather Hasandras, Chair, called the board members to come to the podium and introduce themselves, and thanked the Commission for the continuance of the beautification efforts in the City. She spoke of the transition of the Landscape Advisory Board to the Environmental Advisory Board and the duties and responsibilities of the new board. Ms. Hasandras said that the recommendations were based on the following criteria: industry experts, County facts, and observational reviews of the City. She also spoke about the various events that took place over the

past year including the Arbor Day Poster Contest and the Natalie Belmonte Awards.

Recommendations:

Commission to consider the approval of a full time coordinator for all Green Plan sustainability activities, as well as changes in the parks, greenways, and in recycling and waste reduction.

Commissioner Schwartz spoke on the presentation.

CHARTER ACADEMIC VILLAGE ADVISORY BOARD:

Suzette de Armas, Chair, presented the 2017-2018 annual report to the Commission. Special thanks was directed to the Commission for the training efforts made after the Marjorie Stoneman Douglas High School shooting. Ms. de Armas spoke about both phases of the Raising Positive Children events conducted by the City, and the various workshops opened to the parents and staff. Ms. de Armas also thanked the City Attorney for the report provided to the board regarding Florida Sunshine Laws.

CHARTER ELEMENTARY MIDDLE ADVISORY BOARD:

Mike Martinez, Board Member, presented the board's annual report to the Commission. He thanked the Commission and Police department for their security concerns and response on the issues resulting from the Marjorie Stoneman Douglas High School shooting. He acknowledged the board members also present at the Commission meeting, and recognized Board Secretary Katherine Borgstrom.

ECONOMIC DEVELOPMENT BOARD:

Ryann Greenberg, Chair, presented the report for the Economic Development Board. Ms. Greenberg acknowledged the guest speakers who educated the board. She spoke about the Broward Next Initiative. She recognized board member, Tony Ash who talked about an intern initiative within the City. She expressed thanks to the Commissioners for their support of the board.

Recommendations:

To develop an inventory list of locations for re-development, working with Broward MPO to improve traffic flow in the City; the business survey to

improve businesses and City processes, and continuing to improve the City's aesthetics.

Commissioner Castillo and Mayor Ortis spoke on the matter.

PLANNING AND ZONING BOARD:

John Jacobs, Vice Chair, presented the report for the Planning and Zoning Board. He spoke about the new members who joined the board and named the members who were present. He recognized the Planning and Economic Development Director, Mike Stamm and his staff, for their assistance with the board.

Recommendations:

1. The Board voted to have staff look into zoning codes for tiny homes and micro units.
2. Discussion and possible action on Code Section 155.285 alcoholic distance requirements for restaurants with less than 50 seats and located within shopping centers that may have churches or daycare centers as tenants.

EDUCATION ADVISORY BOARD:

Danielle Spradley, Alternate Member, presented the report for the Education Advisory Board which included the Student Ambassadors Program. She spoke on various meetings with Broward County School Public Relations Liaison Charles Webster regarding the \$8,000,000.00 million dollar bond initiative allocations. She also spoke about the Education Director for the Anti-Defamation League Keisha Edge, who addressed the board on the "No Place for Hate" program, and acknowledged the board's outreach to the Charter Schools to provide assistance when needed.

6:30 PM REGULAR MEETING CALLED TO ORDER (OR AT SUCH TIME AS THE WORKSHOP ADJOURNS).

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 Deputy City Clerk Rogers

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Assistant City Attorney Tolces.

PRESENTATIONS:**ANNOUNCEMENT OF ITEMS TO BE PULLED FROM AGENDA**

The Deputy Clerk announced there were no items pulled.

ITEMS AT THE REQUEST OF THE PUBLIC

Ana Garcia Pena, Pembroke Office Industries, 1500 SW 66th Avenue, Pembroke Pines, FL.

ACKNOWLEDGEMENTS:

Commissioner Siple acknowledged her granddaughter's graduation from Key West High School. Commissioner Siple and her husband would be celebrating their 49th wedding anniversary on Sunday June 10th, 2018.

Mayor Ortis acknowledged the upcoming Father's Day on June 17, 2018.

ANNOUNCEMENT OF BOARD AND COMMITTEE APPOINTMENTS

BA-1 18-0587 ANNOUNCEMENT OF BOARD AND COMMITTEE APPOINTMENTS:
COMMISSIONER SCHWARTZ WISHES TO APPOINT THE
FOLLOWING:

MR. TED VICTOR TO THE CITY OF PEMBROKE PINES EDUCATION
ADVISORY BOARD AS A DISTRICT 2 MEMBER.

Commissioner Schwartz welcomed Mr. Ted Victor to the Education
Advisory Board District 2 appointment. He acknowledged former board
member Lauren Dreilinger.

Commissioner Castillo informed the Commission that he received a text
stating that State Representative Shevrin Jones was running late, caught

in traffic, and should be arriving shortly at the commission meeting.

CONSENT AGENDA:

1. **18-0346** MOTION TO APPROVE THE SOLE SOURCE AGREEMENT BETWEEN CAREERSOURCE BROWARD AND THE CITY OF PEMBROKE PINES FOR FUNDING OF SEVEN (7) SUMMER YOUTH WORKERS IN THE 2018 SUMMER YOUTH EMPLOYMENT PROGRAM IN THE AMOUNT OF \$20,121.43.

A motion was made to Passed on Consent on the Consent Agenda

2. **18-0481** MOTION TO AWARD PSEN-18-01 "ASPHALT SURFACE TREATMENT WITH HIGH DENSITY MINERAL BOND FOR NW 178 AVE. AND NW 17 ST." TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, WEEKLEY ASPHALT PAVING, INC. FOR THE 3/4 INCH MILLING AND RESURFACING IN THE AMOUNT OF \$637,387.50 WHICH INCLUDES A 10% OWNER'S CONTINGENCY IN THE AMOUNT OF \$55,425 AND A 5% PERMIT ALLOWANCE IN THE AMOUNT OF \$27,712.50, AND TO APPROVE TO ENTER INTO AN AGREEMENT WITH WEEKLEY ASPHALT PAVING, INC. AND ISG STRATEGIC PARTNERS FOR THE UTILIZATION OF GENERAL ROAD PRESERVATION, REPAIR AND MAINTENANCE ITEMS ON AN AS NEEDED BASIS.

A motion was made to approve on the Consent Agenda

3. **18-0541** MOTION TO APPROVE THE PURCHASE OF THE RENEWAL OF THE ANNUAL SUPPORT AND MAINTENANCE FOR THE CITY'S NETAPP FAS804A SERIES DATA STORAGE SYSTEM FROM PRESIDIO NETWORKED SOLUTIONS, INC. IN THE AMOUNT OF \$37,002.68 UTILIZING THE STATE OF FLORIDA ALTERNATE CONTRACT # 43211500-WSCA-15-ACS VIA THE FLORIDA NASPO VALUEPOINT NETAPP MNWNC-121.

A motion was made to approve on the Consent Agenda

5. **18-0579** MOTION TO APPROVE THE PURCHASE OF TEN (10) SCOTT MODEL X3 SELF CONTAINED BREATHING APPARATUS (SCBA) FOR A TOTAL COST OF \$50,963.50 FROM THERMO FISHER SCIENTIFIC UTILIZING THE ORANGE COUNTY (FLORIDA) CONTRACT # Y17-1095C LOT HH ITEM 1.

A motion was made to approve on the Consent Agenda

7. **18-0592** MOTION TO AWARD PSUT-18-02 "PURCHASE OF AN 18 TON CRANE TRUCK FOR UTILITIES DEPARTMENT" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, ALTEC INDUSTRIES, INC., IN THE AMOUNT OF \$212,417.

A motion was made to approve on the Consent Agenda

9. **18-0030** MOTION TO APPROVE THE SOLE SOURCE PURCHASE OF THE VIGILANT INTELLIGENCE-LED POLICING (ILP) PACKAGE WITH STATIONARY LICENSE PLATE READER (LPR) HARDWARE, TWO COMPATIBLE MOBILE LPR TRAILERS, AND TWO MOBILITY KITS FROM VETTED SECURITY SOLUTIONS FOR A TOTAL COST OF \$105,170.

A motion was made to approve on the Consent Agenda

10. **18-0487** MOTION TO APPROVE THE FINDINGS AND RECOMMENDATION OF THE EVALUATION COMMITTEE AND TO AWARD ED-17-05 "FOOD SERVICE MANAGEMENT COMPANY (FSMC) - CHARTER SCHOOL (NSLP) & EDC PROGRAMS" TO COMPASS GROUP USA, INC. BY AND THROUGH ITS CHARTWELLS FOOD SERVICES DIVISION FOR AN INITIAL ONE YEAR PERIOD BEGINNING JULY 1, 2018.

A motion was made to approve on the Consent Agenda

11. **18-0585** MOTION TO APPROVE THE PURCHASE AND INSTALLATION OF LVT FLOORING IN VARIOUS AREAS OF THE PEMBROKE PINES CHARTER SCHOOLS, FROM MOHAWK CARPET DISTRIBUTION, INC., IN THE AMOUNT OF \$166,511.10 UTILIZING THE STATE OF FLORIDA ALTERNATE CONTRACT SOURCE # 52100000-16-ACS VIA THE NATIONAL JOINT POWERS ALLIANCE (NJPA) CONTRACT # 121715-MAC.

A motion was made to approve on the Consent Agenda

12. **18-0588** MOTION TO AUTHORIZE THE PEMBROKE PINES CHARTER SCHOOLS TO ADD FOUR (4) EARLY RELEASE DAYS TO THE SCHOOL CALENDAR BEGINNING WITH THE 2018-2019 SCHOOL YEAR PURSUANT TO THEIR DESIGNATION AS SCHOOLS OF EXCELLENCE, AND FURTHER AUTHORIZING THE CITY MANAGER AS SUPERINTENDENT OF SCHOOLS TO SO NOTIFY EACH OF THE CHARTER SCHOOL SPONSORS.

A motion was made to approve on the Consent Agenda

- 13. 18-0590** MOTION TO APPROVE THE FINDINGS AND RECOMMENDATION OF THE EVALUATION COMMITTEE AND TO AWARD SECTIONS 1 - 5 OF PSPW-17-07 "CITY WIDE GROUNDS MAINTENANCE" TO ELAN LAWN AND LANDSCAPE SERVICES, INC. IN THE ANNUAL AMOUNT OF \$1,743,714.50 WHICH INCLUDES A 10% OWNER'S CONTINGENCY IN THE AMOUNT OF \$158,519.50, AND TO AWARD SECTION 6 TO DBI SERVICES, LLC IN THE ANNUAL AMOUNT OF \$328,614, WHICH INCLUDES A 10% OWNER'S CONTINGENCY IN THE AMOUNT OF \$29,874, FOR A TOTAL ANNUAL COST OF \$2,072,382.50 FOR AN INITIAL TWO YEAR PERIOD.

A motion was made to approve on the Consent Agenda

- 14. 18-0591** MOTION TO APPROVE THE FINDINGS AND RECOMMENDATION OF THE EVALUATION COMMITTEE FOR RFQ # TS-17-04-A "ERP SYSTEM SOFTWARE AND IMPLEMENTATION" TO SHORTLIST ALL EIGHT PROPOSERS AND MOVE THEM FORWARD TO THE RFP PROCESS, AND TO AUTHORIZE THE ADVERTISEMENT OF RFP # TS-17-04-B "ERP SYSTEM SOFTWARE AND IMPLEMENTATION"

A motion was made to approve on the Consent Agenda

- 6. 18-0583** MOTION TO APPROVE THE DEPARTMENT RECOMMENDATIONS FOR THE FOLLOWING ITEM LISTED ON THE CONTRACT DATABASE REPORT:

- (A) IN REM SOLUTIONS, INC. - PROFESSIONAL GRANT WRITING CONSULTING SERVICES
- (B) AREAWIDE COUNCIL ON AGING OF BROWARD COUNTY, INC. - EMERGENCY HOME ENERGY ASSISTANCE PROGRAM (EHEAP)
- (C) BROWARD COUNTY TRANSIT DIVISION - COMMUNITY BUS SERVICE PROGRAM
- (D) DR. RICHARD S. DELLERSON, MD, FACEP - PEMBROKE PINES MEDICAL DIRECTOR
- (E) AMERICAN SOCCER COMPANY, INC. - PURCHASE OF SOCCER UNIFORMS

Items A, B, D and E passed on Consent

- 8. 17-0795** MOTION TO APPROVE REQUEST TO ADVERTISE SOLICITATION(S):
- (A) PSEN-18-02 "PROFESSIONAL SERVICE PROVIDERS

- (ARCHITECTURAL, ENGINEERING, SURVEYING, MAPPING)"
(B) PSUT-18-03 "UTILITIES COMPREHENSIVE MASTER PLAN SERVICES"
(C) PSUT-18-04 "DESIGN BUILD SERVICES FOR WWTP REHABILITATION PHASE I"
(D) PSUT-18-05 "PINES VILLAGE WATER MAIN IMPROVEMENTS PHASE I"

Items B,C and D Passed on Consent

Approval of the Consent Agenda

A motion was made by Commissioner Castillo, seconded by Commissioner Siple, to approve the Consent Agenda. The motion carried by the following vote:

Aye 5 - Mayor Ortis, Commissioner Castillo, Commissioner Schwartz, Commissioner Siple, and Vice Mayor Good Jr.
Nay 0

6C. 18-0583 MOTION TO APPROVE THE DEPARTMENT RECOMMENDATIONS FOR THE FOLLOWING ITEM LISTED ON THE CONTRACT DATABASE REPORT:

- (A) IN REM SOLUTIONS, INC. - PROFESSIONAL GRANT WRITING CONSULTING SERVICES
(B) AREAWIDE COUNCIL ON AGING OF BROWARD COUNTY, INC. - EMERGENCY HOME ENERGY ASSISTANCE PROGRAM (EHEAP)
(C) BROWARD COUNTY TRANSIT DIVISION - COMMUNITY BUS SERVICE PROGRAM
(D) DR. RICHARD S. DELLERSON, MD, FACEP - PEMBROKE PINES MEDICAL DIRECTOR
(E) AMERICAN SOCCER COMPANY, INC. - PURCHASE OF SOCCER UNIFORMS

A motion was made by Commissioner Schwartz, seconded by Commissioner Castillo, to approve Item 6C. 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:

Commissioner Schwartz read Item 6C into the record and requested the City Attorney bring the public up to date on any or all communication regarding the item.

Assistant City Attorney Horowitz addressed the Commission regarding his communications with a vendor that was previously awarded this bid and he reviewed and addressed all of their concerns. He stated he also had conversations at the State and Federal Government levels who reviewed the entire procurement process and found no problems with the process.

8. **17-0795** MOTION TO APPROVE REQUEST TO ADVERTISE SOLICITATION(S):
- (A) PSEN-18-02 "PROFESSIONAL SERVICE PROVIDERS (ARCHITECTURAL, ENGINEERING, SURVEYING, MAPPING)"
 - (B) PSUT-18-03 "UTILITIES COMPREHENSIVE MASTER PLAN SERVICES"
 - (C) PSUT-18-04 "DESIGN BUILD SERVICES FOR WWTP REHABILITATION PHASE I"
 - (D) PSUT-18-05 "PINES VILLAGE WATER MAIN IMPROVEMENTS PHASE I"

A motion was made to amend Item 8A to have staff to go out for a more defined criteria that is better weighted. The item was approved 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

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Siple read Item 8A into the record and questioned the frequency of the prequalification list. She wanted to make sure that the opportunity was available to anyone wanting to be on the list and not be shut out because of time constraints.

City Manager Dodge stated the term of the qualifying period could be developed by the Commission if they wanted to do so.

City Attorney Goren responded, as it pertained to the prequalification process, the Statute dictated that these types of professionals must report their qualifications annually.

Vice Mayor Good spoke on his concerns on the solicitation criteria.

Vice Mayor Good spoke on his concerns on the solicitation criteria.

PRE-1 18-0582

PRESENTATION NO. 1: STATE REPRESENTATIVE SHEVRIN JONES WILL PROVIDE A LEGISLATIVE UPDATE.

State Representative Shevrin Jones recognized his staff and provided an update regarding the following items from the last Legislative Session:

House Bill 181 regarding the Sunshine Law Scholarship program; the item did not pass.

House Bill 389 regarding Classroom Teacher and School Principal Salaries - a request was made for an increase in teachers' salary \$3,000.00 with a 3% annual increase. He asked the Commission to support the bill at a later date.

House Bill 7055 on Education - Mr. Jones stated that he was not in support of this item due to the some of the impacts caused on other public schools; the item did pass.

House Bill 7026 regarding Public Safety - dealing with school safety and security; the item did pass.

Mayor Ortis, Commissioner Schwartz, Vice Mayor Good addressed the Mr. Jones and expressed thanks to the representative for his efforts.

15. 18-0593

MOTION TO APPROVE THE FINDINGS AND RECOMMENDATION OF THE EVALUATION COMMITTEE AND TO AWARD AD-18-03 "DISASTER AND DEBRIS MANAGEMENT SERVICES" TO D&J ENTERPRISES, INC. AS THE PRIMARY CONTRACTOR, CERES ENVIRONMENTAL, INC. AS THE SECONDARY CONTRACTOR, AND BERGERON EMERGENCY SERVICES, INC. AS THE TERTIARY CONTRACTOR AND TO DIRECT THE CITY MANAGER TO NEGOTIATE CONTRACTS FOR SERVICES.

A motion was made by Commissioner Siple, seconded by Commissioner Castillo, to approve as amended to return the item back to the Committee for further review. 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 Commissioner Castillo, seconded by Commissioner Schwartz to schedule a meeting on June 13, 2018 at 4:30 PM. 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:

Commissioner Castillo read Item 15 into the record and expressed concern regarding the recommendation of the Committee awarding the contract to an out of state company. He would like to come up with a way to resolve the matter of ensuring there will be a local vendor available in the event of a hurricane. He referred to his colleagues for further discussion on the matter.

Commissioner Siple said that she was not in support of the item as written. She said there needs to be language in the agreement making sure the vendor has all of the necessary equipment needed and that the vendor would make Pembroke Pines their priority. She also spoke about the requirements from FEMA and ensuring deadlines are met for full reimbursement.

City Attorney Goren responded that under the County Code of Ethics, local preference could not be a sole factor in the awarding of contracts, but the Commission does have the right to send the item back to the Committee for further review based on the added criteria.

Vice Mayor Good spoke on the matter regarding the Evaluation Committee tabulation process and the requested changes not being included in the attached evaluation.

Commissioner Schwartz spoke about the Evaluation Committee process and the criteria currently in place for local vendors. He inquired the about reasoning behind the percentages issued locally versus out of state. He is requesting for the Committee to bring the item back by the

06/20/2018 Commission meeting.

Mayor Ortis was also not in support of the item as written and was concerned with the timing of the item being presented to the Commission because it is currently hurricane season. The City is being sued for \$3,000,000.00 in recuperation fees due to the FEMA claw back legislation. The Mayor commented that a local vendor is needed even if they do not have all of the necessary equipment to ensure the debris pick up is done in a timely manner.

City Attorney Goren clarified for the record that the matter of the law suit the Mayor spoke on was regarding Hurricane Wilma.

The following members of the public spoke on the Item:

Damon Stinson of Eastern Waste Systems, 1660 NW 19th Avenue, Pompano Beach, FL
Brian Thomason, Vice President of Operations, Bergeron Land Development, Inc.

ORDINANCES AND RESOLUTIONS:

SECOND READING ORDINANCES:

- 16. 2018-06 MOTION TO ADOPT PROPOSED ORDINANCE 2018-06 ON SECOND AND FINAL READING.**

PROPOSED ORDINANCE 2018-06 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING CHAPTER 155, THE COMPREHENSIVE ZONING CODE OF THE CITY OF PEMBROKE PINES, BY SPECIFICALLY AMENDING SECTION 155.027, ENTITLED "ZONING MAP," TO RE-ZONE THE APPROXIMATE 1.9 ACRE PARCEL GENERALLY LOCATED AT NORTH OF PEMBROKE ROAD AND WEST OF SOUTHWEST 66 AVENUE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; RE-ZONING FROM THE CURRENT ZONING OF M-1 (LIGHT INDUSTRIAL) AND B-2 (COMMUNITY BUSINESS) TO PD-SL (PLANNED DEVELOPMENT - SMALL LOT) WITH DESIGN GUIDELINES; PROVIDING FOR A RESERVE UNIT ALLOCATION OF EIGHTY (80) RESERVE UNITS FOR THE SUBJECT PROPERTY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(PUBLIC HEARING)

A motion was made by Commissioner Siple, seconded by Commissioner Castillo, to adopt on Second and Final Reading. The motion carried by the following vote:

Aye 3 - Mayor Ortis, Commissioner Castillo, and Commissioner Siple

Nay 2 - Commissioner Schwartz, and Vice Mayor Good Jr.

Enactment No: 1902

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 16 into the record, by title.

Mike Stamm, Planning and Economic Development Director, came to address the Commission. He called Barbara Hall to the podium to speak on the item. Mr. Stamm provided a response to the questions of the Commission.

City Attorney Goren stated for the record there are 5 items on the agenda that are under the Quasi-Judicial proceedings, that they were all properly noticed, and asked the Deputy City Clerk to swear in all of the members speaking on the matter.

Deputy City Clerk Rogers administered the oath to all parties wishing to speak on the items.

Barbara Hall, Esquire of Greenberg Traurig, addressed the Commission via PowerPoint presentation on behalf of the applicant. Ms. Hall also addressed the questions of the Commission. Ms. Hall requested the PowerPoint presentation to be added into the record as testimony.

The following members of the public spoke on the item:

Ana Garcia Pena, Pembroke Office Industries, 1500 SW 66th Avenue, Pembroke Pines, FL

Tony Quevedo with HSQ Group responded to the Commission regarding the infrastructure improvements.

Luis Gustaldo, 1500 SW 66th Avenue, addressed the Commission on the item.

City Attorney Goren stated for the record that Ms. Hall has the option to

either question Ms. Pena or address the Commission directly under the Quasi-Judicial procedure on behalf of the applicant.

Commissioner Schwartz and Vice Mayor Good inquired about the specifics of the project.

City Manager Dodge responded to the questions of the Commission.

Commissioner Castillo inquired about the reason for the objection of the project.

19. 2018-R-13 MOTION TO APPROVE PROPOSED RESOLUTION 2018-R-13

PROPOSED RESOLUTION 2018-R-13 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA APPROVING THE 1600 PLAT FOR THE APPROXIMATE 1.9-ACRE PROPERTY GENERALLY LOCATED NORTH OF PEMBROKE ROAD AND WEST OF SOUTHWEST 66 AVENUE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; RESTRICTING THE PROPERTY TO THE DEVELOPMENT OF EIGHTY (80) MID-RISE UNITS; 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. The motion carried by the following vote:

Aye 3 - Mayor Ortis, Commissioner Castillo, and Commissioner Siple

Nay 2 - Commissioner Schwartz, and Vice Mayor Good Jr.

Enactment No: 3601

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2018-R-13 into the record, by title.

22. 18-0514 MOTION TO APPROVE THE 1600 PLAT MUNICIPAL DEDICATION AGREEMENT IN THE AMOUNT OF \$44,000.

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

Aye 3 - Mayor Ortis, Commissioner Castillo, and Commissioner Siple

Nay 2 - Commissioner Schwartz, and Vice Mayor Good Jr.

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 22 into the record, by title.

Vice Mayor Good spoke on the item.

Mike Stamm, Planning and Economic Development Director responded to the questions of the Commission.

- 23. 18-0542** MOTION TO APPROVE THE 1600 BUILDING SITE PLAN, AS RECOMMENDED BY THE PLANNING AND ZONING BOARD; GENERALLY LOCATED NORTH OF PEMBROKE ROAD AND WEST OF SOUTHWEST 66 AVENUE

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

Aye 4 - Mayor Ortis, Commissioner Castillo, Commissioner Siple, and Vice Mayor Good Jr.

Nay 1 - Commissioner Schwartz

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 23 into the record, by title.

- 4. 18-0543** [CONSENT ITEM #4 WAS REPOSITIONED FROM THE CONSENT AGENDA TO THE REGULAR AGENDA TO BE READ AS A REGULAR ITEM] MOTION TO APPROVE AFFORDABLE HOUSING AGREEMENT BETWEEN THE CITY OF PEMBROKE PINES AND 1600 SW 66 AVE, LLC; SETTING ASIDE 10% OF UNITS CONSTRUCTED ON THE 1600 BUILDING SITE AS AFFORDABLE UNITS FOR A PERIOD OF TEN YEARS FROM ISSUANCE OF CERTIFICATE OF OCCUPANCY FOR THE PROJECT.

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

Aye 4 - Mayor Ortis, Commissioner Castillo, Commissioner Siple, and Vice Mayor Good Jr.

Nay 1 - Commissioner Schwartz

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 4 into the record, by title.

Vice Mayor Good asked whether the 10% in a 10 year period was ordinance driven or negotiated.

Commissioner Schwartz asked for the term "low income" to be defined.

Commissioner Castillo spoke regarding "low income" in terms of careers.

Mike Stamm, Planning and Economic Development Director addressed the questions and stated that the 10 years was researched, negotiated and found comparable to what other cities were doing.

Ms. Hall responded to the questions of the Commission on behalf of the applicant.

FIRST READING ORDINANCES:

- 17. 2018-08** MOTION TO ADOPT PROPOSED ORDINANCE NO. 2018-08 (REVISION 1) ON SECOND AND FINAL READING.

PROPOSED ORDINANCE NO. 2018-08 IS AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING CHAPTER 121, "COMMUNICATIONS RIGHTS-OF-WAY" OF THE CITY OF PEMBROKE PINES CODE OF ORDINANCES TO AMEND DEFINITIONS RELATED TO COMMUNICATIONS FACILITIES LOCATED IN THE RIGHTS-OF-WAY WITHIN THE CITY OF PEMBROKE PINES; AND ENACTING A NEW SECTION 121.35, "SMALL AND MICRO WIRELESS FACILITIES" TO PROVIDE FOR THE REGULATION OF

SMALL AND MICRO WIRELESS FACILITIES INSTALLED AND MAINTAINED WITHIN PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF PEMBROKE PINES, CONSISTENT WITH SECTION 337.401(7), FLORIDA STATUTES, AS MAY BE AMENDED FROM TIME TO TIME; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Commissioner Castillo, seconded by Commissioner Siple, to pass 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

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 17 into the record, by title.

Assistant City Attorney David Tolces came to the podium to address the Commission regarding section 337.401(7) of the Florida Statutes specifically related to small and micro wireless facilities and answered questions of the commission.

Commissioner Castillo stated his support for the item.

Vice Mayor Good echoed his support of the item; but also stated his concern regarding the limited ability of the City to impact regulations.

Commissioner Schwartz requested clarification on the fees the City is able to collect.

Mayor Ortis spoke on his concerns regarding the cleanup necessary by contractors on these types of projects; that can become a safety issue to the public.

- 18. 2018-09** MOTION TO PASS PROPOSED ORDINANCE NO. 2018-09 ON FIRST READING
PROPOSED ORDINANCE NO. 2018-09 IS AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING CHAPTER 155, OF THE CITY'S CODE

OF ORDINANCES, ENTITLED "ZONING CODE" BY AMENDING SECTION 155.149, ENTITLED "GENERAL BUSINESS (B-3) DISTRICTS"; CREATING SECTION 155.149(18) AND ADDING "MICROBREWERIES AND MICROWINERIES" AS A PRINCIPAL USE PER SPECIAL EXCEPTION (155.283) SUBJECT TO THE PROVISIONS IN SECTION 155.291; AMENDING SECTION 155.286 TO PROVIDE FOR DEFINITIONS; CREATING SECTION 155.291 TO BE ENTITLED "MICROBREWERIES AND MICROWINERIES"; TO PROVIDE FOR STANDARDS AND GUIDELINES RELATED TO THE OWNERSHIP AND USE OF MICROBREWERIES AND MICROWINERIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECOND AND FINAL READING IS TENTATIVELY SCHEDULED FOR AUGUST 1, 2018.

This Ordinance failed for lack of a motion.

City Attorney Goren read Item 18 into the record, by title.

RESOLUTIONS:

- 20. 2018-R-14** MOTION TO ADOPT PROPOSED RESOLUTION NO. 2018-R-14 UNDERGROUND DIGGING.

PROPOSED RESOLUTION NO. 2018-R-14 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, URGING THE FLORIDA LEGISLATURE TO AMEND CHAPTER 556, F.S., TO ALLOW A LOCAL GOVERNMENT TO REQUIRE OPERATORS OF UNDERGROUND FACILITIES TO CONTACT THE AGENCY PRIOR TO ENGAGING IN UNDERGROUND EXCAVATION IN ORDER TO CONFIRM THE LOCATION OF UNDERGROUND WATER MAINS AND OTHER INFRASTRUCTURE, OR, ALTERNATIVELY, TO REQUIRE OPERATORS OF UNDERGROUND FACILITIES TO NOTIFY LOCAL GOVERNMENT DIRECTLY WHEN ENGAGING IN UNDERGROUND EXCAVATION WITHIN ITS JURISDICTION; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE BROWARD LEAGUE OF CITIES, THE FLORIDA LEAGUE OF CITIES, THE GOVERNOR, AND THE MEMBERS OF THE FLORIDA LEGISLATURE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Commissioner Castillo, seconded by Vice Mayor Good, Jr., to adopt. 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: 3602

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2018-R-14 into the record, by title.

Commissioner Castillo spoke on his reason for the support of this item.

City Attorney Goren stated for the record that there would be amendments to strengthen the language of the Resolution if it was adopted.

REGULAR AGENDA:

- 21. 18-0473** APPEAL OF A BOARD OF ADJUSTMENT DETERMINATION PERTAINING TO RESIDENTIAL ZONING VARIANCES FOR THE PROPERTY LOCATED AT 741 SW 71ST WAY:
- A) ZV(R) 2018-02 - TO ALLOW A FOUR FOOT ONE INCH SIDE YARD SETBACK FOR AN EXISTING SHED INSTEAD OF THE REQUIRED FIVE FOOT SIDE YARD SETBACK;
 - B) ZV(R) 2018-03 - TO ALLOW A FOUR FOOT REAR YARD SETBACK FOR AN EXISTING SHED INSTEAD OF THE REQUIRED FIVE FOOT REAR YARD SETBACK;
 - C) ZV(R) 2018-04 - TO ALLOW A ZERO FOOT SIDE YARD SETBACK FOR EXISTING PAVERS/CONCRETE INSTEAD OF THE REQUIRED FIVE FOOT SIDE YARD SETBACK;
 - D) ZV(R) 2018-05 - TO ALLOW A 346.3 SQUARE FOOT (EXISTING) SHED INSTEAD OF THE ALLOWED 100 SQUARE FOOT SHED;
 - E) ZV(R) 2018-06 - TO ALLOW A FIVE FOOT NINE INCH REAR YARD SETBACK INSTEAD OF THE REQUIRED FIFTEEN FOOT REAR YARD SETBACK.

A motion was made by Vice Mayor Good, Jr., seconded by Commissioner Castillo, to approve Item 21A. 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 Vice Mayor Good, Jr., seconded by Commissioner Castillo, to approve Item 21B. 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 Vice Mayor Good, Jr., seconded by Commissioner Siple, to approve Item 21C. 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 Vice Mayor Good, Jr., seconded by Commissioner Castillo, to approve Item 21D. 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 Vice Mayor Good, Jr., seconded by Commissioner Castillo, to approve Item 21E. The motion carried by the following vote:

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

Nay 0

The motion was made by Commissioner Castillo to approve the Board of Adjustment making recommendations to the Commission on these type of appeals the motion failed for lack of a second.

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 21 into the record, by title. Mr. Goren explained the appellate process as written in Section 32.083 in the City's Code of Ordinance.

Camy Bertrand, 741 SW 71st Way, Pembroke Pines, FL, addressed the Commission regarding the reason for the appeal.

Mike Stamm, Planning and Economic Development Director, stated the applicant's status in the appeal process and responded to the questions of the Commission.

Commissioner Castillo questioned the existence of violations/liens on the property.

Commissioner Siple that this issue is a non-self inflicted hardship; however she wanted to confirm that nothing about the property could constitute a safety issue.

Commissioner Schwartz stated that he permit history during the inspection process would be the source of doing due diligence in this matter.

Vice Mayor Good applaud the applicant and his family.

- 24. 18-0589** DISCUSSION AND POSSIBLE ACTION TO DESIGNATE ONE OFFICIAL TO BE THE VOTING DELEGATE TO ATTEND THE FLORIDA LEAGUE OF CITIES ANNUAL CONFERENCE.

A motion was made by Commissioner Castillo, seconded by Commissioner Siple, to appoint Mayor Ortis as the Voting Delegate to attend the Florida League of Cities Annual Conference. 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:

City Attorney read Item 24 into the record, by title.

- 25. 18-0594** MOTION TO APPROVE THE PURCHASE OF A STATE OF THE ART INTERCOM, PAGING, EMERGENCY ALERTING AND SYNCHRONIZED DIGITAL CLOCKS SYSTEM INCLUDING EXPANDING OF PHYSICAL NETWORK AND DATA CABLING REWIRING FOR THE PEMBROKE PINES CHARTER SCHOOL ACADEMIC VILLAGE CAMPUS AS EXPANSION OF THE TECHNOLOGY MODERNIZATION PROJECT, FROM PRESIDIO NETWORK SOLUTIONS, INC., IN THE AMOUNT OF \$1,288,925.95 IN THE BEST INTEREST OF THE CITY PURSUANT TO SECTION 35.18(C)(8) OF THE PROCUREMENT CODE.

A motion was made by Commissioner Castillo, seconded by Commissioner Siple, 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

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 25 into the record, by title.

REPORTS OF LEAGUE REPRESENTATIVES

Mayor stated that there was a League Meeting tomorrow, June 7, 2018.

REPORTS OF THE CITY MANAGER AND CITY ATTORNEY

COMMISSION ITEMS:

26. 18-0498 VICE MAYOR GOOD - ITEM NO.1: DISCUSSION AND POSSIBLE ACTION TO DIRECT THE CITY ADMINISTRATION TO IMPLEMENT A "CODE ENFORCEMENT AMNESTY PROGRAM" FOR CERTAIN TYPES OF NON-LIFE SAFETY CODE VIOLATIONS, WHEREBY ELIGIBLE PROPERTY OWNERS MAY BE AFFORDED REASONABLE TIME TO BRING CERTAIN VIOLATIONS INTO COMPLIANCE WITHOUT INCURRING FINANCIAL PENALTIES. THE INTENT OF THIS PROGRAM IS TO APPLY PRIMARILY TO VIOLATIONS ON REAL PROPERTY WHICH WERE NOT CAUSED BY THE CURRENT PROPERTY OWNER.

A motion was made by Vice Mayor Good, Jr., seconded by Commissioner Castillo, to direct staff to review and investigate a good way to handle these types of issues. 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 spoke on what he would like to see happen with the resident appeals on property compliance issues and asked for discussion from his colleagues.

Commissioner Castillo stated that staff should be able to make a recommendation on these types of issues.

Commissioner Schwartz reiterated the importance of the permit history and the importance of compliance.

Commissioner Siple commented on the health and safety portion of the item which she stated must remain a part of the code and tweaking language to include the things mentioned in the discussion.

The following members of the public spoke on the item:

Jack McCluskey, 2241 NW 22nd Way, Pembroke Pines, FL

- 27. 18-0584** COMMISSIONER CASTILLO - ITEM NO. 1: DISCUSSION AND POSSIBLE ACTION TO DIRECT THE MAYOR ON BEHALF OF THE CITY COMMISSION TO WRITE TO OUR UNION PRESIDENTS ENCOURAGING THEM TO JOINTLY MEET WITH CITY ADMINISTRATION TO DISCUSS AND DEVELOP A WORKABLE PROPOSAL ON BEHALF OF ALL CITY STAFF ABOUT HOW BEST TO ORGANIZE A FORMALIZED AND REOCCURRING STAFF APPRECIATION PROGRAM, SAID PROPOSAL TO BE SUBMITTED FOR CITY COMMISSION REVIEW AND ACTION.

Prior to the vote being taken:

Commissioner Schwartz spoke on having a reserved budget place in next year's budget for this item.

A motion was made by Commissioner Schwartz, seconded by Vice Mayor Good, Jr., to amend the motion to include a budgeted item for next budget year no less than \$50,000 and to include the contracting companies. The motion carried by the following vote:

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

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Castillo read Item 27 into the record, by title and spoke on the item.

Commissioner Schwartz spoke on the item.

REPORTS AND/OR REQUESTS OF ADVISORY BOARDS AND COMMITTEES:

OLD BUSINESS:

ADJOURN - 10:01 P.M.

CITY OF PEMBROKE PINES

**Debra E. Rogers
Deputy 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.