

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, April 17, 2024

6:30 PM

6:30 PM Regular Commission Meeting. Addendum Commission Item ADD-1 added to the agenda and republished online.

Commission Chambers

City Commission

*Angelo Castillo, Mayor
Thomas Good, Jr., Vice Mayor
Jay D. Schwartz, Commissioner
Maria Rodriguez, Commissioner*

6:30 PM REGULAR MEETING CALLED TO ORDER

ROLL CALL

Present 4 - Mayor Angelo Castillo, Vice Mayor Thomas Good Jr., Commissioner Maria Rodriguez, and Commissioner Jay D. Schwartz

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Giana Gonzalez.

NATIONAL ANTHEM

The National Anthem was performed by Giana Gonzalez, who is running for the 2024 Miss Pembroke Pines Teen USA.

ANNOUNCEMENT OF ITEMS TO BE PULLED FROM AGENDA

There were no items pulled.

PRESENTATIONS:

PRE-1 24-0305 PRESENTATION NO. 1: CHRIS HOLLY, FLORIDA LEAGUE OF CITIES (FLC) DIRECTOR OF EXTERNAL SERVICE, WILL PRESENT MAYOR ANGELO CASTILLO WITH THE "MAYOR JOHN LAND YEARS OF SERVICE AWARD" RECOGNIZING HIS 20 YEARS OF SERVICE AT THE CITY OF PEMBROKE PINES.

Chris Holley, Director of External Services read and presented Mayor Castillo with the "Mayor John Land Years of Service Award" on behalf of

the Florida League of Cities. Mayor Castillo was recognized for his outstanding service over the last 20 years and was also presented with a 20 year service pin.

PRE-2 24-0317

PRESENTATION NO. 2: MAYOR CASTILLO WILL PRESENT A PROCLAMATION TO FIRE PREVENTION CHIEF DANIEL ALMAGUER AND ASSISTANT CITY MANAGER CHRISTINA SORENSEN PROCLAIMING MAY 2024 AS WATER SAFETY MONTH IN THE CITY OF PEMBROKE PINES AND RECOGNIZE THE AWARD RECEIVED FROM THE FLORIDA DEPARTMENT OF HEALTH DESIGNATING THE CITY OF PEMBROKE PINES AS THE GOLD STANDARD FOR A WATER SMART COMMUNITY.

Mayor Castillo and Commissioner Schwartz read and presented a proclamation to Division Chief of Fire Prevention Daniel Almaguer and to Assistant City Manager Christina Sorensen in recognition of Water Safety Month in the City of Pembroke Pines.

PRE-3 24-0318

PRESENTATION NO. 3: THE FIRE PREVENTION DIVISION AND THE RECREATION AND CULTURAL ARTS DEPARTMENT WILL PROVIDE A PRESENTATION ON WATER SAFETY AND DROWNING PREVENTION IN PEMBROKE PINES.

Assistant City Manager Christina Sorensen addressed the Commission about water safety and drowning prevention in Pembroke Pines.

Rita Kanazeh, Senior Health Educator from the Florida Department of Health, recognized the City of Pembroke Pines and the steps the city put in place to receive the Gold Standard designation for being a water smart community. The designation is effective April 2024-April 2025.

Division Chief of Fire Prevention Daniel Almaguer addressed the Commission and submitted a PowerPoint presentation on water safety, drowning prevention, and training tips in the City of Pembroke Pines. Chief Almaguer encouraged the public with children to attend the Pembroke Pines Water Safety Day on Saturday, May 4, 2024 from 10:00am-12:00pm located at the Pembroke Pines Charter Academic

Village Pool.

PRE-4 24-0321 PRESENTATION NO. 4: MAYOR CASTILLO WILL READ A PROCLAMATION DECLARING APRIL 26, 2024 AS ARBOR DAY IN THE CITY OF PEMBROKE PINES.

Mayor Castillo and Commissioner Rodriguez read and presented a proclamation recognizing April 26, 2024, as Arbor Day in the City of Pembroke Pines.

PRE-5 24-0315 PRESENTATION NO. 5: PEMBROKE PINES PUBLIC ART MASTER PLAN PRESENTED BY THE CULTURAL PLANNING GROUP.

Assistant City Manager Christina Sorensen introduced Linda Flynn, Partner from Cultural Planning Group. Ms. Flynn presented the Pembroke Pines Public Art Master Plan to the Commission via PowerPoint presentation.

Mayor Castillo, Commissioner Rodriguez, and Commissioner Good spoke about the presentation.

The Arts and Culture board was recognized for their coordination and assistance with creating the master plan.

ITEMS AT THE REQUEST OF THE PUBLIC

There were no items at the request of the public.

COMMISSION AUDITOR REPORT:

None

APPEALS OF BOARD OF ADJUSTMENT DECISIONS:

None

ANNOUNCEMENT OF BOARD AND COMMITTEE APPOINTMENTS

City Clerk Graham stated there were no board appointments to announce. However, there would be board appointments for the Commission's consideration at the May 1, 2024, City Commission Meeting.

20. 24-0289 DISCUSSION AND POSSIBLE ACTION ON THE APPOINTMENT OF INTERIM COMMISSIONER FOR PEMBROKE PINES DISTRICT 4.

Motion failed. A motion was made by Vice Mayor Good Jr., seconded by Commissioner Rodriguez, to approve adding the following question to the application: "Does the Interim applicant intend to run in the November Election?". The motion failed by the following vote:

Aye 2 - Vice Mayor Good Jr., and Commissioner Rodriguez

Nay 2 - Mayor Castillo, and Commissioner Schwartz

Commissioner Schwartz made a motion to table the item. The motion died for lack of a second.

A motion was made by Commissioner Rodriguez, seconded by Mayor Castillo, to approve opening the Interim Commissioner application process to everyone in District 4. The motion carried by the following vote:

Aye 4 - Mayor Castillo, Vice Mayor Good Jr., Commissioner Rodriguez, and Commissioner Schwartz

Nay 0

A motion was made by Vice Mayor Good Jr., seconded by Commissioner Rodriguez, to approve the following process schedule:

Advertise: April 18 - 24

Interviews: April 25 - To 30 Commissioner Calls Potential Applicants

Public Interviews: May 1, 2024 starting at 5:30 PM prior to Regular Commission meeting

Vote And Swearing: May 15, 2024 at Regular Commission Meeting

Applicant must have Form 6 legally available by May 15, 2024 or within 30

days of appointment.

The motion carried by the following vote:

Aye 3 - Mayor Castillo, Vice Mayor Good Jr., and Commissioner Rodriguez

Nay 1 - Commissioner Schwartz

A motion was made by Commissioner Rodriguez, seconded by Vice Mayor Good Jr., to approve the selection process for the Interim Commissioner applicant using a ranking system: Pick 4, pick 3, pick 2, pick 1, except in any process if applicant gets 3 votes and if there is a tie. The motion carried by the following vote:

Aye 4 - Mayor Castillo, Vice Mayor Good Jr., Commissioner Rodriguez, and Commissioner Schwartz

Nay 0

PRIOR TO THE 1ST AND 2ND VOTES BEING TAKEN:

Mayor Castillo read Item 20 into the record by title and explained the options available for the consideration of the City Commission regarding the appointment of the district 4 vacancy.

City Attorney Goren responded to the questions of the Commission concerning the requirement for the interim seat to file the form 6.

The following members of the public spoke on the item:

Wendell Ensey, Century Village and HOA president.
Scott Barnett, 19346 SW 5th Street, Pembroke Pines, FL
Lourdes Diaz, 1483 SW 156th Way, Pembroke Pines, FL
Gloria Pierce, 13055 SW 15th Court, Pembroke Pines, FL
Susan Snyder, 730 SW 191 Avenue, Pembroke Pines, FL
Heather Lambert, 19969 SW 3rd Place, Pembroke Pines, FL
Ana Butaric, 12915 NW 22nd Manor, Pembroke Pines, FL

City Attorney Goren referenced and read Section 3.11(D) of the City's Charter which gives the Commission the prerogative to fill the district 4 seat vacancy. City Attorney Goren also spoke about the draft and adoption process if the Commission had an interim candidate they wished to vote on.

Commissioner Rodriguez spoke about the vote requirements to adopt the budget for the 2024-25 Fiscal Year and about the ramifications if the

budget was unable to be passed.

Vice Mayor Good spoke on the item and said he was in favor of having a representative for district 4. Vice Mayor Good referenced an opinion received from the Attorney General's Office about qualified candidates being selected as an interim Commissioner prior to the election in which they qualified for.

City Attorney Goren clarified the Division of Elections opinion referenced by Vice Mayor Good was sent to him by the City Attorney's Office. City Attorney Goren said the opinion was distributed to the Commission and then read from the opinion about the usage of incumbent or re-elect being permissible for candidates who attained the office through appointment and wished to use the terms in political advertisements.

Commissioner Schwartz spoke about the matter and about the opinion from the Division of Elections.

Mayor Castillo spoke on the matter and said he would follow up with the City Attorney's Office about the opinion provided on the dais.

Discussions ensued and then City Attorney Goren responded to the questions of the Commission about the legal requirements to appointment an interim Commissioner to fill the district 4 vacancy. City Attorney Goren also responded to the question about the Commission having the option to ask candidates if they intended to qualify for the November election.

The option to hold a special election in August was also discussed.

City Attorney Goren reiterated the process to complete the draft and adopt process to address the district 4 vacancy.

PRIOR TO THE 3RD VOTE BEING TAKEN:

Mayor Castillo spoke concerning the advertisement, interviews, public interviews, and the vote/swearing in schedule to appoint the district 4 vacancy.

Commissioner Schwartz, Vice Mayor Good, and Commissioner Rodriguez spoke on the matter.

City Attorney Goren clarified to the Commission about each candidate's

legal requirement to have form 6 filed prior to being sworn into the seat under the Florida Statutes.

Discussions continued and then City Attorney Goren clarified the following schedule for the record:

The advertisement for the district 4 vacancy from April 18th-24th.

Interviews would be from April 25th-30th.

Public Interviews would take place on the May 1, 2024 at the City Commission Meeting.

Public vote and swearing would occur at the May 15, 2024, City Commission Meeting. City Attorney Goren also clarified the amended section 112.3145 with regards to an appointed candidates being permitted to file the form 6 within 30 days of their appointment.

The following member of the public spoke on the item:

Jack McCluskey, 2241 NW 82nd Way, Pembroke Pines, FL

City Attorney Goren responded about the City's Website being the point to access the advertisement for the district 4 vacancy and about other secondary avenues where the vacancy may also be advertised.

PRIOR TO THE 4TH VOTE BEING TAKEN:

Mayor Castillo opened the discussion about the process to submit applications.

Commissioner Schwartz and Vice Mayor Good spoke on the item.

City Attorney Goren addressed the Commission concerning the board application process and that it was a Human Resource function. City Attorney Goren also reiterated the subject matter of the applicant being required to follow the City's Charter to meet the district qualifications and be a registered elector.

Discussions ensued about the candidate selection process for the interim district 4 vacancy.

The following member of the public spoke on the item:

Scott Barnett, 19346 SW 5th Street, Pembroke Pines, FL

20.a 2024-R-12 MOTION TO DRAFT AND ADOPT PROPOSED RESOLUTION 2024-R-12.

PROPOSED 2024-R-12 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ADOPTED PURSUANT TO SECTION 3.11(D) OF THE CITY CHARTER, PROVIDING FOR THE APPOINTMENT TO FILL THE CITY COMMISSION VACANCY IN DISTRICT 4; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

A motion was made by Commissioner Rodriguez, seconded by Vice Mayor Good Jr., to draft and adopt Proposed Resolution 2024-R-12. The motion carried by the following vote:

Aye 4 - Mayor Castillo, Vice Mayor Good Jr., Commissioner Rodriguez, and Commissioner Schwartz

Nay 0

Enactment No: 3860

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren stated the draft and adopted resolution would have the permanent number of 3860 assigned and read the proposed resolution into the record by title.

AFTER THE VOTE WAS TAKEN:

City Attorney Goren reiterated the permanent enactment number 3860 and that the adopted resolution would be prepared the next day.

18. 2024-05 MOTION TO PASS PROPOSED ORDINANCE 2024-05 ON FIRST READING.

PROPOSED ORDINANCE NO. 2024-05 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING ORDINANCE NO. 2017, ADOPTED FEBRUARY 7, 2024, REGARDING THE SPECIAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, TO FILL THE VACANCY IN THE DISTRICT 4 COMMISSION SEAT; AMENDING THE QUALIFYING PERIOD TO ADD AN ADDITIONAL PERIOD FOR QUALIFYING; CONFIRMING THE QUALIFIED STATUS OF PREVIOUSLY QUALIFIED CANDIDATES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

SECOND AND FINAL READING IS SCHEDULED FOR WEDNESDAY, MAY 1ST, 2024.

A motion was made by Vice Mayor Good Jr., seconded by Commissioner Rodriguez, to pass Proposed Ordinance 2024-05 on First Reading. The motion carried by the following vote:

Aye 4 - Mayor Castillo, Vice Mayor Good Jr., Commissioner Rodriguez, and Commissioner Schwartz

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2024-05 into the record by title.

The following member of the public spoke on the item:

Scott Barnett, 19346 SW 5th Street, Pembroke Pines, FL

Vice Mayor Good noted the language on page two of the Agenda Request form for Item 18. Vice Mayor Good requested to strike, "in the best interests of the city to amend the qualifying period" to the language that "On April 3, 2024, the Commission voted unanimously to amend the qualifying period."

It was agreed by consensus without objection.

City Attorney Goren explained the direction needed to be captured in the motion to change the language.

City Attorney Goren clarified the state law with regards to the re-opened qualifying period for the November 5, 2024, election from June 10-14,

2024.

Commissioner Schwartz spoke on the item.

CONSENT AGENDA:

- 1. 24-0121** MOTION TO APPROVE A TWO-YEAR AGREEMENT FOR THE ANNUAL FOURTH OF JULY FIREWORKS DISPLAY AT PINES RECREATION CENTER WITH ZAMBELLI FIREWORKS MANUFACTURING CO., FOR \$35,000 FOR EACH YEAR FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$70,000.

A motion was made to approve on the Consent Agenda

- 2. 24-0141** MOTION TO APPROVE THE AMENDED AND RESTATED AGREEMENT WITH DEANGELO CONTRACTING SERVICES, LLC. (DCS) FOR THE OPERATION, MAINTENANCE, AND MANAGEMENT OF THE CITY'S RIGHT OF WAY'S AND WETLANDS FOR AN INITIAL TERM THROUGH SEPTEMBER 30, 2029, IN THE BEST INTEREST OF THE CITY PURSUANT TO SECTION 35.18(C)(8) OF THE CITY'S CODE OF ORDINANCES.

A motion was made to approve on the Consent Agenda

- 3. 24-0238** MOTION TO APPROVE THE THIRD AMENDMENT OF PARKS ARCHITECTURAL AND ENGINEERING SERVICES AGREEMENT WITH SYNALOVSKI ROMANIK SAYE, LLC TO REPLACE THE HOURLY RATES SCHEDULE OF THE AGREEMENT AND TO APPROVE THE ASSIGNMENT OF THE AGREEMENT TO PRIME ABA BUYER, INC D.B.A. SYNALOVSKI ROMANIK SAYE, LLC.

A motion was made to approve on the Consent Agenda

- 4. 24-0302** MOTION TO APPROVE THE MUNICIPAL ELECTION AGREEMENT WITH THE BROWARD SUPERVISOR OF ELECTIONS' OFFICE (BSOE) FOR NOVEMBER 5, 2024 MUNICIPAL SPECIAL ELECTION IN THE CITY OF PEMBROKE PINES.

A motion was made to approve on the Consent Agenda

- 5. 24-0309** MOTION TO RATIFY THE CITY MANAGER'S APPROVAL OF A CHANGE ORDER TO THE UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$3,281.60, PROVIDING ADDITIONAL FUNDING FOR UTILITY ADJUSTMENTS ALONG PINES BOULEVARD FROM I-75 TO EAST

OF NW 118 AVE.

A motion was made to approve on the Consent Agenda

6. **24-0311** **MOTION TO APPROVE THE DEPARTMENT RECOMMENDATIONS FOR THE FOLLOWING ITEMS LISTED ON THE CONTRACTS DATABASE REPORT:**

(A) Children's Services Council of Broward County - Maximizing Out-of-School Time (MOST) - Renewal

(B) Compass Group USA, Inc. - Food Service Management Company ED-23-01 - Renewal

(C) Safeguard Services, Inc. - Janitorial Services - Various Public Service Buildings - Renewal

A motion was made to approve on the Consent Agenda

7. **24-0312** **MOTION TO APPROVE THE SECOND AMENDMENT TO THE LEASE AGREEMENT BETWEEN CITY OF PEMBROKE PINES AND CCTM2 LLC. ("TENANT") TO ADD TWO (2) ADDITIONAL FIVE (5) YEAR RENEWAL TERMS TO THE AGREEMENT BEYOND THE CURRENT TERM EXTENDING ITS TOTAL TERM TO MARCH 27, 2024, AND TO EXPAND THE SIZE OF THE PREMISES BY 360 SQUARE FEET FOR A TOTAL OF APPROXIMATELY 1,512 SQUARE FEET. (828548 - 901 NW 155 AVE, PEMBROKE PINES, FL 33028).**

A motion was made to approve on the Consent Agenda

8. **24-0235** **MOTION TO APPROVE THE PURCHASE OF FIRE DEPARTMENT UNIFORMS ON AN AS NEEDED BASIS FROM NORTH AMERICA FIRE EQUIPMENT CO., INC., D/B/A NAFECO, UTILIZING THE LAKE COUNTY FLORIDA CONTRACT # 22-730, IN THE ANNUAL AMOUNT NOT TO EXCEED \$95,000, PURSUANT TO SECTION 35.18(C)(5) OF THE CITY'S CODE OF ORDINANCES, THROUGH THE CURRENT CONTRACT EXPIRATION PERIOD OF JULY 31, 2025, AS ALLOWED BY THE AGREEMENT.**

A motion was made to approve on the Consent Agenda

9. **24-0229** **MOTION TO APPROVE THE PURCHASE OF ONE (1) 2026 E-ONE TYPHOON FIRE ENGINE/PUMPER TRUCK FROM REV RTC D/B/A HALL-MARK RTC, IN THE AMOUNT NOT TO EXCEED \$858,810.96 PURSUANT TO SECTION 35.18(C) OF THE CITY'S CODE OF ORDINANCES AND TO APPROVE E-ONE FIRE ENGINES AS A CITY**

STANDARD.

A motion was made to approve on the Consent Agenda

- 10. 24-0288** MOTION TO APPROVE A CHANGE ORDER TO PURCHASE ADDITIONAL WINCHESTER DUTY AMMUNITION FROM THE SOLE AUTHORIZED DISTRIBUTOR, LAWMEN'S AND SHOOTERS' SUPPLY, INC., IN AN AMOUNT NOT TO EXCEED \$12,351.68, INCREASING THE PURCHASE ORDER TO A TOTAL AMOUNT NOT TO EXCEED \$240,101.32, UTILIZING THE STATE OF FLORIDA TERM CONTRACT # 46000000-21-STC, PURSUANT TO SECTIONS 35.18(C)(3), 35.18(C)(5) AND 35.28(B) OF THE CITY'S CODE OF ORDINANCES.

A motion was made to approve on the Consent Agenda

- 11. 24-0304** MOTION TO APPROVE REQUEST TO ADVERTISE SOLICITATION(S)
- (A) PSPW-24-05 "POLK BUILDING RENOVATIONS, PHASE 1"
 - (B) PL-24-01 "ENVIRONMENTAL SPECIALISTS FOR RESIDENTIAL HOME INSPECTION"
 - (C) PL-24-02 "RESIDENTIAL HOME INSPECTION AND COST ESTIMATING SERVICES"

A motion was made to approve on the Consent Agenda

- 12. 24-0232** MOTION TO APPROVE TWO PROPOSED WORK AUTHORIZATIONS WITH HILLERS ELECTRICAL ENGINEERING, INC. PURSUANT TO THE THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF PEMBROKE PINES AND HILLERS ELECTRICAL ENGINEERING, INC., IN AN AMOUNT NOT TO EXCEED \$319,128.29

A motion was made to approve on the Consent Agenda

- 13. 24-0316** MOTION TO APPROVE THE PREMIUM SERVICES AGREEMENTS BETWEEN THE SCHOOL BOARD OF BROWARD COUNTY AND THE CITY OF PEMBROKE PINES CHARTER ELEMENTARY, MIDDLE AND HIGH SCHOOLS (LOCATIONS 5051, 5081, & 5121) FROM JULY 1, 2024 THROUGH JUNE 30, 2025.

A motion was made to approve on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Commissioner Rodriguez, seconded by Vice Mayor Good Jr., to approve the Consent Agenda. The motion carried by the following

vote:

Aye 4 - Mayor Castillo, Vice Mayor Good Jr., Commissioner Rodriguez, and Commissioner Schwartz

Nay 0

- 14. **24-0303** MOTION TO APPROVE THE APRIL 3, 2024 ORGANIZATIONAL AND REGULAR COMMISSION MEETING MINUTES.

A motion was made by Commissioner Schwartz, seconded by Vice Mayor Good Jr., to approve the minutes. The motion carried by the following vote:

Aye 4 - Mayor Castillo, Vice Mayor Good Jr., Commissioner Rodriguez, and Commissioner Schwartz

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Schwartz read Item 14 into the record and spoke on the item.

QUASI JUDICIAL CONSENT AGENDA:

ORDINANCES AND RESOLUTIONS:

SECOND READING ORDINANCES:

- 15. **2024-03** MOTION TO ADOPT PROPOSED ORDINANCE NO. 2024-03 ON SECOND AND FINAL READING

PROPOSED ORDINANCE NO. 2024-03 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, CREATING THE EDISON PEMBROKE MIXED USE DEVELOPMENT (“MXD”) DISTRICT DESIGN GUIDELINES FOR THE APPROXIMATE 25 ACRE PARCEL OF LAND GENERALLY LOCATED NORTH OF PEMBROKE ROAD, BETWEEN I-75 AND SW 145 AVENUE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT “A,” ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Vice Mayor Good Jr., seconded by Mayor Castillo, to adopt Proposed Ordinance 2024-03 on second and final reading. The motion carried by the following vote:

Aye 4 - Mayor Castillo, Vice Mayor Good Jr., Commissioner Rodriguez, and Commissioner Schwartz

Nay 0

Enactment No: 2018

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2024-03 into the record by title. City Attorney Goren explained the Quasi-Judicial process and referenced the Land Development Code in Chapter 155 of the City's Code of Ordinances which provided the means for the hearing with sworn testimony. Mr. Goren also referenced sections 155.203 and 155.304 concerning Quasi-Judicial definitions/ procedures. The following definitions and procedures were read from the City's Code for the record:

Procedures with sworn testimony and evidence, affected persons, Presentation of evidence, Conduct of proceedings, Party or parties, and Public Hearings.

City Attorney Goren said the City Commission would then make a decision on the Proposed Ordinance based on the evidence presented. Additionally, any records or documents considered by the Planning and Zoning Board would be considered as evidence for the Quasi-Judicial Hearing of the Proposed Ordinance for the record.

Mayor Castillo requested all of the affected parties to stand, and they were sworn in by City Clerk Graham.

Mayor Castillo, Commissioner Rodriguez, and Commissioner Schwartz disclosed that they spoke with the legal counsel for the applicant.

City Attorney Goren explained that *ex-parte* communications were allowed and referenced the City's Code concerning the matter.

Mike Stamm, Assistant City Manager/Planning and Economic Development Director, addressed the Commission about the re-zoning modification and guidelines for the Edison Pembroke Mixed Use Development. Mr. Stamm referenced the staff report which explained the changes previously adopted by the Commission, approved by the Planning and Zoning Board, and that it also included mixed residential/office uses.

City Attorney Goren confirmed with Mr. Stamm that the documentation he referenced was submitted as evidence for the City Commission's consideration, for the record.

Dennis Mele, 200 East Broward Boulevard, Fort Lauderdale, FL addressed the Commission on behalf of the applicant. Mr. Mele confirmed he had been sworn in, that he understood the Quasi-Judicial procedures, and then explained the history of the Edison Pembroke Land Use, Re-zoning/Design Guideline changes, and the Mixed-Use District Master Plan via PowerPoint presentation. Mr. Mele also addressed the letter of objection the City Commission received from the legal counsel for the Memorial Healthcare System.

Commissioner Schwartz, Vice Mayor Good, Commissioner Rodriguez, and Mayor Castillo spoke on the item.

Mike Stamm, Assistant City Manager/Planning and Economic Development Director responded to the questions of the Commission that the project was compatible with the comprehensive plan, about Memorial's objection not meeting the 500ft requirement set in the code, and any other additional developments that could be included the future. Mr. Stamm referenced the Proposed for the Pembroke Edison Mixed Master Plan initially presented by Mr. Mele.

Dennis Mele also addressed the questions of the Commission concerning any additional developments on the site referencing Exhibit 2 in the backup to the item on page 3.

Mayor Castillo opened the Public Hearing.

The following members of the public spoke on the item:

Mathew McIntosh, 601 NW 82nd Avenue, Plantation, FL

Scott M. Zaslav, Esquire, 2017 SW Mooring Drive, Palm City, FL to confirm the City Commission received the letter of objection on behalf of the Memorial Healthcare System and addressed the reasons why letter was submitted.

Commissioner Schwartz asked questions to Mr. Zaslav about the statements made in the letter of objection.

City Attorney Goren responded to Commissioner Schwartz's inquiries referencing Chapter 164 of the Florida Statutes with regards to disputes

amongst governmental entities.

Mayor Castillo closed the Public Hearing.

Mike Stamm, Assistant City Manager/Planning and Economic Development Director made his closing arguments concerning the planned district.

Dennis Mele, 200 East Broward Boulevard, Fort Lauderdale, FL made his final arguments on behalf of the applicant.

AFTER THE VOTE WAS TAKEN:

City Attorney Goren stated enactment number 2018 for the Proposed Ordinance and reiterated that any documents, materials, and exhibits considered by the City Commission were submitted to the City Clerk as evidence and a matter of public record.

16. 2024-04

MOTION TO ADOPT PROPOSED ORDINANCE NO. 2024-04 ON SECOND AND FINAL READING

PROPOSED ORDINANCE NO. 2024-04 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA; AMENDING CHAPTER 52 OF THE CITY CODE OF ORDINANCES ENTITLED "STREETS AND SIDEWALKS"; SPECIFICALLY AMENDING SECTION 52-24, ENTITLED "CONSTRUCTION, MAINTENANCE REQUIREMENTS", TO INCREASE THE VERTICAL CLEARANCE REQUIREMENT FOR TREES LOCATED WITHIN SWALE AREAS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

A motion was made by Commissioner Schwartz, seconded by Commissioner Rodriguez, to adopt Proposed Ordinance 2024-04 on Second and Final Reading. The motion carried by the following vote:

Aye 4 - Mayor Castillo, Vice Mayor Good Jr., Commissioner Rodriguez, and Commissioner Schwartz

Nay 0

Enactment No: 2019

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2024-04 into the record by title.

FIRST READING ORDINANCES:

17. **2024-02** MOTION TO PASS PROPOSED ORDINANCE 2024-02 ON FIRST READING.

PROPOSED ORDINANCE 2024-02 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, PURSUANT TO SECTION 8.03 OF THE CITY OF PEMBROKE PINES CHARTER, AUTHORIZING THE EXECUTION OF AN AGREEMENT TO ENTER INTO SUB-SUBLEASE, ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN BY REFERENCE, FOR REAL PROPERTY GENERALLY LOCATED AT 8103 SOUTH PALM DRIVE (TOWER I), 8210 FLORIDA DRIVE (TOWER II), AND 8203 FLORIDA DRIVE (TOWER III), COLLECTIVELY REFERRED TO AS PINES PLACE AND DESCRIBED IN EXHIBIT "B", WHICH PROPERTY IS SUBLEASED BY THE CITY FROM THE STATE OF FLORIDA DEPARTMENT OF CHILDREN AND FAMILY SERVICES AND OWNED BY STATE OF FLORIDA THROUGH THE BOARD OF TRUSTEES OF THE INTERNAL TRUST FUND OF THE STATE OF FLORIDA; AUTHORIZING THE CLOSING OF THE TRANSACTION CONTEMPLATED IN THE AGREEMENT EFFECTIVE UPON THE FILING BY THE CITY MANAGER WITH THE CITY CLERK OF A CERTIFICATE CONFIRMING THAT THE CLOSING REQUIREMENTS IN THE AGREEMENT HAVE BEEN SATISFIED, THE FORM OF WHICH IS ATTACHED HERETO AS EXHIBIT "C", SUBJECT TO THE TERMS AND CONDITIONS AS SET FORTH IN THE AGREEMENT; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS AND TO TAKE ALL ACTIONS NECESSARY TO CLOSE THE TRANSACTION CONSISTENT WITH THE AUTHORITY GRANTED HEREIN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

SECOND AND FINAL READING IS SCHEDULED FOR WEDNESDAY, MAY 15TH, 2024.

A motion was made by Commissioner Rodriguez, seconded by Mayor Castillo, to pass Proposed Ordinance 2024-02 on First Reading. Vice Mayor Good asked for additional information from the City Manager. The City Manager said he would address Vice Mayor Good's concerns before second reading. Second and final reading is scheduled for May 15, 2024. The motion carried by the following vote:

- Aye** 3 - Mayor Castillo, Commissioner Rodriguez, and Commissioner Schwartz
- Nay** 1 - Vice Mayor Good Jr.

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2024-02 into the record by title.

Vice Mayor Good, Mayor Castillo, Commissioner Rodriguez, and Commissioner Schwartz spoke on the item.

City Manager Dodge responded to the questions of the Commission about the requirements of the sub-lease agreements with the state and also addressed the matter of rental rates.

Elliot White, 35 Pearl Road, Saugus, MA addressed the Commission on behalf of the potential applicant. Mr. White confirmed the units would still be utilized for low-income housing.

Jay Shechter, Director of Community Services addressed the Commission about the number of 2-bedroom units available within the low-income properties.

City Manager Dodge explained the structure with regards to the City's residential qualification process to live in the low-income housing.

Mr. White also responded to the questions of the Commission about the Area Median Income (AMI) the residents would be required to pay. He also addressed the matter of the housing being strictly used for low-income, that there would be a restrictive covenant in place to sub-lease properties currently or in the future, and that pines residents would receive preference. Mr. White also responded to the questions of the Commission about community outreach so residents will know the program is available.

City Manager Dodge addressed the potential concern should the low-income property be sold in the future.

AFTER THE VOTE WAS TAKEN:

City Attorney Goren reminded the City Commission of the final reading of the public hearing item and that the adoption of the proposed

ordinance required 4/5 votes.

RESOLUTIONS:

19. 2024-R-10 MOTION TO ADOPT PROPOSED RESOLUTION 2024-R-10.

PROPOSED RESOLUTION 2024-R-10 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA APPROVING AND AUTHORIZING THE EXECUTION AND RECORDING OF A DECLARATION OF RESTRICTIVE COVENANT PROHIBITING INCINERATORS OR RELATED USES ON THE PROPERTY LOCATED AT 5400 SW 208TH LANE, SOUTHWEST RANCHES, FL 33332 AND 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 Schwartz, seconded by Commissioner Rodriguez, to adopt Proposed Resolution 2024-R-10. The motion carried by the following vote:

Aye 4 - Mayor Castillo, Vice Mayor Good Jr., Commissioner Rodriguez, and Commissioner Schwartz

Nay 0

Enactment No: 3861

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2024-R-10 into the record by title.

Commissioner Schwartz and Mayor Castillo spoke on the item.

The following member of the public spoke on the item:

Kenneth Farkas, 5331 SW 199th Avenue, Pembroke Pines, FL addressed the City Commission regarding the language written in the proposed resolution.

City Manager Dodge responded to the questions of the Commission

about any other properties in the City that could also have a restrictive deed covenant placed on them. Mr. Dodge stated the legal descriptions would be required to include them in the proposed resolution.

City Attorney Goren made the recommendation to prepare a separate proposed resolution.

REGULAR AGENDA:

REPORTS OF LEAGUE REPRESENTATIVES

REPORTS OF THE CITY MANAGER AND CITY ATTORNEY

21. **24-0323** CITY ATTORNEY ITEM NO.1: DISCUSSION AND POSSIBLE ACTION ON THE CHARTER REVIEW BOARD FINAL REPORT AND RECOMMENDATIONS.

City Attorney Goren reported that the Charter Review Board met and made their final recommendations of referendum items that may be placed on the November ballot. City Attorney Goren explained the items would require the City Attorney's Office to prepare ordinances that must be approved on second reading prior to the June 10, 2024, qualifying period.

Mayor Castillo and made a recommendation to discuss the matter further in a workshop.

Commissioner Schwartz and Commissioner Rodriguez spoke on the item.

City Attorney Goren responded to the Commission about the ballot item(s) due date prior to June 10th, about the first reading ordinances, second reading ordinances, as well as the required advertisements.

COMMISSION ITEMS:

ADD-1 24-0325

[ADDENDUM ITEM ADD-1] COMMISSIONER SCHWARTZ - ITEM 1: MOTION TO RECONSIDER THE COMMISSION'S PRIOR ACTION, TAKEN ON APRIL 3, 2024, GRANTING A SPEED HUMP WAIVER REQUEST TO ALLOW FOR THE INSTALLATION OF SPEED HUMPS ON S.W. 54TH PLACE IN ORDER TO ENSURE THAT THE FIRE DEPARTMENT HAS HAD A SUFFICIENT OPPORTUNITY TO REVIEW THE WAIVER REQUEST.

Commissioner Schwartz's motion die for lack of a second. He said that as no action was taken by the Commission, City Administration needed to work with the Fire Department and Karl Kennedy to review the logistics.

Commissioner Schwartz read the item into the record but did not receive a second. Commissioner Schwartz was permitted to address City Manager Dodge concerning the review and approval from the Fire Department.

Mayor Castillo spoke on the matter.

NEW BUSINESS:**NEW BUSINESS**

Commissioner Rodriguez said she spoke with Florida State Representative Robin Bartleman on Senate Bill 463 with regards to the lights displayed on the back of fire department vehicles. Commissioner Rodriguez reported the bill would be effective July 1, 2024, she read some of the benefits of the emergency lighting, and thanked State Representative Bartleman for pushing the legislative bill.

OLD BUSINESS:**ADJOURN - 11:07 P.M.**

CITY OF PEMBROKE PINES

Debra E. Rogers, CMC
Deputy City Clerk