

# City of Pembroke Pines, FL

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



## Meeting Minutes

**Wednesday, August 17, 2022**

**6:30 PM**

**6:30 PM Regular Commission Meeting**

**Commission Chambers**

### **City Commission**

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

## 6:30 PM REGULAR MEETING CALLED TO ORDER

### ROLL CALL

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

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

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Ortis.

### ACKNOWLEDGEMENTS

Mayor Ortis wished the City's Emergency Management Director Dan Giustino a happy birthday.

Mayor Ortis also recognized Commissioner Siple's Town Hall meeting held on Tuesday, August 16, 2022, which discussed Safe Neighborhood Improvement Districts.

Commissioner Castillo acknowledged Miami-Dade Police Detective Cesar Echaverry, who was severely wounded during a gunfire exchange with an armed robbery suspect on August 15. A moment of silence was observed in his honor.

Regrettably, Detective Echaverry passed away August 18, 2022.

### PRESENTATIONS:

**PRE-1 22-0620** PRESENTATION 1: MAYOR ORTIS WILL PRESENT A PROCLAMATION TO BARBARA MARKLEY RECOGNIZING SEPTEMBER 2022 AS SUICIDE PREVENTION AWARENESS MONTH IN THE CITY OF PEMBROKE PINES. BARBARA MARKLEY

WILL ALSO DISCUSS THE GUN SAFETY PROGRAM "LOCK IT UP".

Mayor Ortis read and presented a proclamation to Ms. Eva Hayward of the Florida League of Women Voters on behalf of Ms. Barbara Markley, in recognition of September 2022 as Suicide Prevention Awareness Month. Mayor Ortis also spoke about the "Lock It Up" program relating to gun safety.

Commissioner Siple commented on the presentation and spoke about the gun safety program "Lock It Up" boxes.

## **ANNOUNCEMENT OF ITEMS TO BE PULLED FROM AGENDA**

City Clerk Graham declared no items pulled from the agenda.

## **ITEMS AT THE REQUEST OF THE PUBLIC**

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**

Commissioner Castillo announced that Mr. Jeff Greene resigned from the Commissioner's Citizens Budget Counsel and has appointed Mr. Nelson Aloy as his replacement.

## CONSENT AGENDA:

**1. 22-0139 MOTION TO APPROVE THE DEPARTMENT RECOMMENDATIONS FOR THE FOLLOWING ITEMS LISTED ON THE CONTRACTS DATABASE REPORT:**

(A) Nearpod, Inc. - License for Access to Nearpod and Flocabulary Online Materials - Renewal

(B) BellSouth Telecommunications, LLC d/b/a AT&T Southeast - PRI Services - Renewal

**ITEM (C) WILL EXPIRE WITH NO RENEWAL TERMS AVAILABLE, THEREFORE, NO COMMISSION ACTION IS REQUIRED AS IT IS PRESENTED FOR NOTIFICATION PURPOSES ONLY PURSUANT TO SECTION 35.29 (F) OF THE CITY'S PROCUREMENT CODE:**

(C) Waste Pro of Florida, Inc. - Removal and Disposal of Grit and Screening - Non-Renewal

**A motion was made to approve on the Consent Agenda**

**3. 22-0608 MOTION TO RELEASE PERFORMANCE BOND # 024064957 IN THE AMOUNT OF \$2,426,210.00 FROM STANDARD PACIFIC OF FLORIDA. ACCEPT THE BILL OF SALE AND EASEMENT DEDICATION FOR WATER AND SEWER IMPROVEMENTS AT RAINTREE PHASE III WEST.**

**A motion was made to approve on the Consent Agenda**

**4. 22-0609 MOTION TO AWARD IFB # AD-22-03 "REBID OF SERVING LINE RENOVATION FOR VARIOUS CHARTER SCHOOLS" TO THE MOST RESPONSIVE/ RESPONSIBLE BIDDER, STAFFORD-SMITH, INC., IN AN AMOUNT NOT TO EXCEED \$407,493.42, WHICH INCLUDES A 10% OWNER'S CONTINGENCY IN THE AMOUNT OF \$37,044.86.**

**A motion was made to approve on the Consent Agenda**

**5. 22-0611 MOTION TO APPROVE ENTERING INTO AN AGREEMENT**

BETWEEN THE CITY OF PEMBROKE PINES/SOUTHWEST FOCAL POINT SENIOR CENTER AND THE AREAWIDE COUNCIL ON AGING OF BROWARD COUNTY, INC. THE EMERGENCY HOME ENERGY ASSISTANCE PROGRAM (EHEAP) CONTRACTJP022-10-2023 FOR THE PERIOD OF APRIL 1, 2022 TO SEPTEMBER 30, 2023 IN THE TOTAL AMOUNT OF 22,934.80.

**A motion was made to approve on the Consent Agenda**

6.        **22-0612**        MOTION TO AUTHORIZE THE PEMBROKE PINES CHARTER SCHOOLS TO ADD THREE (3) EARLY RELEASE DAYS TO THE SCHOOL CALENDAR FOR THE 2022-2023 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**

7.        **22-0614**        MOTION TO APPROVE THE PURCHASE OF CLASSROOM / CAFETERIA FURNITURE FOR THE FSU CHARTER SCHOOL CAMPUS FROM SCHOOL SPECIALTY IN THE AMOUNT NOT TO EXCEED \$31,320.51, UTILIZING PRICING ESTABLISHED BY THE OMNIA PARTNERS, PUBLIC SECTOR (FORMERLY U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE) CONTRACT # R19815, PURSUANT TO SECTION 35.18(C)(6) OF THE CITY'S CODE OF ORDINANCES.

**A motion was made to approve on the Consent Agenda**

9.        **22-0621**        MOTION TO APPROVE THE AWARD OF ITQ # PSPW-21-11-03 "GATE & GATE OPERATOR REPLACEMENT AT EAST RV BOAT STORAGE LOT" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, GOMEZ AND SON FENCE, CORP. IN THE AMOUNT NOT TO EXCEED \$36,021.83.

**A motion was made to approve on the Consent Agenda**

10.       **22-0622**        MOTION TO APPROVE THE NEGOTIATED AGREEMENT WITH ENERGY RESOURCES INTEGRATION, LLC PURSUANT TO AWARD RFP # FN-21-01 "INDEPENDENT REVIEW OF THE ANNUAL ENERGY SAVING PROJECT MEASUREMENT AND VERIFICATION REPORTS" FOR AN AMOUNT NOT TO EXCEED \$87,375.

**A motion was made to approve on the Consent Agenda**

11.      **22-0623**      MOTION TO APPROVE A DONATION IN THE AMOUNT OF \$5000.00 TO A CHILD IS MISSING (ACIM) INC., UTILIZING FUNDS FROM THE POLICE DEPARTMENT'S FORFEITURE ACCOUNT.

**A motion was made to approve on the Consent Agenda**

12.      **22-0627**      MOTION TO APPROVE REQUEST TO ADVERTISE SOLICITATION(S):  
  
(A) IFB # PSPW-22-10 ROOF REPLACEMENT FOR VARIOUS CITY BUILDINGS  
(B) IFB # PSPW-22-11 REPLACEMENT OF EMERGENCY GENERATOR AT PINES POINT

**A motion was made to approve on the Consent Agenda**

13.      **22-0629**      MOTION TO APPROVE THE REGULAR COMMISSION MEETING MINUTES OF WEDNESDAY, AUGUST 3, 2022.

**A motion was made to approve on the Consent Agenda**

14.      **22-0624**      MOTION TO APPROVE A CHANGE ORDER TO THE CONTRACT WITH CARDINAL CONTRACTORS, INC. FOR PSUT-18-04 "DESIGN BUILD SERVICES FOR WWTP REHABILITATION PHASE I" IN AN AMOUNT NOT TO EXCEED \$414,848.

**A motion was made to approve on the Consent Agenda**

15.      **22-0613**      MOTION TO APPROVE THE SECOND AMENDMENT TO THE CONTRACTUAL SERVICES AGREEMENT FOR SCHOOL CROSSING GUARD SERVICES WITH KEMP GROUP INTERNATIONAL CORPORATION., INCREASING THE ANNUAL COST BY \$102,183.90, WHICH IS AN INCREASE OF APPROXIMATELY 16.24%, FOR A TOTAL ANNUAL AMOUNT NOT TO EXCEED \$731,421.60.

**A motion was made to approve on the Consent Agenda**

### **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, Vice Mayor Schwartz, Commissioner Good Jr., Commissioner Castillo, and Commissioner Siple

Nay 0

2.       **22-0552**       MOTION TO APPROVE THE MAINTENANCE OF FOUR HUNDRED AND EIGHTY (480) MOTOROLA RADIOS FOR THE CITY'S POLICE DEPARTMENT BY MOTOROLA SOLUTIONS, FOR A TOTAL AMOUNT NOT TO EXCEED \$32,352, PURSUANT TO SECTION 35.18(C)(7)(D) OF THE CITY'S CODE OF ORDINANCES.

**A motion was made by Commissioner Good Jr., seconded by Vice Mayor Schwartz, to approve Item 2. The motion carried by the following vote:**

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

**Nay**   0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 2 into the record by title and spoke on the item, referencing the procurement code section 35.18(C)(7)(D) applied to the item.

Mark Gomes said Broward County confirmed that the contract did not include maintenance of the radios.

8.       **22-0618**       MOTION TO APPROVE THE PURCHASE OF EIGHT (8) MOTOROLA APX8000 PORTABLE RADIOS AND ONE (1) APX8500 MOBILE RADIO AND RELATED ACCESSORIES FOR THE POLICE DEPARTMENT FROM MOTOROLA SOLUTIONS, UTILIZING PRICING ESTABLISHED BY THE NASPO VALUEPOINT AGREEMENT # 00318 FOR EQUIPMENT FOR A TOTAL AMOUNT NOT TO EXCEED \$79,644.25, PURSUANT TO SECTION 35.18(C)(6) OF THE CITY'S CODE OF ORDINANCES.

**A motion was made by Commissioner Good Jr., seconded by Vice Mayor Schwartz, to approve Item 8. The motion carried by the following vote:**

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

**Nay**   1 - Commissioner Good Jr.

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 8 into the record by title and inquired about the procurement code pertaining to section 35.18(C)(6).

Mark Gomes responded to clarify section 2 on page 3 of the agreement, Exhibit 3.

City Attorney Goren commented on the legal requirements regarding the national/state participating agreement addendum.

#### **QUASI JUDICIAL CONSENT AGENDA:**

### **ORDINANCES AND RESOLUTIONS**

#### **SECOND READING ORDINANCES:**

- 16.        2022-08        MOTION TO ADOPT PROPOSED ORDINANCE NO. 2022-08 ON SECOND AND FINAL READING.**

PROPOSED ORDINANCE NO. 2022-08 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA AMENDING SECTION 72.04 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "VEHICLES SHALL NOT OBSTRUCT TRAFFIC" TO PROVIDE FOR THE ISSUANCE OF CITATIONS FOR OBSTRUCTING A RIGHT OF WAY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**A motion was made by Commissioner Siple, seconded by Vice Mayor Schwartz, to adopt Proposed Ordinance 2022-08 on Second and Final Reading. The motion carried by the following vote:**

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

**Nay    0**

Enactment No: 1995

#### **PRIOR TO THE VOTE BEING TAKEN:**

City Attorney Goren read Proposed Ordinance 2022-08 into the record, by title.



Vice Mayor Schwartz spoke on the item.

## FIRST READING ORDINANCES

### RESOLUTIONS:

17.       **2022-R-23**       MOTION TO ADOPT PROPOSED RESOLUTION 2022-R-23.

PROPOSED RESOLUTION NO. 2022-R-23 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING A GRANT FROM THE "URBAN AREA SECURITY INITIATIVE ("UASI") GRANT PROGRAM FY 2021", THROUGH THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT, FOR THE BENEFIT OF THE FORT LAUDERDALE-MIAMI UASI, COMPRISED OF VARIOUS COUNTY AND MUNICIPAL ENTITIES, INCLUDING THE CITY OF PEMBROKE PINES; AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF MIAMI, AS SPONSORING AGENCY, AND THE CITY OF PEMBROKE PINES AS A PARTICIPATING AGENCY, WHICH PROVIDES FOR THE USE OF THE CITY OF PEMBROKE PINES' SHARE OF THE GRANT PROCEEDS; 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 2022-R-23. The motion carried by the following vote:**

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

**Nay**     0

Enactment No: 3802

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2022-R-23 into the record, by title.

City Attorney Goren clarified that the adopted Proposed Ordinance

2022-08 was a public hearing and that no members of the public wished to speak on the item.

**18.        2022-R-24        MOTION TO ADOPT PROPOSED RESOLUTION 2022-R-24.**

PROPOSED RESOLUTION 2022-R-24 IS A RESOLUTION OF THE CITY OF PEMBROKE PINES, FLORIDA AMENDING THE BUDGET FOR THE CITY OF PEMBROKE PINES CHARTER SCHOOLS SPONSORED BY THE SCHOOL DISTRICT OF BROWARD COUNTY, FLORIDA FOR THE CHARTER SCHOOL FISCAL YEAR BEGINNING JULY 1, 2021; 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 2022-R-24. The motion carried by the following vote:**

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

**Nay**    0

Enactment No: 3803

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2022-R-24 into the record, by title.

**19.        2022-R-25        MOTION TO ADOPT PROPOSED RESOLUTION 2022-R-25.**

PROPOSED RESOLUTION 2022-R-25 IS A RESOLUTION OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING THE BUDGET FOR THE CITY OF PEMBROKE PINES/FLORIDA STATE UNIVERSITY CHARTER ELEMENTARY SCHOOL FOR THE CHARTER SCHOOL FISCAL YEAR BEGINNING JULY 1, 2021; 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 2022-R-25. The motion carried by the following vote:**

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

**Nay** 0

Enactment No: 3804

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2022-R-25 into the record, by title.

## **REGULAR AGENDA:**

## **REPORTS OF LEAGUE REPRESENTATIVES**

Mayor Ortis reported on the last league meeting that took place at the Diplomat Hotel in Hollywood, FL.

Commissioner Castillo congratulated the City of Miramar's Mayor Wayne Messam, for his appointment as President of the Florida League of Mayors, and Mayor Scott Brook as the Florida League of Mayors Vice President from the City of Coral Springs.

## **REPORTS OF THE CITY MANAGER AND CITY ATTORNEY**

## **COMMISSION ITEMS:**

- 20. 22-0630** COMMISSIONER SIPLE - ITEM 1: MOTION TO INSTRUCT CITY ADMINISTRATION TO CONDUCT A TRAFFIC FLOW AND TRAFFIC SAFETY STUDY AT THE LOCATION EXITING WESTFORK PLAZA ONTO DYKES ROAD BETWEEN COSTCO AND THE COSTCO GAS STATION. DUE TO RECENT, AND FUTURE PROPOSED, ADDITIONS OF STOREFRONTS IN WESTFORK PLAZA, THEIR SUBSEQUENT TRAFFIC VOLUME INCREASE, SHORT LINE OF VISION AT THIS INTERSECTION AND RECENT TRAFFIC ACCIDENTS, THIS SAFETY STUDY PROVIDING SOLUTIONS IS NECESSARY IN ORDER TO PROTECT THE HEALTH, SAFETY AND WELFARE OF OUR RESIDENTS TRAVELING IN THIS AREA.

**A motion was made by Commissioner Siple, seconded by Commissioner Castillo, to approve Item 20. The motion carried by the following vote:**

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

**Nay** 0

**PRIOR TO THE VOTE BEING TAKEN:**

Commissioner Siple read Item 20 into the record by title and spoke about the reasons for the need for a traffic flow/study agreement. Particularly in the Westfork Plaza and Paraiso Parc Shopping Center on Dykes and Pines Boulevard.

Vice Mayor Schwartz, Commissioner Castillo, Commissioner Good, and Mayor Ortis also expressed concerns on the matter and spoke in favor of the study.

Mike Stamm, Planning and Economic Development Director responded to the questions of the Commission regarding the Sweet Tomatoes Restaurant building being demolished before the Chick-fil-A buildout. Mr. Stamm also clarified that the Chick-fil-A and the Westfork Plaza/Paraiso Parc should be treated as two separate items.

City Attorney Goren responded to the questions of the Commission regarding the Commission's authority to take action and make changes in the center after the study is completed. City Attorney Goren also clarified for the record that the Chik-fil-A would not be brought as an item for Commission approval.

It was also clarified that any affected party could appeal an item approved by the Planning and Zoning Board, referencing section 155.311(C)(2) of the City's Code, which included a member of the City Commission.

**NEW BUSINESS:**

**FLETCHER PARK**

Three (3) Public Request to Speak forms were submitted late in the

meeting to address the Commission regarding the Fletcher Park Softball Team.

Christina Sorensen, Assistant City Manager/Director of Recreation and Cultural Arts, spoke about the matter of the non-renewal of the girls' softball agreement at Fletcher Park, and the recommendation to turn over the program to West Park Academy at a future Commission Meeting.

The following members of the public spoke, addressing their concerns about the potential change at Fletcher Park:

Nicole Bayona, 1530 SW 109th Avenue, Pembroke Pines, FL.

Melissa Kelly, 6471 Pershing Street, Hollywood, FL.

Kristen Davalos, 2051 NW 93rd Avenue, Pembroke Pines, FL.

Vice Mayor Schwartz, Commissioner Siple, Commissioner Castillo, Commissioner Good, and Mayor Ortis spoke on the matter, to find a solution to the concerns expressed by the parents and West Park Academy staff.

Ms. Sorensen clarified that the intent is to have the matter resolved from a business standpoint. There is no intention to stop the girls' softball program at Fletcher Park or require a name change for the team. Ms. Sorensen said she wanted to figure out a way to make this work for the girls' softball team. This issue is all about addressing the business side of the situation with Fletcher Park. The contract with Mr. Herrera would not be renewed as there were issues with insurance and his desire to have the ball field subleased to him. This is the business side of the matter that is being addressed.

## **OLD BUSINESS:**

**ADJOURN - 8:07 P.M.**

**CITY OF PEMBROKE PINES**

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