

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, May 3, 2023

6:30 PM

6:30 PM Regular Commission Meeting. ADD-1 added to Consent Agenda. Item #8 pulled by Administration. Item #10 pulled by Applicant. Item #12 Revised.

Commission Chambers

City Commission

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

6:30 PM REGULAR MEETING CALLED TO ORDER**ROLL CALL**

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

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Siple.

Mayor Ortis acknowledged the length of his tenure, having served as Mayor since 2004. He announced that this would be his last term in office as Mayor when his term ends in March 2024. Mayor Ortis then acknowledged his wife Mrs. Barbara Ortis and their son Nick.

PRESENTATIONS:

PRE-1 23-0299 PRESENTATION NO. 1: MAYOR ORTIS WILL PRESENT A PROCLAMATION TO WEST BROWARD HIGH SCHOOLS JROTC DRILL TEAM WHO TOOK FIRST PLACE IN THE 2023 STATE OF FLORIDA JROTC DRILL TEAM CHAMPIONSHIP.

Mayor Ortis read the proclamation and presented it to Principal Fatout of the West Broward High School in recognition of the JROTC 1st place championship win.

Principal Fatout thanked his students who participated in the JROTC program and thanked the Mayor and Commission for the honor.

The JROTC group took pictures with the Mayor and Commission.

PRE-2 23-0295 PRESENTATION NO. 2: MAYOR ORTIS WILL PRESENT A PROCLAMATION TO THE COMBAT ANTI-SEMITISM MOVEMENT

(CAM) RECOGNIZING MAY 2023 AS JEWISH AMERICAN HERITAGE MONTH IN THE CITY OF PEMBROKE PINES.

Mayor Ortis read the proclamation into the record recognizing Jewish American Heritage Month. The proclamation would be delivered after the Commission meeting.

PRE-3 23-0296

PRESENTATION NO. 3: MAYOR ORTIS WILL PRESENT A PROCLAMATION TO BENJAMIN MCAFEE, NAMI BROWARD ADVOCACY GROUP, RECOGNIZING MAY 2023 AS MENTAL HEALTH AWARENESS MONTH IN THE CITY OF PEMBROKE PINES.

Mayor Ortis read the proclamation and presented it to Benjamin McAfee of the Nami Broward Advocacy Group.

Mr. McAfee addressed the Commission via PowerPoint Presentation about some of the programs the Nami Advocacy Group offered and provided contact information.

Vice Mayor Siple spoke about the presentation on the Nami Advocacy Group.

ACKNOWLEDGEMENTS

Commissioner Castillo acknowledged the passing of Ben Menasche and asked to observe a moment of silence.

Commissioner Castillo requested Item 12 to be taken out of order for the residents who were present for that item.

Vice Mayor Siple spoke about the mammogram program and asked City Manager Dodge to post promotional information.

PRE-4 23-0294

PRESENTATION NO. 4: MAYOR ORTIS WILL PRESENT A PROCLAMATION TO THE EARLY LEARNING COALITION OF BROWARD COUNTY AND CHILDCARE WORKERS RECOGNIZING MAY 12, 2023 AS NATIONAL CHILDCARE PROVIDER

APPRECIATION DAY IN THE CITY OF PEMBROKE PINES

Mayor Ortis read the proclamation and presented it to Ms. Christine Klima, a representative of the Early Learning Coalition of Broward County who spoke to thank the Mayor and Commission for the honor.

PRE-5 23-0328

PRESENTATION NO. 5: WATER SAFETY PRESENTATION BY THE CITY OF PEMBROKE PINES FIRE DEPARTMENT AND RECREATION AND CULTURAL ARTS DEPARTMENT IN RECOGNITION OF MAY BEING WATER SAFETY MONTH.

Christina Sorensen, Director/Assistant City Manager made a request to the Mayor to move Presentation #5 out of order, to be the first presentation.

Fire Marshall Dan Almaguer presented PowerPoint slides to the Commission and audience about water safety for children under the age of 5.

There will be a Water Safety event at the Academic Village Pool on May 6, 2023, from 10:00am to 12:00pm.

12. 2023-R-12 MOTION TO ADOPT PROPOSED RESOLUTION 2023-R-12

A RESOLUTION OF THE CITY COMMISSION OF THE PEMBROKE PINES, FLORIDA, APPROVING AND AUTHORIZING THE PURCHASE OF APPROXIMATELY 3.93 ACRES OF REAL PROPERTY FROM VD HOMESTEAD LLC, GENERALLY LOCATED SOUTH OF PINES BOULEVARD AND WEST OF SOUTHWEST 196TH AVENUE, SUBJECT TO THE TERMS AND CONDITIONS AS SET FORTH IN THE PURCHASE AND SALE AGREEMENT, ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN BY REFERENCE; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO TAKE ANY AND ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION AND TO EFFECTUATE THE ACQUISITION OF SUCH REAL PROPERTY IN ACCORDANCE WITH THE TERMS OF THE PURCHASE AND SALE AGREEMENT AND ANY AMENDMENTS THERETO; PROVIDING FOR CONFLICTS;

PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Castillo, seconded by Vice Mayor Siple, to adopt the amended motion, to include language, as requested by friendly amendment of Commissioner Schwartz, to include the \$3.9 million appraisal in the title or backup. The motion carried by the following vote:

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

Nay 0

Enactment No: 3820

Item 12 was taken out of order without objection.

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2023-R-12 into the record by title.

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

Mike Stamm, Director/Assistant City Manager responded to the questions of the Commission regarding the updated appraisals.

City Manager Dodge responded to the questions of the Commission regarding the negotiated price being included in the updated agenda request form title.

City Attorney Goren responded to the questions of the Commission about the inclusion of the updated amount of the appraisal at \$3.9 million dollars as a supplement to the agenda.

The following members of the public spoke on the item:

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

Susan Snyder, 730 SW 191st Avenue, Pembroke Pines, FL

Luca and Daniel Davila, 19090 SW 10th Street, Pembroke Pines, FL

Laura Fronzek, resident of Encantada, Pembroke Pines, FL

Mayor Ortis, Vice Mayor Siple, and Commissioner Schwartz responded to the members of the public.

ANNOUNCEMENT OF ITEMS TO BE PULLED FROM AGENDA

8. **23-0287** **[ITEM #8 PULLED FROM THE AGENDA BY ADMINISTRATION]**
MOTION TO APPROVE THE AWARD OF ITQ # RE-23-02 "FENCING AT VARIOUS CITY PARKS" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, TECHGROUPONE, INC., IN THE AMOUNT NOT TO EXCEED \$41,143.95.

10. **23-0127** [ITEM #10 PULLED BY APPLICANT] THE DEVELOPER SUBMITTED A NEW LETTER OF REQUEST TO DEFER TO A NEW DATE OF WEDNESDAY, JUNE 21, 2023 INSTEAD OF WEDNESDAY JUNE 7, 2023. THIS ITEM WAS ADVERTISED FOR MAY 3, 2023. THE ITEM WILL BE RE-ADVERTISED FOR THE NEW MEETING DATE.

MOTION TO APPROVE THE WM RECYCLING SOUTH FLORIDA SITE PLAN (SP 2022-0014) FOR BUILDING HEIGHT, AS RECOMMENDED BY THE PLANNING AND ZONING BOARD; LOCATED AT 20701 PEMBROKE ROAD

10. **23-0335** **REFERENCE TO ITEM #10 ON THE MAY 3, 2023 COMMISSION MEETING AGENDA:** WM RECYCLING SOUTH FLORIDA SP 2022-0014 - DEFERRAL REQUEST LETTER ATTACHED HERETO. REQUEST TO DEFER ITEM TO JUNE 21, 2023. ITEM #10 WM RECYCLING SOUTH FLORIDA SP 2022-0014 WAS ADVERTISED TO GO BEFORE COMMISSION ON MAY 3, 2023. THIS DEFERRAL REQUEST IS TO BE MADE ON THE RECORD.

City Clerk Graham explained that Item 8 was pulled by Administration and that Item 10 was pulled at the request of the applicant.

ITEMS AT THE REQUEST OF THE PUBLIC

Julian Estrada, 2321 NW 185th Avenue, Pembroke Pines, FL introduced himself as a student of Horeb Christian School in Hialeah. He is a senior on the speech and debate team. He will be studying Political Science at the University of Miami. He expressed appreciation for the elected body of the Pembroke Pines City Commission.

COMMISSION AUDITOR REPORT:

None.

APPEALS OF BOARD OF ADJUSTMENT DECISIONS:

None.

ANNOUNCEMENT OF BOARD AND COMMITTEE APPOINTMENTS

There were no board appointments announced.

CONSENT AGENDA:

1. **23-0248** MOTION TO AWARD IFB # PSPW-23-09 "CHARTER SCHOOLS - STAIRWAY REPLACEMENTS" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, BEJAR CONSTRUCTION, INC., IN THE AMOUNT NOT TO EXCEED \$525,261.45, WHICH INCLUDES A 5% OWNER'S CONTINGENCY IN THE AMOUNT OF \$25,012.45.

A motion was made to approve on the Consent Agenda

2. **23-0289** MOTION TO APPROVE THE EIGHTH AMENDMENT TO ORIGINAL AGREEMENT, AS AMENDED, BETWEEN THE CITY OF PEMBROKE PINES AND GRANICUS, LLC TO APPROVE THE ASSIGNMENT OF THE AGREEMENT FROM GRANICUS, INC TO GRANICUS, LLC, PURSUANT TO THE REQUIREMENT SET FORTH IN SECTION 15.2 OF THE ORIGINAL AGREEMENT.

A motion was made to approve on the Consent Agenda

3. **23-0290** MOTION TO APPROVE THE AWARD OF CS-21-02-07 "PINES PLACE CABINET PROJECT # 4" IN THE AMOUNT NOT TO EXCEED \$32,327 TO CABINET STOP SHOP, LLC.

A motion was made to approve on the Consent Agenda

4. **23-0291** MOTION TO APPROVE THE CLOSING AGREEMENT G2564 BETWEEN THE CITY OF PEMBROKE PINES/SOUTHWEST FOCAL POINT SENIOR CENTER AND FLORIDA DEPARTMENT OF TRANSPORTATION FOR OPERATING ASSISTANCE IN THE AMOUNT OF \$346,940.00

A motion was made to approve on the Consent Agenda

5. **23-0292** MOTION TO AWARD IFB # PSPW-22-04 "EAST CAMPUS ADMINISTRATION BUILDING HVAC REPLACEMENT AND ARCHITECTURAL RENOVATION" TO THE SOLE BIDDER, BEJAR CONSTRUCTION, INC., IN AN AMOUNT NOT TO EXCEED \$1,330,352.65, WHICH INCLUDES A 5% OWNER'S CONTINGENCY IN THE AMOUNT OF \$62,159.65.

A motion was made to approve on the Consent Agenda

6. **23-0050** **MOTION TO APPROVE THE DEPARTMENT RECOMMENDATIONS FOR THE FOLLOWING ITEMS LISTED ON THE CONTRACTS DATABASE REPORT:**

(A) Baptist Health South Florida, Inc. - Programming to Improve the Health and Wellness of Members of COPP/Senior Center - Renewal

(B) Robert Warren Enterprises, Inc. d/b/a Occupational Medical Centers of America - Annual Physical Examinations - Renewal

A motion was made to approve on the Consent Agenda

7. **23-0300** MOTION TO APPROVE REQUEST TO ADVERTISE SOLICITATION(S)

(A) TS-23-05 SOLARWINDS RENEWAL

A motion was made to approve on the Consent Agenda

9. **23-0329** MOTION TO APPROVE THE REGULAR COMMISSION MEETING MINUTES OF WEDNESDAY, APRIL 19, 2023.

A motion was made to approve on the Consent Agenda

11. **23-0252** MOTION TO ACCEPT THE SUBAWARD AND GRANT AGREEMENT BETWEEN THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT (FDEM), AND THE CITY OF PEMBROKE PINES FOR A TOTAL OF \$150,000 FOR THE WATERSHED MANAGEMENT PLAN VIA THE HAZARD MITIGATION GRANT PROGRAM, AND TO EXECUTE THE FAU MASTER RESEARCH AGREEMENT WITH THE FLORIDA ATLANTIC UNIVERSITY (FAU) BOARD OF TRUSTEES AND TASK ORDER # 1 IN THE AMOUNT OF \$150,000.

A motion was made to approve on the Consent Agenda

- ADD-1 **23-0337** **[ADD-1: ADDENDUM ITEM NO. 1 ADDED TO THE CONSENT AGENDA]:** MOTION TO APPROVE THE SCHOOL RESOURCE OFFICER (SRO) AGREEMENT BETWEEN THE CITY OF PEMBROKE PINES AND THE SCHOOL BOARD OF BROWARD COUNTY FOR THE 2022-2023 SCHOOL YEAR.

A motion was made to approve on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Commissioner Castillo, seconded by Vice Mayor Siple, to approve Items 1, 2, 3, 4, 5, 6, 7, 9, 11, and ADD-1 on the Consent Agenda. The motion carried by the following vote:

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

Nay 0

QUASI JUDICIAL CONSENT AGENDA:

ORDINANCES AND RESOLUTIONS:

SECOND READING ORDINANCES:

FIRST READING ORDINANCES:

RESOLUTIONS:

REGULAR AGENDA:

REPORTS OF LEAGUE REPRESENTATIVES

Vice Mayor Siple discussed the upcoming Broward League of Cities luncheon.

REPORTS OF THE CITY MANAGER AND CITY ATTORNEY

City Manager Dodge wanted to confirm Commission members' availability to attend the Budget Visioning Workshop on Wednesday, May 24, 2023, at 5 PM. Commission approved the date and time by consensus.

City Manager Dodge made a request to change the time of the scheduled meeting on May 24, 2023, from 3:00 PM to 5:00 PM. It was agreed by consensus to meet at 5:00 PM in Room A-101.

City Attorney Goren discussed the Memorandum from the City Attorney's Office regarding state legislation on constitutional carry Senate Bill 543.

City Attorney Goren then spoke about Senate Bill 102 on Affordable Housing available for the Commission to review.

Senate Bill 774 was also discussed pertaining to Form 6 which, if state legislation is adopted, would become effective January 1, 2024. This would impact Mayors, City Commissioners, CRA members, and the members of the Ethics Commission. It would also replace Form 1 as the financial disclosure requirement for election qualifying. Mr. Goren referenced Section 103.605 of the Florida Statute regarding election code governance conduct. He said the City Attorney's Office would review the matter further.

COMMISSION ITEMS:

13. 23-0331 VICE MAYOR SIPLE - ITEM 1: MOTION TO DIRECT THE CITY MANAGER AND THE CITY ATTORNEY TO CONTINUE DISCUSSIONS WITH BROWARD COUNTY REGARDING THE 1983 TRAFFIC ENGINEERING AGREEMENT (TEA), AS AMENDED, AND TO DRAFT A POTENTIAL AMENDMENT TO THE TEA THAT WILL PROVIDE FOR CHANGES (AMENDMENTS) TO THE VARIOUS ISSUES CONTAINED IN CITY ATTORNEY MEMORANDUM NO. 2023-038 DATED APRIL 25TH, 2023, INCLUDED AS BACKUP.

A motion was made by Vice Mayor Siple, seconded by Commissioner Castillo, to approve Item 13. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Siple read Item 13 into the record by title. She then read a notice into the record for discussion regarding the traffic issues. The intent of her motion was to discuss the need to update the existing Traffic Engineering Agreement that originated back in 1983.

Commissioner Castillo said his motion in Item 14 was comparable with Vice Mayor Siple's. Commissioner Castillo spoke about Broward County funding sources and the need to be insured when making changes to improve heavy traffic.

Commissioner Schwartz and Commissioner Good spoke on the item.

City Manager Dodge said authorities at Broward County would get back to City staff, but no definitive response time was provided. The City Manager said he would find out.

- 14. 23-0330** COMMISSIONER CASTILLO - ITEM 1: MOTION TO DISCUSS AND POSSIBLE ACTION REGARDING POTENTIAL UPDATE TO CITY/COUNTY TRAFFIC ENGINEERING AGREEMENT.

Commissioner Castillo's commission item #14 was associated with and covered by Commissioner Siple's commission item#13.

Commissioner Castillo said his motion was already discussed under Item 13.

NEW BUSINESS:

OLD BUSINESS:

ADJOURN - 8:00 P.M.

CITY OF PEMBROKE PINES

Marlene D. Graham, CMC
City Clerk