

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, December 5, 2018

6:30 PM

**6:30 PM Regular Commission Meeting
Commission Chambers, First Floor, City Hall**

Commission Chambers

City Commission

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

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

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

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

PLEDGE OF ALLEGIANCE

The pledge was led by Mr. Smith.

The Commission observed a moment of silence in honor of the passing of the 41st United States President George H.W. Bush.

Mayor Ortis, Commissioner Castillo, and Commissioner Siple spoke about the Snow Fest event on Saturday, December 1, 2018 at the City Center. Mayor Ortis thanked Pembroke Pines Police and City Center security on duty during the event.

ACKNOWLEDGEMENTS:

Commissioner Siple took a point of privilege to wish the following individuals a happy birthday:

Mr. Gerard Mayer, and her grandson Nick who turned 10 years old.

ANNOUNCEMENT OF ITEMS TO BE PULLED FROM AGENDA

Changes were made to Item #8 on the Consent Agenda pertaining to the meeting minutes of the November 19, 2018 Commission Meeting. The corrected minutes were reviewed before the start of the meeting and will be provided online.

ITEMS AT THE REQUEST OF THE PUBLIC

The Clerk announced no items at the request of the public.

ANNOUNCEMENT OF BOARD AND COMMITTEE APPOINTMENTS

No board appointments were announced.

CONSENT AGENDA:

1. **18-1353** MOTION TO DEFER ITEM 28 FROM THE NOVEMBER 19, 2018 COMMISSION MEETING. "DISCUSSION AND POSSIBLE ACTION TO APPROVE THE ADVERTISEMENT OF PSUT-18-07 FOR AN AUTOMATED METERING INFRASTRUCTURE (AMI) PROGRAM MANAGER TO ASSIST THE CITY IN THE SELECTION AND IMPLEMENTATION OF THE WATER METER CHANGE-OVER TO AMI".

A motion was made to approve on the Consent Agenda

2. **18-1412** MOTION TO APPROVE THE BROWARD COUNTY LAW ENFORCEMENT MUTUAL AID AGREEMENT FOR VOLUNTARY COOPRATION AND OPERATIONAL ASSISTANCE FOR 2019-2028.

A motion was made to approve on the Consent Agenda

3. **18-1414** MOTION TO APPROVE AMENDMENT 001 TO CONTRACT JA118-10-2018 IN THE ADDITIONAL AMOUNT OF \$47,810.00 ALLOCATED TO THE FEDERAL FUNDS. THIS CONTRACT IS BETWEEN THE CITY OF PEMBROKE PINES/SOUTHWEST FOCAL POINT SENIOR CENTER AND AREAWIDE COUNCIL ON AGING OF BROWARD COUNTY, INC. TO PROVIDE OLDER AMERICANS ACT IIIB & IIIE SERVICES FOR THE PERIOD OF JANUARY 1, 2018 TO DECEMBER 31, 2018.

A motion was made to approve on the Consent Agenda

4. **18-1415** MOTION TO APPROVE THE PURCHASE OF FIFTEEN (15) SQ4 TRAILER MOUNTED TRAFFIC SIGNAL SYSTEMS FROM HORIZON SIGNAL TECHNOLOGIES, AT A COST OF \$25,000 EACH FOR A TOTAL COST NOT TO EXCEED OF \$375,000, UTILIZING THE CITY OF NORTH MIAMI BEACH'S INVITATION TO BID 2018-10 AWARD RESULTS FOR FISCAL YEAR 2018-19.

A motion was made to approve on the Consent Agenda

5. **18-1423** MOTION TO APPROVE REQUEST TO ADVERTISE SOLICITATION(S):

(A) PSPW-18-14 "EXTERIOR PAINTING OF THE SENIOR CENTER

COMPLEX"

A motion was made to approve on the Consent Agenda

6. **18-1425** MOTION TO APPROVE THE DEPARTMENT RECOMMENDATIONS FOR THE FOLLOWING ITEM LISTED ON THE CONTRACT DATABASE REPORT:

(A) KEYLITE POWER & LIGHTING CORP - MAINTENANCE FOR FIRE STATION ALERTING SYSTEMS.

(B) HERFF JONES, LLC. - HIGH SCHOOL YEARBOOK SERVICES.

A motion was made to approve on the Consent Agenda

8. **18-1416** MOTION TO APPROVE THE MINUTES OF THE REGULAR COMMISSION MEETING ON WEDNESDAY, OCTOBER 17, 2018, AND THE MINUTES OF THE REGULAR COMMISSION MEETING OF MONDAY, NOVEMBER 19, 2018.

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 Items 1,2,3,4,5,6,and 8 on the Consent Agenda. Acknowledgement about changes made to Item #8 pertaining to page 14 of the November 19, 2018 Commission Minutes allowed for item #8 to remain for passage on 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

7. **18-1419** MOTION TO APPROVE THE EXECUTION OF THE AGREEMENT WITH CARDINAL CONTRACTORS INC. IN THE AMOUNT NOT TO EXCEED OF \$5,391,255.10, WHICH INCLUDES A 10% OWNERS CONTINGENCY IN THE AMOUNT OF \$490,114.10, FOR DESIGN BUILD SERVICES FOR WWTP REHABILITATION PHASE I AS DESCRIBED IN PSUT-18-04.

A motion was made by Commissioner Siple, seconded by Commissioner Schwartz, to approve Item #7. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Siple read Item 7 into the record, by title and spoke on the item.

John Cooper, Environmental Services Director, came to the podium to address the questions of the Commission.

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

Lisa Chong, Finance Director, came to the podium to address the questions of the Commission.

ORDINANCES AND RESOLUTIONS:

FIRST READING ORDINANCES:

9. 2018-28

MOTION TO PASS PROPOSED ORDINANCE NO. 2018-28 ON FIRST READING.

AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, PURSUANT TO SECTION 8.03 OF THE CITY OF PEMBROKE PINES CHARTER, AUTHORIZING THE SALE OF APPROXIMATELY 3.15 ACRES OF UNIMPROVED REAL PROPERTY GENERALLY LOCATED SOUTH OF PINES BOULEVARD ON THE WEST SIDE OF PALM AVENUE, TO PROVIDENCE I INVESTMENTS, LLC, 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 THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECOND AND FINAL READING IS TENTATIVELY SCHEDULED JANUARY 16, 2019.

A motion was made by Commissioner Castillo, seconded by Commissioner Siple, to pass Proposed Ordinance 2018-28 on First Reading. Commissioner Schwartz said he would vote "No" on first reading pending additional data pertaining to the use of parcels adjacent to the proposed nursing home/assisted living facility property. He asked that the proposal for the Police station facility development in the adjacent parcel be available by second reading. Second and Final Reading is scheduled for January 16, 2019. 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 Proposed Ordinance 2018-28 into the record, by title.

Dwayne Dickerson of Dunay, Miskel and Backman, LLP, 14 SE 4th Street, Boca Raton, FL, addressed the questions of the Commission on behalf of the applicant, Providence One Investments.

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

City Manager Dodge provided a response to the questions of the Commission.

Mike Stamm, Planning and Economic Development Director, came to the podium to address the questions of the Commission.

RESOLUTIONS:

10. 2018-R-44 MOTION TO ADOPT PROPOSED RESOLUTION 2018-R-44.

PROPOSED RESOLUTION 2018-R-44 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING THE PROGRAM YEAR 2017 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

PUBLIC HEARING REQUIRED

A motion was made by Commissioner Castillo, seconded by Vice Mayor Good, Jr., to adopt Proposed Resolution 2018-R-44, approving the Program Year 2017 Consolidated Annual Performance Evaluation Reports (CAPER) for Community Development Block Grant Programs. 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: 3629

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2018-R-44 into the record.

Mayor Ortis opened the Public Hearing.

No members of the public spoke on the item.

Mayor Ortis closed the Public Hearing.

11. 2018-R-45 MOTION TO PASS PROPOSED RESOLUTION 2018-R-45.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA APPROVING THE DESIGN AND INSTALLATION OF DECORATIVE WRAPS ON NINE (9) SIGNALIZATION CABINETS LOCATED AT THE CORNERS OF PINES BOULEVARD AND FLAMINGO ROAD (2 CABINETS AT THIS LOCATION), PINES BOULEVARD AND 160TH AVENUE (DYKES ROAD), PINES BOULEVARD AND 172TH AVENUE, PINES BOULEVARD AND 184TH AVENUE, PINES BOULEVARD AND UNIVERSITY DRIVE, PINES BOULEVARD AND DOUGLAS ROAD (2 CABINETS AT THIS LOCATION), PINES BOULEVARD AND 72ND AVENUE; APPROVING THE COMMUNITY AESTHETIC FEATURE AGREEMENT (CAFA) BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE CITY ATTACHED AS EXHIBIT A; DIRECTING APPROPRIATE CITY OFFICIALS TO TAKE ON ANY AND ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Castillo, seconded by Commissioner Siple, to adopt Proposed Resolution 2018-R-45 to approve the design and installation of decorative wraps on nine (9) signalization cabinets in the City of Pembroke Pines. 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: 3630

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2018-R-45 into the record.

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

Christina Sorensen, Recreation and Cultural Arts Director, came to the podium to address the questions of the Commission.

REGULAR AGENDA:

12. 18-1089 (A) PRESENTATION OF THE PROPOSED PUBLIC ART PROGRAM

(B) REQUEST APPROVAL FROM THE CITY COMMISSION TO PREPARE AN ORDINANCE ESTABLISHING A PUBLIC ART PROGRAM IN THE CITY OF PEMBROKE PINES

A motion was made by Commissioner Schwartz, seconded by Commissioner Castillo, to approve Recreation & Cultural Arts Department's request for Commission to direct the City Attorney to draft an ordinance establishing a Public Art Program in the City of Pembroke Pines. 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 12 into the record, by title.

Christina Sorensen, Recreation and Cultural Arts Director addressed the Commission via PowerPoint presentation.

Laura Atria, Public Art Program Manager for the City of Pompano Beach, and serves as a consultant for the City of Coral Springs, came to the podium to address the Commission.

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

City Attorney Goren responded to the questions of the Commission.

- 13. 18-1359 MOTION TO APPROVE THE PAYMENT TO TEN-8 FIRE EQUIPMENT INC. FOR WORK THAT WAS COMPLETED WHILE SUBCONTRACTED THROUGH CENTERRA GROUP, LLC, IN THE AMOUNT NOT TO EXCEED OF \$47,156.11, IN THE BEST INTEREST OF THE CITY, PURSUANT TO SECTION 35.18(C)(8) OF THE PROCUREMENT CODE.**

A motion was made by Commissioner Siple, seconded by Commissioner Schwartz, to approve the payment to Ten-8 Fire Equipment, Inc. for work that was completed while subcontracted through Centerra Group, LLC in the amount not to exceed \$47,156.11 in the best interest of the City. 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 13 into the record, by title.

REPORTS OF LEAGUE REPRESENTATIVES

Mayor Ortis reported that the December 6, 2018 Broward League of Cities meeting was cancelled.

REPORTS OF THE CITY MANAGER AND CITY ATTORNEY

City Attorney Goren reported on the following matters:

- 1) Updates regarding the potential FEMA litigation through the Baker Donelson law firm, will be provided at the 12/19/2018 Commission meeting.
- 2) The EveryTown gun management / gun control lawsuit deposition beginning on Tuesday, December 11, 2018.
- 3) The Pettis Law Firm lawsuit filed regarding Opioids.

Commissioner Schwartz called Assistant City Attorney Horowitz to the podium to address the Commission regarding the Police and Code departments conducting inspections at gas stations to address the issue of card skimming.

Assistant City Attorney Horowitz came to the podium to address the questions of the Commissioner.

Commissioner Castillo spoke on the matter.

11(A) NEW BUSINESS:

Mayor Ortis introduced an item of new business. He read a letter of invitation from Jackie Rosen of the American Foundation for Suicide Prevention (AFISP) to sponsor a table at the annual awards gala. Last year 2017 the City sponsored a table at the event. The organization would like Pembroke Pines to be a \$5,000 sponsor this year. The need is great, as there were 44,965 suicides in the US and 3,314 in Florida in the past year. AFISP is going to print its gala materials next week with sponsors' names.

Motion was made by Mayor Ortis, seconded by Commissioner Siple, to add the item of new business on AFISP to the agenda. Motion carried by the following vote:

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

Nay 0

14(B) NEW BUSINESS:

Motion was made by Mayor Ortis, seconded by Commissioner Siple, to co-sponsor the AFISP gala event and allocate \$5,000 for a table at the gala. City Attorney Goren clarified the City's compliance with Broward County Ethics Code. The motion carried by the following vote:

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

Nay 0

ADJOURN - 08:35 P.M.

CITY OF PEMBROKE PINES

Marlene D. Graham, CMC
City Clerk

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

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