

City of Pembroke Pines, FL

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



Meeting Minutes

Thursday, September 5, 2019

6:30 PM

6:30 PM (or at such time as First Budget Hearing adjourns) Regular Commission Meeting. ADD-1 Commission Item added on 9/4/19.

Commission Chambers

City Commission

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

6:30 PM REGULAR MEETING CALLED TO ORDER [or at such time as the 1st Budget Hearing adjourns]

ROLL CALL

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

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Greg Stuart.

ACKNOWLEDGMENTS

Mayor Ortis acknowledged the announcement by WalletHub, an online credit reporting service, that the City of Pembroke Pines is listed as the twelfth city in the nation where people wish to retire.

Mayor Ortis, Vice Mayor Schwartz, and Commissioner Siple acknowledged the Hurricane Dorian relief efforts of the Emergency Operations Team, City staff members, and the local community.

PRESENTATIONS:

PRE-1 19-1055 PRESENTATION NO. 1: MAYOR ORTIS WILL PRESENT A PROCLAMATION TO YOLANDA SANTOS PROCLAIMING SEPTEMBER 5, 2019 AS AMERICAN LEGION CENTENNIAL DAY

Mayor Ortis, along with Vice Mayor Schwartz, read and presented the proclamation to members of the American Legion for "American Legion Centennial Day."

Vice Commander George Koren, Post Adjutant Ted Pomerantz and Judge Advocate Joseph Motes, addressed the Commission, and accepted the proclamation on behalf of American Legion Post 385.

PRE-2 19-1056 PRESENTATION NO. 2: MAYOR ORTIS WILL PRESENT A PROCLAMATION TO HOLLY BONKOWSKI, PROCLAIMING SEPTEMBER 8-14, 2019 AS NATIONAL ARTS IN EDUCATION WEEK IN THE CITY OF PEMBROKE PINES.

Mayor Ortis read and presented a proclamation to Holly Bonkowski for National Arts in Education Week. Ms. Bonkowski thanked the Commission and spoke about some of the upcoming events at The Frank Art Gallery.

PRE-3 19-1058 PRESENTATION NO. 3: MAYOR ORTIS WILL PRESENT A PROCLAMATION TO ANDREA IGLESIAS AND ARELY LOZANO FROM THE FOOD FOR ALL BROWARD INITIATIVE, RECOGNIZING SEPTEMBER 2019 AS NATIONAL HUNGER ACTION MONTH AND SEPTEMBER 12, 2019 AS NATIONAL HUNGER ACTION DAY IN THE CITY OF PEMBROKE PINES.

Mayor Ortis read and presented a proclamation to Andrea Iglesias. Ms. Iglesias expressed thanks to the Mayor and Commission.

ANNOUNCEMENT OF ITEMS TO BE PULLED FROM AGENDA

The Clerk announced no items pulled.

ITEMS AT THE REQUEST OF THE PUBLIC

Ms. Susan Snyder, 730 SW 191 Avenue, Pembroke Pines, FL, addressed the Commission regarding public land trust issues.

Commissioner Castillo, Mayor Ortis, and Vice Mayor Schwartz spoke on the matters raised.

City Attorney Goren provided a response to the questions of the Commission.

ANNOUNCEMENT OF BOARD AND COMMITTEE APPOINTMENTS

Commissioner Good spoke saying he would announce a board appointment for District 1 at the next Commission Meeting upon adoption of the proposed ordinance 2019-15 pertaining to the Diversity and Heritage Advisory Board.

CONSENT AGENDA:

1. **19-0981** MOTION TO APPROVE USE OF THE CITY LOGO BY PEDIMENT PUBLISHING, IN PARTNERSHIP WITH THE SUN SENTINEL, ON ALL MARKETING AND ADVERTISING MATERIALS FOR THE PRODUCTION OF A HARDCOVER BOOK ON 125 YEARS OF BROWARD AND PALM BEACH COUNTY HISTORY IN PHOTOGRAPHS.

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

Nay 0

2. **19-0994** MOTION TO APPROVE AGREEMENT BETWEEN THE SCHOOL BOARD OF WASHINGTON COUNTY, FLORIDA, PANHANDLE AREA EDUCATIONAL CONSORTIUM ("PAEC") AND THE CITY OF PEMBROKE PINES AS THE DISTRICT SCHOOL BOARD FOR THE FSU/CHARTER ELEMENTARY SCHOOL.

A motion was made to approve on the Consent Agenda

4. **19-1001** MOTION TO APPROVE THE AGREEMENT BETWEEN A LOVE FOR LANGUAGE, INC. AND THE CITY OF PEMBROKE PINES FOR SPEECH/ LANGUAGE PATHOLOGY SERVICES AT THE ACADEMIC VILLAGE CHARTER SCHOOL AND TO INCREASE THE ESTIMATED ANNUAL COSTS FOR FUTURE YEARS TO AN AMOUNT NOT TO EXCEED \$26,000 PURSUANT TO SECTION 35.18(C)(2) OF THE CITY'S CODE OF ORDINANCES.

A motion was made to approve on the Consent Agenda

5. **19-1051** MOTION TO APPROVE REVISIONS TO THE POLICE

DEPARTMENT'S PARTICIPATION IN THE COMMISSION FOR
FLORIDA LAW ENFORCEMENT ACCREDITATION (CFA) AGREEMENT.

A motion was made to approve on the Consent Agenda

6. **19-1030** MOTION TO APPROVE THE FINDINGS AND RECOMMENDATION OF THE EVALUATION COMMITTEE AND TO AWARD CCNA # PSEN-18-02-07 "FY2019 SELECTED LIFT STATION EVALUATION STUDY" TO CES CONSULTANTS, INC. IN AN AMOUNT NOT TO EXCEED \$45,000.

A motion was made to approve on the Consent Agenda

7. **19-1066** MOTION TO AWARD PSEN-19-05 "SENIOR CENTER PARKING LOT IMPROVEMENTS" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, MIGUEL LOPEZ JR INC., IN THE AMOUNT NOT TO EXCEED \$250,257.06, WHICH INCLUDES A 10% OWNER'S CONTINGENCY IN THE AMOUNT OF \$15,647.95, A 2% PERMIT ALLOWANCE IN THE AMOUNT OF \$3,129.59, AND A SEALING AND STRIPING ALLOWANCE IN THE AMOUNT OF \$75,000.

A motion was made to approve on the Consent Agenda

8. **19-1065** MOTION TO APPROVE THE MINUTES OF THE BUDGET PRESENTATION REVIEW WORKSHOP ON JUNE 17, 2019.

A motion was made to approve on the Consent Agenda

9. **19-1052** MOTION TO APPROVE THE DEPARTMENT RECOMMENDATIONS FOR THE FOLLOWING ITEMS LISTED ON THE CONTRACTS DATABASE REPORT:

(A) Miami Herald Media Company - Printing of City Connect Newspaper

A motion was made to approve on the Consent Agenda

11. **19-1069** MOTION TO APPROVE REQUEST TO ADVERTISE PSPW-19-08, "EMERGENCY BACKUP POWER FOR CITY HALL" AS A PROJECT UNDER THE GRANT AGREEMENT BETWEEN THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT (FDEM), AND THE CITY

OF PEMBROKE PINES FOR THE HAZARD MITIGATION GRANT PROGRAM.

A motion was made to approve on the Consent Agenda

- 3. 19-0999** MOTION TO APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE SHERIFF OF PINELLAS COUNTY FLORIDA AND THE PEMBROKE PINES POLICE DEPARTMENT ESTABLISHING A RELATIONSHIP WHICH WILL GRANT ACCESS TO FLORIDA'S FACIAL RECOGNITION NETWORK (FR-NET), HOSTED BY THE PINELLAS COUNTY SHERIFF.

A motion was made by Commissioner Good, Jr., seconded by Commissioner Castillo, to discuss the item prior to the vote. Commissioner Good expressed his concern about the potential liability for the misuse of facial recognition software. The motion carried by the following vote:

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

Nay 1 - Commissioner Good Jr.

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 3 into the record, by title and spoke on the item.

Assistant Police Chief Carlos Bermudez addressed the questions of the Commission.

City Attorney Goren responded to the questions of the Commission.

- 10. 19-1067** MOTION TO RATIFY THE CITY MANAGER'S APPROVAL OF THE NEGOTIATED AGREEMENT WITH TETRA TECH, INC. AS THE PRIMARY DEBRIS MONITORING CONTRACTOR, PURSUANT TO THE AWARD OF AD-18-04 "DISASTER/DEBRIS MONITORING SERVICES AND FINANCIAL RECOVERY ASSISTANCE."

A motion was made by Commissioner Good, Jr., seconded by Commissioner Siple, to approve Item 10 as amended. The motion carried by the following vote:

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

Nay 0

A motion was made by Commissioner Good, Jr., seconded by Commissioner Castillo, to amend the item to include language to limit the contract to one year. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 10 into the record, by title and spoke on the item.

Commissioner Castillo and Vice Mayor Schwartz spoke on the item.

Mark Gomes, Procurement Director, addressed the questions of the Commission.

City Manager Dodge responded to the questions of the Commission.

City Attorney Goren responded to the questions of the Commission.

ORDINANCES AND RESOLUTIONS:

ORDINANCE:

12. 2019-15 MOTION TO PASS PROPOSED ORDINANCE 2019-15 ON FIRST READING.

PROPOSED ORDINANCE 2019-15 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING CHAPTER 32 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "DEPARTMENTS, BOARDS, AND COMMISSIONS;" BY AMENDING THE "DIVERSITY AND HERITAGE ADVISORY BOARD" TO REVISE THE BOARD COMPOSITION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

SECOND AND FINAL READING IS SCHEDULED FOR SEPTEMBER 18, 2019.

A motion was made by Vice Mayor Schwartz, seconded by Commissioner

Siple, to pass Proposed Ordinance 2019-15 on First Reading. The motion carried by the following vote:

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

Nay 0

Enactment No: 1933

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2019-15 into the record, by title.

Vice Mayor Schwartz announced his board appointments Ms. Michelle Acuna and Ms. Dawn Prospect, as his District 1 alternate members to the Diversity and Heritage Advisory Board.

RESOLUTIONS:

13. 2019-R-26 MOTION TO ADOPT PROPOSED RESOLUTION 2019-R-26.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, EXPRESSING SUPPORT FOR THE CONCEPTUAL PINES BOULEVARD AND FLAMINGO ROAD INTERSECTION IMPROVEMENTS CONTAINED IN THE BROWARD METROPOLITAN PLANNING ORGANIZATION'S COMMITMENT 2045 METROPOLITAN TRANSPORTATION PLAN COST FEASIBLE PLAN; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Siple, to adopt proposed Resolution 2019-R-26 as amended. The motion carried by the following vote:

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

Nay 1 - Commissioner Castillo

Enactment No: 3667

Motion was made by Commissioner Castillo, seconded by Vice Mayor Schwartz to amend the language in the 4th WHEREAS clause of the 2045 Metropolitan Transportation Plan to include "selection by the City at the conclusion of the study." Castillo asked that the language be explicit to clarify the 4th WHEREAS clause. Motion carried by the following vote:

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

Nay 0

Enactment No: 3667

A motion was made by Commissioner Good, Jr., seconded by Vice Mayor Schwartz, to amend the language to state "transportation at any time prior to design." Commissioner Good's amendment does not cancel the original amendment that included the language "by the City." The motion carried by the following vote:

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

Nay 0

Enactment No: 3667

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2019-R-26 into the record, by title.

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

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

Vice Mayor Schwartz and Commissioner Castillo stated for the record that they were not in favor of the Center Turn Overpass.

Greg Stuart, Executive Director of Broward Metropolitan Planning Organization, addressed the questions of the Commission.

Bill Cross, Planning and Programming Deputy Executive Director of Broward Metropolitan Planning Organization, addressed the questions of the Commission.

City Attorney Goren provided clarification on the language drafted in proposed resolution 2019-R-26.

Commissioner Blattner from the City of Hollywood addressed the questions of the Commission.

The following member of the public spoke on the matter:

Wendell Ensey, President of COOPPA and resident of Century Village.

14. 2019-R-27 MOTION TO ADOPT PROPOSED RESOLUTION 2019-R-27.

PROPOSED RESOLUTION 2019-R-27 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, EXPRESSING SUPPORT FOR CONCEPTUAL PINES BOULEVARD AT UNIVERSITY DRIVE INTERSECTION IMPROVEMENTS CONTAINED IN THE BROWARD METROPOLITAN PLANNING ORGANIZATION'S COMMITMENT 2045 METROPOLITAN TRANSPORTATION PLAN COST FEASIBLE PLAN; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Siple, to adopt Proposed Resolution 2019-R-27 with inclusion of the amended language from Item 13, Proposed Resolution 2019-R-26. The motion carried by the following vote:

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

Nay 1 - Commissioner Castillo

Enactment No: 3668

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Siple, to amend the motion to adopt Proposed Resolution 2019-R-27. Commissioner Castillo voted in favor of the amendment. The motion carried by the following vote:

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

Nay 0

Enactment No: 3668

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 14 into the record by title.

He clarified the desire of the Commission that the language amended in Item 13 (Proposed Resolution 2019-R-26 be included in Item 14 (Proposed Resolution 2019-R-27).

15. 2019-R-39 MOTION TO ADOPT PROPOSED RESOLUTION 2019-R-39.

PROPOSED RESOLUTION 2019-R-39 IS A RESOLUTION OF THE

CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA PROCLAIMING A LOCAL STATE OF EMERGENCY IN THE CITY OF PEMBROKE PINES; AUTHORIZING AND DIRECTING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Castillo, seconded by Vice Mayor Schwartz, to adopt Proposed Resolution 2019-R-39. The motion carried by the following vote:

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

Nay 0

Enactment No: 3669

REGULAR ITEMS:

- 16. 19-1050** DISCUSSION AND POSSIBLE ACTION TO DIRECT CITY ADMINISTRATION TO WORK WITH THE BROWARD COUNTY LEGISLATIVE DELEGATION AND LOBBYISTS FOR THE FISCAL YEAR 2020 LEGISLATIVE APPROPRIATION REQUESTS AND LOCAL BILL.

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Siple, to approve Item 16. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

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

Vice Mayor Schwartz spoke on the item.

Commissioner Good asked about the appropriation requests and how they are prioritized.

Mayor Ortis said lobbyists go before the legislature with each item in order of priority.

City Manager Dodge spoke, referring to the 2020 Legislative Session list of City projects.

REPORTS OF LEAGUE REPRESENTATIVES

No reports.

REPORTS OF THE CITY MANAGER AND CITY ATTORNEY

19-1090 REPORT OF THE CITY ATTORNEY - REQUEST THE SCHEDULING OF SPECIAL MEETING ON SEPTEMBER 12 FOLLOWING THE FIRE ASSESSMENT HEARING.

A motion was made by Commissioner Castillo, seconded by Commissioner Siple, to approve the City Attorney's request for the Commission to schedule a special meeting on September 12, 2019, directly following the Fire Assessment Hearing. The motion carried by the following vote:

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

Nay 0

COMMISSION ITEMS:

17. 19-1061 COMMISSIONER SIPLE - ITEM NO. 1: MOTION TO DISCUSS "LOOK B4 YOU LOCK" CAMPAIGN TO PREVENT CHILDREN BEING LEFT IN HOT CARS.

Commissioner Siple read her motion into the record prior to discussion. The Commission agreed by Consensus to direct the City Manager to plan and provide an awareness outreach program in the community to prevent children being left behind in hot cars. The program would also provide prevention consideration for pets left behind in hot cars.

ADD-1 19-1074 COMMISSIONER CASTILLO - ITEM NO.1: MOTION TO DIRECT THE CITY MANAGER AND STAFF TO ASSIST COMMUNITY MEMBERS IN THE ORGANIZATION AND PRESENTATION OF A BENEFIT CONCERT TO RAISE FUNDS AND COLLECT SUPPLIES FOR HURRICANE DORIAN RELIEF IN THE BAHAMAS, WHICH THE CITY

SHALL SPONSOR, AT LITTLE OR NO COST TO THE EVENT, TO BE HELD ON A DATE AND TO INCLUDE SUCH DETAILS AS THE CITY MANAGER WILL ESTABLISH, AND WILL SOON BE ANNOUNCED. COMMISSIONER CASTILLO AND STATE REPRESENTATIVE SHEVRIN JONES WILL COORDINATE THIS CITY SPONSORED CONCERT WITH STAFF.

A motion was made by Commissioner Castillo, seconded by Commissioner Good, to approve the addendum Commission item on Hurricane Dorian Relief in the Bahamas. The motion carried by the following vote:

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

Nay 0

A motion was made by Commissioner Good, Jr., seconded by Vice Mayor Schwartz, to amend the language of the motion to include "City Commission and State Representative Shevrin Jones." The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Castillo read the motion into the record. Commissioner Castillo spoke on the matter. He spoke with Representative Shevrin Jones about going to the Bahamas to participate in rescue efforts.

Commissioner Castillo asked about conducting a benefit event similar to a special event undertaken for hurricane relief on behalf of Puerto Rico.

OLD BUSINESS:

Commissioner Castillo expressed concern about the delay in holding a workshop to discuss the use of City facilities.

City Manager Dodge said a date for the workshop can be set now that the City Attorney provided a legal memorandum.

City Attorney Goren said although the legal memorandum provides legal options, the basis of any decision lies with the Commission.

Mayor Ortis asked for the meeting to be expedited. Recommendation

was made to hold a Commission workshop to discuss the use of City facilities and management of City Center on September 12, 2019, following the Fire Assessment and Special Meeting.

ADJOURN - 9:54 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.