

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, September 18, 2019

6:30 PM

**6:30 PM (or at such time as the Second Budget Hearing adjourns)
Regular Commission Meeting**

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 (or at such time at the Second Budget Public Hearing adjourns)
REGULAR COMMISSION MEETING**

6:30 PM REGULAR MEETING CALLED TO ORDER

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.

Commissioner Castillo participated in the meeting via phone until 7:00pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Principal Chance of the Pembroke Pines Charter School- Central Campus.

ACKNOWLEDGMENT:

Mayor Ortis acknowledged Officer Donna Velasquez's birthday.

Vice Mayor Schwartz thanked City Manager Dodge and everyone participating in the relief efforts for the Bahamas.

Commissioner Siple acknowledged the memory of Staff Sergeant Arthur White, and "Uncle Bob" of Grandfather's Bakery, who both recently passed away.

Commissioner Siple also recognized her grandson Anthony's birthday.

PRESENTATIONS:

PRE-1 19-0984 PRESENTATION #1: THE COMMISSION AUDITOR WILL PRESENT THE RISK ASSESSMENT AND AUDIT PLAN FOR FY 2019-2020.

Michael Gossman, Commission Auditor from Moore, Stephens, and Lovelace, LLC, presented the Risk Assessment Plan for the fiscal year 2020 for discussion.

Mr. Gossman highlighted some of the items in the plan including requests for additional items to be audited (at the request of the Commission), the Commission Agenda review / approval process, and the matter of the water meter reading and billing process, which would also be addressed in the 2020 Plan.

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

City Manager Dodge and City Attorney Goren addressed the questions of the Commission.

Commission agreed by Consensus to have a workshop to discuss any direction the Commission might want to provide to the auditor, prior to the report being prepared and submitted to the Commission for the next fiscal year.

ITEMS AT THE REQUEST OF THE PUBLIC

Richard Almodovar, 1810 NW 120 Terrace, Pembroke Pines, FL addressed the Commission regarding Dynaserv.

Christina Sorensen, Recreation and Cultural Arts Director, responded to the Commission and the resident.

Vice Mayor Schwartz and Commissioner Siple spoke on the matter.

City Manager Dodge responded to the resident.

ANNOUNCEMENT OF BOARD AND COMMITTEE APPOINTMENTS

Announcements pending adoption of Proposed Ordinance 2019-15 on Second and Final Reading.

BA-1 19-1102

ANNOUNCEMENT OF BOARD APPOINTMENTS TO THE DIVERSITY AND HERITAGE ADVISORY BOARD.

VICE MAYOR SCHWARTZ (DISTRICT 2) SELECTED:

MS. MICHELLE ACUNA (ALTERNATE MEMBER)
MS. DAWN PROSPECT (ALTERNATE MEMBER)

COMMISSIONER GOOD (DISTRICT 1) SELECTED:

MS. SHAUNA HICKS-LEE (REGULAR MEMBER)
MR. RAM TEWARI (ALTERNATE MEMBER)

CONSENT AGENDA:

1. **19-0832** MOTION TO APPROVE AN AGREEMENT BETWEEN THE CITY OF PEMBROKE PINES AND FOX-MAR PHOTOGRAPHY INC. FOR PHOTOGRAPHY SERVICES AT THE CHARTER SCHOOLS FOR AN INITIAL THREE YEAR PERIOD COMMENCING ON AUGUST 1, 2019 AND ENDING ON JULY 31, 2022, PURSUANT TO SECTION 35.18(C)(7)(C) OF THE CITY'S CODE OF ORDINANCES.

A motion was made to approve on the Consent Agenda

2. **19-0872** MOTION TO REJECT ALL PROPOSALS FOR THE STUDENT/SCHOOL INFORMATION SYSTEM PORTION OF TS-17-04-B "ERP SYSTEM SOFTWARE AND IMPLEMENTATION".

A motion was made to approve on the Consent Agenda

3. **19-1047** MOTION TO AWARD PSUT-19-04 "METAL OVERHANG FOR WASTEWATER TREATMENT PLANT BCR BUILDING" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, TREVID GROUP LLC, IN THE AMOUNT NOT TO EXCEED \$161,228.40, WHICH INCLUDES A 10% OWNER'S CONTINGENCY IN THE AMOUNT OF \$14,268 AND A 3% PERMIT ALLOWANCE IN THE AMOUNT OF \$4,280.40.

A motion was made to approve on the Consent Agenda

4. **19-1057** MOTION TO AWARD TS-19-02 "CHROMEBOOKS, LICENSES, AND MOBILE CARTS FOR PEMBROKE PINES CHARTER SCHOOLS" IN THE FOLLOWING AMOUNTS TO THE MOST RESPONSIVE/RESPONSIBLE BIDDERS SHOWN BELOW:

NOT TO EXCEED \$24,348.71 - HYPERTEC USA INC.
NOT TO EXCEED \$32,738.70 - LEBOMAR, LLC
NOT TO EXCEED \$71,568.57 - STAPLES, INC.
NOT TO EXCEED \$134,372.25 - VERAPRO

A motion was made to approve on the Consent Agenda

5. **19-1071** MOTION TO APPROVE OUT-OF-FIELD TEACHING WAIVERS FOR THE 2019-2020 SCHOOL YEAR FOR THE PEMBROKE PINES' CHARTER ELEMENTARY SCHOOL CENTRAL CAMPUS AND CHARTER MIDDLE SCHOOL CENTRAL CAMPUS; PEMBROKE PINES CHARTER ELEMENTARY SCHOOL EAST CAMPUS; PEMBROKE PINES CHARTER ELEMENTARY WEST CAMPUS AND CHARTER MIDDLE SCHOOL WEST CAMPUS; PEMBROKE PINES CHARTER ELEMENTARY SCHOOL FSU CAMPUS; AND PEMBROKE PINES CHARTER HIGH SCHOOL ACADEMIC VILLAGE CAMPUS.
- .

A motion was made to approve on the Consent Agenda

6. **19-1092** MOTION TO APPROVE THE PURCHASE OF HYDROFLUOSILICIC ACID ON AN AS NEEDED BASIS FROM HAWKINS WATER TREATMENT GROUP, INC., UTILIZING THE SOUTHEAST FLORIDA GOVERNMENTAL COOPERATIVE PURCHASING GROUP (CO-OP) BID #19-C-020F FOR AN ESTIMATED ANNUAL AMOUNT NOT TO EXCEED \$51,940 PURSUANT TO SECTION 35.18(C)(6) OF THE CITY'S CODE OF ORDINANCES.

A motion was made to approve on the Consent Agenda

7. **19-1094** MOTION TO APPROVE THE TRUE-UP REQUIREMENT FOR MICROSOFT LICENSING IN AN AMOUNT NOT TO EXCEED \$26,666.01, AND THE RENEWAL OF 3-YEAR MICROSOFT ENTERPRISE AGREEMENT WITH MICROSOFT CORPORATION PURCHASED THROUGH SHI INTERNATIONAL CORP. FOR THE CITY DESKTOP, LAPTOP COMPUTERS, SERVERS AND ELECTRONIC MAIL UTILIZING THE FOLLOWING FLORIDA DEPARTMENT OF MANAGEMENT SERVICES STATE TERM CONTRACT: LICENSING SOLUTIONS PROVIDERS (LSP) OF MICROSOFT SOFTWARE AND SERVICES #43230000-15-02 FOR AN ANNUAL AMOUNT NOT TO EXCEED \$373,432.45, PURSUANT TO SECTION 35.18(C)(5) OF THE CITY'S CODE OF ORDINANCES.

A motion was made to approve on the Consent Agenda

- 8. 19-1096** MOTION TO APPROVE REQUEST TO ADVERTISE SOLICITATION(S):
(A) TS-19-03 "SOPHOS ANTIVIRUS RENEWAL FOR 2019-2020"

A motion was made to approve on the Consent Agenda

- 9. 19-1075** MOTION TO AWARD PSUT-19-08 "LIME SLUDGE REMOVAL AND HAULING AT THE WATER PLANT" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, AUSTIN TUPLER TRUCKING, INC., IN THE ANNUAL AMOUNT NOT TO EXCEED \$399,075.

A motion was made to approve on the Consent Agenda

- 10. 19-1103** MOTION TO APPROVE THE MINUTES OF THE FIRST BUDGET PUBLIC HEARING ON THURSDAY, SEPTEMBER 5, 2019.

A motion was made to approve on the Consent Agenda

- 11. 19-1054** MOTION TO APPROVE THE DEPARTMENT RECOMMENDATIONS FOR THE FOLLOWING ITEMS LISTED ON THE CONTRACTS DATABASE REPORT:

(A) Optimist Club of Pembroke Lakes, Florida, Inc. - Facility Use Agreement

(B) Optimist Club of West Pembroke Pines, Inc. - Facility Use Agreement

(C) Pembroke Pines Girls Softball, Inc. - Facility Use Agreement

(D) Pembroke Pines Optimist Club, Inc. - Facility Use Agreement

(E) West Pines Girls Softball, Inc. - Facility Use Agreement

A motion was made to approve on the Consent Agenda

- 12. 19-1089** MOTION TO APPROVE THE TUITION COST OF SEVEN (7) POLICE RECRUITS ATTENDING POLICE ACADEMY CLASS # 328 AT

BROWARD COLLEGE, INSTITUTE OF PUBLIC SAFETY.

A motion was made to approve on the Consent Agenda

13. 19-1099 MOTION TO APPROVE ENTERING INTO A CONTRACT BETWEEN THE CITY OF PEMBROKE PINES/SOUTHWEST FOCAL POINT SENIOR CENTER AND THE AREAWIDE COUNCIL ON AGING OF BROWARD COUNTY, INC. FOR THE EMERGENCY HOME ENERGY ASSISTANCE PROGRAM (EHEAP) CONTRACT JP119-10-2020 FOR THE PERIOD OF OCTOBER 1, 2019 TO SEPTEMBER 30, 2020 IN THE TOTAL AMOUNT OF \$21,955.24.

A motion was made to approve on the Consent Agenda

Approval of the Consent Agenda

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

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

Nay 0

Absent 1 - Commissioner Castillo

ORDINANCES AND RESOLUTIONS:

SECOND READING ORDINANCES:

14. 2019-15 MOTION TO PASS PROPOSED ORDINANCE 2019-15 ON SECOND AND FINAL 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.

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Siple, to adopt Proposed Ordinance 2019-15 on second and final reading, to amend 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. The motion carried by the following

vote:

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

Nay 0

Absent 1 - Commissioner Castillo

Enactment No: 1933

PRIOR TO THE VOTE BEING TAKEN:

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

No members of the public spoke on the item.

Vice Mayor Schwartz announced Ms. Michelle Acuna and Ms. Dawn Prospect, as the District 2 alternate members of the Heritage and Diversity Advisory Board.

Commissioner Good announced his District 1 appointments, Ms. Shauna Hicks-Lee as a regular member and Mr. Ram Tewari as an alternate member to the Heritage and Diversity Advisory Board.

REPORTS OF LEAGUE REPRESENTATIVES:

Commissioner Good spoke about Broward County's proposed ordinance regarding installing sewer systems. He expressed concern that this county ordinance could put the burden of enforcement on municipalities. The City would be required to enforce connection to the County sewer system. City residents might not be able to afford to connect. He said the Pembroke Pines City Commission should be able to address the language and intent of the proposed Broward County ordinance.

Commissioner Good made a motion, seconded by Commissioner Siple, to direct the City Manager to look into the county's release of the franchise area to the City, and draft a letter for the Mayor to sign. Motion carried by the following vote:

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

Nay 0

Absent 1 - Commissioner Castillo

REPORTS OF THE CITY MANAGER AND CITY ATTORNEY

City Attorney Goren spoke on the pending DACA case heading from the 9th Circuit Court to the Supreme Court. The United States Conference of Mayors asked mayors of a number of jurisdictions, including Los Angeles, New York, Atlanta, Chicago, and entities such as National League of Cities and the United States Conference of Mayors, to sign on to the Amicus brief. The City of Los Angeles drafted an Amicus brief on the Deferred Action for Childhood Arrivals (DACA) case to go before the Supreme Court. Mayor Ortis cannot sign on to the Amicus Brief without the concurrence of the Pembroke Pines City Commission.

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Siple, to approve that Mayor Ortis represents the City of Pembroke Pines in all legal capacities with the United States Conference of Mayors, under the direction of the City Attorney, to sign on to the Amicus brief in support of DACA. Motion carried by the following vote:

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

Nay 0

Absent 1 - Commissioner Castillo

REPORTS OF THE CITY MANAGER AND CITY ATTORNEY

City Attorney Goren spoke on a pending proposed constitutional amendment in the State of Florida, an Amicus brief in support of an assault weapons ban. The State Attorney General opposed the ban and may not allow the item to appear on the ballot.

Mayor Dan Stermer from City of Weston prepared a form resolution which the City Attorney would submit to the City of Pembroke Pines at the next Commission meeting which would authorize the City of Pembroke Pines to join in the filing of an Amicus brief to support that item to grant constitutional access and voting rights to Florida Citizens on this constitutional amendment. The brief is filed by Weiss Serota, et al, to join with other cities in Broward County, and may incur minimal costs, but those costs would be less than the amount incurred by cities filing separately.

A motion was made by Commissioner Siple, seconded by Vice Mayor Schwartz, to approve that the City Attorney bring back a proposed resolution at the next Commission meeting. The motion carried by the following vote:

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

Nay 0

Absent 1 - Commissioner Castillo

NEW BUSINESS:

Vice Mayor Schwartz brought up under **NEW BUSINESS** the matter of the City of Pembroke Pines Charter Schools allocations.

City Manager Dodge spoke about the proposed bill of the Broward Delegation to support municipally owned and operated charter schools, and comparisons of revenue sources afforded to the City run charter schools versus the district schools. Comparisons showed a difference in revenue of almost \$7,000,000 a year. This amount of resource could be significant to the operation of the Pembroke Pines charter schools, and could help with increases in teacher salaries and reduction of debt.

Mr. Dodge said the proposed bill was drafted and submitted but then withdrawn at the last minute. He said he would pursue the issue with the Broward Delegation and inform the Commission of further updates.

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Siple, to approve giving direction to the City Manager to request that Broward Delegation Chair Jones sponsor the bill. The motion carried by the following vote:

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

Nay 0

Absent 1 - Commissioner Castillo

OLD BUSINESS:

Vice Mayor Schwartz inquired about the national "If You See Something, Say Something" Awareness Day with the City Attorney.

City Attorney Goren responded to the Commission about the legal ruling on the matter and provided scenarios of what the process would be if there was a threat at City Center.

OLD BUSINESS:

Commissioner Siple brought up the Honor Flight South Florida Organization that raises money to take veterans to Washington, D.C. The Commission agreed by Consensus that the City participate in the fundraising efforts for the program.

ACKNOWLEDGMENT:

Mayor Ortis mentioned Pembroke Pines Police Sergeant John Baker who was seriously injured in a traffic accident on August 11, 2019.

Sergeant Baker is still hospitalized. He was transferred to Atlanta for rehabilitation.

ADJOURN - 7:29 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.