

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, November 13, 2019

5:00 PM

5:00 PM EXECUTIVE SESSION F.S. 447.605 (Labor Matters)

**6:30 PM REGULAR COMMISSION MEETING [Or at such a time as the
Executive Session adjourns.]**

PRE- 4 - An Exhibit 12 was added to this item on 11/13/2019.

Commission Chambers

City Commission

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

5:00PM EXECUTIVE SESSION: F.S. 447.605 (Labor Matters) The City Commission, City Manager and City Attorneys will meet in the City Manager's 4th Floor Conference Room, 601 City Center Way, Pembroke Pines, Florida.

6:30 PM REGULAR MEETING CALLED TO ORDER [Or at such time as the Executive Session adjourns.]

ROLL CALL

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

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Randall Migdalski.

ACKNOWLEDGEMENTS

Mayor Ortis observed a moment of silence for City Clerk Graham's mother, Ms. Sadie Smith, who recently passed away.

- 27. 19-1302** COMMISSIONER CASTILLO ITEM 1: DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION LANGUAGE INTRODUCED BY COUNTY COMMISSIONER SENATOR STEVE GELLER AND ADOPTED BY THE BROWARD COUNTY COMMISSION OPPOSING THE GLOBAL BOYCOTT, DISINVESTMENT AND SANCTIONS MOVEMENT -- BDS -- AND URGING ISRAELIS AND PALESTINIANS TO RETURN TO DIRECT NEGOTIATIONS TO END THE ISRAELI-PALESTINIAN CONFLICT, DIRECTING THE CITY MANAGER TO PROVIDE A COPY OF THIS RESOLUTION TO THE OFFICIALS DESIGNATED HEREIN, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Mayor Ortis approved the taking of Item 27 out of order. Item 27 was read prior to the presentations.

A motion was made by Commissioner Castillo, seconded by Mayor Ortis, to approve Item 27. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Mayor Ortis took Item 27 out of order without objection.

Commissioner Castillo read Item 27 into the record, by title and spoke on the item that was sponsored by Senator Steve Geller.

Commissioner Castillo introduced Ms. Kasa Bainesay-Harbor, Israel Deputy Consul General of Florida, Mr. David Starkey of the Anti-Defamation League, and Ms. Michele Lazarow, City Commissioner for the City of Hallandale Beach.

Ms. Bainesay-Harbor came to the podium to explain some of the adversities her country is threatened with and thanked the Commission for their support.

Mayor Ortis spoke saying the Commission should co-sponsor the item to further their support.

City Attorney Goren responded to the Commission saying the Resolution would be drafted and adopted afterwards.

ACKNOWLEDGEMENTS

Commissioner Castillo acknowledged Adele Berger (Community Activist) and Sam Nebesky (Veteran of the Marine Corps.); former residents of Pembroke Pines who recently passed away.

PRESENTATIONS:

PRE-1 19-1296 PRESENTATION NO. 1: POLICE PROMOTIONAL CEREMONIES:

DETECTIVE JASON PALANT WHO WILL BE PROMOTED TO THE RANK OF SERGEANT.

OFFICER ANTHONY PAGANO WHO WILL BE PROMOTED TO RANK OF SERGEANT.

SERGEANT JAVIER DIAZ WHO WILL BE PROMOTED TO THE RANK OF POLICE CAPTAIN.

Mayor Ortis invited Police Chief Shimpeno to come to the podium to conduct the promotion ceremony.

Police Chief Shimpeno spoke about the tenure of the following officers being promoted:

Sergeant Javier Diaz, promoted to the rank of Captain.

Detective Jason Palant, promoted to the rank of Sergeant.

Officer Anthony Pagano, promoted to the rank of Sergeant.

The Oath of Office was administered by Mayor Ortis and each of the newly sworn officers were permitted to speak their expressions of gratitude and take pictures with their families, the Police Chief and the Mayor.

PRE-2 19-1288

PRESENTATION NO. 2: MAYOR ORTIS WILL PRESENT A CERTIFICATE OF RECOGNITION TO THE NORTH PERRY AIRPORT COMMUNITY ASSOCIATION IN RECOGNITION OF THEIR YOUNG EAGLES PROGRAM.

Mayor Ortis and Commissioner Schwartz showed a video of the participants in the Young Eagles Program.

Commissioner Schwartz and Mayor Ortis read and presented the Certificate of Recognition.

PRE-3 19-1287

PRESENTATION NO. 3: PROCLAMATION RECOGNIZING CEDRIC MCQUEEN FOR BEING AWARDED THE 2019 OUTSTANDING CIVILIAN ATC MANAGER OF THE YEAR AWARD BY THE AIR TRAFFIC CONTROL ASSOCIATION.

Mayor Ortis read and presented a proclamation to Mr. Cedric McQueen.

Mr. McQueen addressed the Commission with a word of thanks.

PRE-4 19-1317

PRESENTATION NO. 4: MAYOR ORTIS WILL RECOGNIZE BRIANNA CANALES FOR WINNING THE PINES VILLAGE GROUP INC. LOGO/SLOGAN CONTEST AT PINES ELEMENTARY SCHOOL AND THE PINES VILLAGE GROUP INC. WILL ALSO PRESENT BRIANNA WITH AN AWARD.

Mayor Ortis, along with Commissioner Good, read and presented the Certificate of Recognition to Ms. Brianna Canales.

Ms. Brianna addressed the Commission and audience for winning the Pines Village Group Inc. logo/slogan contest at Pines Elementary School.

ANNOUNCEMENT OF ITEMS TO BE PULLED FROM AGENDA

The City Clerk announced there were no items pulled.

ITEMS AT THE REQUEST OF THE PUBLIC

Mark O'Loughlin, 2030 NW 93rd Avenue, Pembroke Pines, FL addressed the Commission regarding issues with drainage within his community.

Commissioner Schwartz and City Manager Dodge spoke on the matter.

Debbie Navarro, 1720 NW 105th Avenue, Pembroke Pines, FL addressed the Commission regarding yard issues at 10521 Taft Street.

ACKNOWLEDGEMENTS

Commissioner Siple spoke about the following events:

The Veterans Day Ceremony event that took place on November 11, 2019 in the Commission Chambers, and acknowledged former

Commissioner Carl Shechter who was one of the guest speakers at the event.

The Raising Positive Children V event on November 21, 2019 at 6:30pm at the Charles F. Dodge City Center in the Great Hall.

The Freedom Flight of South Florida fundraising event on November 23, 2019 at the Charles F. Dodge City Center in the Great Hall.

ANNOUNCEMENT OF BOARD AND COMMITTEE APPOINTMENTS

No board appointments announced.

- 28. 19-1313** MAYOR ORTIS ITEM 1: DISCUSSION AND POSSIBLE ACTION TO CREATE AN INTERFAITH COUNCIL FOR THE CITY OF PEMBROKE PINES.

A motion was made by Mayor Ortis, seconded by Commissioner Schwartz, to approve Item 28. Then the Commission as a whole agreed by Consensus to co-sponsor the item to create an interfaith council for the City of Pembroke Pines. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Item 28 was taken out of order without objection.

Mayor Ortis passed the gavel to Vice Mayor Siple and read Item 28 into the record, by title.

Mayor Ortis invited Rabbi Mordechai Andrusier from Chabad of Pembroke Pines, to come to the podium and address the Commission in support of establishing an Interfaith Council.

Commissioner Schwartz spoke on the item and requested the Council reach out to as many in the Community as possible to aid with the Census.

CONSENT AGENDA:

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2. **19-1245** MOTION TO APPROVE THE USE OF THE CITY LOGO ON ALL MARKETING/ADVERTISING MATERIALS TO SUPPORT THE PARTNERSHIP BETWEEN THE CITY OF PEMBROKE PINES AND EMBRACE MUSIC FOUNDATION FOR A "RHYTHMS OF AFRICA" EVENT TO BE HELD AT CITY CENTER ON FEBRUARY 29, 2020.

A motion was made to approve on the Consent Agenda

3. **19-1250** MOTION TO AWARD TS-19-03 "SOPHOS ANTIVIRUS RENEWAL FOR 2019-2020" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, INSIGHT PUBLIC SECTOR, INC., IN THE AMOUNT OF \$48,568.33.

A motion was made to approve on the Consent Agenda

5. **19-1290** MOTION TO RATIFY THE CITY MANAGER'S APPROVAL FOR THE EMERGENCY SOLE SOURCE REPAIR OF ONE OF THE EAST BLOWERS LOCATED AT THE CITY'S WASTEWATER TREATMENT PLANT WITH ATLAS COPCO COMPRESSORS, LLC FOR A TOTAL AMOUNT NOT TO EXCEED \$43,215 PURSUANT TO SECTION 35.18(C)(1) OF THE CITY'S CODE OF ORDINANCES.

A motion was made to approve on the Consent Agenda

6. **19-1291** MOTION TO RATIFY THE CITY MANAGER'S APPROVAL OF A CHANGE ORDER FOR THE SOLE SOURCE PURCHASE OF POLYMER (CLARIFLOC A-3333P) IN THE AMOUNT OF \$2,859.30 BRINGING THE PURCHASE ORDER TOTAL TO \$27,566.36 FOR FISCAL YEAR 2018-19, AND TO APPROVE THE AGREEMENT BETWEEN POLYDYNE, INC. AND THE CITY OF PEMBROKE PINES FOR THE SOLE SOURCE PURCHASE OF POLYMER (CLARIFLOC A-3333P) FOR AN ANNUAL AMOUNT NOT TO EXCEED \$27,946 PURSUANT TO SECTION 35.18(C)(3) OF THE CITY'S CODE OF ORDINANCES.

A motion was made to approve on the Consent Agenda

9. **19-1301** MOTION TO APPROVE THE PURCHASE OF THE RENEWAL OF THE SUPPORT AND MAINTENANCE FOR THE CITY'S CITRIX VIRTUAL DESKTOP INFRASTRUCTURE (VDI) ENVIRONMENT IN THE AMOUNT NOT TO EXCEED \$111,905.76 PURSUANT TO SECTIONS 35.18(C)(7)(D) AND 35.18(C)(7)(I) OF THE CITY'S CODE OF ORDINANCES.

A motion was made to approve on the Consent Agenda

- 14. 19-1295** MOTION TO AWARD RE-19-13 "ACADEMIC VILLAGE SWIMMING POOL RENOVATIONS" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, ZTI, LLC., IN THE AMOUNT NOT TO EXCEED \$834,889 WHICH INCLUDES A \$50,000 OWNER'S CONTINGENCY.

A motion was made to approve on the Consent Agenda

- 15. 19-1297** MOTION TO APPROVE THE MILLING AND RESURFACING PROJECT OF SW 196 FROM SHERIDAN TO STIRLING PROPOSAL BY WEEKLEY ASPHALT PAVING, INC. UTILIZING THE PRICING FROM ESTABLISHED BY THE CITY OF DEERFIELD BEACH INVITATION TO BID (ITB) #2018-19/03 FOR A TOTAL AMOUNT NOT TO EXCEED \$355,499.90 PURSUANT TO SECTION 35.18(C)(5) OF THE CITY'S CODE OF ORDINANCES.

A motion was made to approve on the Consent Agenda

- 16. 19-1299** MOTION TO APPROVE REQUEST TO ADVERTISE SOLICITATION(S):
- (A) PSUT-19-05 "HOLLY LAKE BOOSTER STATION AND WASTEWATER TREATMENT PLANT FUEL TANK REMOVAL AND GENERATOR RE-PIPE"
- (B) RE-19-16 "GELCOAT RESTORATION OF WATER SLIDES AT AQUATIC CENTER"
- (C) TS-19-04 "CITRIX SD-WAN HARDWARE"

A motion was made to approve Item 16 Sections (B) and (C) on the Consent Agenda. Section (C) was pulled by Commission Good for discussion.

- 17. 19-1312** MOTION TO AWARD PSEN-19-04 "WASTEWATER TREATMENT PLANT WEST BLOWER BUILDING ELECTRICAL MODIFICATION" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, DURHAM ELECTRIC, INC. IN THE AMOUNT OF \$55,275, WHICH INCLUDES A 7% OWNER'S CONTINGENCY IN THE AMOUNT OF \$3,517.50 AND A 3% PERMIT ALLOWANCE IN THE AMOUNT OF \$1,507.50.

A motion was made to approve on the Consent Agenda

- 19. 19-1251** MOTION TO APPROVE THE DEPARTMENT RECOMMENDATIONS FOR THE FOLLOWING ITEMS LISTED ON THE CONTRACTS

DATABASE REPORT:

(A) Anderson Aquatics LLC - Full Service USA Swimming & Aquatic Program

(B) Miami Herald Media Company- Direct Mail Advertising

(C) Safeguard Services, Inc. - Janitorial Services for Charter Schools & Early Development Centers

A motion was made to approve on the Consent Agenda

- 20. 19-1306** MOTION TO APPROVE ASPHALTIC CONCRETE SPEED HUMP CONSTRUCTION INSTALLATION ON AN AS NEEDED BASIS, FROM WEEKLEY ASPHALT PAVING INC., UTILIZING THE CITY OF OAKLAND PARK FLORIDA CONTRACT NUMBER ITB # 110918 IN THE ANNUAL AMOUNT NOT TO EXCEED \$80,000, PURSUANT TO SECTION 35.18(C)(5) OF THE CITY'S CODE OF ORDINANCES.

A motion was made to approve on the Consent Agenda

Approval of the Consent Agenda

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

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

Nay 0

- 1. 19-0914** MOTION TO APPROVE THE NEGOTIATED CONTINUING CONTRACT WITH HILLERS ELECTRICAL ENGINEERING, INC., PURSUANT TO THE AWARD OF PSUT-19-01 "POWER ELECTRICAL ENGINEERING SERVICES FOR THE UTILITIES DIVISION", IN ACCORDANCE WITH FLORIDA STATUTE 287.055, CONSULTANT'S COMPETITIVE NEGOTIATION ACT (CCNA), FOR AN INITIAL THREE (3) YEAR PERIOD AND FOR AN ANNUAL AMOUNT NOT TO EXCEED \$225,000.

A motion was made by Commissioner Good, Jr., seconded by Vice Mayor Siple, to approve Item 1. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 1 into the record, by title and requested clarification on certain sections in the item.

City Manager called Gabriel Fernandez, Manager of the Procurement Department, who addressed the questions of the Commissioner.

Jonathan Cooper, Utilities Director, addressed the questions of the Commissioner.

City Attorney Goren and City Manager Dodge responded to the questions of the Commissioner regarding the process of awarding of contracts.

- 4. 19-1289 MOTION FOR COMMISSION TO CONCUR WITH CITY MANAGER'S ADMINISTRATIVE POLICY TO ALLOW FOR RESIDENTIAL UTILITY CUSTOMERS TO RECEIVE A ONE-TIME CREDIT TOWARD THEIR WATER AND SEWER MONTHLY BILL FOR UNUSUALLY HIGH WATER CONSUMPTION (HIGH CONSUMPTION CREDIT).**

Item 4 was pulled from the Consent Agenda for discussion by Commissioner Castillo. The motion as-is was seconded by Commissioner Schwartz.

Discussion ensued whereupon a motion was made by Commissioner Schwartz, seconded by Vice Mayor Siple, to defer Item 4 and direct the City Attorney and City Administration to bring back the original intent of the administrative policy when ready. The motion to defer carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Castillo read Item 4 into the record, by title and spoke on the item with regard to the way the item was structured.

Commissioner Schwartz and Commissioner Good spoke in support of deferring the item, to be restructured in accordance with the original

direction of the Commission.

Jonathan Cooper, Utilities Director, addressed the Commission to clarify the definition of "cross connection" as stated in the item.

- 7. 19-1292** MOTION TO APPROVE THE FIRST AMENDMENT BETWEEN THE CITY OF PEMBROKE PINES AND RAFTELIS FINANCIAL CONSULTANTS, INC. FOR AN AWWA BENCHMARKING STUDY FOR THE UTILITIES DIVISION FUNCTION SOURCING CONTRACT IN AN AMOUNT NOT TO EXCEED \$32,500 PURSUANT TO SECTION 35.18(C)(2) OF THE CITY'S CODE OF ORDINANCES.

A motion was made by Commissioner Good, Jr., seconded by Vice Mayor Siple, to defer Item 7 to no specific time. Commissioner Good wanted the original study brought back without the benchmarking. The motion carried by the following vote:

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

Nav 0

PRIOR TO THE VOTE BEING TAKEN:

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

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

City Manager Dodge responded to the questions of the Commissioner regarding the deferral of the item.

- 8. 19-1298** MOTION TO REJECT ALL PROPOSALS FOR RE-19-12 "DESIGN BUILD SERVICES FOR THE CONSTRUCTION OF A RECREATION CENTER AT WILLIAM B. ARMSTRONG DREAM PARK" AND AUTHORIZE THE ADVERTISEMENT OF RE-19-17 "DESIGN BUILD SERVICES FOR THE CONSTRUCTION OF A RECREATION CENTER AT WILLIAM B. ARMSTRONG DREAM PARK".

A motion was made by Vice Mayor Siple, seconded by Commissioner Schwartz, to table Item 8 until an improved plan for the design of the recreation center at William B. Armstrong Dream Park could be brought back before Commission. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Vice Mayor Siple read Item 8 into the record, by title and spoke on the item regarding the William B. Armstrong Park conceptual design.

Commissioner Good, Commissioner Schwartz, and Commissioner Castillo spoke on the item regarding the design criteria, public input, and the bids on the project to date.

City Manager Dodge responded to the questions of the Commission and recommended bringing back the project for further discussion at a workshop.

- 10. 19-1303 MOTION TO APPROVE THE FINDINGS AND RECOMMENDATION OF THE EVALUATION COMMITTEE AND TO AWARD CCNA # PSEN-18-02-04 "DESIGN AND POST SERVICES - PINES VILLAGE WATER MAIN IMPROVEMENTS PHASE II" TO CPH, INC. AND TO DIRECT THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR SERVICES.**

A motion was made by Commissioner Good, Jr., seconded by Commissioner Schwartz, to approve Item 10 as amended, to include sewer mains in Phase II of the water mains improvement project. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 10 into the record, by title and spoke about the estimated costs to complete the project.

Jonathan Cooper, Utilities Director, addressed the Commission.

Commissioner Schwartz, Commissioner Castillo, and Mayor Ortis spoke in favor of ensuring that both water and sewage lines be addressed concurrently in the project.

City Manager Dodge responded to the questions of the Commission regarding the availability of funds to complete both projects.

- 11. 19-1309 MOTION TO APPROVE THE PURCHASE OF AN INTERCOM,**

PAGING & SCHEDULING, EMERGENCY ALERTING, CAMERAS AND DIGITAL CLOCK SYSTEMS INCLUDING COMPLETE DATA CABLE REWIRING AND EXPANSION OF PHYSICAL NETWORK FOR THE PEMBROKE PINES' CENTRAL AND EAST CHARTER SCHOOL CAMPUSES AS PART OF THE CITY'S ONGOING TECHNOLOGY MODERNIZATION PROJECT FROM PRESIDIO NETWORK SOLUTIONS, INC., IN THE AMOUNT NOT TO EXCEED \$2,697,485.57 IN THE BEST INTEREST OF THE CITY PURSUANT TO SECTION 35.18(C)(8) OF THE CITY'S CODE OF ORDINANCES.

A motion was made by Commissioner Good, Jr., seconded by Commissioner Schwartz, to approve Item 11. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 11 into the record by title. He wanted to address the use of the statement "'In the best interests of the City" in the bid documents.

City Manager Dodge called the Technology Services Director, Matthew Kefford to address the questions of the Commissioner pertaining to the vendor involved in the project at each of the campuses.

City Manager Dodge called Gabriel Fernandez, Purchasing Manager to address the questions of the Commission pertaining to the process used to select the vendor.

City Attorney Goren responded to the Commission to clarify the term "In the best interests of the City" and setting a "City standard."

Commissioner Schwartz and Commissioner Castillo spoke on the need for the project to be addressed with urgency for the purposes of school safety.

City Manager Dodge addressed the questions of the Commission pertaining to proposals being evaluated for future City projects.

- 12. 19-1308** MOTION TO APPROVE THE REQUEST TO ADVERTISE RE-19-15 "PARKS ARCHITECTURAL AND ENGINEERING SERVICES" IN ORDER TO ESTABLISH A CONTINUING CONTRACT IN ACCORDANCE WITH FLORIDA STATUTE 287.055, CONSULTANT'S

COMPETITIVE NEGOTIATION ACT (CCNA).

A motion was made by Commissioner Good, Jr., seconded by Commissioner Schwartz, to approve Item 12. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 12 into the record by title, and spoke about the vendor selection process.

Gabriel Fernandez, Purchasing Manager, addressed the questions of the Commissioner.

City Manager Dodge responded to questions of the Commission regarding the process of financial reporting of items with a specified dollar amount.

City Attorney Goren and City Manager Dodge responded to the questions of the Commissioner regarding the process of awarding contracts.

- 13. 19-1307** MOTION TO APPROVE THE FINDINGS AND RECOMMENDATION OF THE EVALUATION COMMITTEE AND TO AWARD PSEN-18-02-05 "DESIGN & POST SERVICES-POINCIANA DRIVE" TO KIMLEY-HORN AND ASSOCIATES, INC., AND TO DIRECT THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR SERVICES.

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

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 12 into the record and spoke on the item

regarding project completion costs.

Jonathan Cooper, Utilities Director, addressed the questions of the Commissioner.

16(A) 19-1299

MOTION TO APPROVE REQUEST TO ADVERTISE SOLICITATION(S):

(A) PSUT-19-05 "HOLLY LAKE BOOSTER STATION AND WASTEWATER TREATMENT PLANT FUEL TANK REMOVAL AND GENERATOR RE-PIPE"

(B) RE-19-16 "GELCOAT RESTORATION OF WATER SLIDES AT AQUATIC CENTER"

(C) TS-19-04 "CITRIX SD-WAN HARDWARE"

A motion was made by Commissioner Good, Jr., seconded by Commissioner Schwartz, to approve Item 16 Section (A) PSUT-19-05 Holly Lake Booster Station and Wastewater Treatment Plant Fuel Tank Removal and Generator re-Pipe. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 16A into the record and spoke on the item regarding project completion costs.

Brian Smith, Utility Operations Manager, addressed the questions of the Commissioner.

18. 19-1125

MOTION TO APPROVE THE AGREEMENT BETWEEN THE CITY OF PEMBROKE PINES AND COBBLESTONE SYSTEMS CORP. ("COBBLESTONE") TO PURCHASE A CONTRACT MANAGEMENT SOFTWARE FOR AN INITIAL ONE (1) YEAR TERM FOR AN AMOUNT NOT TO EXCEED \$28,065.80, PURSUANT TO SECTION 35.18(C)(7)(H) OF THE CITY'S CODE OF ORDINANCES.

A motion was made by Commissioner Good, Jr., seconded by Vice Mayor Siple, to approve Item 18. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 18 into the record and spoke on the item regarding project completion costs.

Oniel Garcia, Contracts Manager, came to the podium to address the Commission regarding the need for the contract management software system and the process the City is currently using.

City Manager Dodge addressed the Commission regarding contract processing times.

QUASI JUDICIAL AGENDA:

ORDINANCES AND RESOLUTIONS:

SECOND READING ORDINANCES:

21. **2019-13** MOTION TO ADOPT PROPOSED ORDINANCE 2019-13 ON SECOND AND FINAL READING.

PROPOSED ORDINANCE 2019-13 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA AMENDING CHAPTER 130, ENTITLED "GENERAL PROVISIONS" BY AMENDING SECTION 130.06, ENTITLED "ADULT CIVIL CITATION PROGRAM;" PROVIDING MODIFICATION TO REQUEST FOR PROVIDER; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Vice Mayor Siple, seconded by Commissioner Good, Jr., to adopt Proposed Ordinance 2019-13 (Enactment No.1936). The motion carried by the following vote:

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

Nay 1 - Commissioner Schwartz

Enactment No: 1936

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2019-13 into the record by title.

Commissioner Schwartz called Police Chief Shimpeno to address the questions of the Commission regarding social service provisions in the City.

Public Hearing: No members of the public spoke on the matter.

22. 2019-14

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

PROPOSED ORDINANCE 2019-14 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, CHANGING THE DATES OF THE CITY'S 2020 REGULAR MUNICIPAL ELECTION FROM MARCH 10, 2020 TO MARCH 17, 2020 IN ACCORDANCE WITH SECTION 101.75, F.S.; PROVIDING FOR A QUALIFYING PERIOD FOR THE MARCH 17, 2020 REGULAR MUNICIPAL ELECTION; 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 Proposed Ordinance 2019-14 (Enactment No. 1937). The motion carried by the following vote:

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

Nay 0

Enactment No: 1937

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2019-14 into the record by title.

Commissioner Schwartz spoke regarding the resignation process.

City Attorney Goren responded to the Commissioner regarding the Resign-to-Run process referencing section 99.012 of the Florida Statutes and Memorandum No. 2019-108 from the City Attorney's Office.

23. 2019-20

MOTION TO PASS PROPOSED ORDINANCE 2019-20 ON SECOND

AND FINAL READING.

PROPOSED ORDINANCE 2019-20 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING TITLE XV, "LAND USAGE," CHAPTER 155, "ZONING CODE," SECTION 155.146, COMMUNITY BUSINESS (B-2) DISTRICTS," BY SPECIFICALLY AMENDING SUBSECTION 155.146(B)(12), TO PROVIDE FOR THE SALE OF ELECTRONIC NICOTINE DISPENSING DEVICES AS AN ACCESSORY USE; AMENDING SECTION 155.146, "COMMUNITY BUSINESS (B-2) DISTRICTS," BY SPECIFICALLY AMENDING SUBSECTION 155.146(C)(12) OF THE CITY OF PEMBROKE PINES CODE OF ORDINANCES TO REMOVE THE SALE OF ELECTRONIC NICOTINE DISPENSING DEVICES AND NICOTINE PRODUCTS AS A PROHIBITED USE; AMENDING TITLE XIII, "GENERAL OFFENSES," CHAPTER 134, "OFFENSES AGAINST PUBLIC PEACE AND SAFETY," BY SPECIFICALLY CREATING SECTION 134.10, "PROHIBITION OF SALE OR DISTRIBUTION OF ELECTRONIC NICOTINE DISPENSING DEVICES AND NICOTINE PRODUCTS TO PERSONS UNDER 21 YEARS OF AGE," TO PROVIDE FOR PROHIBITION OF SALE AND DISTRIBUTION; PROVIDING FOR DEFINITIONS; AMENDING TITLE XIII, "GENERAL OFFENSES," CHAPTER 134, "OFFENSES AGAINST PUBLIC PEACE AND SAFETY," BY SPECIFICALLY AMENDING SECTION 134.04, "SMOKING IN CERTAIN PUBLIC PLACES PROHIBITED," TO PROHIBIT THE USE OF AN ELECTRONIC NICOTINE DISPENSING DEVICE OR NICOTINE PRODUCT IN CERTAIN PUBLIC PLACES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion to defer Proposed Ordinance 2019-20 pending the Attorney General's opinion was made by Commission Castillo, seconded by Commissioner Good, but the motion failed.

Whereupon another motion was made by Vice Mayor Siple, seconded by Commissioner Castillo, to adopt Proposed Ordinance 2019-20 (Enactment No. 1938) with an effective date of January 1, 2020, whether or not the Commission receives the Attorney General's opinion. The motion carried by the following vote:

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

Nay 0

Enactment No: 1938

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2019-20 into the record, by title.

The following members of the public spoke on the item:

Ronnie Oakes, 5510 SW 54th Street, Davie, FL came to the podium to address the Commission with findings about vaping and vaping devices.

City Attorney Goren responded to the Commission to provide an update of the requests made with Attorney General for an opinion on October 21, 2019 and is still pending a response. Options were also presented to the Commission referencing Chapters 743 and 57 of the Florida Statutes.

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

Commissioner Good, Vice Mayor Siple, and Commissioner Castillo spoke about their concerns with the item.

24. 2019-21

MOTION TO PASS PROPOSED ORDINANCE NO. 2019-21 ON SECOND AND FINAL READING.

PROPOSED ORDINANCE NO. 2019-21 IS AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING ORDINANCE NO. 1913; PROVIDING FOR AN AMENDED BUDGET FOR FISCAL YEAR 2018-2019 FOR THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2019-21 into the record, by title.

Public Hearing: No members of the public spoke.

A motion was made by Commissioner Castillo, seconded by Vice Mayor Siple, to adopt Proposed Ordinance 2019-21 (Enactment 1939). The motion carried by the following vote:

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

Nay 1 - Commissioner Good Jr.

Enactment No: 1939

RESOLUTIONS:

25. 2019-R-48 MOTION TO ADOPT PROPOSED RESOLUTION 2019-R-48.

PROPOSED RESOLUTION 2019-R-48 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, URGING THE GOVERNOR AND MEMBERS OF THE LEGISLATURE TO ENACT A TEMPORARY BAN ON SALES OF VAPING PRODUCTS, TO INCREASE THE MINIMUM LEGAL AGE TO PURCHASE VAPING PRODUCTS FROM 18 TO 21, AND TO DECLARE A PUBLIC HEALTH EMERGENCY IN THE STATE OF FLORIDA RELATED TO THE USE OF VAPING PRODUCTS; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE GOVERNOR, THE MEMBERS OF THE LEGISLATURE AND THE BROWARD LEAGUE OF CITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Vice Mayor Siple, seconded by Commissioner Castillo, to defer Proposed Resolution 2019-R-48, pending additional data-driven information. The motion carried by the following vote:

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

Nay 0

Enactment No: 3680

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2019-R-48 into the record, by title.

Commissioner Castillo and Vice Mayor Siple expressed their concerns with the Proposed Resolution 2019-R-48.

REGULAR AGENDA:

26. 18-1332 (A) MOTION TO APPROVE THE TERMINATION OF THE LEASE AGREEMENT WITH RESTAURANT CLASSIC KITCHENS EFFECTIVE DECEMBER 1, 2019

(B) MOTION TO APPROVE THE FIRST AMENDMENT OF THE CURRENT AGREEMENT WITH SMG TO INCORPORATE THE OPERATION OF THE CLUB 19 RESTAURANT AT THE PEMBROKE LAKES GOLF COURSE EFFECTIVE DECEMBER 1, 2019

A motion was made by Commissioner Castillo, seconded by Vice Mayor Siple, to approve Item 26(A) to agree that only the City Manager can approve the management of the restaurant and selection of restaurant manager. The motion carried by the following vote:

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

Nay 0

A motion was made by Commissioner Schwartz, seconded by Vice Mayor Siple, to approve Item 26 (B) to approve the first amendment of the current SMG agreement with amendment that clarifies SMG's merger with AEG Global contract. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 26 A and B into the record, by title.

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

City Manager Dodge responded to the questions of the Commission.

Steve Clark, SMG General Manager of the Charles F. Dodge City Center, came to the podium to answer the questions of the Commission.

Assistant City Attorney Horowitz, came to the podium to address the Commission regarding the merge of SMG with ASM Global and explained that SMG would remain as its own separate entity for the record.

REPORTS OF LEAGUE REPRESENTATIVES

REPORTS OF THE CITY MANAGER AND CITY ATTORNEY CHANGES IN THE DATES OF UPCOMING COMMISSION MEETINGS WERE BROUGHT UP AND VOTED ON UNDER REPORTS OF THE CITY MANAGER AND CITY ATTORNEY

A motion was made by Commissioner Schwartz, seconded by Vice Mayor Siple to combine the December 18th Commission Meeting with the December 4th meeting with only one commission meeting in December: Wednesday, December 4th, 2019. The motion carried by the following vote:

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

Nay 1 - Commissioner Castillo

COMMISSION ITEMS:

29. 19-1314 COMMISSIONER CASTILLO-ITEM 2: MOTION AND POSSIBLE ACTION TO DIRECT DRAFTING OF AN ORDINANCE MIRRORING LANGUAGE ADOPTED IN SEBRING, FLORIDA MAIN SECTION AS FOLLOWS: "IT SHALL BE UNLAWFUL FOR ANY PERSON TO USE A BULLHOOK, ANKUS, WHIP, ELECTRICAL PROD OR OTHER IMPLEMENT OR TOOL THAT CAUSES UNJUSTIFIABLE PAIN OR SUFFERING TO A WILD OR EXOTIC ANIMAL WHICH IS BEING DISPLAYED WITHIN THE MUNICIPAL LIMITS OF THE CITY OF PEMBROKE PINES. FOR PURPOSES OF THIS SECTION, THE TERM USE SHALL INCLUDE BRANDISHING, EXHIBITING OR DISPLAYING A BULLHOOK, ANKUS, WHIP, ELECTRIC PROD OR AN IMPLEMENT DESIGNED TO LOOK LIKE A BULLHOOK, ANKUS, WHIP, OR ELECTRIC PROD IN THE PRESENCE OF A WILD OR EXOTIC ANIMAL FOR THE PURPOSE OF TRAINING OR CONTROLLING THE BEHAVIOR OF THE ANIMAL.

A motion was made by Commissioner Castillo, seconded by Commissioner Schwartz, to direct the City Attorney to draft an ordinance mirroring language adopted in Sebring, Florida. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Castillo read Item 29 into the record, by title.

Commissioner Castillo, Commissioner Schwartz, Vice Mayor Siple, and Commissioner Good expressed their concerns on the matter.

The following members of the public spoke on the item:

Noah Burens, young resident of Pembroke Pines spoke about the animal protest against bull hooks and Tasers used against circus animals.

Commissioner Michele Lazarow, Commissioner for the City of Hallandale Beach and President of the Defense Coalition.

Don Anthony, 1431 North Federal Highway
James Wildman of the Animal Rights Foundation of Florida
Guillermo Salam, resident of Grand Palms, Pembroke Pines, FL
Shani Roushar, 2291 Yucca Avenue, Pembroke Pines, FL
Daniel Burens, District 3 resident in Pembroke Pines, FL
Ken Felton, former resident of Pembroke Pines, FL
Fran Badlotto, 11181 NW 46 Drive, Coral Springs, FL
Anna Campos, Fort Lauderdale, FL
Paul Beryl, resident of Pompano Beach, FL
Lynn Levy, resident of Aventura, FL

City Attorney Goren responded to the Commission regarding contract obligations with the vendor.

- 30. 19-1316 MAYOR ORTIS - ITEM NO. 1: DISCUSSION WITH POSSIBLE ACTION TO DIRECT CITY ADMINISTRATION TO INVESTIGATE INSTALLATION OF TRAFFIC SIGNAL AT SW 7TH ST AND PALM AVENUE.**

Mayor Ortis said that due to the late hour of the meeting and time constraints he would move his Commission Item to the next meeting scheduled for December 4, 2019.

OLD BUSINESS:

Commissioner Good introduced an item under Old Business pertaining to the Broward County Water Advisory Board and a proposed ordinance. He said he would like the approval of the City Commission to direct the City Attorney to

draft a resolution opposing the language of the Broward County ordinance.

A motion was made by Commissioner Good, Jr., seconded by Vice Mayor Siple, to approve the drafting of a resolution to be submitted to Broward County in advance of the County Commission's reading of their ordinance. The motion carried by the following vote:

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

Nay 0

ADJOURN - 11:30 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.