

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, February 19, 2020

6:30 PM

6:30 PM Regular Commission Meeting. An Executive Session immediately follows the Regular Commission Meeting in the City Manager's 4th floor conference room, City Center. ADD-1 and BA-2 were added to the agenda and republished online 2/19/2020.

Commission Chambers

City Commission

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

6:30 PM REGULAR MEETING CALLED TO ORDER. AN EXECUTIVE SESSION IMMEDIATELY FOLLOWS THE REGULAR COMMISSION MEETING. LOCATION OF THE EXECUTIVE SESSION IS IN THE CITY MANAGER'S 4TH FLOOR CONFERENCE ROOM, CITY CENTER.

ROLL CALL

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

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the "Honorary Mayor" Pedro Manzato.

ACKNOWLEDGEMENTS:

Vice Mayor Siple spoke about the Marjorie Stoneman Douglas High School Prayer Vigil that took place on February 14, 2020 and the 6th Edition of Raising Positive Children event coming up on March 12, 2020 at 6:30pm at the Charles F. Dodge City Center.

PRESENTATIONS:

PRE-1 20-0107 PRESENTATION #1: CERTIFICATES OF APPRECIATION TO BE PRESENTED TO THE HIGH SCHOOL STUDENTS WHO WERE STUDENT AMBASSADORS TO THE CITY OF PEMBROKE PINES, FEBRUARY 19, 2020.

Mayor Ortis presented certificates of recognition to the following student ambassadors:

Jordan Fergusson - McArthur High School
Morgan Spencer - West Broward High School

Indrani Pinto - McArthur High School
Isabella Cancio-Bello - Franklin Academy
Juan Ferro - Franklin Academy
Pedro Manzato - Pembroke Pines Charter Academic Village
Aitana Arvelo - Pembroke Pines Charter Academic Village
Kimora Miller - Somerset Academy
Brandon Young - Somerset Academy
Zachary Mata - Charles W. Flanagan High School
Chelsea Hernandez - Charles W. Flanagan High School

ANNOUNCEMENT OF ITEMS TO BE PULLED FROM AGENDA

The Clerk announced there were no items pulled.

ITEMS AT THE REQUEST OF THE PUBLIC

Mr. Bernie Winer, 10651 NW 18th Place, Pembroke Pines, FL addressed the Commission regarding Ashley Hale Park.

ANNOUNCEMENT OF BOARD AND COMMITTEE APPOINTMENTS

BA-1 20-0178 BOARD ANNOUNCEMENT: MAYOR FRANK C. ORTIS WISHES TO ANNOUNCE THE FOLLOWING APPOINTMENT TO THE ENVIRONMENTAL ADVISORY BOARD:

MS. JUDITH K. PRICHARD.

Mayor Ortis announced his Mayoral City Wide board appointment Ms. Judith Prichard, to the Environmental Advisory Board. Ms. Prichard's name was corrected on the record from "Pritchard" as shown in the title to "Prichard."

BA-2 20-0183 BOARD ANNOUNCEMENT: VICE MAYOR IRIS A. SIPLE WISHES TO ANNOUNCE THE FOLLOWING APPOINTMENT TO THE ART & CULTURE BOARD:

MS. AUDE SICARD.

Vice Mayor Siple announced Ms. Aude Sicard as the District 3 board appointment, to the Diversity and Heritage Advisory Board. Correction was made on the record to the name of the board to which Ms. Sicard was appointed - from "Art & Culture Board" to "Diversity and Heritage Advisory Board."

Ms. Sicard addressed the Commission.

CONTINUATION OF ITEMS AT THE REQUEST OF THE PUBLIC:

George Koren 6751 SW 11th Street, Pembroke Pines, FL addressed the Commission regarding Items 11 and 13.

David Muir, 2543 Plunkett Street, Hollywood, FL addressed the Commission regarding the Taste the Islands Experience event at the Charles F. Dodge City Center in May, 2020.

Aitana Arvelo, 1391 NW 187th Avenue, Pembroke Pines, FL addressed the Commission regarding mental health and wellness programs for schools.

Commissioner Schwartz and Vice Mayor Siple responded to Miss Arvelo.

10. 2019-22 MOTION TO ADOPT PROPOSED ORDINANCE 2019-22 ON SECOND AND FINAL READING.

PROPOSED ORDINANCE 2019-22 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING TITLE IX, "GENERAL REGULATIONS," CHAPTER 91, "ANIMALS," BY SPECIFICALLY CREATING SECTION 91.20, "WILD AND EXOTIC ANIMALS," PROVIDING FOR DEFINITIONS; PROVIDING FOR THE PROTECTION OF WILD AND EXOTIC ANIMALS IN TRAVELING ACTS FOR PUBLIC ENTERTAINMENT OR AMUSEMENT WITHIN THE CITY OF PEMBROKE PINES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Castillo, seconded by Commissioner Schwartz, to adopt Proposed Ordinance 2019-22 on Second and Final Reading. The motion carried by the following vote:

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

Nay 0

Enactment No: 1941

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2019-22 into the record, by title.

Commissioner Castillo spoke on the item.

Public Hearing - The following members of the public spoke on the item:

Ken Pelton, 2995 East Budd Drive, Cooper City, FL
Don Anthony, 1431 North Federal Highway, Fort Lauderdale, FL
Ana Campos, Fort Lauderdale, FL

ACKNOWLEDGEMENTS:

Mayor Ortis acknowledged the upcoming events of Taste of the Pines on February 20, 2020 and the Pines Light up the Night 5K on February 22, 2020 events at the Charles F. Dodge City Center.

Vice Mayor Siple acknowledged the return of City Attorney Sam Goren from his medical leave of absence.

12. 2020-03 MOTION TO PASS PROPOSED ORDINANCE 2020-03 ON SECOND AND FINAL READING.

PROPOSED ORDINANCE NO. 2020-03 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA AMENDING TITLE IX, "GENERAL REGULATIONS," CHAPTER 91, ENTITLED "ANIMALS," BY SPECIFICALLY CREATING SECTION 91.30, ENTITLED "ANIMAL DISPLAYS OR EXHIBITS," PROVIDING FOR DEFINITIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN

EFFECTIVE DATE.

A motion was made by Commissioner Schwartz, seconded by Vice Mayor Siple, to adopt Proposed Ordinance 2020-03 on Second and Final Reading. The motion carried by the following vote:

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

Nay 1 - Commissioner Castillo

Enactment No: 1942

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2020-03 into the record, by title.

CONSENT AGENDA:

1. **20-0043** MOTION TO APPROVE REQUEST TO ADVERTISE SOLICITATION(S):

(A) TS- 20-01 "SOUTHWEST FOCAL POINT SECURITY CAMERAS"

A motion was made to approve on the Consent Agenda

2. **20-0144** MOTION TO RELEASE PERFORMANCE BOND #SU1141852 IN THE AMOUNT OF \$68,863.30 FROM BERGERON PARK OF COMMERCE SOUTH FAMILY LIMITED PARTNERSHIP, ACCEPT THE MAINTENANCE BOND #SU1141860 IN THE AMOUNT OF \$14,999.46 (WHICH IS 21.78% OF THE CERTIFIED COSTS FOR WATER IMPROVEMENTS ONLY) AND ACCEPT AND RECORD THE BILL OF SALE AND EASEMENT DEDICATION FOR BERGERON PARK OF COMMERCE SOUTH - BERGERON 15.25 ACRE PARCEL.

A motion was made to approve on the Consent Agenda

3. **20-0171** MOTION TO RELEASE PERFORMANCE BOND #40158098 IN THE AMOUNT OF \$437,877.00 AND ACCEPT THE MAINTENANCE BOND #US00088696SU19A IN THE AMOUNT OF \$100,770.95 (WHICH IS

20% OF THE CERTIFIED COSTS FOR WATER & SEWER IMPROVEMENTS ONLY) FOR THE ONE YEAR MAINTENANCE PERIOD FROM PEMBROKE 145 OFFICE, LLC, AND RECORD THE BILL OF SALE AND EASEMENT DEDICATION AND ACCEPT THE CORRECTIVE EASEMENTS FOR THE EDISION OFFICE PROJECT AT PEMBROKE PINES

A motion was made to approve on the Consent Agenda

- 4. 20-0172** MOTION TO APPROVE A CHANGE ORDER FOR THE PURCHASE OF SODIUM HYPOCHLORITE 12.5% ON AN AS NEEDED BASIS UTILIZING THE SOUTHEAST FLORIDA GOVERNMENTAL COOPERATIVE PURCHASING GROUP (CO-OP) BID #12006-372 IN THE AMOUNT OF \$149,400 BRINGING THE PURCHASE ORDER TOTAL TO AN AMOUNT NOT TO EXCEED \$227,088, PURSUANT TO SECTION 35.18(C)(6) OF THE CITY'S CODE OF ORDINANCES.

A motion was made to approve on the Consent Agenda

- 5. 20-0162** MOTION TO APPROVE THE MINUTES OF THE COMMISSION MEETINGS OF WEDNESDAY, FEBRUARY 5, 2020; WEDNESDAY, OCTOBER 2ND, 2019; WEDNESDAY, OCTOBER 16, 2019; AND WEDNESDAY NOVEMBER 13, 2019.

A motion was made to approve on the Consent Agenda

- 6. 20-0041** MOTION TO GRANT THE USE OF THE CITY'S LOGO ON BIDERA LLC'S ONLINE WEB-BASED AUCTIONEERING SYSTEM, WHICH THE CITY USES TO SELL SURPLUS ITEMS AND EQUIPMENT AT NO COST TO THE CITY OF PEMBROKE PINES.

A motion was made to approve on the Consent Agenda

- 7. 20-0147** MOTION TO AWARD IFB # RE-19-16 "GELCOAT RESTORATION OF WATER SLIDES AT AQUATIC CENTER" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, SLIDEPROS, IN THE AMOUNT NOT TO EXCEED \$25,837.55, WHICH INCLUDES A 3 % PERMIT ALLOWANCE IN THE AMOUNT OF \$752.55.

A motion was made to approve on the Consent Agenda

8. **20-0148** MOTION TO APPROVE THE PURCHASE AND INSTALLATION OF TWO (2) CITY- STANDARD HOFFMAN MODEL 751 MULTISTAGE CENTRIFUGAL AIR BLOWERS FROM THE SOLE SOURCE REPRESENTATIVE, TSC JACOBS, INC., IN AN AMOUNT NOT TO EXCEED \$449,285.22, WHICH INCLUDES A 8.1% OWNER'S CONTINGENCY IN THE AMOUNT OF \$33,665.22, 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. **20-0169** MOTION TO APPROVE THE DEPARTMENT RECOMMENDATIONS FOR THE FOLLOWING ITEMS LISTED ON THE CONTRACTS DATABASE REPORT:

(A) FileOnQ - Public Safety Platform - Renewal

(B) Brink's Incorporated - Armored Car Services - Renewal

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 Schwartz, to approve Items 1-9 of the Consent Agenda. The motion carried by the following vote:

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

Nay 0

ORDINANCES AND RESOLUTIONS:**SECOND READING ORDINANCES:**

11. **2020-02** MOTION TO ADOPT PROPOSED ORDINANCE NO. 2020-02 ON SECOND AND FINAL READING.

PROPOSED ORDINANCE 2020-02 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING CHAPTER 155, THE COMPREHENSIVE ZONING CODE OF THE CITY OF PEMBROKE PINES, BY SPECIFICALLY AMENDING SECTION 155.027, ENTITLED "ZONING MAP," TO RE-ZONE THE APPROXIMATE 1.6-ACRE PARCEL OF LAND GENERALLY LOCATED SOUTH OF PINES BOULEVARD AND WEST OF SW 64TH WAY, LOCATED AT 6460

PINES BOULEVARD, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; RE-ZONING FROM THE CURRENT ZONING OF B2-A (PLANNED BUSINESS CENTER) TO B-3 (GENERAL BUSINESS), SUBJECT TO THE RECORDATION OF A DECLARATION OF RESTRICTIVE COVENANTS ATTACHED HERETO AS EXHIBIT "B"; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Good to table the item. The motion died for lack of a second.

A motion was made by Vice Mayor Siple, seconded by Commissioner Schwartz, to adopt Proposed Ordinance 2020-02 on Second and Final Reading. The motion carried by the following vote:

Aye 3 - Mayor Ortis, Commissioner Schwartz, and Commissioner Castillo

Nay 2 - Commissioner Good Jr., and Vice Mayor Siple

Enactment No: 1943

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2020-02 into the record, by title and explained the Quasi-Judicial process.

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

Mike Stamm, Planning and Economic Development Director, addressed the questions of the Commission and called Mr. Dickerson to the podium to further discuss the matter.

Dwayne Dickerson, Esquire of Dunay, Miskel, and Backman, 14 SE 4th Street, Boca Raton, FL, addressed the concerns of the Commission on behalf of the applicant, 6500 Pines Holdings LLC.

Public Hearing: The following member of the public spoke on the item:

George Koren, 6751 SW 11th Street, Pembroke Pines, FL

RESOLUTION:

13. 2020-R-07 MOTION TO ADOPT PROPOSED RESOLUTION NUMBER 2020-R-07.

PROPOSED RESOLUTION NUMBER 2020-R-07 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES APPROVING THE HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE CITY OF PEMBROKE PINES AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN; PROVIDING FOR MOBILITY IMPROVEMENTS ON 72ND AVE; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE METROPOLITAN PLANNING ORGANIZATION (MPO) AND FDOT; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO TAKE 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 Vice Mayor Siple, seconded by Commissioner Schwartz, to adopt Proposed Resolution 2020-R-07. The motion carried by the following vote:

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

Nay 0

Enactment No: 3686

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2020-R-07 into the record, by title.

14. 2020-R-08 MOTION TO APPROVE PROPOSED RESOLUTION NO. 2020-R-08.

PROPOSED RESOLUTION NO. 2020-R-08 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING THE PLAT NOTE AMENDMENT (DELEGATION REQUEST) FOR THE PEMBROKE PINES CITY HALL PLAT, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF PINES BOULEVARD AND PALM AVENUE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN; AUTHORIZING CITY ADMINISTRATION TO TAKE ANY ACTION NECESSARY TO IMPLEMENT THE INTENT OF THIS RESOLUTION; PROVIDING

FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Vice Mayor Siple, seconded by Commissioner Schwartz, to adopt Proposed Resolution 2020-R-08. The motion carried by the following vote:

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

Nay 0

Enactment No: 3687

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2020-R-08 into the record, by title.

Commissioner Good and Vice Mayor Siple spoke on the item.

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

REPORTS OF LEAGUE REPRESENTATIVES

ADD-1 20-0180 DISCUSSION AND POSSIBLE ACTION TO NOMINATE MAYOR FRANK C. ORTIS TO REPRESENT THE CITY OF PEMBROKE PINES ON THE "FLORIDA LEAGUE OF CITIES FLORIDA MUNICIPAL INVESTMENT TRUST" (FMIvT) BOARD OF TRUSTEES.

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

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item ADD-1 into the record, by title.

Commissioner Schwartz and Vice Mayor Siple spoke on the item.

City Manager Dodge addressed the questions of the Commission.

REPORTS OF THE CITY MANAGER AND CITY ATTORNEY

A motion was made by Commissioner Schwartz, seconded by Vice Mayor Siple, to approve moving the March 18, 2020 Commission Meeting to be combined with the March 4, 2020 Commission Meeting. Commissioner Castillo's motion to direct the City Manager to schedule a special meeting for the induction of new members post-election with certified results, died for lack of a second. The main motion carried by the following vote:

Aye 4 - Mayor Ortis, Commissioner Good Jr., Commissioner Schwartz, and Vice Mayor Siple
Nay 1 - Commissioner Castillo

City Manager Dodge spoke about the Commission meetings for the month of March due to the upcoming election on March 17, 2020, and provided options for the Commission to consider.

Commissioner Schwartz and Commissioner Castillo spoke on the matter.

City Attorney Goren addressed the Commission regarding the process of elected members taking office according to the City's Charter.

CITY ATTORNEY REPORT:

15. 20-0177 CITY ATTORNEY REPORT ITEM 1: REQUEST FOR LETTER OF SUPPORT FOR PORT EVERGLADES GRANT APPLICATION.

A motion was made by Commissioner Schwartz, seconded by Vice Mayor Siple, to approve the item under City Attorney Report. The motion carried by the following vote:

Aye 5 - Mayor Ortis, Commissioner Good Jr., Commissioner Schwartz, Vice Mayor Siple, and Commissioner Castillo
Nay 0

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 15 into the record by title, and spoke on the item.

COMMISSION ITEMS:

16. 20-0174 COMMISSIONER SCHWARTZ - ITEM #1: DISCUSSION AND POSSIBLE ACTION TO ADOPT AN ORDINANCE TO PREVENT MINORS FROM VAPING THROUGH THE CREATION OF AN EDUCATIONAL AND COMMUNITY SERVICE PROGRAM THROUGH OUR POLICE DEPARTMENT COMMUNITY AFFAIRS UNIT. THE PROGRAM WOULD BE FUNDED THROUGH THE GENERAL FUND BUDGET.

Commission agreed by Consensus.

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Schwartz read Item 16 into the record, by title and spoke on the item.

Vice Mayor Siple spoke on the item and referenced information from guidelines of the Broward County School Board Code of Student Conduct.

Mrs. Patti Good, Broward County School Board Member, addressed the questions of the Commission.

City Manager Dodge responded to the questions of the Commission regarding charter school policies.

OLD BUSINESS:

Commissioner Castillo inquired about the time frame in which an elected member would take his or her seat after an election.

City Attorney Goren responded to the Commission referencing Article 3, Section 3.07 of the City's Charter.

ADJOURN - 8:41 P.M.

After the adjournment of the Commission Meeting, members of the City Commission proceeded to the Executive Session in the 4th floor conference room, City Hall.

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.