

# **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, April 15, 2020**

**6:30 PM**

**6:30 PM Virtual Regular Commission Meeting**

**Commission Chambers**

### **City Commission**

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

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

**Present** 4 - Mayor Frank Ortis, Vice Mayor Iris A. Siple, Commissioner Jay D. Schwartz, and Commissioner Thomas Good Jr.

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

Present in the Commission Chambers for the virtual meeting: Mayor Ortis, City Clerk Graham and Deputy City Clerk Rogers.

Vice Mayor, Commissioners, City Manager, City Attorney, Department Heads and others participated on Cisco Webex Communication Media Technology and by phone.

**PLEDGE OF ALLEGIANCE****ACKNOWLEDGEMENTS:**

Mayor Ortis spoke about the City's partnership with the Feeding South Florida Program and the food distribution drive at the Charles F. Dodge City Center Veterans Memorial area on Thursday, April 16, 2020 from 10:00 PM to 2:00 PM.

**PRESENTATIONS:****ANNOUNCEMENT OF ITEMS TO BE PULLED FROM AGENDA**

The City Clerk announced Item 17 was pulled from the agenda by the vendor.

**17.        20-0173        [PULLED FROM THE AGENDA BY THE VENDOR]        MOTION TO**

APPROVE THE AGREEMENT WITH DOWLING CONSTRUCTION COMPANY, PURSUANT TO THE AWARD OF RFP # PL-18-06 "DIGITAL SIGNAGE FABRICATION AND INSTALLATION" FOR AN AMOUNT NOT TO EXCEED \$512,488.08, WHICH INCLUDES AN AMOUNT OF \$11,452 FOR PAYMENT AND PERFORMANCE BONDS, A 5% OWNER'S CONTINGENCY IN THE AMOUNT OF \$23,726.30, AND A 3% PERMIT ALLOWANCE IN THE AMOUNT OF \$14,235.78.

## ITEMS AT THE REQUEST OF THE PUBLIC

The City Clerk introduced Deputy Clerk Rogers, who read an email from the following member of the public:

Matt Harper - Mr. Harper posted an email to the advertised email address publiccomments@ppines.com regarding rental assistance for City residents. He also requested accurate statistics regarding the COVID-19 cases in the City. Mayor Ortis addressed Mr. Harper's comment.

## ANNOUNCEMENT OF BOARD AND COMMITTEE APPOINTMENTS

No board appointments were announced.

## CONSENT AGENDA:

2. [20-0290](#) MOTION TO APPROVE THE PURCHASE OF IAPRO AND BLUETEAM SOFTWARE PROGRAMS FROM THE SOLE SOURCE VENDOR, CI TECHNOLOGIES INC, AND TO ENTER INTO AN AGREEMENT IN THE AMOUNT NOT TO EXCEED \$38,800, PURSUANT TO SECTIONS 35.18(C)(7)(A), 35.18(C)(7)(H), AND 35.18(C)(7)(I) OF THE CITY'S CODE OF ORDINANCES.

A motion was made to approve on the Consent Agenda

3. [20-0298](#) MOTION TO APPROVE THE FSU/PEMBROKE PINES CHARTER ELEMENTARY SCHOOL'S 2019 - 2020 PAEC MASTER IN-SERVICE PLAN, PAEC AUTISM DISORDER K-12 PLAN, PAEC FLORIDA GIFTED ADD-ON ENDORSEMENT PLAN, PAEC READING

ENDORSEMENT ADD-ON PLAN, FSU SCHOOL IMPROVEMENT PLAN AND THE PEMBROKE PINES CHARTER SCHOOL SYSTEM'S WELLNESS POLICY.

**A motion was made to approve on the Consent Agenda**

4.     [20-0299](#)     MOTION TO APPROVE OUT-OF-FIELD TEACHING WAIVER FOR THE 2019-2020 SCHOOL YEAR FOR ALISON MILLER TO TEACH 3RD GRADE AT THE FSU/PEMBROKE PINES CHARTER ELEMENTARY SCHOOL.

**A motion was made to approve on the Consent Agenda**

6.     [20-0305](#)     MOTION TO APPROVE THE PURCHASE OF THREE (3) 2020 HARLEY DAVIDSON ROAD KING (FLHP) MOTORCYCLES FROM ALLIGATOR ALLEY HARLEY-DAVIDSON IN THE AMOUNT OF \$21,783.35 EACH FOR A TOTAL AMOUNT NOT TO EXCEED \$65,350.07, UTILIZING THE FLORIDA SHERIFFS ASSOCIATION'S (FSA) BID # FSA19-VEL27.0, PURSUANT TO SECTION 35.18(C)(5) OF THE CITY'S CODE OF ORDINANCES.

**A motion was made to approve on the Consent Agenda**

7.     [20-0307](#)     MOTION TO REJECT ALL BIDS FOR IFB # PSPW-19-13 "REPLACEMENT OF WINDOWS AND DOORS FOR THE HAZARD MITIGATION GRANT", AND TO AUTHORIZE THE ADVERTISEMENT OF IFB # PSPW-20-02 "REPLACEMENT OF WINDOWS AND DOORS FOR THE HAZARD MITIGATION GRANT".

**A motion was made to approve on the Consent Agenda**

8.     [20-0309](#)     MOTION TO APPROVE THE FINDINGS AND RECOMMENDATION OF THE EVALUATION COMMITTEE AND TO AWARD RFQ # PSEN-19-07 "CIVIL ENGINEERING, INSPECTION, PERMIT REVIEW SERVICES AND DEVELOPMENT REVIEW COMMITTEE (DRC) ASSISTANCE" TO R.J. BEHAR & COMPANY, INC. AND TO DIRECT THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR SERVICES, IN ACCORDANCE WITH FLORIDA STATUTE 287.055, CONSULTANTS COMPETITIVE NEGOTIATION ACT (CCNA).

**A motion was made to approve on the Consent Agenda**

9.     [20-0310](#)     MOTION TO APPROVE THE FINDINGS AND RECOMMENDATIONS OF THE EVALUATION COMMITTEE AND TO AWARD RFQ # PSEN-19-09 "LAND SURVEYING SERVICES" TO MILLER LEGG &

ASSOCIATES, INC. AND TO DIRECT THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR SERVICES, IN ACCORDANCE WITH FLORIDA STATUTE 287.055, CONSULTANTS COMPETITIVE NEGOTIATION ACT (CCNA).

**A motion was made to approve on the Consent Agenda**

10.      [20-0311](#)      MOTION TO APPROVE THE FINDINGS AND RECOMMENDATIONS OF THE EVALUATION COMMITTEE AND TO AWARD RFQ # PSEN-19-08 "TRAFFIC ENGINEERING SERVICES AND DEVELOPMENT REVIEW COMMITTEE (DRC) ASSISTANCE" TO MARLIN ENGINEERING, INC. AND TO DIRECT THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR SERVICES, IN ACCORDANCE WITH FLORIDA STATUTE 287.055, CONSULTANTS COMPETITIVE NEGOTIATION ACT (CCNA).

**A motion was made to approve on the Consent Agenda**

11.      [20-0318](#)      MOTION TO AWARD IFB # PSPW-19-11 "REPLACEMENT OF EMERGENCY GENERATORS AT VARIOUS LOCATIONS" TO BEJAR CONSTRUCTION, INC. IN THE TOTAL AMOUNT NOT TO EXCEED \$1,631,652.83, WHICH INCLUDES A 10% OWNER'S CONTINGENCY IN THE AMOUNT OF \$144,394.06, AND A 3% PERMIT ALLOWANCE IN THE AMOUNT OF \$43,318.22.

**A motion was made to approve on the Consent Agenda**

12.      [20-0333](#)      MOTION TO APPROVE THE AGREEMENT WITH TRANSMAP CORPORATION FOR PAVEMENT EVALUATION CONSULTING SERVICES UTILIZING THE PRICING FROM THE CITY OF PINELLAS PARK REQUEST FOR PROPOSAL 18/006 FOR A TOTAL AMOUNT NOT TO EXCEED \$60,805.13 WHICH INCLUDES A 10% OWNER'S CONTINGENCY AMOUNT OF \$5,527.74, PURSUANT TO SECTION 35.18(C)(5) OF THE CITY'S CODE OF ORDINANCES.

**A motion was made to approve on the Consent Agenda**

13.      [20-0291](#)      MOTION TO APPROVE THE THIRD AMENDMENT TO THE AGREEMENT WITH OPERATIONS MANAGEMENT INTERNATIONAL, INC. (OMI) FOR THE OPERATION, MAINTENANCE, AND MANAGEMENT OF THE CITY'S UTILITY SYSTEM, IN ORDER TO ALIGN THE CONTRACTUAL MAINTENANCE AND REPAIR LIMIT OF REIMBURSABLE COSTS IN THE AMOUNT OF \$750,000 WITH THE CITY BUDGETED MAINTENANCE AND REPAIR LIMIT OF REIMBURSABLE COSTS IN THE AMOUNT OF \$1,500,000 AND TO REIMBURSE OMI IN THE AMOUNT OF \$474,858.16 FOR

REIMBURSABLE MAINTENANCE AND REPAIR EXPENSES  
INCURRED DURING FISCAL YEAR 2018-2019.

A motion was made to approve on the Consent Agenda

15.      [20-0306](#)      MOTION TO APPROVE THE FINDINGS AND RECOMMENDATION OF THE EVALUATION COMMITTEE AND TO AWARD RFQ # RE-19-15 "PARKS ARCHITECTURAL AND ENGINEERING SERVICES" TO SYNALOVSKI, ROMANIK, SAYE LLC. AND TO DIRECT THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR SERVICES.

A motion was made to approve on the Consent Agenda

16.      [20-0337](#)      MOTION TO APPROVE THE PURCHASE OF THE RENEWAL AND UPGRADE OF NETMOTION MOBILITY SOFTWARE AND SUPPORT FOR PEMBROKE PINES POLICE, CODE COMPLIANCE, FIRE SERVICES, CITY IT AND ADMINISTRATION FROM CDW-G IN THE AMOUNT NOT TO EXCEED \$50,715, PURSUANT TO SECTIONS 35.18(C)(7)(H) AND 35.18(C)(7)(I) OF THE CITY'S CODE OF ORDINANCES.

A motion was made to approve on the Consent Agenda

18.      [20-0207](#)      MOTION TO APPROVE THE DEPARTMENT RECOMMENDATIONS FOR THE FOLLOWING ITEMS LISTED ON THE CONTRACTS DATABASE REPORT:

**(A) SRT Supply, Inc. - Purchase of Police Body Armor - Renewal**

**(B) Toshiba America Business Solutions, Inc. - Multi-Function Products (Printers/Copiers) - Renewal**

**(C) S. Katz, Inc.-Medical Director - Renewal**

**(D) Randy S. Katz D.O., P.L.-Interim Medical Director - Continuation**

**(E) Allied Universal Corporation - Furnish and Delivery of Sodium Hydroxide 50% by Weight - Renewal**

**(F) Fort Bend Services, Inc. - Purchase of FBS C1282 Polymer - Renewal**

**(G) Morton Salt, Inc. - Purchase of Sodium Chloride CO-OP -**

**Renewal**

**ITEM (H) IS RENEWING FOR AN AMOUNT LESS THAN \$25,000, THEREFORE, NO COMMISSION ACTION IS REQUIRED AS THIS IS PRESENTED FOR NOTIFICATION PURPOSES ONLY PURSUANT TO SECTION 35.29 (F) OF THE CITY'S PROCUREMENT CODE:**

**(H) Thor Guard, Inc. - Lightening Prediction & Warning System Maintenance - Renewal**

**A motion was made to approve on the Consent Agenda**

**19.      [20-0326](#)**

MOTION TO APPROVE RENEWAL OF THE DUAL ARTICULATION AGREEMENT BETWEEN BROWARD COLLEGE AND THE PEMBROKE PINES CHARTER ACADEMIC VILLAGE CHARTER HIGH SCHOOL AND FURTHER AUTHORIZE THE CITY MANAGER TO APPROVE SUBSEQUENT RENEWALS OF THIS AGREEMENT PROVIDED NO SUBSTANTIAL CHANGES AS THE SUPERINTENDENT OF THE PEMBROKE PINES CHARTER SCHOOLS, TO APPROVE THE PAYMENT OF THE DUAL ENROLLMENT INVOICES TO BROWARD COLLEGE IN THE ANNUAL AMOUNT NOT TO EXCEED \$150,000, AND TO APPROVE THE PAYMENT FOR DUAL ENROLLMENT TEXTBOOKS TO BARNES AND NOBLE IN THE ANNUAL AMOUNT NOT TO EXCEED \$125,000, PURSUANT TO SECTIONS 1007.271(4) AND 1007.271(6)(B) OF THE FLORIDA STATE STATUTES AND SECTIONS 35.18(C)(7)(A) AND 35.18(C)(7)(J) OF THE CITY'S CODE OF ORDINANCES.

**A motion was made to approve on the Consent Agenda**

**QUASI JUDICIAL AGENDA:**

**21.      [20-0303](#)**

MOTION TO APPROVE THE PROVIDENCE LIVING AT PEMBROKE PINES SITE PLAN FOR DEVELOPMENT WITHIN THE CITY CENTER MIXED USE DEVELOPMENT DISTRICT (MXD) AS RECOMMENDED BY THE PLANNING AND ZONING BOARD; FOR THE SITE GENERALLY LOCATED SOUTH OF PINES BOULEVARD AND WEST OF PALM AVENUE.

**A motion was made to approve on the Consent Agenda**

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 21 into the record, by title.

22.        [20-0325](#)        MOTION TO APPROVE THE 7-ELEVEN SITE PLAN WITH ALTERNATIVE BUFFERYARD AS RECOMMENDED BY THE PLANNING AND ZONING BOARD; FOR THE SITE LOCATED AT 6460 PINES BOULEVARD

**A motion was made to approve on the Consent Agenda**

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 22 into the record, by title.

#### **Approval of the Consent Agenda**

**A motion was made by Vice Mayor Siple, seconded by Commissioner Schwartz, to approve items 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 18, 19, 21, and 22 on the Consent Agenda. Item 17 was pulled from the agenda by the vendor prior to the meeting. Items 1, 5, 14, and 20 were pulled by Commissioner Good for discussion. The motion carried by the following vote:**

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

**Nay**    0

1.        [20-0046](#)        MOTION TO APPROVE THE NEGOTIATED AGREEMENT WITH CH2M HILL ENGINEERS, INC., PURSUANT TO THE AWARD OF PSUT-18-03 "UTILITIES COMPREHENSIVE MASTER PLAN SERVICES," IN ACCORDANCE WITH FLORIDA STATUTE 287.055, CONSULTANT'S COMPETITIVE NEGOTIATION ACT (CCNA) FOR AN AMOUNT NOT TO EXCEED \$542,628.

**A motion was made by Commissioner Good, Jr., seconded by Vice Mayor Siple, to defer Consent Item #1 the next Commission Meeting on 5/6/2020 so that a conflict mitigation plan could be a part of the contract. The motion carried by the following vote:**

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

**Nay**    0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 1 into the record, by title and spoke on the item. The Commissioner sent a document to the City Clerk via email, to be included in the record.



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

Jonathon Cooper, Environmental Services Director, responded to the questions of the Commissioner.

City Attorney Goren responded to the questions of the Commission referencing Exhibit 2 of the item, section 12.21 in the master agreement.

Vice Mayor Siple spoke on the item.

**5. [20-0304](#)**

MOTION TO RATIFY THE CITY MANAGER'S EMERGENCY APPROVAL TO AWARD IFB # PSPW-19-12 "CITYWIDE FENCING" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, GOMEZ AND SON FENCE, CORP., IN THE ANNUAL AMOUNT NOT TO EXCEED \$500,000 FOR CITYWIDE FENCING ON AN AS NEEDED BASIS, FOR AN INITIAL THREE YEAR PERIOD.

**A motion was made by Commissioner Good, Jr., seconded by Vice Mayor Siple, to approve Consent Item #5. Commissioner Good wanted more time for discussion. The motion carried by the following vote:**

**Aye** 3 - Mayor Ortis, Vice Mayor Siple, and Commissioner Schwartz

**Nay** 1 - Commissioner Good Jr.

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 5 into the record, by title and spoke on the item.

City Manager Dodge responded to the questions of the Commission.

Steve Buckland, Public Services Director, responded to the questions of the Commission via phone.

CONTINUATION OF ITEMS AT THE REQUEST OF THE PUBLIC:

Mayor Ortis provided an update of the COVID-19 cases in the City.

**14. [20-0300](#)**

MOTION TO APPROVE THE AMENDED AND RESTATED AGREEMENT WITH OPERATIONS MANAGEMENT INTERNATIONAL, INC. (OMI) FOR THE OPERATION, MAINTENANCE, AND MANAGEMENT OF THE CITY'S UTILITY SYSTEM IN THE AMOUNT OF \$8,387,652 FOR THE FIRST YEAR WITH CPI INCREASES FOR EACH

YEAR THEREAFTER.

A motion was made by Commissioner Good, Jr., seconded by Vice Mayor Siple, to approve Consent Item #14. Commissioner Good made an amendment to the main motion to ask Commission and City Manager to consider a negotiated one year contract extension, in the terms of the restated agreement, to provide more time for discussion, but the motion died for lack of a second.

The main motion carried by the following vote:

**Aye** 3 - Mayor Ortis, Vice Mayor Siple, and Commissioner Schwartz

**Nay** 1 - Commissioner Good Jr.

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 14 into the record, by title and spoke on the item.

City Manager Dodge responded to the questions of the Commissioner.

Jonathon Cooper, Environmental Services Director, responded to the Commission. Mr. Cooper referenced various sections of the agreement as part of the explanation.

Commissioner Schwartz and Vice Mayor Siple spoke on the item.

City Attorney Goren responded to the questions of the Commission regarding the termination / expiration terms in the agreement.

Didier Menard and Andy Appleton of OMI, addressed the Commission.

George Platt, Esquire of LSN Partners, addressed the Commission on behalf of the applicant.

20. [20-0350](#)

MOTION TO APPROVE MINUTES OF THE VIRTUAL SPECIAL COMMISSION MEETING OF MONDAY, MARCH 30, 2020, AND THE VIRTUAL SPECIAL COMMISSION MEETING OF MONDAY, APRIL 6, 2020.

A motion was made by Commissioner Good, Jr., seconded by Vice Mayor Siple, to amend the approval of the April 6, 2020 Special Meeting Minutes. Commissioner Good referred to Page 4 of the April 6, 2020 minutes to change the language from "...He would go through the applications but would select

an appointee only on condition that the appointee agreed to not run for District 4 seat in August" to "...Commissioner Good would vote on that evening of April 6 on the condition that the appointee agreed to not run for District 4 seat in August, 2020." The motion carried by the following vote:

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

**Nay** 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 20 into the record, by title and spoke on the item.

## **ORDINANCES AND RESOLUTIONS:**

### **SECOND READING ORDINANCES:**

23.        [2020-01](#)        MOTION TO ADOPT PROPOSED ORDINANCE 2020-01 ON SECOND AND FINAL READING.

PROPOSED ORDINANCE 2020-01 IS AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING ORDINANCE NO. 816, AS AMENDED BY ORDINANCE NOS. 997, 1092, 1123, 1139, 1166, 1205, 1293, 1311, 1363, 1389, 1468, 1474, 1588, 1703, AND 1822 WHICH APPROVED A DEVELOPMENT ORDER FOR THE PEMBROKE MEADOWS DEVELOPMENT OF REGIONAL IMPACT ("DRI"); AMENDING THE PEMBROKE MEADOWS DRI TO PROVIDE FOR AN INCREASE IN COMMERCIAL SQUARE FEET FROM 558,417 to 588,417, ON THE APPROXIMATE 13 ACRE PARCEL OF PROPERTY GENERALLY LOCATED AT 14800 SHERIDAN STREET; PROVIDING FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING FOR RECORDATION; PROVIDING FOR TRANSMITTAL TO ALL APPLICABLE GOVERNMENTAL AGENCIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

**A motion was made by Commissioner Good, Jr., seconded by Mayor Ortis, to adopt Proposed Ordinance 2020-01 on the development order for the Pembroke Meadows DRI. The motion carried by the following vote:**

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

Nay 0

Enactment No: 1944

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2020-01 into the record, by title.

Public Hearing: No members of the public spoke via phone or email.

Vice Mayor Siple spoke on the item.

Mayor Ortis closed the Public Hearing.

The City Clerk announced 1944 as the enactment number.

**24.      [2020-04](#)**

MOTION TO ADOPT PROPOSED ORDINANCE NO. 2020-04 ON SECOND AND FINAL READING.

PROPOSED ORDINANCE 2020-04 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA AMENDING TITLE XV, "LAND USE," CHAPTER 155, ENTITLED "ZONING CODE," BY SPECIFICALLY AMENDING SECTION 155.050, ENTITLED "PORTABLE STORAGE UNITS;" PROVIDING FOR AN INCREASE TO THE NUMBER OF DAYS PORTABLE STORAGE UNITS MAY REMAIN AT A RESIDENTIAL LOCATION WITH CITY ZONING APPROVAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**A motion was made by Commissioner Good, Jr., seconded by Vice Mayor Siple, to adopt Proposed Ordinance 2020-04 on the Portable Storage Units. The motion carried by the following vote:**

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

**Nay** 0

Enactment No: 1945

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2020-04 into the record, by title.

Commissioner Schwartz and Commissioner Siple spoke on the item.

Public Hearing: No members of the public spoke via phone or email.

Mayor Ortis closed the Public Hearing.

The City Clerk announced 1945 as the enactment number.

**FIRST READING ORDINANCES:**

**25.        2020-05        MOTION TO PASS PROPOSED ORDINANCE NO. 2020-05 ON FIRST READING**

PROPOSED ORDINANCE NO. 2020-05 IS AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA AMENDING CHAPTER 155 OF THE CITY'S CODE OF ORDINANCES ENTITLED "ZONING CODE," BY AMENDING SECTION 155.149 ENTITLED "COMMUNITY BUSINESS (B-3) DISTRICTS" TO PERMIT A CREMATORY USE AS AN ACCESSORY USE TO A MORTUARY OR FUNERAL HOME WHEN THE PRIMARY USE IS AT LEAST 2,500 SQUARE FEET, THE CREMATORY IS LOCATED WITHIN THE SAME STRUCTURE AS THE PRIMARY USE, AND THE CREMATORY USE SHALL NOT EXCEED MORE THAN TWENTY PERCENT (20%) OF THE FLOOR AREA OF THE STRUCTURE; TO REQUIRE AN ANNUAL ENVIRONMENTAL REPORT TO BE PROVIDED TO THE TO THE CITY'S PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECOND AND FINAL READING IS TENTATIVELY SCHEDULED FOR MAY 6, 2020.

**A motion was made by Commissioner Good, Jr., seconded by Mayor Ortis, to defer the first reading of Proposed Ordinance 2020-05 pertaining to the zoning change to permit crematory use as an accessory use to a mortuary or funeral home. The representative of applicant Dennis Mele agreed that a deferral**

would allow more time for additional information to be provided. The motion carried by the following vote:

**Aye** 3 - Mayor Ortis, Vice Mayor Siple, and Commissioner Good Jr.

**Nay** 1 - Commissioner Schwartz

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2020-05 into the record, by title.

Commissioner Schwartz and Commissioner Siple spoke on the item.

Mr. Dennis Mele of Greenspoon Marder LLP, addressed the Commission on behalf of the applicant.

## RESOLUTIONS:

26. [2019-R-47](#) MOTION TO ADOPT PROPOSED RESOLUTION NO. 2019-R-47.

PROPOSED RESOLUTION NO. 2019-R-47 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING THE PLAT NOTE AMENDMENT (DELEGATION REQUEST) FOR THE PEMBROKE FALLS PARCEL C PLAT FOR THE 17.7768-ACRE PROPERTY GENERALLY LOCATED SOUTH OF SHERIDAN STREET AND WEST OF NORTHWEST 146 AVENUE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; AMENDING THE EXISTING PLAT RESTRICTION TO ALLOW FOR THE DEVELOPMENT OF UP TO 170,000 SQUARE FEET OF COMMERCIAL USE AND ELIMINATING THE RESTRICTIONS ON FREE STANDING BANKS WITH DRIVE THRU FACILITIES; AUTHORIZING THE CITY MANAGER AND 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 Commissioner Good, Jr., seconded by Vice Mayor Siple, to adopt Proposed Resolution 2019-R-47 approving the Plat Note Amendment for Pembroke Falls Parcel C Plat. The motion carried by the following vote:**

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

Nay 0

Enactment No: 3691

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2019-R-47 into the record, by title.

The City Clerk announced 3691 as the enactment number.

**27.      [2020-R-10](#)**

MOTION TO ADOPT PROPOSED RESOLUTION 2020-R-10.

PROPOSED 2020-R-10 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA; AMENDING RESOLUTION NO. 2927, ADOPTED ON MARCH 5, 2003; REDUCING THE PETITION REQUIREMENT OF AFFECTED PROPERTY OWNERS ALONG THE STREET UPON WHICH A TRAFFIC CALMING DEVICE IS REQUESTED FROM EIGHTY-FIVE PERCENT (85%) TO FIFTY-ONE PERCENT (51%); DELEGATING THE AUTHORITY TO THE CITY ENGINEER TO DETERMINE LOCATION OF TRAFFIC CALMING DEVICES INSTALLED PURSUANT TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

**A motion was made by Commissioner Schwartz, seconded by Commissioner Good, Jr., to adopt Proposed Resolution 2020-R-10 reducing the petition requirement of affected property owners on the street upon which a traffic calming device is requested. The motion carried by the following vote:**

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

**Nay**    0

Enactment No: 3692

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2020-R-10 into the record, by title.

Commissioner Schwartz spoke on the item.

The City Clerk announced 3692 as the enactment number.

**28.        2020-R-14        MOTION TO ADOPT PROPOSED RESOLUTION 2020-R-14.**

PROPOSED 2020-R- 14 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, CALLING AND PROVIDING FOR A SPECIAL ELECTION TO BE HELD ON THE 18TH DAY OF AUGUST, 2020, TO FILL THE EXISTING VACANCY IN THE DISTRICT 4 COMMISSION SEAT; PROVIDING FOR TIMES OF SAID ELECTION; PROVIDING FOR A QUALIFYING PERIOD; PROVIDING FOR POLLING PLACES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**A motion was made by Vice Mayor Siple, seconded by Commissioner Good, Jr., to adopt Proposed 2020-R-14, calling and providing for a special election on August 28, 2020 to fill the vacancy on the District 4 Commission Seat. The motion carried by the following vote:**

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

**Nay**    0

Enactment No: 3693

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2020-R-14 into the record, by title.

Commissioner Schwartz spoke on the item.

The City Clerk announced 3693 as the enactment number.

**29.        2020-R-16        MOTION TO ADOPT PROPOSED RESOLUTION 2020-R-16.**

PROPOSED RESOLUTION 2020-R-16 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ADOPTED PURSUANT TO SECTION 3.11(D) OF THE CITY CHARTER, APPOINTING \_\_\_\_\_ TO FILL THE CITY COMMISSION VACANCY IN DISTRICT 4; 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 Resolution 2020-R-16 to appoint applicant Ms. Larissa Chanzas to fill the vacancy on the District 4 Commission seat.

Commissioner Schwartz asked for the name of applicants to be read into the record in alphabetical order: Elizabeth Burns, Angelo Castillo, Larissa Chanzas, Maria Donoso, Laura Fronczek, Saman Movassaghi, Esq., Ronald Surin, and David Tringo. Commissioner Schwartz said that since Elizabeth Burns' application was received after the cut-off date he wanted the motion to include disqualifying Ms. Burns from consideration.

Commissioner Schwartz wanted to amend the main motion to have a public hearing in which District 4 applicants could be publicly interviewed. Commissioner Schwartz's amendment to the main motion died for lack of a second.

The main motion to appoint Larissa Chanzas to fill the vacancy on the District 4 Commission seat carried by the following vote:

**Aye** 3 - Mayor Ortis, Vice Mayor Siple, and Commissioner Good Jr.

**Nay** 1 - Commissioner Schwartz

Enactment No: 3694

#### PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2020-R-16 into the record, by title.

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

City Attorney Goren responded to the questions of the Commission.

City Manager Dodge spoke saying the emails from the members of the public needed to be read for the record.

Deputy City Clerk Rogers read emails from the following members of the public:

Jeffrey Potter, Janet Levin, Lydia Wright, 305607891@msn.com, Robert Young, Merwyn E. Levin, Jesse Dobrinsky, Mary Contessa, Steven Reinstein, Rebecca Statton Reinstein, and G. Koren who all spoke in support of the reappointment of former Commissioner, Angelo Castillo as the interim Commissioner for the District 4 seat.

City Clerk Graham read the names of the qualified applicants in alphabetical order, for the record.

The City Clerk announced 3694 as the enactment number.

## REGULAR AGENDA:

30.      [20-0191](#)      MOTION TO APPROVE THE PINES BMW SITE PLAN AMENDMENT FOR A SITE PLAN IN A PLANNED UNIT DEVELOPMENT AND APPROVAL OF A SPECIAL EXCEPTION FOR A COMMERCIAL DEVELOPMENT WITH A FLOOR AREA RATIO (FAR) EXCEEDING .5 PER CITY COMPREHENSIVE PLAN REQUIREMENTS.

**A motion was made by Vice Mayor Siple, seconded by Mayor Ortis, to approve the Pines BMW Site Plan Amendment in a Planned Unit Development (PUD).**

**The motion carried by the following vote:**

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

**Nay**    0

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 30 into the record, by title.

Public Hearing: No members of the public spoke via phone or email.

31.      [20-0302](#)      DISCUSSION AND POSSIBLE ACTION TO APPOINT A DIRECTOR, ALTERNATE AND SECOND ALTERNATE VOTING DELEGATE TO THE BROWARD LEAGUE OF CITIES FOR 2020-2021.

**A motion was made by Commissioner Schwartz, seconded by Commissioner Good, Jr., to approve the appointment of Vice Mayor Siple as director, Commissioner Schwartz as Alternate and Commissioner Good as Second Alternate to the Broward League of Cities. The motion carried by the following vote:**

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

**Nay**    0

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 31 into record, by title.

## REPORTS OF LEAGUE REPRESENTATIVES

## REPORTS OF THE CITY MANAGER AND CITY ATTORNEY

Commissioner Schwartz asked the City Manager to provide an update on how the City was currently operating under the COVID-19 Coronavirus emergency orders.

City Manager Dodge responded, providing information on the City's Emergency Operations Center (EOC) communications and updates provided to the Commission; the availability of the Emergency Operation Center, Personal Protection Equipment (PPE) for Staff members; A-B shift compliance for social distancing purposes; compliance with State and County mandates, updates for essential and non-essential businesses, COVID-19 testing sites, food distribution assistance in the City, and information is accessible to the public through the City's website, digital signage, Government Access Television (English and Spanish), and social media.

### 20-0356

CITY ATTORNEY REPORT ITEM #1: MOTION TO ADOPT THE CITY COMMISSION MEETING PROCEDURES (COMMUNICATIONS MEDIA TECHNOLOGY) AMENDING THE ORDER AUTHORIZED BY MAYOR ORTIS' EMERGENCY ORDER ADOPTED ON MARCH 30, 2020 TON INCLUDED SUBORDINATE MEETING BODIES SUCH AS PLANNING AND ZONING, SUCH AS EVALUATION COMMITTEES, SUCH AS BID OPENINGS. THE ORDER THE MAYOR SIGNED ON MARCH 30, 2020 WOULD BE CHANGED TO ADD THE CITY COMMISSION OF PEMBROKE PINES, PURSUANT TO EXECUTIVE ORDER 20-69 DATED MARCH 20, 2020 AND THE AUTHORITY SET FORTH IN FLORIDA STATUTE CHAPTER 252 TO ADOPT PROCEDURES FOR CITY COMMISSION MEETINGS AND OTHER PUBLIC MEETINGS OF THE CITY AS MAY BE DETERMINED BY THE CITY MANAGER UTILIZING COMMUNICATIONS MEDIA TECHNOLOGY (CMT).

**A motion was made by Commissioner Schwartz, seconded by Vice Mayor Siple, to approve the City Attorney's recommendation to request to amend the Emergency COVID-19 Stay At Home Order on virtual meetings and Communication Media Technology to include subordinate meeting bodies including the Planning and Zoning Board, quasi boards, evaluation and selection committees, and bid openings. The motion carried by the following vote:**

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

**Nay** 0

### **City Attorney Item # 1**

City Attorney Goren spoke about the virtual meeting utilizing Communications Media Technology, in accordance with Governor Ron Desantis' Executive Order 20-69, dated March 20, 2020 and adopted by the City on March 30, 2020, authorizing the policy of conducting local government meetings, and made a request to amend the order to include subordinate bodies such as the Planning and Zoning Board, qualifications and selection Committees, Bid openings.

Commissioner Schwartz requested to have a motion and vote instead of the agreement by Consensus on the matter.

### **The Motion:**

The City Commission of the City of Pembroke Pines, pursuant to Executive Order 20-69, dated March 20, 2020 and the authority set forth in Chapter 252 of the Florida Statutes. In all other applicable laws, hereby adopts the following procedures for City Commission Meetings and other Public Meetings of the City as may be determined by the City Manager, utilizing the Communications Media Technology.

### **20-0357**

CITY ATTORNEY REPORT ITEM #2: LEGAL MEMORANDUM 2020-058 REGARDING A HOLLAND AND KNIGHT CONFLICT WAIVER REQUEST.

**A motion was made by Vice Mayor Siple, seconded by Commissioner Schwartz, to approve the conflict waiver request. The motion carried by the following vote:**

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

**Nay** 0

### **City Attorney Item # 2**

City Attorney discussed a conflict waiver request from Holland and Knight --periodical Special Counsel for the City--pertaining to their client Volta Charging LLC, who provides charging stations in the Pembroke

Lakes Mall.

## COMMISSION ITEMS:

## NEW BUSINESS:

A motion was made by Vice Mayor Siple, seconded by Commissioner Schwartz, to direct the City Manager, effective March 27, 2020, to provide financial leeway and bond issue documentation in order to further discuss the possibility of the 15% reduction of the water and sewer bills, to cease any late fees, as long as the City's Declared State of Emergency remains in effect; and to include the 90-120 day grace period suggested by Commissioner Good, to be discussed at the next Commission meeting. The motion carried by the following vote:

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

**Nay** 0

## OLD BUSINESS:

Commissioner Schwartz spoke under OLD BUSINESS regarding the direction given to the City Manager at the October 2, 2019 Commission meeting, to bring back the Red Light Camera contract for the first meeting in April, 2020. Due to the item not making the April 15th Agenda, the request was made to have the contract ready for the May 6, 2020 Commission meeting for discussion.

Mayor Ortis inquired as to when the interim Commissioner for the District 4 seat would be sworn in. City Attorney Goren responded that the swearing in could be as soon as possible.

## ADJOURN - 9:30 P.M.

**CITY OF PEMBROKE PINES**

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**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.