

City of Pembroke Pines, FL

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



Meeting Minutes

Monday, June 22, 2020

6:00 PM

**6:00 PM Virtual Special Meeting to discuss Proposed Ordinance
2020-08**

Commission Chambers

City Commission

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

SPECIAL MEETING OF THE CITY COMMISSION**6:00 PM SPECIAL MEETING CALLED TO ORDER****ROLL CALL**

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

Also present: City Manager Charles F. Dodge, City Attorney Samuel S. Goren, Deputy City Clerk Debra E. Rogers, and City Clerk Marlene D. Graham.

SPECIAL MEETING ITEM:**PROPOSED ORDINANCE 2020-08**

1. **2020-08** MOTION TO PASS PROPOSED ORDINANCE 2020-08 ON FIRST READING.

PROPOSED ORDINANCE 2020-08 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE CITY OF PEMBROKE PINES AT ARTICLE III, ENTITLED "LEGISLATURE," AND IN PARTICULAR AMENDING SECTION 3.11 ENTITLED "VACANCIES; FORFEITURE OF OFFICE; FILLING OF VACANCIES"; PROVIDING THAT THE QUALIFIED INDIVIDUAL APPOINTED TO FILL A COMMISSION VACANCY RESULTING FROM THE RESIGNATION OF A DISTRICT COMMISSIONER SHALL SERVE THE REMAINING BALANCE OF TERM OF THE DISTRICT COMMISSIONER WHOSE RESIGNATION CREATED THE VACANCY; PROVIDING THAT A DISTRICT COMMISSIONER WHO RESIGNS FROM THE CITY COMMISSION SHALL NOT BE ELIGIBLE TO BE APPOINTED TO FILL THE COMMISSION VACANCY RESULTING FROM SUCH RESIGNATION; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY OF PEMBROKE PINES, ON THE NOVEMBER 3, 2020 GENERAL ELECTION BALLOT AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR THE ADVERTISING OF THE REFERENDUM ELECTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

DATE OF SECOND AND FINAL READING TO BE DETERMINED.

A motion was made by Commissioner Good, Jr., seconded by Commissioner Chanzas, to reject Proposed Ordinance 2020-08 and vote it down and that Proposed Ordinance 2020-08 will not go forward. The motion to reject the proposed ordinance carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2020-08 into the record by title.

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

City Attorney addressed the reason for the meeting and responded to the questions of the Commission.

City Clerk Graham and Deputy City Clerk Rogers read the following public comments received in the Public Comments email pertaining to the proposed ordinance:

Laura Santiago, Ryann Greenberg, Robert Young, Steve Goldman, Arlen Zinn, Laura Greene, Chris Cappannelli, SOWA1900-JMS, John Shearer, Scott Barnett, and Rebecca Staton.

City Manager Dodge responded to the questions of the Commission and requested an Executive Session to discuss labor matters on June 23, 2020 at 4:00pm in room A-101 of the City Hall. It was agreed by consensus to have the meeting at 4:30pm.

Commissioner Schwartz requested a verbatim record of the minutes.

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.

VERBATIM TRANSCRIPT

Mayor Ortis: Thank you all for attending our special meeting. City Clerk call the roll please.

City Clerk Graham: Good evening Commissioner Chanzas? (**Commissioner Chanzas: Present**). Commissioner Good? Commissioner Good? Commissioner Schwartz? (**Commissioner Schwartz: Here**). Vice Mayor Siple? (**Vice Mayor Siple: I'm here**). Mayor Ortis (**Mayor Ortis: Here**). City Manager Dodge? (**City Manager Dodge: Here**). City Attorney Goren? (**City Attorney Goren: Here**). We have a quorum.

Mayor Ortis: Thank you. Okay City Attorney, you want to read the ordinance; proposed ordinance in?

City Attorney Goren: Thank you Mayor and Commission if you will. This is Proposed Ordinance number 2020-08 which reads as follows for the record:

IT'S PROPOSED ORDINANCE number 2020-08 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE CITY OF PEMBROKE PINES AT ARTICLE III, ENTITLED "LEGISLATURE," AND IN PARTICULAR AMENDING SECTION 3.11 ENTITLED "VACANCIES; FORFEITURE OF OFFICE; FILLING OF VACANCIES"; PROVIDING THAT THE QUALIFIED INDIVIDUAL APPOINTED TO FILL A COMMISSION VACANCY RESULTING FROM THE RESIGNATION OF A DISTRICT COMMISSIONER SHALL SERVE THE REMAINING BALANCE OF TERM OF THE DISTRICT COMMISSIONER WHOSE RESIGNATION CREATED THE VACANCY; PROVIDING THAT A DISTRICT COMMISSIONER WHO RESIGNS FROM THE CITY COMMISSION SHALL NOT BE ELIGIBLE TO BE APPOINTED TO FILL THE COMMISSION VACANCY RESULTING FROM SUCH RESIGNATION; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY OF PEMBROKE PINES, ON THE NOVEMBER 3, 2020 GENERAL ELECTION BALLOT AND IT SHALL BECOME EFFECTIVE AS

PROVIDED FOR BY LAW; PROVIDING FOR THE ADVERTISING OF THE REFERENDUM ELECTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. That Mr. Mayor and Commission is the proposal on the, on the floor.

Mayor Ortis: Thank you. Comments? Vice Mayor is that you? Vice Mayor is that you?

Commissioner Schwartz: So moved. So moved. No it's Commissioner Schwartz Mayor. (Vice Mayor Siple: No Mayor). Commissioner Schwartz Mayor.

Mayor Ortis: I'm sorry. Commissioner Schwartz. Go ahead.

Commissioner Schwartz: Thank you. Colleagues and, and Staff; thank you for making yourselves available this evening. The Commission has an opportunity to allow the people via ballot access. Not a body of Commissioners to decide this issue; this is exactly why a ballot initiative is, is needed. I've always been as you know, an advocate for ballot access. In 2012 some of the Commission proposals passed while others did not. This is exactly why it's important to have the people vote. Ballot initiatives gives citizens the right to shape their community. This is not an ordinance that can be changed by majority vote. A charter change is a serious matter with serious outcomes. When the voters have the ability to direct an elected body, that's exactly what Democracy should look like. Without it, half of the City is left without the same authority as the other half. And as we know, a divided house always falls on itself. Special Elections in my opinion, are meant for involuntary decisions by an elected official such as death or the removal of office by a Governor. We know that this is not a new concept in Broward County. Other cities already do it and other cities are currently have it under consideration. Ballot access occurs every two years on a city-wide basis. And this issue in front of us will be finally put to rest by our residents. So one of the things Mayor that I found, that I found a little concerning was when Mr. Horowitz and I spoke about the language that was going to be prepared for us the evening. That there was a discussion that we had, Commissioner Good had raised a point. We volleyed a little bit back and forth. Vice Mayor Siple and I got into a conversation and I don't think we ever put it to, to, to a consensus for the City Attorney to actually include it in the language. So what's

currently in front of us once again, I'm going to ask it; for it to be modified. I don't believe that any appointed Commissioner should be able to serve more than two years. At any point, period before the special election. That's the only thing that's left out of this language. For example Mayor and I'll use myself as, as an example. We were sworn in on March 30th. If I woke up on March 31st and I said you know what, I think I change my mind, I don't want to be an elected official anymore. It wouldn't be right for the rest of my colleagues to appoint somebody for a 4 year term. I mean that's just absolutely ludicrous. However, if that were to have happened, there is a election coming up in March of 22. And that's inside the 2 years so that would allow the electorate to vote in that election. Let's take an example and again I'll use myself as an example. Let's say in the year 2022, I decided I wanted to run for Governor. And using the laws of the State to my advantage; I would make the last date in office November of the, the 2022 election. This November 5th of 2022. 82 days later, there would be a special election. My decision to bail on the community, bail on my commitment to the community; shouldn't cost tax payers any kind of money. I can understand writing; making sure that we don't have anybody ever going beyond two years. As a matter of fact, some of the language that I had; that the City Attorney Horowitz had offered; was no more than two years. And again this is for a voluntary resignation. Mayor on social media; there were people out there saying that it would impact similar to what happened when Mayor Katz passed away. This is not the case. If you choose to wake up one day, and you don't want to be an elected official, if there is more than 2 years on the term; there would be a special election. If there is a situation where someone dies in office; special election. Removed from office; special election. You move out of the district, essentially forfeiting the seat; special election. So Sam, I don't know if, if Jacob is on the call, or not but since he had drafted it. He had looked at all the potential issues surrounding what other impacts it would have with 311 and all we're doing is asking the voters if they want to direct a future Commission direction or if you want to leave things as they are. So I know that we're doing a Charter change proposal. Red Light Cameras is not a Charter change. We were not unanimous when it came to ending the Red Light Camera contract, but we were unanimous asking the people to decide the question. So with that being said; City Attorney how would, how would we include, "no more than two years" in this language?

06-22-2020 Special City Commission Meeting – Proposed Ordinance 2020-08

Can that be embraced as a part of the main motion or does, or does that have to be as an amendment?

City Attorney Goren: Mr. Mayor; May I respond Mr. Mayor?

Vice Mayor Siple: Mayor, Mayor point of order.

Mayor Ortis: Vice Mayor Siple.

Vice Mayor Siple: Yes Mayor. Thank you Mayor. Point of order because I wanted to be recognized and I have a question on this item. It's a new item kind of coming before us. Does it not need a motion and a second? Because I didn't hear any of that happen.

Mayor Ortis: It would. It would, he was asking questions first.

Vice Mayor Siple: Ok. Ok. Alright. Thanks.

Mayor Ortis: Go ahead.

City Attorney Goren: Mr. Mayor if I may. I think that the Vice Mayor Siple is accurate. There is no current motion adopted on the floor to move forward. This discussion is at the prerogative of the Mayor. Three things Mayor and Commission. Number one this is a special meeting. It is not a Regular meeting and it is not an Emergency meeting. It is a special meeting called for the express purpose of considering an ordinance, number one. Number two; the ordinance as proposed, is precisely as was directed by the Commission at last Wednesday's regular meeting. In the context of the terms and conditions set forth in the document. So it is an ordinance. And number three, as you know the ordinances have to be adopted, to be able to change the Charter. And the Charter can only be changed by referendum, which is the vote of the people. So it's a three pronged approach, special meeting. The ordinance has been drafted. It's before you this evening consistent with the directions and the motion taken up by the Commission last Wednesday at its regular meeting. And number three, if this item passes on first reading, it must be conducted for second reading with a full public hearing, and transitioned to the Supervisor of Elections of Broward County, no later than the 16th of July as confirmed. And to that extent, if the answer now if I may to the Commissioner's question Mr. Mayor. What is before you is the actual ordinance. If it be

06-22-2020 Special City Commission Meeting – Proposed Ordinance 2020-08

the wish to amend that document, you'd need to get a motion and a second on the main motion and then seek to amend it, so that you can actually have an amendment.

Mayor Ortis: Thank you. Other comments?

Commissioner Schwartz: Ok Mayor so...

Commissioner Chanzas: Can I speak?

Mayor Ortis: Go ahead Vice Mayor.

Commissioner Good: Mr. Mayor? This is Commissioner Good. Just wanted make it known that I am on with you all. Thank you.

Mayor Ortis: Oh well, thank you. Welcome Commissioner. Glad to have you. Alright Vice Mayor.

Commissioner Schwartz: Commissioner Good. Mayor. If I can ask if Commissioner Good heard the prior comments that were made about the change in the length of time that a person could be an appointed?

Commissioner Good: Yes.

Commissioner Schwartz: Thank you.

Mayor Ortis: Ok Vice Mayor?

Commissioner Chanzas: Can I comment?

Mayor Ortis: Vice Mayor?

Vice Mayor Siple: Mayor. It's not me; it's Commissioner Chanzas.

Mayor Ortis: I know. But I'm going to the Commissioner. Vice Mayor did you want to say something?

Vice Mayor Siple: Not at this point Mayor. I'd like to hear Commissioner Chanzas.

Mayor Ortis: Commissioner Chanzas. I am sorry. Go ahead.

Commissioner Chanzas: Hi everyone. (**Mayor Ortis:** Hi) You know at the last meeting. This item was brought up to us and you know I felt that it needed more time

because we needed to listen to more details. And it, it felt like it was, we were, like Commissioner Good mentioned, that it was a bullet train. And that's why out of respect to my colleague, you know I voted to move it forward, so we can have you know opportunities to more details and more information and, and look at this item. I do value Democracy and this item is, is very important to all of us you know in these times. And you know, and needs a lot of discussion. I, I, I believe that you know everybody has the right you know to vote for whoever they chose. I will, I, I am a little bit you know conflicted. I think you know; this infringe in, in the right to people to choose who the residents wanted you know; even if, even though if somebody decides to resign their position. I mean I was appointed to the Commission and I'm, I'm truly honored by it. But I will never want to infringe on everybody's right to choose who represents them. And, so I really feel at this point, that I cannot support this item because it does not reflect Democracy.

Mayor Ortis: So what is, what is your direction Commissioner Chanzas?

Commissioner Chanzas: I was just stating my point with this item; that I cannot support it.

Mayor Ortis: Ok. Alright. Vice Mayor, you heard Commissioner Chanzas? Did you want to weigh in?

Vice Mayor Siple: Yes Mayor I do. Yes sir, I do. And you know this, this whole concept of leaving office, coming back into office, you know all that we've had that, you know we've had that several times and it is, it is you know a little bit, a little bit crazy. However, however, the over ideal for, for me is even, even listening to the new language that was provided, provided this evening. I still think that this is not something that I will support because I do feel that it does take away again, the rights of voters to voice their opinion. And if in fact, you know as much as I hate to say. You know if it, if it does cost the City you know some dollars sometimes that's just something that has to happen in order to protect you know voter's rights and the choice of the people for who they want to represent them. I do want to make it clear though while I'm saying that, you know I'm pretty conservative about spending money. But I want to make it clear to folks that you know there have been numbers that have been thrown out there that these

special elections have cost you know, hundreds of thousands of dollars or eighty thousand dollars or a hundred thousand dollars. The reality of it is; the information I was provided, that there, while it no small amount of money, that it is closer to like thirty thousand dollars. And so again, I, I'm not an advocate for spending money unnecessarily or, or for something that can be corrected in a different way. However, I don't think that you ever have, have the right to take away a resident's or any voter's right on, on, on their opportunity to you know to vote. No matter what other provisions are, are put in there. So I don't think that I am going to be in favor of this tonight. But Mayor; I still have. I know that we are talking about this and we are asking questions. But I still am asking the question as to why we are doing this, when we don't have a motion and a second yet?

Commissioner Schwartz: Can I, can I ask a question to the Vice Mayor just for clarification?

Mayor Ortis: Go ahead.

Commissioner Schwartz: Thank you Mayor. So Vice Mayor I think your point, I think your point is well taken in the context of how I'm understanding how you're getting to the conclusion. What I don't want to do is take away anybody's rights. None of us want to take anyone's right away from who they want to have to represent them. The Commission back in April had an option to either appoint or let it go until the next available election. This would be a similar language. The difference is that there are. The, the, the way that, the way that the cycles are run in the city, it doesn't allow equity for the same voters that we're trying to protect. If, if Vice Mayor if, if you and I were to decide to run for Governor; we would create a special election in January of 2023. That's a given. If the Mayor were to resign and I'm not saying the Mayor that we have now. But a Mayor were to resign, the Charter allows the Vice Mayor to move up into the interim position automatically. Without discussion of the; or vote needed. Unlike when we needed to appoint District 4 this past April. But then what would happen is, you have the potential of 4 District Commissioners running for an open seat and at the end of the election all 4 Commissioners loose that Mayors race. And a 5th person wins; now you have one Mayor and no District Commissioners. Then the Governor (Inaudible) would

appoint in that case; in that extraordinary case. So there are provisions to a Democracy Commissioner Chanzas. There are occasions that you cannot avoid the appointment and that's, and that's, and that's the truth. I mean; there was; we could have had in this, in this in our current circumstances. We could've had a, an elected 4 year, or we could've had an elected Commissioner on March 17th for District 4. However, the law was used to the incumbent's advantage, that's putting us on the phone tonight. So we can't, we can't change the State law at our level. Anyone who thinks this is about one individual doesn't understand that. We have placed ballot initiatives in front of our residents that have failed. But for one half of the City to have one option and the other half to have another option; is just fundamentally flawed. So I understand that that 3 of us will always decide. And when I say us; not saying us on the phone; but 3 Commissioners will always decide whether or not a ballot; an item is brought is going to be brought in front of the residents. Even the Charter Commission can't force that issue. They can make recommendations, but that's all it is. It still requires a motion, a second, and three votes. So there are initiatives Mayor that we passed in 2012 that I voted against in the ballot box. And as individuals we have every right to do that. So colleagues what I will say to you is this. If you don't like the language, if you don't like the, the language, vote no on the ballot box. But there are thousands of residents who would be disenfranchised not being able to, to weigh in on it. I mean that's what we are elected to do is to be their voice, once we know when the voice is clear. Yes this is an uncomfortable conversation to have. You know, we have; you know this is not, this is not under the most ideal times. If you recall, my original motion, and I am wrapping this up Mayor; my initial motion was August 5th, but it was the Supervisor who changed that. So there was plenty of time to do the proper vetting. When I say proper, vetting, to allow more time Commissioner Chanzas to speak about this right? But, there is still time. I mean, there, there has been a small collection of, of emails that I have seen objecting to this based upon false information. It has nothing to do at all with an ordinance. We are not changing anything. This has nothing to do with the Mayor, not changing anything. And it surely has nothing at all to do with an individual. This has to do with equity, fairness, and access to the ballot. There are, there are, there are items that other

06-22-2020 Special City Commission Meeting – Proposed Ordinance 2020-08

government agencies are going to have in November. Some things I'm voting for; some things I'm voting against. But I'm thankful that I am able to do that. With that Mayor...

Mayor Ortis: Ok other Commissioners? What's your feeling? I need, I need to have an action. What are we doing?

Vice Mayor Siple: Mayor if I may?

Mayor Ortis: Please Vice Mayor.

Vice Mayor Siple: I, I, I, I listened very carefully to, to my colleague and, and you know I, I take in to consideration everything that, that, that he had said. But we already, we currently have in our Charter which allows us to appoint, but we appoint for a certain period of time because we can you know. It is, it is specifically written in there the length of time that that would happen before a vote would go back to the residents to select who would be their representative and their voice on, on City Hall. My colleague also mentioned something about voting cycles. That's clearly a different issue than what we are talking about tonight. And he also mentioned you know, the Mayor's position. That that should the Mayor, you know for whatever reason not be there. How there has to be; there is a succession plan and there are, there are the Mayor and then there are 4 individuals that would have to not be available or able to fill that Mayor's seat should, should that happen. I can't even imagine what the odds are against something like that even happening. So I think that we do have a succession plan that is specifically written; written out. One thing and again my colleague and I, and I do appreciate; I do appreciate you know, his points of view and I do, I do think I understand probably where he is, is coming from on this. But, but one of the sentences that he made was you know, that we are preventing the public from voting. And in fact we are clearly not looking to prevent the public from voting. In fact we are taking action to protect that right that they are given by, by not following the request that someone should be appointed. And up, up until this evening, the original motion would have allowed someone to be appointed to a position for almost 4 years. And then tonight, it seems like there is some different language which that would be 2 years. And I, you know what I think we already kind of have something like that in our Charter. And so for a number of reasons yet again, and mainly; always protecting the residents and the voters rights to go to the ballot box to

06-22-2020 Special City Commission Meeting – Proposed Ordinance 2020-08

vote for who or what they want should always be protected and not, not, put, put aside. And I think that this is actually in my opinion, taking away that right and I could never support that and all this states. So even with the language, I'm not able, I'm not able to support that, thank you Mayor.

Mayor Ortis: Well I need some action folks. We're on an item, I need some action. Somebody say something.

Commissioner Schwartz: So, so Mayor one, one, one last point and then someone can make a motion. One of the, one of the drawbacks of having the authority to appoint, is not having an actual uniform process of how that is done. In 10 years, we've had 3 resignations; one was inside of 180 days. So I don't know if we're caught up on the 180 day provision because again this is about a voluntary resignation, not about removal of office. That stuffs not changing, death doesn't change that. So I think regardless of this outcome, I'm going to be bringing an item August 5th to make a unified ordinance on how interim appointments are handled. Because there are a lot of people who are extremely disappointed in the way that, that this last round went. That is the reason why people feel outraged. This is the reason why the emails come in, because they don't (**Vice Mayor Siple:** Mayor? Mayor?) feel that, that they were considered. Now that process, that process that was done in April should never ever be repeated again and we'll have that discussion August 5th. So that's all I have to say on that, thank you.

Mayor Ortis: Who was, who was asking to be recognized?

Vice Mayor Siple: Mayor that was, that was me and it was just my comment that while again I'm respectfully listening to my colleague, that's a, that's a whole different issue and not the item that's before us, before us this evening. (**Commissioner Good:** Mr. Mayor, this is Commissioner Good.) And Mayor if I could; I would like to. Yes I was wondering if Mr. Good; Commissioner Good wanted to chime in because I didn't hear from him yet.

Mayor Ortis: Alright Commissioner Good.

Commissioner Good: Mr. Mayor. I'm, I'm ready to move the item and I, I make a motion to vote this item down.

Mayor Ortis: Are you motioning to table it?

Vice Mayor Siple: I second the motion.

Commissioner Good: No to vote it down.

Commissioner Chanzas: Second.

Mayor Ortis: Ok. There is a motion now to not bring this ordinance up for our, our proposal at the special meeting. There has been a second (**Commissioner Chanzas: Second**) by Commissioner Chanzas, but that action now allows me to have to read all of the emails that came in because of the way of the action has taken place.

City Attorney Goren: Mr. Mayor?

Mayor Ortis: Yes?

City Attorney Goren: I concur with your analysis in the context of what has been offered. Typically the Commission does not make a motion to, to vote no, but it's not, it's not unlawful to do so. It's up to the Mayor and Commission and how they would choose to do that. Commissioner Good has made that motion and it has been seconded, but under the rules of engagement. Particularly under "CMT" you now have a motion on the floor, seconded which would then allow the public to speak in the context of the "CMT" rules, because they are not physically in the room.

Mayor Ortis: Thank you.

Commissioner Schwartz: Mayor I'd like to make, I'd like to make a motion to defer.

Mayor Ortis: That would be out of order. We're, we're on a motion now.

Commissioner Schwartz: A substitute motion?

Mayor Ortis: Ok. City Clerk. Assistant City Clerk? (Inaudible)

Commissioner Schwartz: Mayor. Mayor. Point of; point of order please. To the City Attorney.

Mayor Ortis: Go ahead.

Commissioner Schwartz: City Attorney I welcome every single email that's being placed into the record. However, there's been a lot of information put out. I'm going to be asking for a full transcript of the minutes if the emails is going to be submitted, I want every letter, every word, every comma, every dot, included as a part of action items for this, for this meeting. How's that possible?

Mayor Ortis: City Attorney?

City Attorney Goren: Mr. Mayor? Yep. If I may Mr. Mayor. To the extent that that individuals who otherwise would have been present to speak. And typically under first reading as you know; it's not a public hearing per say. But this, but this Mayor and this Commission has opened up those doors of discussion particularly when there is a first reading. There's a history, a rich history for doing so. To the extent that that folks have sent emails or letters, to be heard during the public commentary. As if there were to be a full public hearing then first of all, anything that has been submitted to the Clerk is a public record and is part of the backup that will be included in the minutes. Number two is the fact that if there are specific email requests or letters that that sought to be heard, they are limited to a 3 minute presentation as they would if they were physically at the podium and they can be read by the Clerk.

Mayor Ortis: Ok City Clerk go ahead. (**Commissioner Chanzas:** Point of order?) City Attorney? Assistant City Clerk go ahead. Read the emails please. Or somebody, somebody read the emails.

City Clerk Graham: Mayor I will. We have about twelve comments and I'll read the first five (**Mayor Ortis:** Alright go ahead.) and Deputy City Clerk Debra Rogers, will read the rest.

City Clerk Graham and Deputy City Clerk Rogers read the following public comments received in the Public Comments email pertaining to the proposed ordinance:

Laura Santiago, Ryann Greenberg, Robert Young, Steve Goldman, Arlen Zinn, Laura Greene, Chris Cappannelli, SOWA1900-JMS, John Shearer, Scott Barnett, and Rebecca Staton. (Emails attached as Exhibit A)

Mayor Ortis: Ok, thank you. Alright, there is a motion in front us to not support proposed ordinance 2020-08.

Member of the Public: I'm sorry to interrupt and break the quorum, but I thought the public comments also included those that are on the phone waiting to speak?

Mayor Ortis: There's somebody on the phone?

City Attorney Goren: Yes Mayor. Apparently there is and they would be given the same rights as those who had emailed. I know. Yep.

Mayor Ortis: I didn't know anybody was on the phone. Sorry about that. I wasn't told. Alright. Rafael you're on the phone, go ahead; Rafael Borrerro. Hope I didn't kill your name.

Rafael Borrerro: Yes. Rafael Borrerro. I'm, I'm a resident in District 1 and an appointee on the Cities Diversity and Heritage Advisory Board. When a Commissioner resigns and then returns, I agree that it wastes my votes and it requires tax payers to fund a special election, but that is my vote to waste. I want to keep my voice on who best represents me, not be forced to accept who the Commission favors most. Now for a maximum of 24 months, instead of the maximum of 6 months. I cannot vote for the other Commissioners so I can't hold them accountable for their decisions. Other Commissioners don't know what's best for my District, and that's is why we have Districts to begin with. Throughout our nation for over a month now, there have been ongoing protests about the Government not hearing the voice of those who have been ignored or understanding what those voices are saying. Yet somehow, some in the Commission, think it's a good idea to take away my vote, my voice, under the guides of saving money. Added to the fund is how today's meeting is a rushed, special session, while residents are being distracted by the pandemic and unemployment. The irony is that this being led by a Commissioner who once used the term "Dade County politics" which many in minorities in the community used it as a slur, but would explain it as a way to bad governance. But let's be real. What is this really about? Some will view it as a reverse poll tax. Where instead of paying to vote, you get to save money to not vote. Some will say it's about wasting money on elections. But here's a thought; why not move the City elections to November? You get the added bonus of having a higher turn

out and giving the access that Commissioner Schwartz just yearned for. You want voter equity; how about term limits? You can talk about requiring the resignation no later than 180 days before an upcoming election, yet there is no call for these ideas, no. Let's just take away the vote, it's just easier that way. To me this is all a preemptive strike on current and future political enemies. A ploy designed by some to shape the Commission in such way to allow them to achieve their personal political agendas. All while using my vote as their sacrificial lamb. This Commission created the Diversity and Heritage Advisory Board, to promote awareness and to make recommendations to the City Commission. Here's my recommendation; immediately cease this game of disenfranchising Pines' residents. If this is going to become Pembroke Pines politics, where all votes are only worth 30 thousand, then I shall immediately resign my appointment because I believe that if someone on the Commission wants to ignore the basics of Democracy, then they couldn't possibly comprehend the concept of Diversity and Heritage. And I refuse to be associated with fundamentally flawed elected officials who are willing to ignore my voice in order to quench their, I mean his or their; thirst for political gainmanship and quite possibly revenge. I refuse to be tone death today, and I won't be on August 5th or whenever you all decide to defer it. Finally, I want to give a huge shout out to Commissioner Good, who initially saw through this and now Siple and Chanzas who have now also joined the pack of voices of reason. Thank you for your time.

Mayor Ortis: Thank you. Thank you Mr. Borrerro. Alright we're on the. The motion is to not support purposed ordinance 2020-08. City Clerk Call the roll please.

Commissioner Schwartz: Mayor, Mayor. I need to weigh in it; on the motion.

Mayor Ortis: No. Were done, we've had plenty of discussion. (**Commissioner Schwartz:** No Mayor. That's not, that's not the process Mayor.) We've thoroughly discussed it. Call the roll please. Call the roll please City Clerk.

City Clerk Graham: Commissioner Good? (**Commissioner Good:** Yes)

Mayor Ortis: Commissioner Good? The maker of the motion. Commissioner Good? (**Commissioner Good:** Would you like to hear from me at this point?) Yes we are

06-22-2020 Special City Commission Meeting – Proposed Ordinance 2020-08

waiting for you. Yes. Commissioner Good. We need your vote on your motion.

(**Commissioner Good:** Hello. Mr. Mayor. Yes. Can you hear me? So Yes.) Yes. Ok go ahead. (**Commissioner Good:** Yes)

City Clerk Graham: Commissioner Chanzas? (**Commissioner Chanzas:** Yes)

Commissioner Schwartz?

Commissioner Schwartz: The item does not include the language as intended, so I'm voting yes.

City Clerk Graham: Vice Mayor Siple? (**Vice Mayor Siple:** Yes.) Mayor Ortis? (**Mayor Ortis:** Yes.) Motion passed.

Mayor Ortis: Thank you so by your action we have not passed proposed ordinance 2020-08. Anything further before this special meeting?

City Manager Dodge and Commissioner Schwartz: Yes Mayor. Mayor?

Mayor Ortis: City Manager, go ahead.

City Manager Dodge: Yes Mayor I have one item I discussed today with some of you. We need to call instead of Wednesday, tomorrow at 4 o'clock an Executive Session to talk about labor issues. It's an Executive Session that would be held here at City Hall.

Mayor Ortis: Tomorrow?

City Manager Dodge: Tomorrow at 4'clock, your calendar is clear.

Mayor Ortis: Alright. Ok, all; everybody hear that Commissioners? 4:00 o'clock.

Commissioner Schwartz: Are we, are we ok with 4:30? I was okay for Wednesday at 4:00, but I can't make it, I can't make it at 4:00, I can do 4:30 tomorrow.

City Manager Dodge: 4-4:30 works for the Staff, I don't know about the rest of the Commission.

Mayor Ortis: It's ok with me.

Vice Mayor Siple: I'm fine, I'm fine for 4:30.

06-22-2020 Special City Commission Meeting – Proposed Ordinance 2020-08

Commissioner Good: I have a hard stop, and I have a hard stop at 5:30.

City Manager Dodge: I, I do not believe it would take probably take more than 20 minutes.

Commissioner Good: Ok

Mayor Ortis: Alright. We all can agree 4:30 it is for tomorrow. Alright. Alright.

City Manager Dodge: Thank you.

Mayor Ortis: Is that it? Mr. Dodge?

Vice Mayor Siple: Mayor, Mayor we're meeting at 6- tomorrow?

Mayor Ortis: Hold on. Hold on. Hold on Vice Mayor please. Is that it Mr. Dodge?

City Manager Dodge: Yes Mayor.

Mayor Ortis: Ok Vice Mayor.

Vice Mayor Siple: Mayor I just want to verify we're meeting at City Hall room; what room are we meeting at?

City Manager Dodge: 101 at 4:30.

Vice Mayor Siple: Ok thank you.

Mayor Ortis: Alright. Thank you all. Thank you for attending our special meeting. We will see you all in the next meetings; whenever we have it. Thank you very much.

Respectfully submitted: _____
Marlene D. Graham, CMC
City Clerk
