

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, December 16, 2020

6:30 PM

**6:30 PM Virtual Regular Commission Meeting. ADD-1 #20-0920
was added to the agenda and republished on December 14, 2020.**

[MINUTES CORRECTED-Item #18]

Commission Chambers

City Commission

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

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

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

Also present: City Manager Charles F. Dodge, City Attorney Samuel S. Goren, City Clerk Marlene D. Graham, and City Controller Jonathan Bonilla.

PLEDGE OF ALLEGIANCE

Mayor Ortis led The Pledge of Allegiance.

PRESENTATIONS:

State Representative Marie Woodson, newly elected to the Florida House of Representatives for District 101, introduced herself to the Commission. Ms. Woodson said she is ready to assist the Commission in the betterment of the City.

Vice Mayor Schwartz asked State Representative Woodson if she was in support of funding for the City's Charter Schools.

State Representative Woodson responded she was in favor of funding for public education, an advocate for parental choice, and would be happy to review any items concerning the matter.

State Representative Robin Bartleman who represents District 104 in the Florida House of Representatives, addressed the Commission regarding some of the concerns the Commission brought before her in West Pembroke Pines in the aftermath of Tropical Storm ETA.

She recently met with Mr. Kevin Hart from the South Broward Drainage District, Mr. Bergeron, and the South Florida Water Management District regarding the flooding issues related to Hurricane ETA and future capital

improvement items that would be put in place to address the matter.

Representative Bartleman also expressed thanks to City Staff and to the Commission for their collaborative efforts, provided her contact information on the Webex Chat platform, and stated she looked forward to supporting any House Bills the Commission would like her to bring to Legislation for consideration.

Commissioner Siple spoke about the District 3 meeting she held to address residents' concerns about the flooding issues, and she provided information to review the meeting starting on Monday, December 21, 2020 on the City's website www.ppines.com <<http://www.ppines.com>> for any member of the public who had difficulty participating in the meeting.

PUBLIC ACCESS ON VIRTUAL MEETING PLATFORM:

City Attorney Goren explained the rules for the virtual quorum under the Communications Media Technology "CMT" guidelines, referenced the adopted Emergency Ordinance 1952 allowing the City Commission to resume the virtual quorum, and provided all of the options for the members of the public to access and/or participate in the meeting.

ANNOUNCEMENT OF ITEMS TO BE PULLED FROM AGENDA

The City Clerk announced there were no items pulled from the agenda.

ITEMS AT THE REQUEST OF THE PUBLIC

The City Clerk announced there were no items at the request of the public, but there were members of the public who wished to speak on agenda items at the appropriate time.

ANNOUNCEMENT OF BOARD AND COMMITTEE APPOINTMENTS

BA-1 [20-0899](#)

BOARD ANNOUNCEMENT: COMMISSIONER THOMAS GOOD, JR.

WISHES TO ANNOUNCE THE FOLLOWING APPOINTMENT TO THE DIVERSITY AND HERITAGE ADVISORY BOARD AS A DISTRICT 1 REGULAR MEMBER:

MR. RAM TEWARI.

Commissioner Good announced Dr. Ram Tewari as the District 1 Board Appointee, to the Diversity and Heritage Advisory Board.

City Clerk Graham read Dr. Tewari's email expressing thanks to the Commission for the appointment as a regular board member.

CONSENT AGENDA:

1. [20-0852](#) MOTION TO APPROVE THE 2020 CITY OF PEMBROKE PINES/SOUTHWEST FOCAL POINT SENIOR CENTER TRANSPORTATION OPERATING PROCEDURES (TOP).

A motion was made to approve on the Consent Agenda

2. [20-0784](#) MOTION TO AWARD IFB # TS-20-08 "CITRIX NETSCALER ADC HARDWARE" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, PRESIDIO NETWORKED SOLUTIONS LLC, IN THE AMOUNT NOT TO EXCEED \$434,324.61.

A motion was made to approve on the Consent Agenda

4. [20-0875](#) MOTION TO APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE PEMBROKE PINES POLICE DEPARTMENT (PPPD) AND THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT (FDLE) IN FURTHERANCE OF THEIR RESPECTIVE DUTIES UNDER LAW FOR THE PURPOSE OF FACILITATING INVESTIGATIONS OF OFFICER INVOLVED SHOOTINGS AND IN-CUSTODY DEATHS.

A motion was made to approve on the Consent Agenda

5. [20-0878](#) MOTION TO APPROVE THE PURCHASE OF ANNUAL SUPPORT AND MAINTENANCE FOR THE CITY'S BACKUP SOFTWARE SOLUTION BY VEEAM IN THE AMOUNT NOT TO EXCEED \$26,143.60 PURSUANT TO SECTION 38.18(C)(7)(I) OF THE CITY'S CODE OF ORDINANCES.

A motion was made to approve on the Consent Agenda

6. [20-0881](#) MOTION TO ENTER INTO AN AGREEMENT WITH THE DISTRICT BOARD OF TRUSTEES OF BROWARD COLLEGE TO ALLOW THEIR EMERGENCY MEDICAL TECHNICIAN PROGRAM STUDENTS AND EMERGENCY MEDICAL PARAMEDIC PROGRAM STUDENTS TO RIDE ON FIRE DEPARTMENT APPARATUS AND PARTICIPATE IN CLINICAL SKILLS TRAINING AND EXPERIENCE.

A motion was made to approve on the Consent Agenda

7. [20-0892](#) MOTION TO RELEASE K&W BUILDERS, INC. CASH PERFORMANCE BOND IN THE AMOUNT OF \$147,424.20 FOR THE WATER, SEWER, PAVING AND DRAINAGE (WHICH WAS 110% OF THE CONSTRUCTION COSTS) AND ACCEPT CASH MAINTENANCE BOND IN THE AMOUNT OF \$20,879.00 FOR THE WATER AND SEWER IMPROVEMENTS (WHICH IS 20% OF THE CERTIFIED COST FOR THE WATER AND SEWER INFRASTRUCTURE ONLY) AND FOR THE ONE YEAR MAINTENANCE PERIOD, ACCEPT THE BILL OF SALE, AND UTILITY EASEMENT DEDICATION FOR THE WATER AND SEWER IMPROVEMENTS ONLY FOR THE TOWNHOMES @ DEER CREEK.

A motion was made to approve on the Consent Agenda

8. [20-0910](#) MOTION TO APPROVE THE VIRTUAL REGULAR COMMISSION MEETING MINUTES OF WEDNESDAY, DECEMBER 2ND, 2020.

A motion was made to approve on the Consent Agenda

9. [20-0879](#) MOTION TO APPROVE REQUEST TO ADVERTISE SOLICITATION(S):
- (A) RE-20-06 "FIREWORKS DISPLAY"
 - (B) TS-20-13 "MILESTONE XPROTECT VMS"
 - (C) RE-20-03 "PURCHASE AND INSTALL UPS EQUIPMENT FOR CITY CENTER EOC"

A motion was made to approve on the Consent Agenda

10. [20-0805](#) MOTION TO APPROVE THE FINDINGS AND RECOMMENDATION OF THE EVALUATION COMMITTEE AND TO AWARD RFQ # PSUT-20-10

"WASTEWATER TREATMENT PLANT PROCESS ENGINEERING, PUMPING AND FORCE MAINS" TO HAZEN AND SAWYER, AND TO DIRECT THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR SERVICES.

A motion was made to approve on the Consent Agenda

11. [20-0894](#) MOTION TO RELEASE MAINTENANCE BOND #SU1141851 IN THE AMOUNT OF \$28,758.80 FROM BERGERON PARK OF COMMERCE NORTH FAMILY LIMITED PARTNERSHIP FOR THE ONE (1) YEAR MAINTENANCE PERIOD FOR WATER AND SEWER IMPROVEMENTS AT BERGERON OUTDOOR STORAGE NORTH.

A motion was made to approve on the Consent Agenda

13. [20-0896](#) MOTION TO APPROVE THE 2020 - 2021 EVALUATION SYSTEMS (PAGES & PASA) FOR THE CITY OF PEMBROKE PINES CHARTER SCHOOL TEACHERS AND SCHOOL BASED ADMINISTRATORS.

A motion was made to approve on the Consent Agenda

14. [20-0900](#) MOTION TO APPROVE THE PURCHASE OF FORTY (40) BUNKER GEAR SETS FROM BENNETT FIRE PRODUCTS COMPANY, INC, AT A COST OF \$1,644 EACH FOR A TOTAL AMOUNT NOT TO EXCEED \$65,760, UTILIZING PRICING ESTABLISHED IN THE AGREEMENT RESULTING FROM IFB # FI-16-05.

A motion was made to approve on the Consent Agenda

15. [20-0810](#) MOTION TO APPROVE THE AGREEMENT WITH WEEKLEY ASPHALT PAVING, INC. FOR BERM RESTORATION PROJECT OF THE PEMBROKE PINES POLICE TRAINING FACILITY SHOOTING RANGE UTILIZING PRICING ESTABLISHED BY THE BROWARD COUNTY BID # PNC2119323B1, FOR A TOTAL AMOUNT NOT TO EXCEED \$514,294.75, WHICH INCLUDES A OWNER'S CONTINGENCY IN THE AMOUNT OF \$25,000, PURSUANT TO SECTION 35.18(C)(5) OF THE CITY'S CODE OF ORDINANCES.

A motion was made to approve on the Consent Agenda

17. [20-0880](#) MOTION TO AWARD IFB # RE-20-09 "LAKE BANK BARRIER RESTORATION - PEMBROKE LAKES GOLF COURSE" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, COUNTY OAKS ENTERPRISES LLC., IN THE AMOUNT NOT TO EXCEED \$51,356.20,

WHICH INCLUDES AN OWNER'S CONTINGENCY IN THE AMOUNT OF \$3,000.

A motion was made to approve on the Consent Agenda

19. [20-0903](#) MOTION TO APPROVE THE DEPARTMENT RECOMMENDATIONS FOR THE FOLLOWING ITEMS LISTED ON THE CONTRACTS DATABASE REPORT:

(A) Edmentum, Inc. - Edmentum Courseware & Study Island Mastery Program - Renewal

(B)(1) Southern Home Care Services, Inc. d/b/a All Ways Caring Homecare - Home Healthcare Services - Renewal

(B)(2) Douglas Gardens Home Care, Inc. - Home Healthcare Services - Renewal

(C) Vigilant Solutions, Inc. - License Plate Reader, Camera License - Renewal

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

ITEM (E) IS NOT RENEWING; THEREFORE, NO COMMISSION ACTION IS REQUIRED AS THIS ITEM IS PRESENTED FOR NOTIFICATION PURPOSES ONLY PURSUANT TO SECTION 35.29 (F) OF THE CITY'S PROCUREMENT CODE:

(E) Safeguard Services, Inc. - Janitorial Services for the Police Department - Non-Renewal

A motion was made to approve on the Consent Agenda

20. [20-0914](#) MOTION TO AWARD IFB # TS-20-09 "SOPHOS ANTIVIRUS RENEWAL" TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER, INSIGHT PUBLIC SECTOR, INC., IN THE AMOUNT NOT TO EXCEED \$58,621.

A motion was made to approve on the Consent Agenda

Approval of the Consent Agenda

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Siple, to approve Items 1,2,4,5,6,7,8,9,10,11,13,14,15,17,19, and 20 on the Consent Agenda. The motion carried by the following vote:

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

Nay 0

This was approved.

3. [20-0860](#)

MOTION TO APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN FLORIDA HIGHWAY SAFETY AND MOTOR VEHICLES (FLHSMV) AND PEMBROKE PINES POLICE DEPARTMENT FOR ACCESS TO BIOMETRIC FACIAL ANALYSIS SYSTEM

A motion was made by Commissioner Good, seconded by Commissioner Castillo, to defer the item to a workshop with public participation. The Commission would direct the City Manager to set the date for the workshop. The motion carried by the following vote:

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

Nay 0

Commissioner Castillo made a motion to defer the item until such time as to workshop and have a community meeting to demonstrate how the Police would use facial recognition technology. The motion failed for lack of a second.

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Castillo read Item 3 into the record, by title and spoke to address his concerns regarding the Memorandum of Understanding.

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

Police Chief Shimpeno addressed the questions of the Commission regarding the Biometric Facial Analysis System and the requirements for compliance.

City Clerk Graham read Item 3 (File ID 19-0999) as presented to the Commission at the September 5, 2019 Regular Commission meeting, how the item was voted on, and clarified the item was a part of the Consent Agenda.

Commissioner Castillo made a Point of Order so the issues with audio could be addressed.

27. [20-0883](#) COMMISSIONER GOOD - ITEM #1: DISCUSSION AND POSSIBLE ACTION ON APPROVING THE LAKESIDE KEY PZ 1 SPEED HUMP WAIVER REQUEST TO ALLOW SPEED HUMP INSTALLATION.

A motion was made by Commissioner Good Jr., seconded by Commissioner Castillo, to approve the Lakeside Key PZ 1 Speed Hump Waiver Request to allow speed hump installation. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good requested to take Item 27 out of order without objection.

City Attorney Goren read Item 27 into the record on behalf of Commissioner Good.

Commissioner Good spoke on the reason the waiver was being requested and asked for the meeting to be opened for public comment.

Commissioner Castillo spoke on the item.

Karl Kennedy, City Engineer, addressed the questions of the Commission regarding the 1,000 foot requirement as defined in the adopted Resolution Number 2927.

City Controller Jonathan Bonilla facilitated the following members of the public who wished to speak on the item:

Natasha Floyd, 1011 SW 100th Terrace, Pembroke Pines, FL
Cynthia Lecounte, 9891 SW 9th Court, Pembroke Pines, FL
Andrew Laplante, 8810 SW 10th Street, Pembroke Pines, FL
Letiana Severe, 940 SW 98th Terrace, Pembroke Pines, FL
Enric Spence, 10010 SW 11th Street, Pembroke Pines, FL

Commissioner Good stated all of the emails sent to publiccomments@ppines.com for Item 27 would be included in the minutes as part of the written record.

12. [20-0895](#) MOTION TO APPROVE EXECUTION OF AMENDMENT 5 TO SUBLEASE 2628-14 BETWEEN THE CITY OF PEMBROKE PINES AND THE FLORIDA DEPARTMENT OF CHILDREN AND FAMILY (DCF) FOR AN EXTENSION TO JANUARY 3, 2090.

A motion was made by Commissioner Good Jr., seconded by Commissioner Siple, to approve the execution of Amendment 5 to Sublease 2628-14 between the City of Pembroke Pines and the Florida Department of Children and Family (DCF) for an Extension to January 3, 2090. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 12 into the record, by title and spoke on the item.

City Attorney Goren introduced Assistant City Attorney Mike Cirullo, who provided the history of the program with the Department of Children and Families.

16. [20-0877](#) MOTION TO AUTHORIZE AN INDUSTRIAL CUSTOMER CONNECTION AS REQUIRED BY CHAPTER 50.10 OF THE CITY'S CODE OF ORDINANCE FOR THE CONNECTION OF BUILDING A - PHASE ONE OF VITAL PHARMACEUTICALS, INC. D/B/A BANG ENERGY, LLC ("BANG ENERGY") LOCATED AT 20311 SHERIDAN STREET.

A motion was made by Commissioner Good Jr., seconded by Commissioner Siple, to approve the authorization of an industrial customer connection as required by Chapter 50.10 of the City's Code of Ordinance for the Connection of Building A - Phase One of Vital Pharmaceuticals, Inc. d/b/a BANG Energy, LLC. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

Commissioner Good read Item 16 into the record, by title and spoke on the item referencing a PowerPoint Presentation entitled "City of Pembroke Pines Water Treatment Plan Historic and Projected Water Demand."

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

Jonathan Cooper, Utilities Director, responded to the questions of the Commission regarding the terms of the agreement with Vital Pharmaceuticals D/B/A Bang Energy LLC and addressed how the agreement would impact the City's water resources.

City Attorney Goren responded to the questions of the Commission about any legal conflicts in Phase I of the agreement with regards to how the City operates their current water treatment systems.

18. [20-0904](#)

MOTION TO APPROVE THE SECOND AMENDMENT TO CONTRACTUAL SERVICES AGREEMENT BETWEEN CITY OF PEMBROKE PINES AND FPI SECURITY SERVICES, INC. TO ENTER INTO THE SECOND RENEWAL TERM, AS ALLOWED BY THE AGREEMENT IN AN AMOUNT NOT TO EXCEED \$700,000.00 ANNUALLY.

A motion was made by Commissioner Good Jr., seconded by Vice Mayor Schwartz, to approve the second amendment to contractual services agreement between City of Pembroke Pines and FPI Security Services, Inc. to enter into the second renewal term, as allowed by the agreement in an amount not to exceed \$700,000.00 annually. The motion carried by the following vote:

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

Nay 1 - Commissioner Good Jr.

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 18 into the record, by title on behalf of Commissioner Good. The word "annually" was added to the end of the motion to correct the published motion text.

Commissioner Siple spoke on the item regarding the terms of the agreement.

ADD-1 [20-0920](#)

ADDENDUM-1: DISCUSSION AND POSSIBLE ACTION TO ADOPT THE PEMBROKE PINES CHARTER SCHOOLS SPRING 2020-2021 EDUCATION PLAN.

A motion was made by Commissioner Siple, seconded by Commissioner Castillo, to approve ADD-1 Addendum item to adopt the Pembroke Pines Charter Schools Spring 2020-2021 Education Plan. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

City Manager Dodge read Item ADD-1 into the record, by title and spoke about the 2020-2021 Educational Plan as required by the Florida Department of Education.

ORDINANCES AND RESOLUTIONS:

SECOND READING ORDINANCES:

21. [2020-17](#)

MOTION TO ADOPT PROPOSED ORDINANCE NO. 2020-17 ON SECOND AND FINAL READING.

PROPOSED ORDINANCE NO. 2020-17 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA AMENDING CHAPTER 155 entitled "ZONING CODE," BY AMENDING SECTION 155.082, ENTITLED "ELECTRIC VEHICLE CHARGING STATION" TO AMEND SECTION 155.082(A) to PROVIDE FOR ELECTRONIC "VEHICLE charging CLASSIFICATIONS"; TO AMEND SECTION 155.082(B) TO MODIFY THE DEFINITIONS OF "OPERATOR" TO ADD ELECTRIC VEHICLE CHARGING KIOSK OWNER; TO AMEND SECTION 155.082(D) TO CLARIFY THE TYPE OF ELECTRIC VEHICLE CHARGING STATIONS CONSIDERED AN ACCESSORY USE FOR LEVEL 2 AND 3; TO FURTHER UPDATE SIGNAGE ALLOWED AND TO PROVIDE FOR THE SCREENING OF EQUIPMENT ACCESSORY TO AN ELECTRIC VEHICLE CHARGING STATION; TO ADD SECTION

155.082(G) TO ENCOURAGE RESIDENTIAL ELECTRICAL VEHICLE CHARGING INFRASTRUCTURE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Siple, seconded by Vice Mayor Schwartz, to adopt Proposed Ordinance 2020-17. The motion carried by the following vote:

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

Nay 0

Enactment No: 1954

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Ordinance 2020-17 into the record, by title.

Commissioner Good spoke on the item.

Mike Stamm, Planning and Economic Development Director, responded to the question of the Commissioner.

RESOLUTIONS:

22. [2020-R-52](#)

MOTION TO ADOPT PROPOSED RESOLUTION 2020-R-52 MOBILITY HUB PLANNING, DESIGN AND IMPLEMENTATION II

PROPOSED 2020-R-52 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ENDORSING THE RECOMMENDATIONS OF THE PEMBROKE PINES MOBILITY HUB MASTER PLAN AND SUPPORTING THE EFFORTS OF THE BROWARD METROPOLITAN PLANNING ORGANIZATION'S ("MPO") TO PREPARE THE RECOMMENDED CAPITAL IMPROVEMENTS FOR FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDING; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Good Jr., seconded by Commissioner Siple, to adopt Proposed Resolution 2020-R-52. The motion carried by the

following vote:

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

Nay 0

Enactment No: 3727

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2020-R-52 into the record, by title.

Commissioner Castillo spoke on the item.

City Manager Dodge responded to the question of the Commissioner.

REGULAR ITEMS:

23. [20-0876](#) DISCUSSION AND POSSIBLE ACTION ON DISSOLVING THE CITY OF PEMBROKE PINES VETERANS MEMORIAL FOUNDATION, INC.

Mayor Ortis read the title of the motion to dissolve the City of Pembroke Pines Veterans Memorial Foundation, Inc.

Vice Mayor Schwartz, Commissioners Castillo, Commissioner Good, and Commissioner Siple spoke on the matter. Commissioner Good said he would like to have the opportunity to ask his constituents about continuing this program to see if others would like to take over this effort.

Commissioner Siple agreed with Commissioner Good and said the Commission should have the opportunity to reach out to different communities in their districts to see if there were any interested parties who would like to be a part of continuing and sustaining the Veterans Memorial Foundation.

Commissioner Castillo said he would like to reinvigorate the Veterans Memorial Foundation.

Mayor Ortis agreed that it would be good to keep it going.

Commission agreed by Consensus to continue the foundation and direct City Manager Dodge to review with the City Attorney how this would happen.

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 23 into the record, by title.

Commissioner Good, Mayor Ortis, Commissioner Siple, Commissioner Castillo, and Vice Mayor Schwartz spoke on the item regarding the dissolution of the Veterans Memorial Foundation and the possibility of reviving the program.

City Attorney Goren and City Manager Dodge responded to the question of the Commission regarding the legalities involved with the Veterans Memorial Foundation in comparison to the Charter School Foundation.

24. [20-0912](#)

DISCUSSION AND POSSIBLE ACTION TO COMBINE THE REGULAR COMMISSION MEETINGS IN JANUARY 2021 TO WEDNESDAY, JANUARY 13, 2021.

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Siple, to approve the action to combine the regular commission meetings in January, 2021 to Wednesday, January 13, 2021. The motion carried by the following vote:

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

Nay 1 - Commissioner Castillo

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 24 into the record, by title.

Commissioner Castillo spoke on the item.

City Manager Dodge responded to the question of the Commissioner.

25. **20-0711**

MOTION TO APPROVE THE NINTH AMENDMENT TO THE AGREEMENT BETWEEN CALVIN GIORDANO AND ASSOCIATES INC. AND THE CITY OF PEMBROKE PINES FOR BUILDING SERVICES FOR A FIVE-YEAR PERIOD BEGINNING JULY 1st 2021, WITH TWO ADDITIONAL (3) YEAR RENEWALS, INSTEAD OF ANNUAL RENEWALS.

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Siple, to defer Item #25 pertaining to the 9th Amendment to the agreement between Calvin Giordano and Associates, Inc. and the City of Pembroke Pines for Building Services. The motion carried by the following vote:

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

Nay 2 - Mayor Ortis, and Commissioner Castillo

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item 25 into the record, by title.

Commissioner Good spoke on the item, inquiring where the revenues are allocated from the service contract and referenced Section 553.80 of the Florida Statutes.

City Attorney Goren responded that the State Statute had been reviewed and that the City was in compliance as required by law.

Commissioner Good requested administration to provide the accounting documentation for the last 5 years on the record, he inquired about the ramifications of non-compete agreements, and about the customer service provided by the current vendor.

City Attorney Goren responded that it was at the discretion of the Commission, but the services should be reviewed periodically from a competitive standpoint, to ensure the needs are being met for the constituents of the City Commission.

Mayor Ortis and Commissioner Castillo spoke in favor of the services provided by Calvin Giordano and Associates.

Commissioner Siple spoke on the item regarding the customer service provisions provided to residents who applied for permits. Commissioner Siple also spoke about the possibility of Calvin Giordano and Associates being open 5 days a week.

Vice Mayor Schwartz spoke on the item with regards to the terms of the contract, the system Calvin Giordano and Associates currently utilizes becoming obsolete due to Enterprise Resource Planning (ERP), the necessity for a call center, issues with scheduled inspections, and about the fee schedule.

City Manager Dodge responded to the questions of the Commission regarding the requests for records and addressed the customer service component of the contract. City Manager Dodge also stated he would discuss the option of a 5 day work week with Calvin Giordano and Associates and spoke about the report from the auditor as requested by the Commission.

Chris Giordano, Vice President of Calvin Giordano and Associates,

addressed the questions of the Commission regarding the permit tracking system available to the residents to follow up on the status of their permits electronically.

City Manager Dodge responded to the question of the Commission regarding the possibility of amending the language of the agreement to clarify the terms of the contract with Calvin Giordano and Associates.

City Attorney Goren responded to the questions of the Commission regarding the contract terms in the agreement and said that the language in section 3 could be amended to provide clarification on the matter.

The following members of the public spoke on the item facilitated by City Controller Jonathan Bonilla:

Stephen Card, 1120 SW 87th Avenue, Pembroke Pines, FL
City Manager Dodge and Mr. Giordano both responded to Mr. Card.

Andrew Laplante, 8810 SW 10th Street, Pembroke Pines, FL

Richard Coberly, 17841 NW 15th Street, Pembroke Pines, FL
City Manager Dodge addressed the concerns of Mr. Coberly.

26. [20-0901](#) MOTION TO AUTHORIZE ADMINISTRATION TO ISSUE A REQUEST FOR PROPOSAL FOR SOLID WASTE AND RECYCLING COLLECTION AND DISPOSAL SERVICES RELATED TO THE CURRENT CONTRACT EXPIRING ON MAY 31, 2021.

A motion was made by Commissioner Castillo, seconded by Vice Mayor Schwartz, to issue a Request for Proposal for Solid Waste and Recycling Collection and Disposal Services related to the current contract expiring on May 31st, 2021 and simultaneously negotiating with our current provider Waste Pro for a one-year renewal extension, with a 180 day notice. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

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

Commissioner Castillo spoke on the item regarding the direction given to the City Administration to re-negotiate the terms of the renewal agreement with Waste Pro USA.

City Attorney Goren responded to the question of the Commissioner.

Vice Mayor Schwartz spoke on the item and made a recommendation to defer the item and have a workshop to further discuss the item prior to sending the contract out for the RFP bid process.

Commissioner Siple spoke about the contract terms, she made a point of information to speak about Article 14 in the agreement, and read the section from the contract which could provide for an allowance of rate adjustments.

Russell Mackie, Vice President of Waste Pro USA, addressed the Commission regarding the renewal rate terms in the 1 year agreement and explained the company's disposition financially due to the impacts of COVID-19.

City Attorney Goren read Memorandum 2020-180 into the record as requested and addressed the City's legal options.

Commissioner Castillo made a points of information for clarification on the 1 year or 5 year renewal of the contract and also spoke about the need for the renewal with Reuters Recycling Center to be addressed as a separate item.

Mayor Ortis spoke in favor of supporting the renewal of the service contract with the current vendor.

Commissioner Good spoke in favor of Vice Mayor Schwartz's recommendation to defer the item and spoke about the need for a clause in the agreement which accommodate rate allowances due to Acts of God.

City Manager Dodge responded to the questions of the Commission regarding the direction given to City Administration to negotiate the contract terms with the current vendor as previously agreed upon. City Manager Dodge also inquired about the possibility of reviewing each of the following recommendations made concerning this item:

Give the 180 day notice, meeting the requirement to send the contract out for bid, defer the item and have a workshop to make sure all the

disposal needs are met for the City in preparation of the item going out for bid; while simultaneously continuing discussions with Waste Pro USA to see if a mutual agreement could be made for the 1 year renewal in the meantime.

City Attorney Goren responded to the City Manager and addressed the Commission regarding the expiration of the contract and reiterated the justifiable options the City had to renew the contract with Waste Pro USA.

REPORTS OF LEAGUE REPRESENTATIVES

REPORTS OF THE CITY MANAGER AND CITY ATTORNEY

A motion was made by Commissioner Castillo, seconded by Vice Mayor Schwartz, to approve the Holland & Knight Conflict Waiver request. The motion carried by the following vote:

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

Nay 0

City Attorney Goren requested a conflict waiver on behalf of Ms. Janna P. Lhota from Holland and Knight LLP.

COMMISSION ITEMS:

NEW BUSINESS:

OLD BUSINESS:

ADJOURN - 11:30 P.M.

CITY OF PEMBROKE PINES

Marlene D. Graham, CMC
City Clerk