

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, September 22, 2021

6:00 PM

6:00 PM Second Budget Public Hearing. 6:30 PM (or at such time as the Second Budget Public Hearing adjourns) Special Meeting.

Commission Chambers

City Commission

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

6:00 PM SECOND BUDGET PUBLIC HEARING CALLED TO ORDER**ROLL CALL**

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

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

ACKNOWLEDGMENTS

Mayor Ortis observed a moment of silence in honor of the City's former Assistant City Manager Mr. Paul Wattles.

OPEN SECOND BUDGET PUBLIC HEARING

BPH 21-0776 SECOND PUBLIC HEARING ON ADOPTING A TENTATIVE BUDGET AND PROPOSED MILLAGE RATE FOR THE FISCAL YEAR 2021-2022 FOR THE CITY OF PEMBROKE PINES, FLORIDA.

PURPOSE: RECOMPUTE AND PUBLICLY ANNOUNCE PROPOSED OPERATING MILLAGE RATE OF 5.6690, WHICH IS 4.34% ABOVE THE ROLLED-BACK MILLAGE RATE OF 5.4333, AND DEBT SERVICE MILLAGE RATE OF 0.4159, AS WELL AS AMEND AND ADOPT TENTATIVE BUDGET FOR GENERAL FUND, UTILITY FUND, AND ALL OTHER FUNDS OF THE CITY OF PEMBROKE PINES, AND INVITE THE PUBLIC TO SPEAK REGARDING THE PROPOSED MILLAGE AND BUDGET.

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read the Second Budget Public Hearing Item into the record.

Mayor Ortis open the Public Hearing.

There were no members of the public who wished to speak on the item.

Mayor Ortis closed the Public Hearing.

CLOSE SECOND BUDGET PUBLIC HEARING

BH-1 2021-17 MOTION TO ADOPT PROPOSED ORDINANCE NO. 2021-17 ON SECOND AND FINAL READING.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ESTABLISHING THE OPERATING MILLAGE RATE FOR THE CITY OF PEMBROKE PINES, FLORIDA, PURSUANT TO THE 2021-2022 CITY BUDGET, IN ACCORDANCE WITH CHAPTER 200, FLORIDA STATUTES; AND ESTABLISHING THE DEBT SERVICE MILLAGE RATE FOR DEBT SERVICE ON THE GENERAL OBLIGATION BONDS APPROVED BY THE ELECTORATE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

THE CITY'S OPERATING MILLAGE RATE SHALL BE SET AT 5.6690, WHICH IS GREATER THAN THE ROLLED-BACK RATE OF 5.4333 MILLS BY 4.34%; AND THE PROPOSED DEBT SERVICE MILLAGE RATE IS 0.4159.

A motion was made by Commissioner Siple, seconded by Commissioner Schwartz, to adopt Proposed Ordinance 2021-17 on second and final reading, establishing the operating millage rate for the City of Pembroke Pines, pursuant to the 2021-2022 City Budget in accordance with Chapter 200 of the Florida Statutes; and establishing the debt service millage rate for debt service on the general obligation bonds approved by the electorate.

The motion carried by the following vote:

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

Nay 0

Enactment No: 1972

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Item BH-1 into the record by title, to establish the following millage and debt service rates for the record:

Millage Rate: **5.6690** which is 4.34% above the rolled-back rate of 5.4333.

Debt Service Millage: **0.4159**.

BH-2 2021-18

MOTION TO ADOPT PROPOSED ORDINANCE NO. 2021-18 ON SECOND AND FINAL READING.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ADOPTING THE BUDGET FOR FISCAL YEAR 2021-2022; AND ADOPTING THE FIVE (5) YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF PEMBROKE PINES, FLORIDA, IN ACCORDANCE WITH §5.08 OF THE CITY CHARTER; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Siple, seconded by Commissioner Schwartz, to adopt Proposed Ordinance 2021-18 on second and final reading, adopting the budget for fiscal year 2021-2022; and adopting the five (5) year capital improvement program for the City of Pembroke Pines in accordance with Section 5.08 of the City Charter. The motion carried by the following vote:

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

Nay 0

Enactment No: 1973

PRIOR TO THE VOTE BEING TAKEN:

City Attorney read Item BH-1 into the record by title, to adopt the budget for the 2021-2022 Fiscal Year as well as the approval of the 5 year Capital Improvement Plan.

ADJOURN - 7:30 P.M.

SPECIAL MEETING OF THE CITY COMMISSION OF PEMBROKE PINES

NOTICE IS HEREBY GIVEN THAT THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA WILL HOLD A SPECIAL MEETING TO DISCUSS LIMITATIONS ON NW 4TH STREET.

**6:30 PM (or at such time as the Second Budget Public Hearing adjourns)
SPECIAL MEETING CALLED TO ORDER**

ROLL CALL

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

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

SM-1 21-0823

AS A FOLLOW-UP TO ITEM NO. 20 ON THE CITY COMMISSION AGENDA OF WEDNESDAY, 9/13:
COMMISSIONER SIPLE MOVES TO DIRECT THE CITY ATTORNEY'S OFFICE, AND THE CITY ADMINISTRATION, TO TAKE ACTIONS REGARDING LEGALLY AUTHORIZED TEMPORARY AND PERMANENT LIMITATIONS ON THE USE OF NW 4TH STREET, INCLUDING IF NECESSARY PREPARATION OF ORDINANCES OR RESOLUTIONS.

A motion was made by Commissioner Siple, seconded by Commissioner Schwartz, to direct the City Attorney's Office and the City Administration to take actions regarding legally authorized temporary and permanent limitations on the use of NW 4th Street, including the preparation of resolutions.

Assistant City Attorney Cirullo clarified that there would be two resolutions: one pertaining to temporary closure that would be road-specific; the other would also be road specific but would provide language that could be expanded to other locations in the City. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read SM-1 into the record by title. He explained that the item was a continuation of the discussion of Item 20 from the September 13, 2021, Regular Commission Meeting.

Mayor Ortis spoke about the Pembroke Road project being funded by the Broward Metropolitan Planning Organization (MPO), and that it was in process for completion with the County.

Commissioner Siple explained the intent of the item which was not only to address traffic issues in West Pines for the residents, parents, and businesses but throughout the City, to explore options available to the Commission to address traffic congestion.

City Attorney Mike Cirullo addressed the Commission to provide background information pertaining to the roads in the City regarding state law, statutory regulations, interpretations of the law, and parameters that are based upon agreements the City had with the County; who controlled the traffic lights and other traffic management devices. Mr. Cirullo continued to explain whatever traditional or non-traditional options put into place on a temporary basis, must be submitted by way of a formal resolution to the County from the City Commission rather than requested by the City's Engineer, as required in the Inter-Local agreement. Mr. Cirullo also spoke on the City's enforcement component pursuant to Chapter 70 of the City's Code regarding fines and coordination with the Police Department.

City Attorney Goren said there had to be a legal mechanism to begin a discussion with the County to provide short-term options under the traffic engineering agreement with the County. Mr. Goren said an option could be a draft and adopt a resolution to begin or implement a conversation with the County and that it could be drafted and prepared for the October 6, 2021, Commission Meeting.

City Attorney Goren responded the purpose of the resolution would be to address the unique traffic issues amplified by COVID-19, to provide relief to the residents. The long-term traffic agreement would serve as the mechanism by way of a resolution to show the City's commitment to addressing the matter at hand in accordance with Chapter 316.008 of the Florida Statutes.

City Attorney Cirullo also responded that any feasible solutions could also be included in the resolution, to be submitted to the County.

City Manager Dodge responded to the questions of the Commission regarding recommendations for street closures that must go under legal review, NW 4th Street regarding enforcement issues, and about the discussions based upon feedback from the residents to close the road as a temporary or permanent solution. However, each of the options must be coordinated with the County according to the traffic code and regulations.

City Attorney Goren provided a response that all of the options are

available for the consideration of the Commission. The resolution would initiate the legal process of the conversation with the County to explore the options being proposed.

The following members of the public spoke on the item:

Lisa Sumby, 20360 NW 4th Street, Pembroke Pines, FL

Ana Perez, 20511 NW 7th Street, Pembroke Pines, FL

**THE FOLLOWING RESOLUTIONS WERE DRAFTED AND ADOPTED
AT THE SEPTEMBER 22, 2021 SPECIAL MEETING:**

2021-R-48 NW 4th Street Traffic Calming Options 3770

2021-R-49 Closure of NW 4th Street 3771

21-0877 MOTION TO ACCEPT THE CITY ATTORNEY'S REQUEST TO HOLD A SHADE SESSION.

A motion was made by Commissioner Castillo, seconded by Commissioner Schwartz, to approve the City Attorney's request to hold a Shade Session. The motion carried by the following vote:

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

Nay 0

PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren spoke about the request for the Shade Session along with Special Counsel Bruce Johnson under Chapter 286.011(8) of the Florida Statutes on September 30, 2021 at 6:00 PM. After some discussion and due to schedule conflicts, it was determined that the date and time would be set afterwards.

CITY OF PEMBROKE PINES

Marlene D. Graham, CMC
City Clerk