



REGULAR
CITY COMMISSION MEETING
CITY OF MIRAMAR

◆ **A G E N D A** ◆

Monday
November 23, 2015
7:00 p.m.

ELECTED OFFICIALS

Mayor Wayne M. Messam
Vice Mayor Darline B. Riggs
Commissioner Winston F. Barnes
Commissioner Maxwell B. Chambers
Commissioner Yvette Colbourne

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CITY OF MIRAMAR
WELCOME TO YOUR CITY COMMISSION MEETING

We are pleased that you have demonstrated an interest in the City of Miramar by attending a City Commission Meeting. We hope you will attend more of these meetings in the future.

GENERAL INFORMATION: The City of Miramar is a municipality chartered by the State of Florida operating under the "City Council - City Manager Plan." The City Commission is comprised of four members and the Mayor selected by the residents of Miramar to serve as the City's governing body. It is responsible for adopting policies of the City, passing ordinances, adopting resolutions and approving budgets. A City Manager is appointed by the City Commission to serve as the administrative head of the municipal government and provides recommendations to the City Commission on policy issues.

The City Commission Meeting is a formal meeting of the members of the Commission to transact City business. This business is conducted in a manner prescribed by resolution, laws and regulations which require certain formal actions and the following of specific procedures.

The **AGENDA** is a printed document that lists the order of business for the Commission Meeting. The public is encouraged to contact the Mayor or any City Commissioner prior to a Commission Meeting to express their views on items appearing on the Agenda.

* All cell phones and other electronic devices must be turned off prior to entering the Commission Chambers.

The City Commission may consider and act upon such other business as may come before it in the event this agenda must be revised, such revised copies will be available to the public at the City Commission Meeting.

GENERAL RULES AND PROCEDURES FOR PUBLIC PARTICIPATION AT CITY COMMISSION MEETINGS:

Who May Speak - Any individual who wishes to address the City Commission may do so providing it is accomplished in an orderly manner and in accordance with the procedures outlined below.

1. **Speaking on items on the Agenda** - Individuals wishing to speak on matters that appear on the Agenda need only to raise their hand to be recognized by the Mayor. Discussion at Special Meetings is limited to the items referred to on the Agenda for such Special Meetings.
2. **Other Business Items** - These are items placed on the Agenda by the Mayor or a Commissioner and either are requests for the preparation of future legislation or are requests for possible direction to the Administration.
3. **Speaking on items not on the Agenda - Public Participation** - Any individual may speak on any subject pertinent to the City at the second regularly scheduled meeting of each month. Individuals must sign in with the City Clerk prior to the meeting. The Mayor will recognize those persons who signed in, under the agenda item "Public Participation".
4. **Addressing Commission, Manner & Time** - Public discussion during all items is limited to three minutes maximum per person, however, the Mayor at his/her discretion may allow more time. Each person who addresses the Commission shall step up to the speaker's podium and shall give his/her name and address.

The above represents a summarization of the Commission Procedures Resolution. Copies of this resolution are available from the City Clerk's Office. Any person requiring auxiliary aids and services at this meeting may call the City Clerk's Office at 954-602-3011 at least two calendar days prior to the meeting.

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and for such purpose may need to insure that a verbatim recording of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.



**CITY OF MIRAMAR
REGULAR COMMISSION MEETING
Monday, November 23, 2015**

CALL TO ORDER:

ROLL CALL/ANNOUNCEMENTS:

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

Proclamation: Extra Mile Day. *(Mayor Wayne M. Messam)*

Presentation: Recognition of the West Miramar Patriots 9 and Under Football Team. *(Mayor Wayne M. Messam)*

Presentation: Recognition of the Miramar Wolverines 8 and under Football Team. *(Mayor Wayne M. Messam)*

Presentation: Perry Middle School Boundary Proposal. *(Chief School Performance Officer Dr. Valerie Wanza and Demographics & Student Assignments Director Patrick Sipple)*

CONSENT AGENDA

Items listed under Consent Agenda are viewed to be routine and the recommendation will be enacted by one motion in the form listed below. If discussion is desired, the item(s) will be removed from the Consent Agenda and will be considered separately. Anyone wishing to comment on any item on the consent agenda should approach the podium now.

1. Minutes from the Regular Commission Meetings of October 21, 2015 and November 2, 2015.

2. Temp. Reso. #R5931 approving the **donation** of \$10,000 from the State Law Enforcement Trust Fund to the **Miramar Police Explorer Program** for the purpose of mentoring youth who have an interest in a career in law enforcement. *(Police Chief Ray Black)*
3. Temp. Reso. #R5945 approving the **donation** of \$10,000 from the State Law Enforcement Trust Fund to the **Miramar Youth Advisory Council** to support mentorship, programs and activities for the City's youth. *(Police Chief Ray Black)*
4. Temp. Reso. #R5929 authorizing the acceptance of **grant funding** from the Areawide Council on Aging of Broward County, Inc., in the amount of \$630,655 for the period from January 1, 2016 through December 31, 2016; approving and authorizing the City Manager to execute the grant agreement with the Areawide Council on Aging for acceptance of the grant funding to provide **senior center services**. *(Social Services Director Marva Ricketts)*
5. Temp. Reso. #R5935 approving the award of Invitation for Bid No. 15-020, entitled "**Liquid Polymer Purchase**", to Polydyne, Inc.; authorizing the City Manager to execute an appropriate agreement with Polydyne, Inc., for the liquid polymer purchase for the **Wastewater Reclamation Facility** in an annual amount not-to-exceed \$75,000. *(Utilities Director Hong Guo and Procurement Director Randy Cross)*
6. Temp. Reso. #R5930 awarding Bid No. 15-022 entitled "**WWRF Injection Pump Station Upgrades**" to Intercounty Engineering, Inc.; authorizing the City Manager to execute an agreement with Intercounty Engineering, Inc., to perform the injection well pump upgrades at the **Wastewater Reclamation Facility**, in an amount not-to-exceed \$531,048. *(Utilities Director Hong Guo and Procurement Director Randy Cross)*
7. Temp. Reso. #R5936 approving the annual **purchase** of **sodium hypochlorite** for the **East Water Treatment Plant**, **West Water Treatment Plant** and **Wastewater Reclamation Facility** from Allied Universal Corporation, utilizing Palm Beach County Bid No. 11-071/SWC in a total amount not-to-exceed \$500,000 for Fiscal Year 2016. *(Utilities Director Hong Guo and Procurement Director Randy Cross)*
8. Temp. Reso. #R5939 approving the City of Miramar's analysis of impediments to **Fair Housing Choices Report** in an effort to affirmatively further Fair Housing within the City, as required by the U.S. Department of Housing and Urban Development for **Community Development Block Grant** funding recipients; authorizing submission of the Fair Housing Report to HUD. *(Community & Economic Development Director Eric Silva)*

9. Temp. Reso. #R5961 approving the **settlement** of the litigation styled as **Raheem Seecharan vs. City of Miramar**. *(City Attorney Jamie A. Cole)*

End of Consent

PUBLIC PARTICIPATION (7:30 – 8:00 P.M.)

RESOLUTIONS

10. Temp. Reso. #R5951 approving **appointments** to the **Parks and Recreation Advisory Board** and the **Teen Council Advisory Board**. *(City Clerk Denise A. Gibbs)*
11. Temp. Reso. #R5898 approving the award of Invitation for Bids No. 15-024, entitled “**Shirley Branca Park Band Shell**”, to the lowest responsive and responsible bidder, E.L.C.I. Construction Group Inc.; authorizing the City Manager to execute an agreement with E.L.C.I. Construction Group, Inc. in an amount not-to-exceed \$1,202,575 and allocating a five percent construction contingency allowance of \$60,129, for a total project cost of \$1,262,704. *(Construction & Facilities Management Director Luisa M. Millan and Procurement Director Randy Cross)*
12. Temp. Reso. #R5954 approving the final ranking and award of Request for Qualifications No. 15-07-43, entitled “**Architectural Design Consulting Services for Fire Station No. 107**”, to the highest ranked, responsive and responsible proposer, Synalovski Romanik Saye, LLC; authorizing the City Manager to execute an agreement with Synalovski Romanik Saye, LLC in an amount not-to-exceed \$340,765, and allocating a contingency allowance of \$15,270, for a total project cost of \$356,035. *(Construction & Facilities Management Director Luisa Millan and Procurement Director Randy Cross)*
13. Temp. Reso. #R5938 approving the final ranking and award of Request for Proposal No. 16-10-01, entitled “**Design-Build Services for East Water Treatment Plant Renovation**”, to Wharton-Smith, Inc. as the highest ranked responsive, responsible proposer; authorizing the City Manager to execute an agreement with Wharton-Smith, Inc.; approve expenditure for Task 1 – Design Services, in an amount not-to-exceed \$1,133,655 for **East Water Treatment Plant Renovation**; authorizing owner-direct purchasing for equipment in an amount not-to-exceed \$5,000,000. *(Utilities Director Hong Guo and Procurement Director Randy Cross)*

14. Temp. Reso. #R5943 **revising the adopted Fire Rescue service fee schedule**; adjusting service rates to be competitive and or relevant and in accordance with current fire life safety and Sate codes, and ensuring the health and safety of the Community and its visitors via its mandated inspection and permit requirements. *(Fire-Rescue Chief L. Keith Tomey III)*
15. Temp. Reso. #R5949 authorizing the **purchase of 59 vehicles and equipment**, to be utilized by **various departments**, from Stingray Chevrolet for \$236,761, Hub City Ford for \$53,522, Palmetto Ford Truck for \$82,000, AutoNation Chrysler, Dodge, Jeep, Ram for \$595,776, Don Reid Ford for \$444,380, and Duval Ford for \$238,669, utilizing Florida Sheriff's Association Bid No. 15-23-0904, and Eldorado National, Kansas for \$79,229, utilizing Houston-Galveston Area Council of Governments Contract No. BT01-14; authorizing the purchase of emergency equipment for 34 public safety vehicles from Strobes-R-U's for \$239,741 utilizing Broward County Sheriff's Office Bid No. 13104030, for a total combined purchase amount of \$1,975,290 for Fiscal Year 2016. *(Public Works Director Thomas Good)*
- 15A. Temp. Reso. #R5962 approving and ratifying a three-year **Collective Bargaining Agreement** between the City and the **Police Benevolent Association of Broward County, Florida**, representing City police officers and sergeants, for the period from October 1, 2015 through September 30, 2018. *(Human Resources Director Sam Hines)*

ORDINANCES

16. **FIRST READING** of Temp. Ord. #O1624 **amending Chapter 11, "Business Taxes, Permits and Business Regulations," of the Miramar Code of Ordinances** by repealing Section 11-33 "Interview and Investigation of Receipt Applicants; Duties; Fee to Defray Cost of Criminal History Form; Receipt Questionnaire Form", Section 11-34 "Grounds for Denial", Section 11-35 "Appeal from Denial of Receipt", and Section 11-36, "Revocation of Receipt", to eliminate the processing of background checks for new businesses as part of the Business Tax receipt application process; and providing for an effective date. *(Assistant Finance Director Barbara Hastings)*

SECOND READING TBD

17. **FIRST READING** of Temp. Ord. #O1629 **creating a new chapter** of the **Land Development Code** entitled **Chapter 1 Authority**; rescinding existing Chapter 1 Purpose and Applicability, and Chapter 3 Review Agencies, including the City Commission, Planning & Zoning Board, Development Review Committee and Community Appearance Board; adopting a new chapter of the Land Development Code; providing for applicability, title and authority; providing that the existing zoning map shall continue in effect; adopting provisions related to interpretation and replacement of the zoning map; providing for the creation of and operative provisions relating to the City Commission, Planning and Zoning Board, Development Review Committee, and Community Appearance Board; and amending portions of Chapter 4 Comprehensive Plan, relating to application procedures, amendment procedures and grammar, and Chapter 8, Section 813 Community Appearance Board; renumbering and relettering provisions; providing for severability; providing for inclusion in the Code; and providing for an effective date. *(Community & Economic Development Principal Planner Michael Alpert)*

SECOND READING SCHEDULED for January 27, 2016

18. **FIRST READING** of Temp. Ord. #O1630 **amending Land Development Code**; making findings; amending Chapter 5, “**Development Review Procedures**”; revising Section 505 relating to “Temporary Uses and Structures”; amending Section 508.14 relating to certificates of level of service compliance for parks and recreational areas; amending Chapter 7 “Use Regulations”; revising Section 705 relating to “Commercial Zoning Districts” requirements and Section 706 “Industrial Zoning Districts” requirements; revising grammar and inserting catchlines; revising uses, standards, and requirements; revising Section 713 relating to “Specific Use Regulations”; repealing Section 713.6 relating to child care centers and Section 713.14 relating to restaurants; revising Section 713.19 relating to fuel service stations with mini-markets/convenience stores; providing accessory use standards; amending Section 713.21 places of assembly and 713.22 pain management clinics, revising grammar; amending Section 715 relating to Transit Oriented Corridor Districts; amending development incentives; amending Section 715.3.3 relating to Landscape Standards; providing new standards for tree planters, planting strips, median trees, and street trees; revising Section 713.3.7 relating to Development Standards in Special District 3 (Community Facilities); revising graphics and tables displayed in Section 715.4.0 in the Transit Oriented Corridor District; amending Section 809.9 relating to gazebos and pergolas; amending Section 809.13 relating to utility sheds; revising Section 809.17 regulations and including regulation of patios on fee-simple multi-family lots; amending Section 809.18 to include regulation of walkways on multi-family lots; providing for severability; providing for intent; inclusion in the Code; providing for interpretation; and providing for an effective date. *(Community & Economic Development Principal Planner Michael Alpert)*

SECOND READING SCHEDULED for January 27, 2016

PUBLIC HEARING

19. **SECOND READING** of Temp. Ord. #O1631 **amending City Code** Chapter 15 “Pensions”, Article V “City Retirement Plan and Trust Fund”, Division 1 “Generally”; amending City Code Chapter 15 “Pensions”, Article VI “Management Pension Plan and Trust Fund”; revising Section 15-271 of the City Code to permit the purchase under limited circumstances of prior service provided that the member surrenders their 401(a) balance and pays all member contributions attributable to the prior service; amending Section 15-358 of the City Code to permit normal retirement eligibility under limited circumstances based on the member’s original date of hire; providing for severability; and providing for an effective date. *(Passed 1st Reading on 10/21/15) (Human Resources Director Sam Hines)*

20. **SECOND READING** of Temp. Ord. #O1633 approving the **end-of-year amendment** of the **Fiscal Year 2015 Operating and Capital Improvement Program Budget**; and providing for an effective date. *(Passed 1st Reading on 11/02/15) (Management & Budget Director David Goldman)*

21. Temp. Reso. #R5940 approving the **Program Year 2014 Consolidated Annual Performance Evaluation Report** for Community Development Block Grant Programs. *(Community & Economic Development Director Eric Silva)*

QUASI-JUDICIAL PUBLIC HEARING

All who wish to speak shall be collectively sworn in. City Attorney will then read the title of the item to be considered. Staff shall present a brief synopsis of the application and make a recommendation. Next will be a presentation by the applicant. The Commission will then hear from participants in favor of and in opposition to the application. The applicant, staff and or any Commissioner may cross-examine the witnesses, and a participant may request that the board ask questions of a witness. The public hearing will conclude with final remarks by staff and the applicant. No further presentations or testimony shall be permitted. All decisions of the Commission must be based upon competent substantial evidence presented to it at the hearing. All backup materials provided to the City Commission, as a part of the agenda will automatically be made a part of the record of the hearing. All approvals will be subject to staff recommended conditions unless otherwise stated in the motion for approval.

22. Temp. Reso. #R5946 considering Application No. 1501434, **Site Plan Approval** for a three-story, 62,834 square foot **office building** for **United Data Technologies, Inc.**, to be located on a 3.67 acre vacant lot west of Monarch Lakes Boulevard and north of Miramar Parkway behind the Shoppes at Monarch Lakes. *(Community & Economic Development Director Eric Silva)*

23. Temp. Reso. #R5947 considering Application No. 1501437, **Community Appearance Board Approval** for a three-story, 62,834 square foot **office building** for **United Data Technologies, Inc.**, to be located on a 3.67 acre vacant lot west of Monarch Lakes Boulevard and north of Miramar Parkway behind the Shoppes at Monarch Lakes. (*Community & Economic Development Director Eric Silva*)
24. Temp. Reso. #R5948 considering Application No. 1503655, **Request for Variance Approval** from Land Development Code Section 901.4, Table 3, Perimeter Bufferyard Width Requirements, for **United Data Technologies, Inc.**, to be located on a vacant lot west of Monarch Lakes Boulevard and north of Miramar Parkway behind the Shoppes at Monarch Lakes. (*Community & Economic Development Director Eric Silva*)

OTHER BUSINESS

25. **Reports and Comments:**

Commission Reports:

City Attorney Reports:

City Manager Reports:

ADJOURNMENT

THE NEXT REGULARLY SCHEDULED CITY COMMISSION MEETING IS:

January 27, 2016 at 7:00 P.M.