



REGULAR
CITY COMMISSION MEETING
CITY OF MIRAMAR

U A G E N D A U

Tuesday
November 25, 2008
7 p.m.

ELECTED OFFICIALS

Mayor Lori C. Moseley
Commissioner Winston F. Barnes
Commissioner Yvonne Garth
Commissioner Carl J. Lanke
Commissioner Troy R. Samuels

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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 beepers, 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 - Public Hearings and Regular Business** - Individuals wishing to speak on matters that appear on the Agenda as "Public Hearings" or "Regular Business" 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 Discussion** - 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 Discussion."
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
Tuesday, November 25, 2008**

CALL TO ORDER:

ROLL CALL/ANNOUNCEMENTS:

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

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.

1. Minutes of the Regular City Commission Meeting of November 19, 2008 will be placed on the January 22, 2009 Commission Agenda.
2. Temp. Reso. #R4385 accepting the **Water and Sewer System Improvements, Absolute Bill of Sale**, and **Easement** from WMD Miramar, LLC to serve **Miramar Square**; authorizing the appropriate City Officials to release Letter of Credit No. NZS612406 in the amount of \$946,647.50 and to accept a one year Maintenance Guarantee Letter of Credit No. NZS629434 in the amount of \$182,720.00 from WMD Miramar, LLC. *(City Engineer Bissy Vempala)*
3. Temp. Reso. #R4386 accepting the **Water System Improvements, Absolute Bill of Sale**, and **Easement** from Waterfront Properties of Miramar, LLC to serve **Crosstown Shoppes**; authorizing the appropriate City Officials to release Letter of Credit No. 11386 in the amount of \$47,350.00 and to accept a one year Maintenance Guarantee Letter of Credit No. 11424 in the amount of \$12,722.50 from Waterfront Properties of Miramar, LLC. *(City Engineer Bissy Vempala)*

4. Temp. Reso. #R4387 accepting the **Water and Sewer System Improvements, Absolute Bill of Sale, and Easement** from TKG-StorageMart Partners, L.P. to serve **StorageMart**; authorizing the appropriate City Officials to release Surety Bond No. 84BSBEK4276 in the amount of \$284,050.00 and to accept a one year Maintenance Bond in the amount of \$29,153.75 from TKG-StorageMart Partners, L.P. *(City Engineer Bissy Vempala)*
5. Temp. Reso. #R4403 authorizing the purchase of twenty-one (21) **Scott Self-Contained Breathing Apparatus** from Fisher Scientific Company, LLC, in an amount not-to-exceed \$75,000.00 for Fiscal Year 2009, utilizing State of Florida Contract No. 490-000-07-1. *(Fire-Rescue Chief James L. Hunt)*
6. Temp. Reso. #R4408 authorizing the City Manager to purchase **Quicklime** for the **East Water Treatment Plant** from Chemical Lime Company of Alabama in an amount not-to-exceed \$141,017.00 for Fiscal Year 2009, utilizing Southeast Florida Governmental Purchasing Cooperative Bid Renewal #06-33B. *(Assistant Plants Manager Gene Pennetti)*
7. Temp. Reso. #R4420 approving a Joint Participation Agreement between Broward County and the City of Miramar, for a term ending on August 5, 2010, with an option of three (3) additional one (1) year renewal periods, and consenting to hosting the **Annual Household Hazardous Waste Collection Event** within the corporate limits of the City. *(Public Works Director Thomas Good)*
8. Temp. Reso. #R4425 rescinding previous authorization to purchase fuel from Port Consolidated, Inc., in an amount not-to-exceed \$1,400,000.00 for Fiscal Year 2009; authorizing the purchase of **fuel** from **Mansfield Oil Company** for the City's fleet of vehicles and equipment, on an as-needed basis, in an amount not-to-exceed \$1,290,000.00 for **Fiscal Year 2009**, utilizing Broward Sheriff's Office Cooperative Contract RFP No. 5-3-8-049. *(Public Works Director Thomas Good)*
9. Temp. Reso. #R4421 accepting a matching grant from, and approving an agreement with, the South Florida Water Management District for the implementation of a **Residential Plumbing Fixture Replacement Program** in the amount of \$9,750.00. *(Utilities Assistant Director Ron Eyma)*
10. Temp. Reso. #R4400 approving the award of IFB No. 09-003 and an agreement with Murray Logan Construction, Inc. for **construction** of a **Stormwater/Reuse Pump Station** at 16000 Miramar Parkway, in an amount not-to-exceed \$1,038,000.00. *(Operations System Manager Tony Rabbat)*

11. Temp. Reso. #R4342 approving an agreement with the Sun-Sentinel Company to provide **marketing/advertising services** for a term from January 1, 2009 through September 30, 2009, in the amount of \$43,431.25; waiving the requirements of City Code Section 2-253 regarding the use of open market procedures for this purchase. *(Economic Development & Revitalization Director Gus Zambrano)*
12. Temp. Reso. #R4327 approving the award of a bid and contract to Community Redevelopment Associates of Florida, Inc., for **management services** to implement, administer, and monitor the City of Miramar's **Housing and Community Development Programs**, resulting from the issuance of RFP #08-08-02; authorizing the City Manager to execute an agreement providing for such services for a two (2) year period with three (3) one (1) year option periods. *(Economic Development & Revitalization Director Gus Zambrano)*
13. Temp. Reso. #R4424 awarding the exclusive license for **food and beverage services** at the **Cultural Center/Artspark** to MEI Hotels, Inc., the lowest responsive and responsible bidder; authorizing the City Manager to execute a license agreement with MEI Hotels, Inc. granting MEI Hotels, Inc. the exclusive license to operate and provide food and beverage services in the Cultural Center/Artspark Facility for a period of two (2) years with three (3) one (1) year renewal options. *(Assistant City Manager/Operational Services Vernon E. Hargray)*
14. Temp. Reso. #R4427 authorizing the expenditure of Federal Law Enforcement Trust Funds to purchase **security cameras, telephone equipment and data network equipment** for the **Police Department's Property and Evidence Facility** in an amount not to exceed \$33,000.00. *(Police Chief Melvin D. Standley)*
15. Temp. Reso. #R4396 approving the Lease Agreement between the City of Miramar and South Broward Hospital District, d/b/a Memorial Regional Hospital, for 2,702 square foot of **medical office space** located at the **Miramar Multi-Service Complex**. *(Social Services Director Marva Graham)*

End of Consent

RESOLUTIONS

16. REMOVED

17. Temp. Reso. #R4423 declaring zoning in progress for preparation of **amendments** to the **Land Development Code** regulating night clubs, bars, taverns, restaurants, and other establishments which serve alcoholic beverages on-premises between the hours of 2:00 A.M. and 4:00 A.M. (*Community Development Director Harold C. Zombek*)

ORDINANCES

18. **FIRST READING** of Temp. Ord. #O1477 amending Chapter 20 of the City Code, "Traffic and Motor Vehicles," by creating Article V, "Operation of Golf Carts on Certain Roadways" to permit the **use of golf carts** on certain local roadways within the City; and providing for an effective date. (*Assistant Police Chief Keith Dunn*)

SECOND READING SCHEDULED for January 22, 2009

19. **FIRST READING** of Temp. Ord. #O1480 considering Application No. 08-CPA-02, amending the City's adopted **Comprehensive Plan** by adding the **Capital Improvement Plan** to the Capital Improvement Element; and providing for an effective date. (*Senior Planner Lorri Hall*)

SECOND READING SCHEDULED for March 4, 2009

PUBLIC HEARING

20. **SECOND READING** of Temp. Ord. #O1463 considering Application No. **08-CPA-01**, amending the Future Land Use Element, the Potable Water/Aquifer Recharge Sub-Element, the Sanitary Sewer Sub-Element, the Conservation Element, the Intergovernmental Coordination Element and the Capital Improvements Element of the Comprehensive Plan to incorporate the City of Miramar's **10-Year Water Supply Plan** and enhance coordination with the South Florida Water Management District; and providing for an effective date. (**Passed 1st Reading 06/10/08**) (*Senior Planner Lorri Hall*)
21. **SECOND READING** of Temp. Ord. #O1479 approving the **end-of-year amendment** of the **Fiscal Year 2008 Operating and Capital Improvement Program Budget**; and providing for an effective date. (**Passed 1st Reading 11/19/08**) (*Budget Manager David Goldman*)

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. #R4414 considering Application No. **08-DRC-10**, Site Plan Approval, by **T-Mobile South, LLC**, for a 130-foot high concealment flagpole telecommunications tower and 595-square foot compound within the southwest corner of Phase 1 of Miramar Regional Park, located at the northeast corner of Miramar Parkway and Southwest 172nd Avenue. (*Senior Planner Richard Hughes*)

23. Temp. Reso. #R4412 approving and authorizing the City Manager to execute a **Site Lease Agreement** with **T-Mobile South, LLC** to place a telecommunications tower, wireless antenna and ground equipment on city-owned property at Miramar Regional Park, located at 16801 Miramar Parkway. (**Resolution placed here for ease of presentation**) (*Public Works Director Thomas Good*)

OTHER BUSINESS

24. Reports and Comments:

Commission Reports:

City Attorney Reports:

City Manager Reports:

ADJOURNMENT

THE NEXT REGULARLY SCHEDULED CITY COMMISSION MEETING IS:

January 22, 2009 at 7:00 P.M.