

City of Tamarac
Regular City Commission Meeting - Minutes
Wednesday, January 8th, 2020

CALL TO ORDER: Mayor Gomez called the Wednesday, Jan. 8, 2020, regular City Commission meeting, being held in Commission Chamber at 7525 NW 88th Avenue, Tamarac, Florida, 33321, to order at 7:06 p.m.

ROLL CALL: Mayor Michelle J. Gomez, Vice Mayor Marlon Bolton, Commissioner Debra Placko, Commissioner Julie Fishman were in attendance. Commissioner E. Mike Gelin arrived at 7:07 p.m.

Also present were City Manager Michael C. Cernech, Assistant City Attorney Julie Klahr and Acting City Clerk Lillian Pabon.

PLEDGE OF ALLEGIANCE Mayor Michelle J. Gomez led the Pledge of Allegiance.

1. PROCLAMATIONS AND PRESENTATIONS

- a. Walk – On Proclamation - Building Official, Claudio Grande
Grande was recognized for his accomplishments and impending retirement. Grande thanked the Mayor, members of the City Commission, and the City of Tamarac.
- b. Proclamation – Arbor Day – *Requested by Public Services Director Jack Strain*
- c. Proclamation – City of Tamarac CERT TEAM – *Requested by Vice Mayor Bolton*
CERT TEAM Members Jarrod Sherman, Rea Mills, Bertha Cuascut West, Herb Daley, Elliot Goldberg and Sandy Ehrlich were recognized for their contributions to the Bahamas following Hurricane Dorian.
- d. Proclamation – Martin Luther King, Jr. Day – *Requested by Vice Mayor Bolton*
- e. Proclamation – January 2020 as National Human Trafficking Awareness Month – *Requested by Commissioner Fishman*
- f. Walk – On Proclamation – Severe Weather Awareness Week is Jan. 27 – 31, 2020 – *Requested by Tamarac Fire Department, Community Education / Preparedness Specialist, Van Schoen*

2. CITY COMMISSION REPORTS

- a. Vice Mayor Bolton
Vice Mayor Bolton stated he had posted his comments to his Facebook page. Residents can reach him on his cell phone, which is also posted on his Facebook Page.
[Facebook.com/CommissionerMarlonBolton](https://www.facebook.com/CommissionerMarlonBolton).
- b. Commissioner Gelin
Commissioner Gelin provided a presentation, which is on file in the City Clerk's Office, listing the events he attended, and other current affairs information, since the last City Commission meeting.

Commissioner Gelin asked if Mayor Gomez felt comfortable with having a Commissioner's name for signature at the bottom of proclamations that will be given at events they are invited to. Mayor Gomez replied she was not comfortable with that option.

Commissioner Gelin motioned to direct the City Attorney draft an ordinance related to Ban the Box, and to have it on a future agenda. Vice Mayor Bolton seconded. Discussion by the Commission ensued related to there already being a City Policy that addresses the issue, and placing items on a future workshop for discussion. Motion failed 3-2 with Commissioner Fishman, Commissioner Placko and Mayor Gomez dissenting.

Commissioner Gelin requested consensus from the Commission to add a program to Black History Month, which would include a guest speaker and bring in a larger audience. Discussion by the Commission ensued related to additional costs and resources. There was no consensus.

Commissioner Gelin motioned requesting the City of Tamarac to support the Paris Agreement. Vice Mayor Bolton seconded. Discussion by the Commission ensued related to the method in which items are being brought forward. Motion approved 4-1, with Mayor Gomez dissenting.

Commissioner Gelin continued his presentation and concluded by wishing everyone a Happy New Year.

c. Commissioner Fishman

Commissioner Fishman passed on providing a report, instead asked for prayers for the family of Mr. Luc Cherry. Mr. Cherry passed away unexpectedly on Sunday and he leaves behind his wife, and several young children.

d. Commissioner Placko

Commission Placko lamented that life is short, enjoy every moment and be kind to each other. She also thanked members of the community for their well wishes during the holidays. Placko provided details related to the anticipated receipt of Broward County Surtax dollars. Projects are currently being reviewed, ranked and prioritized by the Broward MPO (Metropolitan Planning Organization) and the list of budgeted projects will be completed in April.

Commissioner Fishman stepped away from the dais at 8:02 p.m. and returned at 8:05 p.m.

Commissioner Placko provided information about 2020 redevelopment trends, including the need to more rentals, the desire for areas that are live/work/play, brick-and-mortar stores remaining but on a smaller scale, increased online shopping and healthcare services being a large part of the workforce through 2026. Placko concluded by stating Tamarac is on the right track, and continuing growing where growth makes sense.

e. Mayor Gomez

Mayor Gomez stated she hoped everyone had a great holiday season, and express thanks to Commissioner Gelin, and the Tamarac Fire Department, for their assistance with the holiday lighting event. She was unable to attend, but happy to help Rabbi Silverberg with the event. Gomez stated she did not change her vote on the Paris Agreement, because it is a federal/political item, which she feels is not something that pertains to us. We were looking at a regional approach that would be better suited to our City and helping the environment. Gomez stated she is proud the City is already a member, of the 149 cities, that has Banned the Box. Gomez stated she was not the person who initiated the investigation into Commissioner, now Vice Mayor Bolton. Ten employees made their complaints heard, and that is where it started. Gomez addressed the incident with Commissioner Gelin, stating she did not call for his removal. I was asked what the policies were for the City if a member of the Commission needed to be held accountable. I listed the three things, and one of them happened to be the governor has the right of removal. Gomez thanked Commissioner Placko for bringing information related to development trends forward, and stated that is what is important to the betterment of the City.

3. CITY ATTORNEY REPORT

None.

4. CITY MANAGER REPORT

City Manager Cernech provided the following information.

Upcoming Parks & Recreation Events

Thursday, Jan. 9, 2020, 5 p.m. at Caporella Fitness Center, located at 9300 NW 58th Street.

Residents can learn about the fitness center, membership options, and there will be free giveaways and raffles.

Sunday, Jan. 12, 2020, from 3 p.m. – 5 p.m. at Mainlands Park, located at 4500 Monterey Drive, is our Concert in the Park featuring “The Horizons Band”. Bring chairs and blankets. Free shuttle transportation will be provided from the Mainlands Clubhouse 1, 2 and 3. Food will be available for purchase.

Friday, Jan. 17, 2020, at 6:30 p.m. at Tamarac Community Center, located at 8600 W. Commercial Blvd., is our Martin Luther King Jr. Day Celebration featuring the Ashanti Cultural Group and our keynote speaker is Dr. Jaffus Hardrick. Hardrick is the President of Florida Memorial University and is committed to developing future leaders and closing achievement gaps among underrepresented students. Light refreshments will be served.

Public Services Department Update

Last month, the citywide Litter Clean-Up collected approximately 40 bags of trash. This takes place every second Wednesday of the month. This is in cooperation with the Public Services Department, Community Development, the Building Department and the Tamarac Fire Department.

5. PUBLIC PARTICIPATION

- a. Dr. Marcia Becker, of Tamarac, stated the number of times she has spoken to the City Commission, false police reports being filed at the state, a traffic accident she was involved in, requesting statements be expunged from that report, her daughter being fearful of BSO (Broward Sheriff's Office) and anti-Semitism. Mayor Gomez replied stating this is not a City of Tamarac issue.
- b. Jeffrey Shapiro, of 6104 Orchard Tree Lane, Tamarac, wished everyone a Happy New Year. Shapiro expressed his concern for fountain/median maintenance at the entrance of the Woodlands, there no longer being lights on at night. Also, the Woodlands monument sign is not lit up at night, the lighting is dim on Woodlands Blvd. and requested the City consider these issues. Mayor Gomez referred Mr. Shapiro to Public Services Director, Jack Strain, for assistance.
- c. Natasha Britton, stated she lives in Woodmont, and requested if bulk pickup could occur more often. Commissioner Placko stated she would look into the issue.
- d. Ronald Wasserman, of 8577 Jade Drive, Tamarac, wished everyone Happy New Year, Hanukkah, etc., thanked the Commission for attended holiday events, expressed gratitude to Veterans for their service, and to continue discussing bullying. Wasserman went on to his concern related to trees not being replaced in a timely manner at Woodmont. Finally, he expressed his concern regarding the presence of chemicals in soil and its effect on people.
- e. Michelle Jones, of 5830 NW 64th Avenue, Tamarac, stated she came to the meeting with concerns as a small business owner and the inconsistencies of signage, but instead she spoke

about the division on the Commission. She stated this is the wrong road we should be going.

- f. Vida Kalhove, of Heathgate/Sunflower, Tamarac, stated she is proud of living in the City but is disappointed to see the leaders so divided. She hopes the Commission can come together, build a better relationship for the residents of the City, as we take you as an example.

6. CONSENT AGENDA

Mayor Gomez asked City Manager Cernech if there were any items to be added or deleted from the Consent Agenda. Cernech replied, no.

Commissioner Gelin made a motion to remove all items except Item A from the Consent Agenda. Discussion by the Commission ensued related to presentations and voting on the items individually. Vice Mayor Bolton seconded.

Commissioner Gelin made a motion to approve the amended Consent Agenda. Commissioner Fishman seconded.

The motion to approve the amended Consent Agenda carried unanimously.

- a. Approval of the December 11, 2019, Regular City Commission Meeting Minutes

Approved unanimously.

- b. TR13375 Ronald L. Book Amendment #17 to agreement

TR13375 - A Resolution of the City Commission of the City of Tamarac, Florida; approving Amendment #17 to the Agreement between the City of Tamarac and Ronald L. Book, P.A., for lobbying services, extending the agreement for one year through January 25, 2021, at a cost not to exceed Fifty-Nine Thousand Four Hundred Dollars (\$59,400) per year; authorizing the appropriate City Officials to execute the Amendment to the Agreement for lobbying services; providing for conflicts; providing for severability; and providing for an effective date.

Assistant City Attorney, Julie Klahr, read the title for the record. Commissioner Fishman motioned to approve. Commissioner Placko seconded.

Assistant to the City Manager, Laura Karpaviciute, provided background related to the item.

Discussion by the Commission ensued with comments related to the terms of the contract, return on investment and Mr. Book's reputation in Tallahassee.

Motion to approve TR13375 carried unanimously. **RESOLUTION 2020-001**

- c. TR 13377 - Award of Bid No. 19-29B Citywide Landscape Maintenance Agreement(s)

A Resolution of the City Commission of the City of Tamarac, Florida, awarding Bid No. 19-29B to and approving Agreements with SFM Services, Inc. ("SFM") for Grounds Maintenance Services and to Prestige Property Maintenance, Inc. ("Prestige") for Irrigation Services for certain Public Rights-of-Way, City Facilities, and City Parks; based on established contract fixed unit prices; authorizing annual expenditures not to exceed \$691,994.79 and \$72,660.00, respectively including annual price escalation / de-escalation per Bid No 19-29b; authorizing the month to month renewal of the current Agreement with Prestige for Grounds Maintenance Services nunc pro tunc until the proposed Agreements are executed and in effect; authorizing proper City Officials to execute contract renewals; providing for conflicts; providing for severability; and providing for an effective date.

Assistant City Attorney, Julie Klahr, read the title for the record. Commissioner Fishman motioned to approve. Commissioner Placko seconded.

Public Services Director, Jack Strain, and Purchasing/Contract Manager, Kevin Glatz, provided background related to the item.

Discussion by the Commission ensued with comments related to the terms of the contract.

Motion to approve TR13377 carried unanimously. **RESOLUTION 2020-002**

d. TR13378 - Joint City Lime Sludge Removal Hauling & Disposal (RFP No. 20-04R)

TR13378 - A Resolution of the City Commission of the City of Tamarac, Florida, cancelling a Term Agreement with Westwind Contracting, Inc.; approving award of RFP No. 20-04R and authorizing an agreement with Prolime Corporation for the Joint City Lime Sludge Removal, Hauling and Disposal Project authorizing an expenditure of funds for an amount not to exceed the approved annual budget, and authorizing Contract Escalation / De-escalation as provided under the Agreement beginning January 8, 2020 through January 7, 2022; authorizing proper City Officials to execute contract renewals; providing for conflicts; providing for severability; and providing for an effective date.

Assistant City Attorney, Julie Klahr, read the title for the record. Commissioner Fishman motioned to approve. Commissioner Placko seconded.

No Commission discussion.

Motion to approve TR13378 carried unanimously. **RESOLUTION 2020-003**

e. TR13389 - Citywide Culvert Cleaning

TR13389 - A Resolution of the City Commission of the City of Tamarac, Florida, cancelling a Term Agreement with TV Diversified, LLC for Culvert Cleaning Services and re-awarding Bid No. 18-20rb to the next lowest bidder, Shenandoah General Construction Company, and approving an Agreement with Shenandoah General Construction Company for Citywide Storm Drain Pipe and Culvert Cleaning; authorizing an expenditure from the appropriate accounts not to exceed the approved budget annually for said purpose; effective upon approval through September 11, 2021; authorizing proper City Officials to execute contract renewals; providing for conflicts; providing for severability; and providing for an effective date.

Assistant City Attorney, Julie Klahr, read the title for the record. Commissioner Fishman motioned to approve. Motion seconded by Commissioner Placko.

No Commission discussion.

Motion to approve TR13389 carried unanimously. **RESOLUTION 2020-004**

f. TR13390 Approve Risk and Resiliency Assessment

TR13390 - A Resolution of the City Commission of the City of Tamarac, Florida, approving an Agreement with Tetra Tech for a Risk and Resilience Assessment; utilizing Tetra Tech as a sole source vendor; authorizing an expenditure in an amount not to exceed \$142,998.00 for said purpose; authorizing proper City Officials to take all necessary steps to effectuate the purchase; authorizing an additional appropriation in the amount not to exceed \$142,998.00 to be included in a future Budget Amendment pursuant to F.S. 166.241(2); providing for conflicts; providing for severability; and providing for an effective date.

Assistant City Attorney, Julie Klahr, read the title for the record. Commissioner Fishman motioned to approve. Commissioner Gelin seconded.

No Commission discussion.

Motion to approve TR13390 carried unanimously. **RESOLUTION 2020-005**

g. TR 13392 City of Tamarac 2020 State Legislative Session Agenda

TR13392 - A Resolution of the City Commission of the City of Tamarac, Florida, approving the City of Tamarac Legislative Agenda for the 2020 State of Florida Legislative Session; directing the City Clerk to transmit a copy of the City of Tamarac Legislative Agenda for the 2020 State Legislative Session to the Florida League of Cities, the Broward League of Cities, the Broward County Legislative Delegation and the Broward County Board of County Commissioners; providing for conflicts; providing for severability; and providing for an effective date.

Assistant City Attorney, Julie Klahr, read the title for the record. Commissioner Fishman motioned to approve. Commissioner Gelin seconded.

Discussion by the Commission ensued with comments related to the paid internship initiative added to the City's 2020 Legislative Agenda. Assistant to the City Manager, Laura Karpaviciute, stated that item has not been added, and a resolution of support for an item could be adopted later if necessary.

Motion to approve TR13392 was made by Commissioner Fishman and seconded by Commissioner Gelin. Motion carried unanimously. **RESOLUTION 2020-006**

Mayor Gomez recognized Vice Mayor Bolton. Vice Mayor Bolton provided comments related to events and accomplishments in District 1 since being elected. Bolton then spoke about an agreement to hire an outside attorney to investigate him. Bolton stated this should have gone to a law enforcement body such as the Florida Commissioner on Ethics or the Division of Elections. Bolton said he has read the report, and this is a misuse of taxpayer dollars, as the attorney has no experience in ethics law. Commissioner Bolton requested a copy of the agreement for the hiring the City Attorney. Bolton then read "Still I Rise" by Maya Angelou.

Mayor Gomez recessed the meeting at 9 p.m.

Mayor Gomez reconvened at 9:17 p.m.

7. REGULAR AGENDA

None.

8. ORDINANCE(S) – FIRST READING

a. TO2422 - Amending Code Relating to Sister Cities Committee

An Ordinance of the City Commission of the City of Tamarac, Florida; amending Chapter 2, "Administration," Article III, "Boards, Committees, Commissions" of the Tamarac Code of Ordinances, by amending Sections 2-234.32 through 2-234.40, "Sister Cities Committee" providing for process for appointments and residency provision; providing for severability; providing for codification and providing for an effective date.

Assistant City Attorney, Julie Klahr, read the title for the record. Commissioner Fishman motioned to approve. Commissioner Placko seconded.

No discussion by the Commission.

Motion to approve TO2422, on first reading, carried unanimously.

b. TO2423 - Amending Meeting time for 2nd Regular Commission Meeting of the month

TO2423 - Amending Chapter 2, "Administration", Article II, "City Commission", of the City of Tamarac Code of Ordinances, by Amending Section 2-29, "Regular Meeting"; providing for Conflicts; Providing for Severability; Providing for Codification and Providing for an effective date.

Assistant City Attorney, Julie Klahr, read the title for the record. Commissioner Placko motioned to approve. Commissioner Fishman seconded.

No discussion by the Commission.

Motion to approve TO2423, on first reading, carried 3-2 with Commissioner Gelin and Mayor Gomez dissenting.

9. PUBLIC HEARING(S)
None.

10. ORDINANCE(S) – SECOND READING

- a. TO2418 - Ordinance Adopting the City of Tamarac Impact Fee Study Creating Section 10-5.7 of the Land Development Code Entitled "Impact Fees"

TO2418 - An Ordinance of The City Of Tamarac, Florida, Creating Section 10-5.7 entitled "New Development Impact Fees" of Chapter 10, of the Tamarac City Code, adopting an Impact Fee Schedule At 50% of the total fee amount for Governmental Facilities, Parks and Recreational Facilities, and Multimodal Transportation Facilities; adopting an Impact Fee Study; creating an Impact Fee Schedule and Land Use Categories; establishing criteria and administrative procedures for Individual Assessment Of Impact Fees, Refunds, Credits, Collection of Fees and Fair Share Agreements; providing for Implementing Administrative Acts; Providing For Codification; providing a Savings Provision, providing a Conflicts Provision, providing for severability, and providing for an effective date.

Assistant City Attorney, Julie Klahr, read the title for the record. Commissioner Fishman motioned to approve. Commissioner Placko seconded.

Mayor Gomez opened for comments from the public. There being none, Gomez closed public comment.

Community Development Director, Maxine Calloway, provided background related to the item.

Motion to approve TO2418, on second reading, carried unanimously.

Passed on First Reading December 11, 2019.

Adopted on Second Reading January 8, 2020.

Ordinance O-2020-001

11. QUASI-JUDICIAL HEARING(S)
None.

12. OTHER

- a. Commissioner E. Mike Gelin's Motion to Reconsider Pursuant to City Code Section 2-34(j)(5)

Commissioner E. Mike Gelin's Motion to Reconsider Pursuant to City Code Section 2-34(j)(5) to Reconsider TR13386 - Authorizing payment of a onetime merit award to City Manager Michael C. Cernech, as set forth in Resolution No. R-2011-04. According to the City Attorney, the Motion to Reconsider was timely filed by the Commissioner on December 12, 2019, under the City Code as a voting member on the prevailing side.

Discussion by the Commission ensued with concerns related to the City Manager evaluation process, being fiscally responsible when determining merit increases and total compensation packages, and keeping the City financially sound for the future.

Commissioner Gelin requested both the City Manager and City Attorney's contracts be provided to the members of the Commission.

Commissioner Gelin motioned to enforce the agreement already agreed to and provide the City Manager a written statement of findings by January 29, 2020. Assistant City Attorney Klahr further explained the City's process for making a motion to reconsider.

Vice Mayor Bolton motioned requesting the Assistant City Attorney to be under oath when responding to his questions. Commissioner Gelin seconded. Motion failed 3-2 with Commissioner Fishman, Commissioner Placko and Mayor Gomez dissenting.

Discussion by the Commission ensued regarding the past evaluations of the City Manager. Assistant City Klahr stated the process of the City Manager evaluation is determined collectively by the City Commission.

Human Resources Director, Lorenzo Calhoun, responding to inquiry, provided information related to general employee increases, contractual obligations, collective bargaining and performance evaluations of the executive team.

Vice Mayor Bolton seconded Commissioner Gelin's motion to reconsider TR13386 pursuant to City Code Section 2-34(j)(5). Motion failed 3-2 with Commissioner Fishman, Commissioner Placko and Mayor Gomez dissenting.

Discussion by the City Commission ensued related to extending the timeframe for evaluation of the City Manager.

City Manager Cernech, in response to inquiry, summarized the City Manager's goals and objectives are set by the Strategic Planning and budget process. Cernech summarized the past process for submitting his goals, accomplishments and achievements annually to the City Commission, which are reviewed and voted on at a public meeting. Cernech stated he would be submitting a similar narrative, to what has been submitted in the past, based on the goals and objectives established through the Strategic Plan and the budget.

Commissioner Gelin motioned to have the City Commission hire a consultant to help us design a process to properly evaluate the City Manager, based on the terms of the agreement. Discussion by the Commission ensued related to the January 29 date, responsibilities of both parties to provide information, rules and procedures of the Commission in the evaluation process. Assistant City Attorney Klahr stated the parties to the agreement can determine the date.

Commissioner Fishman motioned to extend the timeframes in the contract, so the City Commission may work on a procedure that Commissioner Gelin has requested to work on a procedure we can all agree on going forward. Motion seconded by Commissioner Placko. Motion carried 4-1 with Vice Mayor Bolton dissenting.

Commissioner Gelin motioned for the City Commission to work with procurement or the Human Resources Director to procure a compensation consultant to determine a fair evaluation process and compensate the City Manager. Assistant City Attorney Julie Klahr stated the City Commission does not procure services, but actual services are done by staff, through the City Manager, and would come before the City Commission. Mayor Gomez clarified the motion is the City Commission is asking for the procurement of a professional services person to evaluation the City Manager evaluation process and discuss how to evaluate the city manager and formalize a process in the future and go from there at a future workshop. Commissioner Fishman seconded, and the motion carried unanimously.

There being no additional business to discuss, Mayor Gomez adjourned the meeting at 11:04 p.m.

Minutes transcribed and submitted by Acting City Clerk, Lillian Pabon.

A handwritten signature in blue ink, appearing to read "Lillian Pabon", is written over a light blue rectangular background.

Lillian Pabon, CMC
Acting City Clerk

Michelle J. Gomez, Mayor

Note to the reader: The above signature is the Acting City Clerk, of the City of Tamarac, Florida. If the minutes you have received are not signed, or completed as indicated above, they are not the official minutes of the Tamarac City Commission meeting held Wednesday, Jan. 8, 2020.

Pursuant to Chapter 286.0105, Florida Statutes, 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 may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is based.

The City of Tamarac complies with the provisions of the Americans with Disabilities Act. If you are a disabled person requiring any accommodations or assistance, please notify the City Clerk's Office at (954) 597-3505 of such need at least 48 hours (2 days) in advance. Additionally, if you are hearing or speech impaired and need assistance, you may contact the Florida Relay Service at either of the following numbers: 1-800-955-8770 or 1-800-955-8771.