

**REGULAR MEETING OF THE CITY COUNCIL  
PLANTATION, FLORIDA**

**May 25, 2016**

The meeting was called to order by Councilmember Ron Jacobs, President of the City Council.

1. Roll Call by City Clerk:

|                |  |
|----------------|--|
| Councilmember: | Ron Jacobs<br>Robert A. Levy<br>Lynn Stoner<br>Peter S. Tingom<br>Chris P. Zimmerman |
| Mayor:         | Diane Veltri Bendekovic  |
| City Attorney: | Donald Lunny   |
| City Clerk:    | Susan K. Slattery  |

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2. Opening remarks were made by Councilmember Jacobs.

The Pledge of Allegiance followed.

3. Approval of Minutes – April 27, 2016 and May 11, 2016 – Approved as presented.

4. **Resolution #12282**

**RESOLUTION** of Appreciation to Jeffrey Gouge for 17 years of dedicated service to the City of Plantation.

***Motion by Councilmember Tingom, seconded by Councilmember Zimmerman, to adopt Resolution No. 12282. Motion carried on the following roll call vote:***

Ayes: Stoner, Tingom, Zimmerman, Levy, Jacobs  
Nays: None

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**ITEMS SUBMITTED BY THE MAYOR**

Mayor Bendekovic recognized the following Fire Rescue employees:

- Beth Martins for receiving the Ed Murray Public Educator Award of the Year.
- Battalion Chief Joel Gordon for earning his Chief Fire Officer designation.
- Firefighter Tom Demoupolis for earning his Fire Officer designation.

Mayor Bendekovic presented Service Awards to the following employees:

|                        |                   |          |
|------------------------|-------------------|----------|
| *Theresa Curbelo       | Fire/Rescue       | 20 years |
| *Victor Delarosa       | Fire/Rescue       | 20 years |
| Scott Reed             | Fire/Rescue       | 20 years |
| *Colleen Sager         | Police            | 15 years |
| Cassie Bucci           | Human Resources   | 10 years |
| Mel Li                 | Information Tech. | 10 years |
| Luciana Ramos          | Police            | 10 years |
| Paul Smith             | Information Tech. | 10 years |
| *James Brosius         | Public Works      | 05 years |
| Irvin Kydd             | Public Works      | 05 years |
| *Reginaldo Pitanga     | Utilities         | 05 years |
| *Christopher Santillan | Fire/Rescue       | 05 years |

\*Unable to attend

Ernest Burkeen, Parks and Recreation Director made the following announcements:

- Kids Day Off – Friday, May 27<sup>th</sup>.
- Memorial Day Celebration – 9 a.m., May 30<sup>th</sup> at Veterans Park.
- Doubles Tennis Championship – May 28<sup>th</sup>.
- Summer Camp – June 13 – August 5.
- North Palm Beach Swim Meet – June 5<sup>th</sup> and June 6<sup>th</sup>.
- 7 on 7 Touch Football Series sponsored by the Miami Dolphins – June 4<sup>th</sup> and June 5<sup>th</sup>.

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Mayor Bendekovic made the following announcements:

- Memorial Day Service – Monday, May 30<sup>th</sup>, Volunteer Park
- New Exhibit at Museum – Pirates, Treasures, Terror, and Tall Tales, June 4<sup>th</sup> through October 22<sup>nd</sup>
- Summer reading kickoff – June 13<sup>h</sup>, Helen B. Hoffman Plantation Library
- Participants wanted for the Independence Day Parade
- Farmers Market – Volunteer Park every Saturday

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## **CONSENT AGENDA**

*Items 9 and 10 were removed from the Consent Agenda and voted on separately.*

5. Request for approval of a "competitive procurement exemption" (City of Plantation Code 2-226(g)(5)) and authorization to issue a purchase order to Thompson Pump & Manufacturing Company, Inc. for (1) Thompson 6" solids handling vacuum-assisted jet pump in the amount of \$63,942.00, which includes shipping.

6. Request for authorization to continue to participate in the Southeast Florida Co-Operative Bid (City of Fort Lauderdale, lead agency; Contract 442-11397) to supply water meter boxes and parts from HD Supply Waterworks LTD- Group I; and Ferguson Enterprises, Inc- Group II, III, & IV; from August 19, 2016 through August 18, 2017.
7. Police Facility Security Upgrade. This information is provided for your review and consideration regarding your approval of the funds to purchase an upgrade to the facility access control system for the Police Department. Paladin is the vendor for the whole City and has been for many years. They are a sole-source and proprietary.
8. Request for approval of Change Order No. 4 for Commodore Drive Drainage Outfall Relocation.
11. **Resolution # 12282**  
**RESOLUTION** approving that certain agreements for disaster debris monitoring services between the City of Plantation and Witt O'Brien's and Tetra Tech in form attached hereto as Exhibit "A"; directing the Mayor to execute same; giving the Administration and Legal Departments the ability to make minor changes; and providing an effective date therefor.
12. **Resolution # 12283**  
**RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period May 05, 2016 through May 18, 2016 for the City of Plantation's Gateway Development District.
13. **Resolution # 12284**  
**RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period May 05, 2016 through May 18, 2016 for the City of Plantation's Midtown Development District.
14. **Resolution # 12285**  
**RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period May 05, 2016 through May 18, 2016 for the City of Plantation.
15. **Resolution # 12286**  
**RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period May 05, 2016 through May 18, 2016 for the City of Plantation's Community Redevelopment District.

***Motion by Councilmember Tingom, seconded by Councilmember Jacobs, to approve the Consent Agenda. Items 9 and 10 were voted on separately. Motion carried on the following roll call vote:***

Ayes: Tingom, Zimmerman, Levy, Stoner, Jacobs  
Nays: None  
Mayor Bendekovic voted affirmatively on Item No. 15

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**9. Ordinance # 2546**

Second and Final Reading of an Ordinance of the City of Plantation, Florida, pertaining to the subject of Special Risk Properties; amending Chapter 5 of the Code of Ordinances to create a registration program for special risk properties; providing for definitions, defining special risk properties as vacant property in foreclosure; providing responsibilities of owners and lenders; creating a registration fee to offset the cost of the Program; providing for severability; providing for codification; and providing for an effective date therefor.

A memorandum from Quentin Morgan, Assistant City Attorney to the Mayor and City Council follows:

On May 11, 2016, City Council considered this draft Ordinance at First Reading. The draft Ordinance has been revised to: adjust the rebuttable presumption provisions, as requested by the Council; to incorporate some of the legislative intent recitals directly into the body of the draft Ordinance; and to establish an effective date of October 1, 2016.

The Ordinance is now ready for consideration at Second Reading.

***Motion by Councilmember Stoner, seconded by Councilmember Jacobs, to adopt the Ordinance No. 2546 on second reading. Motion carried on the following roll call vote:***

Ayes: Tingom, Zimmerman, Levy, Stoner, Jacobs

Nays: None

**10. Resolution # 12286**

**RESOLUTION** authorizing a Third Amendment to the Community Redevelopment Associates of Florida Agreement.

A memorandum from Quentin Morgan, Assistant City Attorney to the Mayor and City Council follows:

This item is sponsored by the Planning, Zoning and Economic Development Department.

Attached, please find a Resolution approving a Third Amendment to the City's Agreement with CRA Associates to administer the City's CDBG Minor Home Repair Program. The PZED Department is pleased with the performance of this consultant.

From a legal standpoint, the Third Amendment effectively accomplishes two (2) items, to wit:

- 1) It obtains Council's approval of staff's recommendation to change the mortgage deed timeframe from 10 years to 15 years to match the City's SHIP requirements (please see attached in this regard Mr. Haggerty's memorandum); and,
- 2) It exercises the third and final one (1) year extension to the Agreement so that the consultant arrangement will terminate on July 31, 2017.

This matter is now ready for approval as a Consent Agenda item.

Should you have any questions or comments, please contact Mr. McHugh or Mr. Haggerty.

A memorandum from Patrick Haggerty, Community Development Grant Coordinator to the Mayor and City Council follows:

The Department proposes to change the length of the time a lien stays with the property to 15 years for the City's Community Development Block Grant (CDBG) Minor Home Repair and Rehabilitation Program. Currently, liens are recorded and stay with the property for ten years with the lien being forgiven at 10% per year. Staff recommends it be increased from 10 to 15 years with forgiveness coming at the end of the term based on the following:

- a) The increase in total amount of award to \$50,000 at the last extension warranted an increase of the recapture period.
- b) The City's other housing rehabilitation program, State Housing Initiatives Partnership (SHIP) Program, was recently changed to 15 years with forgiveness coming at lien release. Having both consistent makes them easier to administer.
- c) The CDBG Minor Home Repair and Rehabilitation Program is 100% funded by the US Department of Housing and Urban Development (HUD); therefore, this amendment will have no impact on the City budget.

The Department also requests the City exercise the third and final one (1) year extension to allow the contract with CRA Associates to continue until July 31, 2017. The PZED Department is pleased with the performance of the Consultant. In addition, Consultant fees (paid by HUD) are unchanged.

***Motion by Councilmember Zimmerman, seconded by Councilmember Jacobs, to adopt Resolution No. 12286. Motion carried on the following roll call vote:***

Ayes: Tingom, Zimmerman, Levy, Stoner, Jacobs  
Nays: None

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#### **QUASI-JUDICIAL ITEMS**

- 16.** Request to approve site plan amendment and landscape plan approval for Viera Plantation. Property located at 1 S. Pine Island Road (PP16-0010).

***Motion by Councilmember Tingom, seconded by Councilmember Jacobs, to defer the item to June 8, 2016. Motion carried on the following roll call vote:***

Ayes: Tingom, Zimmerman, Levy, Stoner, Jacobs  
Nays: None

- 17.** Request to approve sign special exception for Goldson Spine Rehabilitation Center located at 730 - 734 N. State Road 7 (PP16-0018)

***Motion by Councilmember Tingom, seconded by Councilmember Levy to approve the sign special exception, subject to staff comments. Motion carried on the following roll call vote:***

Ayes: Tingom, Zimmerman, Levy, Jacobs  
Nays: Stoner

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## **COMMENTS BY COUNCIL MEMBERS**

### Councilmember Zimmerman

- He stated construction at the Broward Mall will begin on June 4, 2016.

### Mayor Bendekovic

- She reminded the public about the upcoming Memorial Day parade scheduled for May 30, 2016.
- The Mayor's Council will be held on June 1, 2016.
- The Education Advisory Board Charrette will be held on June 2, 2016 at Deicke Auditorium.
- Pamphlets with information on the bond referendums are available. Comments/changes can be submitted to Horace McHugh, Chief Administrative Officer.

### Councilmember Jacobs

- He spoke about the "Taiwan Genius' of Garbage" article in the May 17, 2016 edition of the Wall Street Journal.

### City Attorney Lunny

City Attorney Lunny stated there is an Attorney/Client session scheduled for June 8, 2016, at 6:30 p.m. to discuss the Mark and Kathryn Hyatt litigation. He read the following into the record:

An Attorney/Client session will be held pursuant to Fla. Stat. §286.011(8) (2014), between Mayor Diane Veltri Bendekovic, Council President Ron Jacobs and Councilmembers Dr. Robert A. Levy, Lynn Stoner, and Peter S. Tingom and Chris Zimmerman, City Attorney Donald J. Lunny, Jr. and Assistant City Attorney Harris K. Solomon to discuss settlement negotiations or strategy sessions relating to litigation expenditures for pending judicial Litigation in connection with:

The City of Plantation, Plaintiff,

vs.

Mark Hyatt and Katherine Hyatt, Defendants.

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT IN AND FOR  
BROWARD COUNTY, FLORIDA

Case No.: CACE-14-004059 (18)

This Attorney/Client session shall commence at, or as soon as possible, 6:30 PM on Wednesday, June 8, 2016 in the Mayor's Conference Room which is located in the Mayor's executive offices, 2<sup>nd</sup> Floor, Plantation City Hall, 400 NW 73<sup>rd</sup>. Avenue, Plantation, Florida, 33317. This Attorney/Client session shall last an estimated 1.0 hours. The only persons authorized to attend this Attorney/Client session pursuant to above referenced law are Mayor Diane Veltri Bendekovic, Council President Ron Jacobs, and Councilmembers Dr. Robert A. Levy, Lynn Stoner, Peter S. Tingom, and Chris Zimmerman, City Attorney Donald J. Lunny, Jr. and Assistant City Attorney Harris K. Solomon, and the certified transcribing court reporter.

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**PUBLIC REQUESTS OF THE COUNCIL CONCERNING MUNICIPAL AFFAIRS**

Jayne Flanagan – requested the City partner with the pillars and bricks project at corner of West Sunrise Blvd & NW 118th Avenue. Three corners have already been completed. The Mayor responded that funding considerations will be made when the next project is scheduled by way of reinstating the brick wall program.

Dennis Conklin – 4581 NW 6 Court, commented on consent agenda item 10 and medical marijuana.

Chief Harrison presented \$2,110.00, from the recent shredding event, to Ernest Burkeen, Parks and Recreation Director for the Kids to Camp Program.

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Meeting adjourned at 8:53 p.m.

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\_\_\_\_\_  
Councilmember Ron Jacobs  
City Council President

**ATTEST:**

\_\_\_\_\_  
Susan Slattery  
City Clerk

**RECORD ENTRY:**

I HEREBY CERTIFY that the Original of the foregoing signed Minutes was received by the Office of the City Clerk and entered into the Public Record this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Susan Slattery, City Clerk