

May 6, 1998

The Regular Meeting of the City Commission of the City of Pembroke Pines, Florida, was called to order by Mayor Alex Fekete at 7:30 p.m., Wednesday, May 6, 1998, in the City Commission Chambers, Pembroke Pines Municipal Center, 10100 Pines Boulevard, Pembroke Pines, Florida. Present to-wit: Mayor Fekete, Vice Mayor Ortis, Commissioners Armstrong, Fiorendino, and Katz, City Manager Dodge, City Attorney Goren, Assistant City Attorney Klahr and City Clerk Tesh.

City Clerk Tesh declared a quorum present.

INVOCATION AND PLEDGE OF ALLEGIANCE:

Mayor Fekete led in the Invocation and Pledge of Allegiance.

REGULAR AGENDA:

1. PROPOSED ORDINANCE NO. 98-07 CREATES CHAPTER 20 FRANCHISING AND LICENSING OF TELECOMMUNICATIONS SERVICE PROVIDERS USING PUBLIC RIGHTS-OF-WAY, OPEN VIDEO SYSTEMS AND PRIVATE COMMUNICATIONS SYSTEMS.  
SECOND AND FINAL READING

City Attorney Goren presented Proposed Ordinance No. 98-07, on second and final reading, by title only, which is an Ordinance of the City Commission of the City of Pembroke Pines, Florida creating Chapter 20 of the Code of Ordinances of the City of Pembroke Pines, entitled "Telecommunications", regarding the franchising and licensing of telecommunications service providers using public rights-of-way, open video systems and private communications systems; establishing requirements and conditions

upon the use of public rights-of-way by such entities; and establishing procedures for protecting the public interest in such franchises and licensees; Providing for conflicts; Providing for severability; Providing for inclusion; Providing for effective date.

Commissioner Armstrong moved to adopt Proposed Ordinance No. 98-07, on second and final reading. Commissioner Fiorendino seconded the motion.

The following members of the Commission spoke:

Mayor Fekete, Vice Mayor Ortis, Commissioner Armstrong

The following member of the Administration spoke:

City Attorney Goren

The following member of the public spoke:

Vic Beninate, representing BellSouth

On the motion by Commissioner Armstrong, seconded by Commissioner Fiorendino, to adopt Proposed Ordinance No. 98-07, on second and final reading, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

City Attorney Goren assigned Permanent Ordinance Number 1259.

2. PROPOSED ORDINANCE NO. 98-13, REVISION NO. 1, CREATES THE "CHARTER SCHOOL ADVISORY BOARD".  
FIRST READING

City Attorney Goren presented Proposed Ordinance No. 98-13,

Revision No. 1, on first reading, by title only, which is an Ordinance of the City Commission of the City of Pembroke Pines, Florida creating the "Charter School Advisory Board" for the express purpose of advising the City Commission, the City Administration and the various departments of the City of Pembroke Pines on matters concerning the Pembroke Pines Charter Schools; Providing for the creation of bylaws and procedures of the Charter School Advisory Board; Providing for a declaration of intent and mission for the Charter School Advisory Board; Providing for duties, functions and responsibilities of the Charter School Advisory Board; Providing for the qualifications of members; Providing for meetings, dates, procedures, records, and quorum; Providing for the removal of members; Providing for assistance to the City Commission; Providing for funding for the operation of the Charter School Advisory Board; Providing for compensation; Providing for conflicts; Providing for severability; Providing for inclusion in the Code; Providing for an effective date.

Commissioner Fiorendino moved to pass Proposed Ordinance No. 98-13, Revision No. 1, on first reading. Vice Mayor Ortis seconded the motion.

The following members of the Commission spoke:

Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Katz

Mayor Fekete requested on Page 6, Section 6(A), that members already appointed for the 1998 - 1999 year be excluded from being required to have a child enrolled in the school.

There were no objections by Commission.

Commissioner Armstrong requested on Page 7, Line 15, to include five (5) voting members in attendance. There were no objections by Commission.

Commissioner Katz requested on Page 6, Section 6(B) that clarification be made to require two business representatives. There were no objections by Commission.

Commission instructed the City Attorney to make the changes before second and final reading.

The following members of the Commission spoke:

Mayor Fekete, Vice Mayor Ortis, Commissioner Armstrong

The following member of the Administration spoke:

City Manager Dodge

On the motion by Commissioner Fiorendino, seconded by Vice Mayor Ortis, to pass Proposed Ordinance No. 98-13, Revision No. 1, on first reading, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None  
Motion Passed

Second reading is scheduled for June 3, 1998.

3. PROPOSED ORDINANCE NO. 98-14 AMENDS SECTION 155.081 "OUTDOOR DINING" TO PERMIT AMPLIFIED MUSIC.  
FIRST READING

City Attorney Goren presented Proposed Ordinance No. 98-14, on first reading, by title only, which is an Ordinance of the City Commission of the City of Pembroke Pines, Florida, amending

Chapter 155 of the City of Pembroke Pines, Florida Code of Ordinances, and in particular Section 155.081 of the City of Pembroke Pines, Florida Code of Ordinances entitled "Outdoor Dining" to permit amplified music; provide for certain standards and criteria for obtaining approval to install amplified music or sound systems; Providing for conflicts; Providing for severability; and providing for an effective date.

Vice Mayor Ortis moved to pass Proposed Ordinance No. 98-14 on first reading. Commissioner Fiorendino seconded the motion.

The following members of the Commission spoke:

Mayor Fekete, Commissioner Armstrong, Fiorendino, Katz

The following member of the Administration spoke:

City Manager Dodge

Commissioner Armstrong requested to include "as determined from time to time by the acceptable levels of sound based on the decibel readings. There were no objections by Commission.

Commissioner Katz requested that clarification for restaurants located near residential areas be included.

Commission instructed the City Attorney to make the changes before second and final reading.

The following member of the public spoke:

Phil McConaghey, 621 SW 72 Avenue

On the motion by Vice Mayor Ortis, seconded by Commissioner Fiorendino, to pass Proposed Ordinance No. 98-14 on first reading, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

Second reading is scheduled for June 3, 1998.

4. PROPOSED ORDINANCE NO. 98-15 AMENDS SECTION 155.316 TO  
INCLUDE WINDOW STORAGE WITHIN THE DEFINITION OF WINDOW  
SIGNS.

FIRST READING

City Attorney Goren presented Proposed Ordinance No. 98-15, on first reading, by title only, which is an Ordinance of the City Commission of the City of Pembroke Pines, Florida, amending Chapter 155, the Comprehensive Zoning Code of the City of Pembroke Pines, Florida and in particular Section 155.316 thereof entitled "Definitions" to include the window storage within the definition of window signs; Providing for conflicts; Providing for severability; Providing for an effective date.

Vice Mayor Ortis moved to pass Proposed Ordinance No. 98-15 on first reading. Commissioner Fiorendino seconded the motion.

The following members of the Commission spoke:

Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Katz

The following member of the Administration spoke:

Dave Frank, Growth Management Director

Commission instructed the City Attorney to clarify what constitutes the storage of items.

On the motion by Vice Mayor Ortis, seconded by Commissioner Fiorendino, to pass Proposed Ordinance No. 98-15 on first

reading, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

Second reading is scheduled for June 3, 1998.

5. PROPOSED RESOLUTION NO. 98-R-23 APPROVES AGREEMENT WITH BROWARD COUNTY FOR ADMINISTRATION AND PROSECUTION OF CERTAIN MUNICIPAL NUISANCE COMPLAINTS BY THE BROWARD COUNTY NUISANCE ABATEMENT BOARD.

City Attorney Goren presented Proposed Resolution No. 98-R-23, by title only, which is a Resolution of the City Commission of the City of Pembroke Pines, Florida, approving and authorizing the proper city officials to enter into and execute an interlocal agreement with Broward County, Florida for the administration and prosecution of certain municipal nuisance complaints by the Broward County Nuisance Abatement Board; Providing for severability; Providing for conflicts; and providing for an effective date.

Commissioner Armstrong moved to adopt Proposed Resolution No. 98-R-23. Commissioner Fiorendino seconded the motion.

The following member of the Commission spoke:

Commissioner Armstrong

The following member of the Administration spoke:

City Manager Dodge

On the motion by Commissioner Armstrong, seconded by Commissioner Fiorendino, to adopt Proposed Resolution No. 98-R-

23, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

City Attorney Goren assigned Permanent Resolution Number 2560.

6. PROPOSED RESOLUTION NO. 98-R-24 APPROVES THE DELEGATION REQUEST FOR THE BIG SKY NORTH RESIDENTIAL PLAT.

City Attorney Goren presented Proposed Resolution No. 98-R-24, by title only, which is a Resolution of the City Commission of the City of Pembroke Pines, Florida, approving the Delegation request for the Big Sky North Residential Plat located at the northeast corner of 196 Avenue and Sheridan Street, identified in Exhibit "A" attached hereto and made a part hereof; Providing for conflicts; Providing for severability; and providing for an effective date.

Commissioner Fiorendino moved to adopt Proposed Resolution No. 98-R-24. Commissioner Katz seconded the motion.

The following members of the Commission spoke:

Mayor Fekete, Commissioners Armstrong, Katz

The following member of the Administration spoke:

City Manager Dodge

The following members of the public spoke:

Keith Allen, 5820 SW 195 Terrace  
Charlie Diaguez, 19150 SW 57 Court

On the motion by Commissioner Fiorendino, seconded by

Commissioner Katz, to adopt Proposed Resolution No. 98-R-24, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

City Attorney Goren assigned Permanent Resolution Number 2561.

7. PROPOSED ORDINANCE NO. 98-12 MODIFIES REQUIRED MONTHLY FEE FOR OFF-PREMISES DIRECTIONAL SIGNS BY LIMITING THE FEE FOR ALL ADDITIONAL SIGNS AFTER THE FIRST SIGN TO \$500.00.  
FIRST READING

City Attorney Goren presented Proposed Ordinance No. 98-12, on first reading, by title only, which is an Ordinance of the City Commission of the City of Pembroke Pines, Florida, amending Chapter 155 and, in particular, Section 155.324 (H) of the City of Pembroke Pines, Florida, Code of Ordinances, entitled "Permanent Signs;" modifying the required monthly fee for off-premises directional signs by limiting the fee for all additional signs after the first sign to \$500.00; Providing for findings and conclusions; Providing for conflicts; Providing for severability; and providing for an effective date.

Commissioner Armstrong moved to pass Proposed Ordinance No. 98-12, on first reading. Vice Mayor Ortis seconded the motion.

The following member of the Commission spoke:

Mayor Fekete

On the motion by Commissioner Armstrong, seconded by Vice

Mayor Ortis, to pass Proposed Ordinance No. 98-12, on first reading, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

Second reading scheduled for June 3, 1998.

8. PROPOSED RESOLUTION NO. 98-R-29 SUPPORTS THE CONCEPTUAL PLAN COMPREHENSIVE REVIEW STUDY DEVELOPED BY THE GOVERNORS COMMISSION FOR A SUSTAINABLE SOUTH FLORIDA.

City Attorney Goren presented Proposed Resolution No. 98-R-29, by title only, which is a Resolution of the City Commission of the City of Pembroke Pines, Florida ("City") in support of the Conceptual Plan Comprehensive Review Study of the Central and South Florida Project ("C&SF Project") developed by the Governors Commission for a Sustainable South Florida; Providing authorization and direction to the City Clerk to transmit a certified copy of this Resolution to the Broward County Legislative Delegation, the Commission of each city in Broward County, the Florida League of Cities, the Broward County League of Cities, and other interested governmental agencies; Providing for conflicts; Providing for severability; and providing for an effective date.

Commissioner Armstrong moved to adopt Proposed Resolution No. 98-R-29. Vice Mayor Ortis seconded the motion.

Roy Rogers, Commissioner and Governors Designee, Sustainable South Florida Commission, spoke regarding the funding for and the

Conceptual Plan Comprehensive Review Study of the Central and South Florida Project ("C&SF Project").

The following members of the Commission spoke:

Mayor Fekete, Vice Mayor Ortis, Commissioner Katz

The following member of the Administration spoke:

Dave Frank, Growth Management Director

On the motion by Commissioner Armstrong, seconded by Vice Mayor Ortis, to adopt Proposed Resolution No. 98-R-29, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

City Attorney Goren assigned Permanent Resolution Number 2562.

9. PROPOSED RESOLUTION NO. 98-R-32 RELEASING SUBDIVISION LIENS ON COMMERCIAL TRACT C-4 OF SILVER LAKES PHASE II.

City Attorney Goren presented Proposed Resolution No. 98-R-32, by title only, which is a Resolution of the City Commission of the City of Pembroke Pines, Florida ("City") releasing subdivision liens on Commercial Tract C-4 of Silver Lakes Phase II; Providing for conflicts; Providing for severability; Providing for an effective date.

Vice Mayor Ortis moved to adopt Proposed Resolution No. 98-R-32. Commissioner Fiorendino seconded the motion.

The following member of the Commission spoke:

Commissioner Armstrong

The following member of the Administration spoke:

City Engineer Siddiqui

On the motion by Vice Mayor Ortis, seconded by Commissioner Fiorendino, to adopt Proposed Resolution No. 98-R-32, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

City Attorney Goren assigned Permanent Resolution Number 2563.

10. PROPOSED RESOLUTION NO. 98-R-33 APPROVES AGREEMENT WITH JBILL, INC. D/B/A SIGNS OF SUPPORT FOR THE INSTALLATION OF ADVERTISING SIGNS ON CITY VEHICLES.

City Attorney Goren presented Proposed Resolution No. 98-R-33, by title only, which is a Resolution of the City Commission of the City of Pembroke Pines, Florida, approving and authorizing execution of the agreement between the City of Pembroke Pines and Jbill, Inc. d/b/a Signs of Support for the installation of advertising signs on city vehicles; Providing for conflicts; Providing for severability; and providing for an effective date.

Vice Mayor Ortis moved to adopt Proposed Resolution No. 98-R-33. Commissioner Fiorendino seconded the motion.

The following members of the Commission spoke:

Mayor Fekete, Vice Mayor Ortis,  
Commissioners Fiorendino, Katz

On a motion by Vice Mayor Ortis, seconded by Commissioner Fiorendino, to adopt Proposed Resolution No. 98-R-33, the following vote was recorded:

AYE: None  
NAY: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

Motion Failed

CONSENT AGENDA:

Mayor Fekete requested that Regular Consent Agenda Item Number 18 be pulled.

Vice Mayor Ortis requested that Regular Consent Agenda Item Number 13 be pulled.

Commissioner Armstrong requested that Regular Consent Agenda Item Number 22 be pulled.

Commissioner Katz requested that Regular Consent Agenda Item Numbers 12, 17, and 26 be pulled.

11. MOTION TO AWARD BID RE 98-01 FOR PEMBROKE FALLS PARK TO THE MOST RESPONSIVE/RESPONSIBLE BIDDER - ALLSTAR BUILDERS CORPORATION FOR THE BID AND ALTERNATES IN THE AMOUNT OF \$4,744,000.00.
14. MOTION TO APPROVE REQUEST OF BROWARD COUNTY AVIATION DEPARTMENT FOR WAIVER OF STREETLIGHT REQUIREMENTS ON PERIMETER ROAD INSIDE OF NORTH PERRY AIRPORT.
15. MOTION TO APPROVE THE AMENDMENTS TO THE INTERLOCAL AGREEMENTS PROVIDING FOR THE DISTRIBUTION OF THE LOCAL OPTION GAS TAX AND DISTRIBUTION OF THE ADDITIONAL OPTION GAS TAX ON MOTOR FUEL.
16. MOTION TO APPROVE THE CITY COMMISSION MINUTES OF THE SPECIAL/ORGANIZATIONAL MEETING OF 3/16/98, THE REGULAR MEETING OF 3/18/98, THE PUBLIC HEARING AND REGULAR MEETING OF 4/1/98, THE PUBLIC HEARING AND REGULAR MEETING OF 4/15/98 AND THE SPECIAL MEETING OF 4/22/98.

19. MOTION TO APPROVE AGREEMENT WITH ENGLE HOMES/PEMBROKE, INC. FOR INSTALLATION OF 6,385 LIN. FT. OF 24" WASTEWATER FORCEMAIN AT A COST OF \$901,162.10.
20. MOTION TO APPROVE THE MAINTENANCE CONTRACT IN THE AMOUNT OF \$12,480 WITH RESOURCE, INC., A SOLE SOURCE VENDOR, FOR THE MAINTENANCE OF THE BUILDING DIVISION'S VOICE RESPONSE SYSTEM.
21. MOTION TO AUTHORIZE THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT FOR PINES RECREATION CENTER, WEST PINES PRE-SCHOOL, VILLAGE COMMUNITY CENTER, FLETCHER PARK PRE-SCHOOL AND PASADENA PARK IN THE AMOUNT OF \$84,310.00 TO GAMETIME, INC. UTILIZING SCHOOL DISTRICT OF PALM BEACH COUNTY BID #SB 98C-13B.
23. MOTION TO APPROVE AMENDMENT TO PROFESSIONAL ENGINEERING AND CONSULTANT SERVICES CONTINUING CONTRACT WITH CALVIN, GIORDANO & ASSOCIATES, INV. TO PERFORM PROFESSIONAL ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED \$67,110.00 TO DESIGN, PERMIT, AND PERFORM CONSTRUCTION ADMINISTRATIVE SERVICES FOR THE INSTALLATION OF WATER MAINS AND WASTEWATER TRANSMISSION MAINS FOR PROPERTY NORTH OF SHERIDAN STREET WITHIN THE MUNICIPAL BOUNDARIES.
24. MOTION TO AUTHORIZE EXTENSION OF THE JANITORIAL MAINTENANCE AGREEMENT CURRENTLY IN EFFECT WITH SAFEGUARD SERVICES FOR THE PUBLIC SERVICES DEPARTMENT IN THE AMOUNT OF \$1,550.00 PER MONTH FOR A ONE YEAR PERIOD.
25. MOTION TO APPROVE PROPOSAL FROM CARR SMITH CORRADINO ARCHITECTS TO PROVIDE ADDITIONAL PROFESSIONAL SERVICES INCLUDING THRESHOLD INSPECTIONS AND CONSTRUCTION MANAGEMENT FOR PEMBROKE FALLS PARK IN THE AMOUNT OF \$63,850.00.

On a motion by Vice Mayor Ortis, seconded by Commissioner Fiorendino, to approve Consent Agenda Item Numbers 11, 14, 15, 16, 19, 20, 21, 23, 24, and 25, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

12. MOTION TO APPROVE BUDGET ADJUSTMENT TO ESTABLISH AN INTERIM CHARTER SCHOOL BUDGET THROUGH JUNE 30, 1998.

Commissioner Katz moved to approve budget adjustment to establish an interim Charter School budget through June 30, 1998. Commissioner Armstrong seconded the motion.

The following member of the Commission spoke:

Commissioner Katz

The following member of the Administration spoke:

City Manager

On the motion by Commissioner Katz, seconded by Commissioner Armstrong, to approve budget adjustment to establish an interim Charter School budget through June 30, 1998, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

13. MOTION TO APPROVE OFFER TO PURCHASE PROPERTY LOCATED AT 7961 NW 13 STREET AT A PRICE OF \$150,000.00

Vice Mayor Ortis moved to approve offer to purchase property located at 7961 NW 13 Street. Commissioner Fiorendino seconded the motion.

The following member of the Commission spoke:

Vice Mayor Ortis

The following member of the Administration spoke:

City Manager Dodge

On the motion by Vice Mayor Ortis, seconded by Commissioner

Fiorendino, to approve offer to purchase property located at 7961 NW 13 Street, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

17. MOTION TO WAIVE THE REQUIREMENTS TO INSTALL WHEELSTOPS FOR THE PARKING LOT AT THE WALMART BEING CONSTRUCTED AT THE SOUTHEAST CORNER OF PINES BOULEVARD AND SW 184 AVENUE.

Commissioner Fiorendino moved to waive the requirements to install wheelstops for the parking lot at the Walmart being constructed at the southeast corner of Pines Boulevard and SW 184 Avenue. Commissioner Katz seconded the motion.

The following members of the Commission spoke:

Mayor Fekete, Vice Mayor Ortis  
Commissioners Armstrong, Katz

The following members of the Administration spoke:

City Attorney Goren  
Dave Frank, Growth Management Director

The following members of the public spoke:

Donald Neuerman, representing the petitioner  
Al Junta, 18132 NW 15 Court

On a substitute motion by Vice Mayor Ortis, seconded by Commissioner Katz, to refer back to Planning and Zoning, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

Mayor Fekete relinquished the Chair to Vice Mayor Ortis.

18. MOTION TO APPROVE SETTLEMENT OF CLAIM OF JOYCE CHIRICHELLO IN THE AMOUNT OF \$60,000.00.

Mayor Fekete moved to approve settlement of claim of Joyce Chirichello in the amount of \$60,000.00. Commissioner Armstrong seconded the motion.

The following members of the Commission spoke:

Mayor Fekete, Commissioner Fiorendino

The following member of the public spoke:

Phil McConaghey, 621 SW 72 Avenue

On the motion by Mayor Fekete, seconded by Commissioner Armstrong, to approve settlement of claim of Joyce Chirichello in the amount of \$60,000.00, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

Vice Mayor Ortis relinquished the Chair to Mayor Fekete.

22. MOTION TO AUTHORIZE THE CITY MANAGER TO SEND A LETTER TO BROWARD COUNTY INDICATING THAT THE CITY HAS NO OBJECTION TO THE NON-VEHICULAR ACCESS LINE ADJACENT TO TRACT C-3, SILVER LAKES BEING MODIFIED TO PROVIDE FOR AN ADDITIONAL OPENING.

Commissioner Armstrong moved to authorize the City Manager to send a letter to Broward County indicating that the City has no objection to the non-vehicular access line adjacent to Tract C-3, Silver Lakes being modified to provide for an additional

opening. Vice Mayor Ortis seconded the motion.

The following member of the Commission spoke:

Commissioner Armstrong

The following member of the Administration spoke:

City Attorney Goren

The following member of the public spoke:

Don Neuerman, representing the petitioner

On a motion by Commissioner Armstrong, seconded by Commissioner Fiorendino, to amend the original motion, for the health and safety of the individuals in that subdivision require Silver Lakes to accept the fact that in authorizing the support and raising no objections to the non-vehicular access line provided there is a traffic light included, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

On the original motion by Commissioner Armstrong, seconded by Vice Mayor Ortis, to authorize the City Manager to send a letter to Broward County indicating that the City has no objection to the non-vehicular access line adjacent to Tract C-3, Silver Lakes being modified to provide for an additional opening, as amended for the health and safety of the individuals in that subdivision require Silver Lakes to accept the fact that in authorizing the support and raising no objections to the non-

vehicular access line provided there is a traffic light included,  
the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

26. MOTION TO APPROVE PURCHASE OPTION AGREEMENT FOR +-80 ACRE  
ALTON PROPERTY ON SHERIDAN STREET.

Commissioner Katz moved to approve purchase option agreement  
for +-80 Acre Alton Property on Sheridan Street. Commissioner  
Armstrong seconded the motion.

The following members of the Commission spoke:

Mayor Fekete, Commissioners Armstrong, Katz

The following members of the Administration spoke:

City Manager Dodge, City Attorney Goren

On the motion by Commissioner Katz, seconded by Commissioner  
Armstrong, to approve purchase option agreement for +-80 Acre  
Alton Property on Sheridan Street, the following vote was  
recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

QUASI JUDICIAL ITEMS:

27. REQUEST FROM CLARO N. MARTINEZ AT 19751 SW 13 MANOR, TO APPEAL THE BOARD OF ADJUSTMENT'S DENIAL OF VARIANCE REQUEST ZV 98-06 TO ALLOW A STABLE TO ENCROACH 15 FEET INTO THE REQUIRED FIFTY FOOT SIDE YARD SETBACK.

Commissioner Fiorendino moved to consider the request from Claro N. Martinez at 19751 SW 13 Manor, to appeal the Board of Adjustment's denial of Variance Request ZV 98-06 to allow a stable to encroach 15 feet into the required fifty foot side yard setback. Vice Mayor Ortis seconded the motion.

City Attorney Goren advised that this is a quasi judicial matter. If the petitioner and affected parties are here and want to make a presentation they may. If not, the City will include the staff report and agenda materials as back up and provide staff members for cross examination if the petitioner chooses to do so.

Claro N. Martinez, the petitioner, waived his right to a quasi judicial proceeding.

Mayor Fekete inquired if there was anyone from the public who wished to speak either for or against this item.

The following members of the Commission spoke:

Vice Mayor Ortis, Commissioners Armstrong,  
Fiorendino, Katz

The following members of the Administration spoke:

City Manager Dodge,  
Dave Frank, Growth Management Director

The following members of the public spoke:

Claro N. Martinez, the petitioner  
Buck Temperio, Chairman, Board of Adjustment  
Harris Klein, Member, Board of Adjustment

On the motion by Commissioner Fiorendino, seconded by Vice Mayor Ortis, to support the request from Claro N. Martinez at 19751 SW 13 Manor, to appeal the Board of Adjustment's denial of Variance Request ZV 98-06 to allow a stable to encroach 15 feet into the required fifty foot side yard setback, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Fiorendino, Katz

NAY: Commissioner Armstrong

Motion Passed

28. MOTION TO DEFER ACTION ON THE ALTERNATIVE BUFFERYARD ALONG THE NORTH PROPERTY LINE PURSUANT TO SECTION 155.056(B), CITY CODE, FOR THE CROSSLAND PEMBROKE PINES SITE PLAN.

City Attorney Goren advised that this is a quasi judicial matter. If the petitioner and affected parties are here and want to make a presentation they may. If not, the City will include the staff report and agenda materials as back up and provide staff members for cross examination if the petitioner chooses to do so.

Robert Lochrie, representing the petitioner, waived his right to a quasi judicial proceeding.

Mayor Fekete inquired if there was anyone from the public who wished to speak either for or against this item. No one wished to speak.

On a motion by Commissioner Armstrong, seconded by Vice Mayor Ortis, to defer action on the alternative bufferyard along the north property line pursuant to Section 155.056 (B), City Code, for the Crossland Pembroke Pines site plan, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

29. MOTION TO APPROVE THE WESTFORK PLAZA SITE PLAN LOCATED AT THE NORTHEAST CORNER OF DYKES ROAD AND PINES BOULEVARD.

Commissioner Fiorendino moved to approve the Westfork Plaza Site Plan located at the northeast corner of Dykes Road and Pines Boulevard. Commissioner Katz seconded the motion.

City Attorney Goren advised that this is a quasi judicial matter. If the petitioner and affected parties are here and want to make a presentation they may. If not, the City will include the staff report and agenda materials as back up and provide staff members for cross examination if the petitioner chooses to do so.

Mark Saltz, representing the petitioner, waived his right to a quasi judicial proceeding.

Mayor Fekete inquired if there was anyone from the public

who wished to speak either for or against this item. No one wished to speak.

On the motion by Commissioner Fiorendino, seconded by Commissioner Katz, to approve the Westfork Plaza Site Plan located at the northeast corner of Dykes Road and Pines Boulevard, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

30. MOTION TO APPROVE THE TOWNGATE VILLAGE 19 PUD SITE PLAN LOCATED AT DYKES ROAD AND SHERIDAN STREET.

Vice Mayor Ortis moved to approve the Towngate Village 19 PUD Site Plan located at Dykes Road and Sheridan Street. Commissioner Fiorendino seconded the motion.

City Attorney Goren advised that this is a quasi judicial matter. If the petitioner and affected parties are here and want to make a presentation they may. If not, the City will include the staff report and agenda materials as back up and provide staff members for cross examination if the petitioner chooses to do so.

Craig Unger, representing the petitioner, waived his right to a quasi judicial proceeding.

Mayor Fekete inquired if there was anyone from the public who wished to speak either for or against this item. No one wished to speak.

On the motion by Vice Mayor Ortis, seconded by Commissioner Fiorendino, to approve the Towngate Village 19 PUD Site Plan located at Dykes Road and Sheridan Street, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

31. MOTION TO APPROVE THE TOWNGATE COMMUNITY POOL "D" PUD SITE PLAN LOCATED AT NW 15 STREET AND NW 155 AVENUE.

Commissioner Katz moved to approve the Towngate Community Pool "D" PUD Site Plan located at NW 15 Street and NW 155 Avenue. Vice Mayor Ortis seconded the motion.

City Attorney Goren advised that this is a quasi judicial matter. If the petitioner and affected parties are here and want to make a presentation they may. If not, the City will include the staff report and agenda materials as back up and provide staff members for cross examination if the petitioner chooses to do so.

Craig Unger, representing the petitioner, waived his right to a quasi judicial proceeding.

Mayor Fekete inquired if there was anyone from the public who wished to speak either for or against this item. No one wished to speak.

On the motion by Commissioner Katz, seconded by Vice Mayor Ortis, to approve the Towngate Community Pool "D" PUD Site Plan

located at NW 15 Street and NW 155 Avenue, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

32. MOTION TO APPROVE THE SITE PLAN APPLICATION FOR PINES PROFESSIONAL CAMPUS, PHASE III, LOCATED AT THE NORTHWEST CORNER OF PINES BOULEVARD AND SW 178 AVENUE.

Commissioner Fiorendino moved to approve the Site Plan Application for Pines Professional Campus, Phase III, located at the northwest corner of Pines Boulevard and SW 178 Avenue. Vice Mayor Ortis seconded the motion.

City Attorney Goren advised that this is a quasi judicial matter. If the petitioner and affected parties are here and want to make a presentation they may. If not, the City will include the staff report and agenda materials as back up and provide staff members for cross examination if the petitioner chooses to do so.

Don Neuerman, representing the petitioner, waived his right to a quasi judicial proceeding.

Mayor Fekete inquired if there was anyone from the public who wished to speak either for or against this item. No one wished to speak.

On the motion by Commissioner Fiorendino, seconded by Vice Mayor Ortis, to approve the Site Plan Application for Pines Professional Campus, Phase III, located at the northwest corner

of Pines Boulevard and SW 178 Avenue, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

33. MOTION TO APPROVE SITE PLAN AMENDMENT FOR PEMBROKE ISLES, PARCEL "H" SP 98-13 GENERALLY LOCATED NORTH OF PINES BOULEVARD AND EAST OF SW 172 AVENUE.

Vice Mayor Ortis moved to approve Site Plan Amendment for Pembroke Isles, Parcel "H" SP 98-13 generally located north of Pines Boulevard and east of SW 172 Avenue. Commissioner Armstrong seconded the motion.

City Attorney Goren advised that this is a quasi judicial matter. If the petitioner and affected parties are here and want to make a presentation they may. If not, the City will include the staff report and agenda materials as back up and provide staff members for cross examination if the petitioner chooses to do so.

Julian Bryan, representing the petitioner, waived his right to a quasi judicial proceeding.

Mayor Fekete inquired if there was anyone from the public who wished to speak either for or against this item. No one wished to speak.

On the motion by Vice Mayor Ortis, seconded by Commissioner Armstrong, to approve Site Plan Amendment for Pembroke Isles, Parcel "H" SP 98-13 generally located north of Pines Boulevard

and east of SW 172 Avenue, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

34. MOTION TO APPROVE SITE PLAN AMENDMENT FOR PEMBROKE ISLES, PARCEL "D-1", SP 98-11 GENERALLY LOCATED NORTH OF PINES BOULEVARD AND EAST OF SW 172 AVENUE.

Vice Mayor Ortis moved to approve Site Plan Amendment for Pembroke Isles, Parcel "D-1", SP 98-11 generally located north of Pines Boulevard and east of SW 172 Avenue. Commissioner Fiorendino seconded the motion.

City Attorney Goren advised that this is a quasi judicial matter. If the petitioner and affected parties are here and want to make a presentation they may. If not, the City will include the staff report and agenda materials as back up and provide staff members for cross examination if the petitioner chooses to do so.

Julian Bryan, representing the petitioner, waived his right to a quasi judicial proceeding.

Mayor Fekete inquired if there was anyone from the public who wished to speak either for or against this item. No one wished to speak.

The following member of the Commission spoke:

Commissioner Armstrong

On the motion by Vice Mayor Ortis, seconded by Commissioner Fiorendino, to approve Site Plan Amendment for Pembroke Isles, Parcel "D-1", SP 98-11 generally located north of Pines Boulevard and east of SW 172 Avenue, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

REGULAR AGENDA ITEMS CONT:

Mayor Fekete relinquished the Chair to Vice Mayor Ortis.

35. DISCUSSION AND POSSIBLE ACTION ON REQUEST FROM NHP FOR 4% PREMIUM INCREASE RETROACTIVE TO 1/1/98. DISCUSSION AND FOLLOW-UP TO THE COMMISSION REPORT OF NOVEMBER 3, 1997.

Mayor Fekete stated this item is to discuss and possibly act on the request from NHP for 4% premium increase retroactive to January 1, 1998. Discussion and follow-up to the Commission report of November 3, 1997.

Vice Mayor Ortis relinquished the Chair to Mayor Fekete.

The following members of the Commission spoke:

Mayor Fekete, Commissioner Armstrong

The following member of the Administration spoke:

City Manager Dodge

The following member of the public spoke:

Rubin Kinshaw, Chief Operating Officer,  
Neighborhood Health Partnership

Vice Mayor Ortis moved to approve NHP a 4% premium increase retroactive to January 1, 1998 until the request for proposal process runs its full process through staff. Commissioner Fiorendino seconded the motion.

The following members of the Commission spoke:

Commissioners Armstrong, Katz

The following member of the Administration spoke:

City Manager Dodge

On the motion by Vice Mayor Ortis, seconded by Commissioner Fiorendino, to approve NHP a 4% premium increase retroactive to January 1, 1998 until the request for proposal process runs its full process through staff, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioner Fiorendino

NAY: Commissioners Armstrong, Katz

Motion Passed

The following member of the public spoke:

Senator Stephen Geller

36. DISCUSSION AND POSSIBLE DIRECTION TO CITY ATTORNEY REGARDING CHARTER REVIEW BOARD RECOMMENDATIONS.

Mayor Fekete stated this item is to discuss and possibly direct the City Attorney regarding Charter Review Board recommendations.

The following member of the Commission spoke:

Mayor Fekete

The following member of the Administration spoke:

Assistant City Attorney Klahr

Commissioner Fiorendino moved to instruct the City Attorney to prepare the legal language as presented by the Charter Review Board for Commission consideration. Vice Mayor Ortis seconded the motion.

The following member of the public spoke:

Jack McCluskey, Chairman Charter Review Board

On the motion by Commissioner Fiorendino, seconded by Vice Mayor Ortis, to instruct the City Attorney to prepare the legal language as presented by the Charter Review Board for Commission consideration, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

COMMISSION ITEMS:

37. **VICE MAYOR ORTIS** WILL MOVE TO REQUEST THAT A TRAFFIC STUDY BE DONE AT PINES BOULEVARD/FLAMINGO ROAD FOR TRAFFIC IMPROVEMENTS AS OUTLINED BY CITY ENGINEER TAJ SIDDIQUI'S MEMORANDUM OF APRIL 2, 1998.

Vice Mayor Ortis moved to request that a traffic study be done at Pines Boulevard/Flamingo Road for traffic improvements as outlined by City Engineer Taj Siddiqui's memorandum of April 2, 1998. Commissioner Fiorendino seconded the motion.

Vice Mayor Ortis discussed the need to conduct a traffic study at the intersection at Pines Boulevard and Flamingo Road due to heavy congestion.

The following members of the Commission spoke:

Mayor Fekete, Commissioners Armstrong, Katz

The following member of the Administration spoke:

City Engineer Siddiqui

On the motion by Vice Mayor Ortis, seconded by Commissioner Fiorendino, to request that a traffic study be done at Pines Boulevard/Flamingo Road for traffic improvements as outlined by City Engineer Taj Siddiqui's memorandum of April 2, 1998, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

38. **COMMISSIONER ARMSTRONG** WILL MOVE TO INSTRUCT THE CITY MANAGER TO PROCEED WITH AND SECURE REDISTRICTING PROPOSALS PRIOR TO THE CUTOFF DATE FOR CHARTER CHANGE PROPOSALS.

Commissioner Armstrong moved to instruct the City Manager to proceed with and secure redistricting proposals prior to the cutoff date for charter change proposals. Commissioner Fiorendino seconded the motion.

Commissioner Armstrong discussed the need to proceed with redistricting before the next election.

The following members of the Commission spoke:

Vice Mayor Ortis, Commissioners Armstrong, Fiorendino

The following member of the Administration spoke:

City Manager Dodge

On the motion by Commissioner Armstrong, seconded by Commissioner Fiorendino, to instruct the City Manager to proceed with and secure redistricting proposals prior to the cutoff date for charter change proposals, the following vote was recorded:

AYE: Mayor Fekete, Vice Mayor Ortis,  
Commissioners Armstrong, Fiorendino, Katz

NAY: None

Motion Passed

39. **COMMISSIONER ARMSTRONG** WILL MOVE TO APPROVE CHANGING THE CITY CHARTER, INCREASING THE COMMISSION TO SEVEN MEMBERS, SIX COMMISSIONERS, EACH ELECTED FROM A SEPARATE DISTRICT, AND A MAYOR ELECTED AT-LARGE.

Commissioner Armstrong moved to approve changing the City Charter, increasing the Commission to seven members, six Commissioners, each elected from a separate district, and a Mayor

elected at-large. Motion died for lack of second.

The following member of the Commission spoke:

Commissioner Armstrong

40. **COMMISSIONER ARMSTRONG** WILL MOVE TO PROPOSE CHANGING THE CITY CHARTER TO PROVIDE THAT IN THE EVENT THE PRIOR CHANGE IS APPROVED THAT EACH OF THE SIX COMMISSIONERS WOULD HAVE ONE VOTE, THE MAYOR VOTING ONLY IN THE EVENT OF A TIE.

No Commission action was taken on this item.

ADJOURN:

Mayor Fekete adjourned the meeting at 10:05 p.m.

ADJOURNED:  
10:05 P.M.

Respectfully submitted,

Eileen Tesh, CMC/AAE  
City Clerk