MINUTES
MEETING OF THE SUNRISE CITY COMMISSION

Tuesday, May 11, 2010
6:30 p.m.

1. Call to Order

Mayor Wishner called the meeting to order at 6:32 p.m.

2. Roll Call

BY: City Clerk Felicia Bravo

Those found to be present were:

Mayor Roger Wishner
Deputy Mayor Sheila Alu
Assistant Deputy Mayor Lawrence Sofield
Commissioner Donald Rosen
Commissioner Joseph Scuotto

City Manager Bruce Moeller
City Attorney Stuart Michelson
Assistant City Attorney Kimberly Kisslan
Community Development Director Mark Lubelski
Administrative Aide Lourdes Lawrence
City Clerk Felicia Bravo

3. Invocation and Pledge of Allegiance
4. Special Items

A) Presentation

Presentation to the Students Leadership Academy Students Class of 2010. Tariq Riaz, Central Services Director.

B) Presentation

Presentation of Employee of the Month Award for May, 2010 to Becky Long, Recreation Leader, in the Leisure Services Department. Caryl Ungerer, Leisure Services Director.

C) Presentation

Presentation of the Firefighter of the Month Award for May, 2010 to Fire Captain Pat Ciacciarelli. Norm Rynning, Fire Chief.

D) Presentation

Presentation of the Officer of the Month Award for May, 2010 to Detective Sean Visners and Detective James Krzepek. John E. Brooks, Police Chief.

E) Proclamation

Proclamation proclaiming the month of May 2010 as Building Safety Month. Mark S. Lubelski, Community Development Director.

5. Open Discussion

Deputy Mayor Alu asked if non-residents would be allowed to speak regarding the Everglades Corporate Park (Marriott Site Plan – Item 10 A).

Commissioner Scuotto said that he believed it was the will of the Commission to allow people to speak.

Mayor Wishner answered that he believed that everyone should be allowed to speak.

Commissioner Scuotto said he believed it should be the Commission that ultimately decides who can speak, not the mayor. He said he believed that a motion passed some time ago that gave the Commission the ability to make that decision. He asked to make a motion that would allow the will of the Commission to decide who would be allowed to speak.

Motion  A motion to allow the Commission to decide which individuals could speak. Motion seconded by Deputy Mayor Alu.

CCM May 11, 2010
City Attorney Stuart Michelson explained that it was the Mayor’s decision pursuant to the City Code.

Deputy Mayor Alu replied that the Commission has always overridden the decision of the Chair. She asked for everyone to be allowed to speak.

Commissioner Rosen explained that a group could designate a speaker.

Deputy Mayor Alu added that during Green Now hearing, everyone was allowed to speak.

Mayor Wishner said that the two people asked him if they could speak, and they were still in the building.

Philip Busey, Executive Committee Chair of the Sierra Club, came forward and delivered resolution about the Everglades Corporate Park. The Sierra Club stated that they are concerned about the water and the canal that runs 30 feet from the property. They are worried that the 100-year flood plain would be breached and run-off would affect the drinking supply. They understood that the property owner had rights. He recommended that they vote to deny the rezoning of the property.

Michael Ryan came forward to discuss the Everglades Corporate Park. He asked that the Commission give careful consideration to the project in the light of the current environmental disaster in the Gulf of Mexico. With regard to summer camp, Mr. Ryan said that Leisure Services’ efforts have been hampered by the School Board of Broward County. He learned that 150 spots were eliminated when the School Board decided not to allow the city to use two previously used camp sites. Next, he learned the School Board was running competing camps at those schools at twice the cost. He asked the Commission to use their weight to address the issue with the School Board.

Barbara Effman and Shirley Sumner came forward to discuss the American Cancer Society’s May fundraiser. A Carnival for the Cure would be held and she discussed the carnival’s activities. The event would take place on May 14th.

Matthew Schwartz, Everglades/Political Chair of the Sierra Club of Broward County, stated that the project cited that there would be no run-off unless there was a 100-year storm. Those storms happen all the time. The problem with Everglades National Park was that there is no buffer. He thought this project, due to its potential effects, was a regional issue. The City of Sunrise did not have the right to make those types of regional decisions.

6. Commission/Mayor Reports

Assistant Deputy Mayor Sofield commented that the speed tables were installed. He listed a number of streets that also needed speed tables. He asked for all of those areas to be addressed. The Sunrise Foundation was having a fundraiser on Thursday and a silent auction. He asked about the multipurpose center floor, which was demolished, causing
the facility to be unavailable for quite some time. He mentioned that he had to apply for a
permit from the building department to receive the rebate from the City for his new gas
appliance. He knew the building department was doing its job, but he saw first-hand
some problems. He was asked to draw diagrams and given little direction as to how to
complete that task. He asked for the department to be more customer-friendly. The
Commission received many complaints about the building department and he thought if it
were more customer-friendly, it would help significantly. Customer comment cards should
be available at the counters.

Deputy Mayor Alu agreed that comment cards should be available at the window. She did
not have as many complaints as she had in the past. She asked for a customer comment
cards for every department. She thought it would be a good tool for the City Manager.
She asked Ms. Ungerer about summer camp.

Ms. Ungerer explained that the some of the schools were running summer camp
programs. For the residents that were placed on the waiting list, she provided them with a
flyer about the School Board’s camps. There was a lengthy waiting list for the Sunrise
camps.

Deputy Mayor Alu asked about the suspension program. She asked when the City found
out that the schools would not be available.

Dr. Moeller explained that the dialogue started last year and has continued as recently as
last week. He would check to see if the School Board was considering holding the camps,
even with low enrollment.

7. City Manager’s Report

None

8. City Items

None

9. Consent Agenda

MOTION A motion to approve Items A through O, with the exception of Items E, F,
and L, made by Commissioner Scuotto was seconded by Commissioner Rosen.

Roll Call:

Commissioner Scuotto  Yea
Commissioner Rosen     Yea
Assistant Deputy Mayor Sofield  Yea
Deputy Mayor Alu       Yea

CCM May 11, 2010
A Resolution of the City of Sunrise, Florida, approving an installation of required improvements agreement between the City of Sunrise and Broward County for the Right-of-Way associated with access to and from West Oakland Park Boulevard and the Public Safety Complex; and providing for an effective date. City Manager Bruce J. Moeller. Mark S. Lubelski, Community Development Director.

A Resolution of the City of Sunrise, Florida, approving an amendment to the nonvehicular access lines agreement between the City and Broward County for the MCB plat for the Right-of-Way associated with access to and from West Oakland Park Boulevard and the Public Safety Complex; and providing for an effective date. City Manager Bruce J. Moeller. Mark S. Lubelski, Community Development Director.

A Resolution of the City of Sunrise, Florida, approving a Third Amendment to the Memorandum of Agreement between the City of Sunrise and the City of Miramar to participate in the FY 2006 Urban Areas Security Initiative (UASI) Grant Program; providing for execution of documents; and providing an effective date. City Manager Bruce J. Moeller. John E. Brooks, Police Chief.

A Resolution of the City of Sunrise, Florida, approving Catastrophic Care Insurance, Intensive Care Insurance and Personal Accident Insurance individual plans through American Family Life Assurance Company of Columbus (AFLAC) for the contract period of June 1, 2010 through May 31, 2011, providing for funding; and providing an effective date. City Manager Bruce J. Moeller. Tariq Riaz, Central Services Director.

A Resolution of the City of Sunrise, Florida, approving Amendment No. 1 to Project Agreement No. 10-004-CH between the City of Sunrise and CH2M Hill, Inc., to establish a guaranteed maximum price for design/build services for the Southwest Wastewater Treatment Plant Percolation Pond Repair Project; and providing an effective date. City Manager Bruce J. Moeller. Timothy Welch, Acting Utilities Director.

A motion to approve Item E made by Commissioner Rosen was seconded by Assistant Deputy Mayor Sofield.
MOTION  A motion to approve the substitute resolution made by Commissioner Rosen was seconded by Commissioner Scuotto.

Assistant Deputy Mayor Sofield asked if the City voted on this last month.

Tim Welch, Acting Utility Director, came forward to explain that this was the design services agreement. The measure changed the agreement to a design/build agreement due to the imperative nature of the project.

Roll Call:

Commissioner Scuotto        Yea
Commissioner Rosen           Yea
Assistant Deputy Mayor Sofield Yea
Deputy Mayor Alu             Yea
Mayor Wishner                Yea

F) Agreement (C10131) - Resolution 08-73-10-A

A Resolution of the City of Sunrise, Florida, approving a renewal of Disaster Debris Monitoring Services Contracts with Beck Disaster Recovery, Inc., of Orlando, Florida, and Post, Buckley, Schuh and Jernigan, Inc., of Atlanta, Georgia; and providing an effective date. City Manager Bruce J. Moeller. Chuck Meeks, Public Works Director.

MOTION  A motion to approve Item F made by Deputy Mayor Alu was seconded by Commissioner Scuotto.

Deputy Mayor Alu asked about PBS&J’s negative publicity. They had problems with “pay-to-play” activities. She asked to table this matter. She stated it was not put out to competitive bid.

Dr. Moeller explained that this was out for competitive bid in 2008.

Commissioner Rosen said that he had problems with PBS&J, too, especially during Hurricane Wilma clean-up.

Mr. Salamon stated that in 2008 this was out for bid. Under the new two-year contract, this was the first renewal.

Commissioner Rosen said that the work after Hurricane Wilma was unacceptable.

Deputy Mayor Alu agreed.
Mr. Salamon deferred to the attorneys regarding whether the City could have one contractor.

Commissioner Rosen asked if the City could use Beck only.

City Attorney Stuart Michelson replied yes.

Commissioner Scuotto said that he thought there were different companies, one for monitoring and one for pick-up.

Mayor Wishner asked if Beck could handle all of the work and was told yes.

MOTION A motion to strike PBS&J from the resolution made by Deputy Mayor Alu was seconded by Commissioner Rosen.

Roll Call:

Commissioner Scuotto Yea
Commissioner Rosen Yea
Assistant Deputy Mayor Sofield Yea
Deputy Mayor Alu Yea
Mayor Wishner Yea

Mayor Wishner asked for a roll call on the item as amended one time.

Roll Call:

Commissioner Scuotto Yea
Commissioner Rosen Yea
Assistant Deputy Mayor Sofield Yea
Deputy Mayor Alu Yea
Mayor Wishner Yea

G) Agreement (C10067) Resolution 10-52

A Resolution of the City of Sunrise, Florida, authorizing the execution of a Sole Source Software Maintenance and Support Use Agreement to purchase Simplicity Pro Turnkey Disaster Recovery and Insurance Asset Tracking Software from Synergy ID, LLC through the Florida Municipal Insurance Trust (FMIT) administered by the Florida League of Cities, and approving Sole Source Project Management Disaster Recovery Services from Synergy Recovery Resources, LLC through the FMIT, and authorizing staff to execute insurance covered and non-insured covered work authorizations, and providing an effective date. City Manager Bruce J. Moeller. Tariq Riaz, Central Services Director.
H) **Amendment (C10126) Resolution 10-53**

A Resolution of the City of Sunrise, Florida, approving the acceptance of cost reimbursement grant funds from the Bureau of Emergency Medical Services and the Florida Department of Transportation; and providing an effective date. City Manager Bruce J. Moeller. Norm Rynning, Fire Chief.

I) **Services (C10128) Resolution 10-54**

A Resolution of the City of Sunrise, Florida, to award bid no. 10(10)30-01-03-30-R for Environmental Remediation Services to Decon Environmental of Fort Lauderdale, Florida, Simpson Environmental Services of Trilby, Florida and Florida Mold Consultants of Boca Raton, Florida; and providing an effective date. City Manager Bruce J. Moeller. Tariq Riaz, Central Services Director.

J) **Amendment (C10119) Resolution 7-53-10-C**

A Resolution of the City of Sunrise, Florida, approving revised modification no. 2 to Hazard Mitigation Subgrant Agreement No. 07HM-0; 11-16-02-009; and providing an effective date. City Manager Bruce J. Moeller. Mark S. Lubelski, Community Development Director.

K) **New Account (C10125) Resolution 09-195-10-E**

A Resolution of the City of Sunrise, Florida, creating a new line item account in the Springtree Fund (Fund 420); and providing an effective date. City Manager Bruce J. Moeller. Tariq Riaz, Central Services Director.

L) **Agreement (C10096) Resolution 04-7-10-B**

A Resolution of the City of Sunrise, Florida, approving Project Agreement No. 10-005-MWH between the City and MWH Americas, Inc., to provide for the Design of the Park City Water Main Replacement Project; and providing an effective date. City Manager Bruce J. Moeller. Mark S. Lubelski, Community Development Director.

**MOTION** A motion to approve Item L made by Assistant Deputy Mayor Sofield was seconded by Commissioner Rosen.

Assistant Deputy Mayor Sofield stated that the City was trying to go in the direction of reuse. He wanted to reinforce that while the City was placing pipe in the ground, consideration should be given to also laying down purple reuse pipe.

Mr. Welsh came forward to explain that the City was placing new piping in the front of the property. Six-inch plastic pipe would run to Arrowhead and provide reuse water.
The plant near Park City could be reinstated. There were no plans to place reuse pipe through the community.

Assistant Deputy Mayor Sofield said the City should consider that action.

Mr. Welsh said the City could consider it, but the city was not digging up all of the roadways. Laying reuse pipe would increase the construction and require additional digging where there was none under the project specifications.

Roll Call:

Commissioner Scuotto Yea
Commissioner Rosen Yea
Assistant Deputy Mayor Sofield Yea
Deputy Mayor Alu Yea
Mayor Wishner Yea

M) Agreement (C10122) Resolution 09-90-10-A

A Resolution of the City of Sunrise, Florida, approving a Standard Project Agreement between the City of Sunrise and Mock, Roos & Associates, Inc. for Professional Engineering Design and Construction Administration Services for the Reconstruction of Stormwater Pump Station No. 2; and providing an effective date. City Manager Bruce J. Moeller. Timothy Welch, Acting Utilities Director.

N) Agreement (C10127) Resolution 10-55

A Resolution of the City of Sunrise, Florida, to award bid no. 10(07)10-02-04-05-A for the purchase of sports equipment to various vendors (multi-award); and providing an effective date. City Manager Bruce J. Moeller. Caryl Ungerer, Leisure Services Director.

O) Amendment (C10123) Resolution 89-289-10-A

A Resolution of the City of Sunrise, Florida, approving Amendment #19 to the service contract for Workers’ Compensation Claims handling through Johns Eastern Company, Inc., and providing an effective date. City Manager Bruce J. Moeller. Tariq Riaz, Central Services Director.

10. Quasi-Judicial Consent Agenda

A) Marriott Residence Inn & Courtyard - Site Plan (Planning and Zoning 5/6/2010 Passed 6-0) - (C10111)
MOTION A motion to table Item 10A to May 25, 2010 as a Quasi-Judicial Public Hearing made by Commissioner Rosen was seconded by Assistant Deputy Mayor Sofield.

Roll Call:

Commissioner Scuotto Yea
Commissioner Rosen Yea
Assistant Deputy Mayor Sofield Yea
Deputy Mayor Alu Yea
Mayor Wishner Yea

11. Public Hearings

A) Amendment - (C09455)

Commission discussion and/or action re: Second Reading of an Ordinance of the City of Sunrise, Florida, amending Section 7-51 of the City Code; revising the City’s Local Business Tax Receipt Fee Schedule; providing for conflict; providing for severability; providing for inclusion in the City code; and providing an effective date. City Manager Bruce J. Moeller. Laura Toebe, Finance Director. (First Reading, CCM 3/23/10, Passed 4-1 Sofield Nay). (Second Reading tabled, CCM 4/13/10, Passed 5-0). (Second Reading tabled, CCM 4/27/10 Passed 3-2 Sofield, Rosen Nay).

MOTION A motion to remove Item 11A from the table made by Deputy Mayor Alu was seconded by Commissioner Scuotto.

MOTION A motion to hear Item 11A made by Commissioner Scuotto was seconded by Commissioner Rosen.

Deputy Mayor Alu left the dais at 11:30 p.m.

Mayor Wishner raised his concerns about the business tax receipts. He specifically mentioned outdoor vendors, who were not required to hold business tax receipts. Additionally, he believed that some business owners were charged low amounts and some were charged large amounts. He could not determine what the reason was for deciding the costs. He would not support the increase. He also said that in the past, there had been a unanimous vote.

Commissioner Scuotto said he did not mind if outdoor vendors, like vacuums, could have business tax receipts. But ice machines were usually outside, because there was little room in the stores for the machines.

Mayor Wishner asserted that he thought some adjustments needed to the list would
probably create the desired result without raising the fee for everyone.

Dr. Moeller said that it would be brought back to the Commission.

Mayor Wishner asked for a roll call on the motion to table the item until the next meeting.

Roll Call:

- Commissioner Scuotto: Yea
- Commissioner Rosen: Yea
- Assistant Deputy Mayor Sofield: Yea
- Deputy Mayor Alu: Absent
- Mayor Wishner: Yea

B) **Operation of Pain Management Clinics** - (C10103)

Commission discussion and/or action re: Second Reading of an Ordinance of the City of Sunrise, Florida, establishing a moratorium on the issuance of business tax receipts for the operation of Pain Management Clinics for one (1) year; providing for conflict; providing for severability; and providing for an effective date. City Manager Bruce J. Moeller. Mark S. Lubelski, Community Development Director. (First Reading CCM 4/27/10, Passed 5-0)

MOTION A motion to approve Item 11B made by Commissioner Rosen was seconded by Commissioner Scuotto.

Mayor Wishner opened the meeting to the public. No one came forward to speak.

Mayor Wishner closed the public hearing.

Roll Call:

- Commissioner Scuotto: Yea
- Commissioner Rosen: Yea
- Assistant Deputy Mayor Sofield: Yea
- Deputy Mayor Alu: Yea
- Mayor Wishner: Yea

C) **Business Tax Receipts** - (C10124)

Commission discussion and/or action re: First Reading of an Ordinance of the City of Sunrise, Florida, establishing a moratorium on the issuance of business tax receipts for
businesses who promote internet sweepstakes for one (1) year; providing for conflict; providing for severability; and providing for an effective date. City Manager Bruce J. Moeller. Mark S. Lubelski, Community Development Director.

MOTION  A motion to approve Item 11C made by Commissioner Rosen was seconded by Commissioner Scuotto.

Mayor Wishner opened the meeting to the public. No one came forward to speak.

Mayor Wishner closed the public hearing.

Roll Call:

Commissioner Scuotto  Yea
Commissioner Rosen   Yea
Assistant Deputy Mayor Sofield  Yea
Deputy Mayor Alu  Yea
Mayor Wishner  Yea

12. Quasi-Judicial Hearings

None

13. City Clerk’s Report

None

14. City Attorney’s Report

None

15. Old Business

A) Agreement  - (C09353) Resolution 09-123-10-A

A Resolution of the City of Sunrise, Florida, approving a standard project agreement with Zyscovich, Inc. for a Spatial Need Study and Master Planning of a New City Hall Facility; and providing an effective date. City Manager Bruce J. Moeller. Mark S. Lubelski, Community Development Director.

MOTION  A motion to approve Item 15A made by Commissioner Rosen was seconded by Deputy Mayor Alu.

Roll Call:
B) **Insurance** - (C10085)

A Resolution of the City of Sunrise, Florida, approving Employee Group Dental DHMO/PPO insurance plans through Metropolitan Life Insurance Company and Safeguard Health Plans, Inc.; for the contract period of July 1, 2010 through June 30, 2011; providing for funding; and providing an effective date. City Manager Bruce J. Moeller. Tariq Riaz, Central Services Director. (Tabled on CCM 4/13/10 Passed 5-0). (Tabled on CCM 4/27/10 Passed 5-0).

MOTION A motion to remove Item 15B from the table made by Commissioner Rosen was seconded by Deputy Mayor Alu. All in favor.

MOTION A motion to hear Item 15B made by Commissioner Rosen was seconded by Deputy Mayor Alu.

Dr. Moeller said that the HIAC recommended to keep it the same and the employees asked for Option 2 to be dropped and offer in addition to the $1,000 PPO, a second $2,000 PPO. All were in agreement.

Roll Call:

<table>
<thead>
<tr>
<th>Commissioner Scuotto</th>
<th>Yea</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioner Rosen</td>
<td>Yea</td>
</tr>
<tr>
<td>Assistant Deputy Mayor Sofield</td>
<td>Yea</td>
</tr>
<tr>
<td>Deputy Mayor Alu</td>
<td>Yea</td>
</tr>
<tr>
<td>Mayor Wishner</td>
<td>Yea</td>
</tr>
</tbody>
</table>

C) **Shade Canopies**

Commission discussion and/or action re: Shade Canopies at various City Park locations. City Manager Bruce J. Moeller. Mark S. Lubelski, Community Development Director.

MOTION A motion to hear Item 15C made by Commissioner Rosen was seconded by Assistant Deputy Mayor Sofield.

Dr. Moeller advised there were two options and one was more expensive than the other. The recommendation would be put forward during capital projects budget. It would cost approximately $250,000.
Mayor Wishner suggested installing a couple of shade canopies to see if they work, because once they were purchased, the City would have no recourse. He recommended pilot testing at SAC.

The issue would come back before the Commission.

16. New Business

A) Services (TIME CERTAIN 7:30 PM) - (C10120)

A Resolution of the City of Sunrise, Florida, establishing a rank order of firms to provide Program Manager Services for the Continuing Professional Engineering Consulting Services for Water and Wastewater Infrastructure Projects and Services for the Utilities Dept; and providing an effective date. City Manager Bruce J. Moeller. Timothy Welch, Acting Utilities Director.

Motion A motion to approve Item 16A made by Commissioner Rosen was seconded by Commissioner Scuotto.

Mayor Wishner recessed the meeting at 7:31 p.m.

Mayor Wishner reconvened the meeting at 7:48 p.m.

The companies presented in the following order:

1. Brown and Caldwell

Mayor Wishner recessed the meeting at 8:13 p.m.

Mayor Wishner reconvened the meeting at 8:20 p.m.

2. MWH America

Mayor Wishner recessed the meeting at 9:30 p.m.

Mayor Wishner reconvened the meeting at 9:44 p.m.

3. Malcolm Pirnie

The Commission asked Dr. Moeller questions related to the ranking processes. The Commission also asked questions to staff as well.

---

1 This item was heard after Mayor and Commission Reports.
After listening to the presentations and speaking to staff, the City Commission ranked the firms in the following order:

1. MWH America
2. Malcolm Pirnie
3. Brown & Caldwell

A motion to amend the resolution by inserting the above-listed ranking made by Commissioner Rosen was seconded by Deputy Mayor Alu.

Roll Call:

Commissioner Scuotto  Yea
Commissioner Rosen  Yea
Assistant Deputy Mayor Sofield  Yea
Deputy Mayor Alu  Yea
Mayor Wishner  Yea

Mayor Wishner asked for a roll call on Item 16A as amended one time.

Roll Call:

Commissioner Scuotto  Yea
Commissioner Rosen  Yea
Assistant Deputy Mayor Sofield  Yea
Deputy Mayor Alu  Yea
Mayor Wishner  Yea

**Multipurpose Center Flooring**

Dr. Moeller explained that there was an issue with the flooring. There was a dispute with the vendor, but he would not let it hold up the repair of the floor.

17. Adjournment

Seeing no further business, the meeting adjourned at 11:49 p.m.

Respectfully submitted by:

Felicia M. Bravo, City Clerk

CCM May 11, 2010