CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, APRIL 9, 2019

STUDENT GOVERNMENT MOCK COMMISSION MEETING – 5:30 pm

REGULAR COMMISSION MEETING
(Immediately following Student Government Meeting)

AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Moyle

2. ROLL CALL
   
   Mayor Ana Ziade
   Vice Mayor Samson Borgelin
   Commissioner Rich Moyle
   Commissioner Lorenzo Wood
   Commissioner Mario Bustamante
   City Manager Ambreen Bhatty
   City Attorney Samuel S. Goren
   City Clerk Patricia Vancheri

3. APPROVAL OF MINUTES
   
   a. [March 12, 2019]
   b. [March 26, 2019]

4. PRESENTATIONS
   
   a. Student Government Day Proclamation and Certificates of Participation
5. PROCLAMATIONS
   a. National Autism Awareness Month – April
   b. National Child Abuse Prevention Month – April
   c. Earth Day 2019 – April 22

6. PUBLIC DISCUSSION

7. QUASI-JUDICIAL ITEMS
      7105 W. McNab Rd

      Variance request from City Code Section 106-222 (e) regarding allowing bollards where bumper guards, wheel stops or continuous curbing are required within a Community Business (B-2) zoning district.

      APPLICANT: Bohler Engineering Inc. on behalf of Wawa Florida, Inc.

      ▪ All interested parties are sworn in by City Attorney
      ▪ Motion and second and vote to read title
      ▪ Staff presentation (Tammy Reed-Holguin)
      ▪ Public Hearing opened
      ▪ Public comments
      ▪ Public Hearing closed
      ▪ Commission motion and second to pass the ordinance
      ▪ Commission discussion
      ▪ Commission vote

      AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING A VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-222(e) REGARDING THE REQUIRED BUMPER GUARDS, WHEEL STOPS OR CONTINuous CURBING; PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.
b. **ORDINANCE – Second Reading – VAR 19-03 Wawa Florida, Inc.**

7105 W. McNab Rd.

Request from Applicant to Withdraw: Variance request from City Code Section 106-467 (11) to not completely enclose outdoor dining area and to allow access from outside the building within a General Business (B-2) zoning district.

**APPLICANT:** Bohler Engineering Inc., on behalf of Wawa Florida, Inc.

- All interested parties are sworn in by City Attorney
- Motion and second and vote to read title
- Staff presentation (Tammy Reed-Holguin)
- Public Hearing opened
- Public comments
- Public Hearing closed
- Commission motion and second to pass the ordinance
- Commission discussion
- Commission vote

**AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING A VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-467 (11) REGARDING THE DELINEATION OF THE OUTDOOR SEATING AREA BY MEANS OF A BARRIER; PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

c. **SUBJECT: Site Plan SPR 19-01 Wawa Florida, Inc.**

7105 W. McNab Rd.

Final site plan approval to allow a new auto filling station, convenience store and restaurant within a Community Business (B-2) zoning district.

**APPLICANT:** Wawa Florida, Inc.

- All interested parties are sworn in by City Attorney
- Motion and second and vote to read title
- Staff presentation (Tammy Reed-Holguin)
- Public Hearing opened
- Public comments
- Public Hearing closed
- Commission motion and second to pass the ordinance
- Commission discussion
- Commission vote

**MOTION:** To approve the final site plan subject to the twenty (20) conditions set forth in staff memorandum.
8. ORDINANCES SECOND READING

a. Ordinance – Second Reading - Creating Purchasing Procedures

- Motion, second and vote to read the ordinance
- Attorney reads title
- Staff presentation (Susan Nabors)
- Public Hearing opened
- Public discussion
- Public Hearing closed
- Commission motion and second to adopt
- Commission discussion
- Commission vote

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, CREATING
CHAPTER 3 OF THE CITY'S CODE OF ORDINANCES, TO BE ENTITLED
"PROCUREMENT PROCEDURES"; PROVIDING FOR A COMPREHENSIVE
PROCUREMENT CODE FOR THE CITY OF NORTH LAUDERDALE; PROVIDING
FOR DEFINITIONS; PROVIDING FOR COMPETITIVE PROCUREMENT
PROCEDURES FOR GOODS AND SERVICES; PROVIDING FOR COMPETITIVE
NEGOTIATIONS; PROVIDING FOR A CONE OF SILENCE; PROVIDING FOR BID
PROTEST PROCEDURES; PROVIDING FOR CONFLICTS; PROVIDING FOR
SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN
EFFECTIVE DATE.

9. CONSENT AGENDA

- Remove items from consent agenda if desired
- Commission motion, second and vote to read
- Attorney reads consent agenda
- Commission motion, second and vote to adopt the consent agenda

a. RESOLUTION – Appointment of Norah Greenwood to Code Enforcement Board

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH
LAUDERDALE, FLORIDA, APPOINTING NORAH GREENWOOD AS A REGULAR
MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD
(SPONSORED BY COMMISSIONER LORENZO WOOD); PROVIDING FOR TERM
OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

b. RESOLUTION – Opposing House Bill 3

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH
LAUDERDALE, FLORIDA, OPPOSING HOUSE BILL 3, PREEMPTING LOCAL
BUSINESS REGULATIONS TO THE STATE; AND PROVIDING AN EFFECTIVE
DATE.
c. **RESOLUTION – Opposing House Bill 447**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, OPPOSING HOUSE BILL 447, CREATING PROCEDURES RELATED TO OPEN AND EXPIRED BUILDING PERMITS; AND PROVIDING AN EFFECTIVE DATE.

d. **RESOLUTION – Opposing Senate Bill 246**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, OPPOSING SENATE BILL 246, REDUCING THE AMOUNT A LOCAL GOVERNMENTAL ENTITY MAY WITHHOLD FROM A PROGRESS PAYMENT TO A CONTRACTOR AS RETAINAGE; AND PROVIDING AN EFFECTIVE DATE.

e. **RESOLUTION – Opposing Senate Bill 824**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, OPPOSING SENATE BILL 824, PREEMPTING THE REGULATION OF VACATION RENTALS TO THE STATE; AND PROVIDING AN EFFECTIVE DATE.

f. **RESOLUTION – Opposing Senate Bill 868**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, OPPOSING SENATE BILL 868, SETTING A CAP FOR BUSINESS TAXES AND REDUCING THE MAXIMUM FEES FOR RECEIPT TRANSFERS; AND PROVIDING AN EFFECTIVE DATE.

g. **RESOLUTION – Opposing Senate Bill 1000**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, OPPOSING SENATE BILL 1000, REDUCING THE TAX RATE BY ONE PERCENT ON THE STATE COMMUNICATIONS SERVICES AND DIRECT-TO-HOME SATELLITE SERVICES; AND PROVIDING AN EFFECTIVE DATE.

h. **RESOLUTION – Supporting House Bill 1235**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, SUPPORTING HOUSE BILL 1235, AMENDING FLORIDA STATUTES TO AUTHORIZE GOVERNMENTAL AGENCIES TO USE THEIR PUBLICLY ACCESSIBLE WEBSITES FOR LEGALLY REQUIRED ADVERTISEMENTS AND PUBLIC NOTICES; AND PROVIDING AN EFFECTIVE DATE.
10. OTHER BUSINESS

a. **RESOLUTION - Award of Champions Hall Restroom Remodel**
   Invitation to Bid (ITB) #19-03-378

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Mike Sargis)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH ARZ BUILDERS, INC. FOR THE RENOVATIONS OF THE CHAMPIONS HALL RESTROOMS IN AN AMOUNT NOT TO EXCEED $19,525.00; PROVIDING FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.

b. **RESOLUTION - Agreement with (FHP) Florida Highway Patrol Off-Duty Detail Agreement**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Mike Sargis)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF NORTH LAUDERDALE AND THE FLORIDA HIGHWAY PATROL SO THAT FHP CAN BECOME AN ELIGIBLE VENDOR FOR OFF DUTY DETAILS IN THE CITY; AND PROVIDING AN EFFECTIVE DATE.

c. **RESOLUTION – Turf Repair at Jack Brady Sports Complex**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Mike Sargis)
- Commission motion and second to adopt
- Commission discussion
- Commission vote
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, DIRECTING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH SPORTS TURF ONE, INC. IN AN AMOUNT NOT TO EXCEED $60,708.57 FOR THE RE-GRADING AND RE-SODDING OF FIELD 4 OF THE JACK BRADY SPORTS COMPLEX; PROVIDING FOR THE ALLOCATION OF FUNDS; AND PROVIDING AN EFFECTIVE DATE.

d. RESOLUTION – City’s Show Mobile Stage Repairs

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Mike Sargis)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH CENTURY INDUSTRIES IN AN AMOUNT NOT TO EXCEED $37,899.80 FOR REPAIRS TO THE CITY’S SHOW MOBILE STAGE AND SETTING A CONTINGENCY OF $15,000 FOR ANY UNEXPECTED ADDITIONAL REPAIRS; PROVIDING FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.

e. RESOLUTION - Date for 2019 Holiday Parade and Tree Lighting Ceremony

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Mike Sargis)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

MOTION: To approve Saturday, December 14th, 2019 as the date for the 42nd City of North Lauderdale Annual Holiday Parade and Tree Lighting Ceremony.

11. REPORTS

a. Paint Program (Tammy Reed-Holguin)
b. April Special Events Update (Mike Sargis)
   • Eggstravaganza – April 13
   • North Lauderdale Days – April 19 and April 20
   • Senior Expo – April 24 – Oakbrook Condominium – 8200 SW 24th St

12. CITY MANAGER COMMENTS

a. Tuesday, April 16 – Wear Denim Day – Sexual Violence Awareness

b. Thursday, April 25 – 5:30 to 7:30 pm - Tamarac North Lauderdale State of the City Expo – Polish American Club – 935 Rock Island Road

c. Monday, April 29 – 4:00 – 7:00 – Farmer’s Market – Front Lawn City Hall

13. COMMISSION COMMENTS

a. Discussion and possible motion to purchase a table of ten in the amount of $500 for the ADRC 36th Annual Dr. Nan S. Hutchison Broward Senior Hall of Fame Breakfast on Friday, May 10, 2019 at 9:00 a.m. at Renaissance Plantation Hotel

14. CITY ATTORNEY COMMENTS

15. ADJOURNMENT
MINUTES

The North Lauderdale City Commission met on Tuesday, March 12, 2019 at the Municipal Complex. The meeting commenced at 6:00 pm.

1. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Mayor Ziade gave the invocation and led the pledge.

2. **ROLL CALL** – Clerk called roll. All present.

   Mayor Ana Ziade
   Vice Mayor Samson Borgelin
   Commissioner Rich Moyle
   Commissioner Lorenzo Wood
   Commissioner Mario Bustamante
   City Manager Ambreen Bhatty
   City Attorney Samuel S. Goren
   City Clerk Patricia Vancheri

3. **APPROVAL OF MINUTES**
   a. **February 26, 2019** – Vice Mayor Borgelin moved to approve the Minutes as submitted. Seconded by Commissioner Wood. Minutes were approved unanimously by voice vote.

4. **PRESENTATIONS**
   a. **BSO Recognitions**
      • **Deputy Nazar Hamze**
      City Manager Bhatty described how Deputy Hamze assisted an elderly homeless woman by contacting her out of state family members, arranging accommodations at a local hotel, purchasing a flight ticket and the necessary passport documentation as well as transportation to the airport which enabled the homeless woman to return home. Ms. Bhatty stated that this is not the first time Deputy Hamze has gone above and beyond to assist city residents and she is honored to have him assigned to the district. Major McCoy conveyed that Deputy Hamze is an example for all to follow in taking your job seriously and enriching the lives of others; and this is the kind of service Deputy Hamze provides every day to the city residents, businesses and visitors and it is a privilege to work with him.
Major Chris McCoy
Mayor Ziade presented a plaque honoring Major McCoy’s dedication in serving the city and congratulated him on his promotion to Major. City Manager Bhatty also congratulated Major McCoy on his promotion and she thanked him for his years of service to the city. Major McCoy expressed his thanks.

5. PUBLIC DISCUSSION

Marguerita Flajole – commented on issues with a neighbor with regards to emptying an above ground pool that she claimed is affecting the foundation of her home and the neighbors making noise late at night. She inquired if permanent tents are permitted in the city code and described an issue with a neighbor having a tent.

Chase Barnett – commented on an abandoned property with rubber trees that are overgrown with roots that are damaging pipes and his property. He mentioned also that there are issues with the pool on that property that are attracting mosquitos. He stated there have been code enforcement citations and foreclosure notices left on the property. Attorney Goren intervened to advise they can cross reference the information provided on the property to check the status of the foreclosure to work with staff to coordinate on the matter. Mr. Barnett commented on parking and speeding issues in his neighborhood. He requested to have speed bumps placed on the street. Mayor Ziade informed Mr. Barnett that there is a speeding issue throughout the city. There are speed bumps that have been recently placed on Kimberly Blvd and they are looking at other avenues for deterrents. Commissioner Wood commented on the conditions of the property. He advised that he did speak with the property owner, the Code Compliance Department and the City Manager’s office regarding the property being brought up to code. City Manager Bhatty advised that she will follow up with the Code Compliance Department. She advised on a program that offers tablets that can be put in the pool to kill the mosquitos if access to the pool on the property can be obtained.

Kenneth Singh – commented on concerns with the incomplete work of the outside contractor hired to repair the sidewalks in the city. He also described concerns with the unfilled sidewalk gaps and elevated sidewalks. Mr. Singh inquired on whose responsibility it is to maintain the sidewalks. City Manager Bhatty responded that the maintenance of the sidewalks in public right of ways is the responsibility of the city. The sidewalks that abut the residential property, such as the swales and sidewalk is the responsibility of the home owner. Mr. Singh commented on parking issues and vehicles blocking sidewalks. He also inquired if a traffic light is being considered for the intersection on Rock Island at the entrance of KFC. Mayor Ziade advised that the Wawa is still under consideration and there is a pending traffic study. There was brief discussion on concerns with traffic at that intersection, the review and impact of the traffic study being conducted on the intersection as well as a pending request to Broward County for a traffic light. Commissioner Moyle recommended right turns only at that intersection. Commissioner Wood expressed his concerns with the traffic at the intersection and vehicles parking on the sidewalks.

Jonell Dorset-Gioli – commented on issues with damages caused by speeding vehicles that hit her mailbox. City Manager Bhatty advised that at the next strategic workshop they will be presenting a complete city map and a comprehensive speed hump program with recommendation of speed calming devices. Ms. Dorset- Gioli also commented on concerns with sidewalks that are uneven and that have holes. She also reported that twice a month her trash is not being collected.
City Manager Bhatty directed Public Works Director Krawczyk to contact Waste Pro regarding the missed trash collection.

*There were no other comments under Public Discussion.*

At this time Commissioner Borgelin presented an Achievement Award to Principal Kicia Daniel Johnson. He commended Ms. Daniels for her amazing work at Pinwood Elementary School and he also thanked her for her participation at the Pinwood Elementary School MLK Beautification Project. Ms. Johnson elaborated on her work at the school and the academic achievements gained since she began working at the school. Ms. Daniel expressed her thanks for the award.

6. **QUASI-JUDICIAL ITEMS**

City Attorney Goren read the items into the record and advised that items 6a, 6b, 6c which will be continued at the Applicants request to the next Commission meeting. Commissioner Moyle moved to table items 6a, 6b, and 6c until the next Commission Meeting on March 26, 2019. Seconded by Commissioner Wood. Clerk took roll. All YES. **MOTION PASSED.**

*These Quasi-judicial Items 7(a); 7(b) and 7(c) were tabled on February 26, 2019 to a time-certain of March 12, 2019 at 6:00 pm. Staff has requested this item to be tabled again to a time certain of March 26, 2019 at 6:00 pm.*


7105 W. McNab Rd

Variance request from City Code Section106-222 (e) regarding allowing bollards where bumper guards, wheel stops or continuous curbing are required within a Community Business (B-2) zoning district.

**APPLICANT:** Bohler Engineering Inc. on behalf of Wawa Florida, Inc.

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING A VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-222(e) REGARDING THE REQUIRED BUMPER GUARDS, WHEEL STOPS OR CONTINOUS CURBING; PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.


7105 W. McNab Rd.

Variance request from City Code Section 106-467 (11) to not completely enclose outdoor dining area and to allow access from outside the building within a General Business (B-2) zoning district.

**APPLICANT:** Bohler Engineering Inc., on behalf of Wawa Florida, Inc.
AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING A VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-467 (11) REGARDING THE DELINEATION OF THE OUTDOOR SEATING AREA BY MEANS OF A BARRIER; PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

c. SUBJECT: Site Plan SPR 19-01 Wawa Florida, Inc. 7105 W. McNab Rd.

Final site plan review to allow a new auto filling station, convenience store and restaurant within a Community Business (B-2) zoning district.

APPLICANT: Wawa Florida, Inc.

MOTION: To approve the final site plan subject to the seventeen (17) conditions set forth in staff memorandum.

7. CONSENT AGENDA

Commissioner Moyle moved to read the consent agenda. Seconded by Commissioner Wood. All were in favor. None opposed. City Attorney Goren read the consent agenda.

a. RESOLUTION - Agreement with Emergency Education Institute to permit Paramedic and Emergency Medical Technician students to participate in Educational Programs with the North Lauderdale Fire Rescue Department

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH EMERGENCY EDUCATION INSTITUTE, TO ALLOW EMT AND PARAMEDIC STUDENTS TO RIDE WITH THE NORTH LAUDERDALE FIRE RESCUE DEPARTMENT FOR EDUCATIONAL AND TRAINING PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION #19-03-6600

b. RESOLUTION – Jaycee Park Improvement Project – Phase II - Restrooms

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE AUTHORIZING THE EXPENDITURE OF $51,141.80 FOR PREFABRICATED RESTROOM FROM CXT FOR JAYCEE PARK AND AUTHORIZING A CONTINGENCY FUND IN AN AMOUNT NOT TO EXCEED $10,000.00; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION #19-03-6601

Commissioner Moyle moved to approve the consent agenda as read. Seconded by Commissioner Wood. Clerk took roll. CONSENT AGENDA APPROVED UNANIMOUSLY.
8. OTHER BUSINESS

Commissioner Wood moved to read. Seconded by Commissioner Borgelin.

Attorney read:

a. RESOLUTION – Resolution Supporting the Proposed Broward Metropolitan Planning Organization (MPO) Southgate Boulevard Project to Enhance Bicycle and Pedestrian Connectivity Along Public Right-of-Way

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, SUPPORTING THE METROPOLITAN PLANNING ORGANIZATION’S PROPOSED PROJECT TO ENHANCE BICYCLE AND PEDESTRIAN CONNECTIVITY ALONG SOUTHGATE BOULEVARD WITHIN PUBLIC RIGHT OF WAY, FROM S.W. 81ST AVENUE TO SR-7/US-441; FURTHER EXPRESSING ITS INTENT TO TAKE OVER MAINTENANCE OF THESE BIKE/MOBILITY IMPROVEMENTS WITHIN THE RIGHT OF WAY; AND PROVIDING FOR AN EFFECTIVE DATE.

Tammy Reed Holguin, Community Development Director presented the item based on the back up memorandum. She stated that tonight they are requesting the Commission’s approval of the attached Resolution supporting the Metropolitan Planning Organization’s (MPO) proposed project to enhance bicycle and pedestrian connectivity along Southgate Boulevard within the public right-of-way from 81st Avenue to State Road 7. The MPO has requested a Resolution from the City expressing support of the project as they are beginning the scoping phase of potential projects for funding as part of the Complete Streets Master Plan (CSMP). Stephanie Garcia and Ricardo Gutierrez, representatives of the MPO, requested support for the mobility improvements that they are recommending along Southgate Blvd in North Lauderdale and also the City of Margate. They gave a power point presentation on the project explaining the intent of the Complete Streets Master Plan to guide the investments and improvements of the bicycle lanes and sidewalks as well as the elements involved such as the lighting and landscaping. Mr. Gutierrez explained the results of their analysis and the target areas identified based on the determined equity and demand. He shared the results of the public outreach which indicated people really want connectivity with separation from travel lanes, and access to everyday destinations. Mr. Gutierrez provided an overview of the recommendations and the plan to conduct a walking audit of the area which will assist with identifying the scope and design of the project. Commissioner Moyle expressed his appreciation for the project. He commented on being glad to see that the sidewalk on the north side of Southgate Boulevard in the City of Margate will be completed. He explained that the location has an asphalt path where school children cross to attend Morrow Elementary. Commissioner Borgelin inquired on the area shown on the rendering provided in the power point presentation. Mr. Gutierrez clarified the area shown in the power point as Rock Island and Southgate Blvd. Commissioner Wood inquired if there had been a walking audit previously done. Mr. Gutierrez confirmed there had been a walking audit conducted to encourage people to walk and there were a lot of recommendations to address maintenance issues. He advised that the upcoming audit will be more technical and will provide recommendations for the project. Ms. Tammy Reed Holguin advised that Galaxy Skateway may potentially host the walking audit. The City of Margate attended the initial workshop and they are hoping they will have their participation on the Complete Streets funding program. Ms.
Reed-Holguin recommended the adoption of resolution that would support this project along Southgate Boulevard and also commit the city to maintaining the improvements once they are funded and constructed. Commissioner Wood moved to approve the Resolution to participate in the walking audit and the partnership with the MPO for this project. Seconded by Commissioner Borgelin. Commissioner Wood suggested contacting the residents by robo-call to target the residents that live in that area. There was no further discussion. Clerk took roll. All YES.

RESOLUTION# 19-03-6602 PASSED AND APPROVED UNANIMOUSLY

b. RESOLUTION – Stormwater Master Plan

Commissioner Wood moved to read. Seconded by Commissioner Borgelin.
Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD CRAVEN THOMPSON & ASSOCIATES, INC. A CONTRACT IN THE AMOUNT NOT TO EXCEED $198,660 FOR THE STORMWATER MASTER PLAN AND APPROVING FUNDING FROM THE STORMWATER FUND IN THE AMOUNT NOT TO EXCEED $99,330; AND PROVIDING AN EFFECTIVE DATE.

Public Works Director George Krawczyk presented the item based on the back up memorandum. He explained how the stormwater basin system operates in the City. He advised that the stormwater plan will assist the city with setting up capital projects, identifying areas of concern for appropriations and funding sources; and maintenance of these areas. Mr. Krawczyk proposed hiring Craven Thompson & Associates, a local consultant among the City’s pool of professionals with experience with this type of stormwater master plan. He reviewed the scope of the proposal. Mr. Krawczyk stated City Staff recommends to utilize Craven Thompson & Associates, Inc. for the stormwater study for a total amount not to exceed $198,660 for the Stormwater Master Plan and approving the funding from the Stormwater Fund in the amount $99,330. Commissioner Moyle questioned the statement in the contract stating that the drainage systems within each basin will not be analyzed for adequate pipe sizing. He further questioned if the culverts will be included. Mr. Krawczyk confirmed the culverts are included in the proposal. He explained that the model will include the culverts and pipe sizes to analyze where choke points are located for the water to flow. Patrick Gibney, Vice President of Craven Thompson & Associates, Inc. clarified the statement is for the smaller pipe diameters within the neighborhoods for cross drains on local streets. He explained the process involved with modeling the pipe sizes and the culverts that go along the road and convey the flow along the canals. There was no further discussion. Commissioner Wood moved to approve award of the contract to Craven Thompson & Associates, Inc. Seconded by Commissioner Moyle. Clerk took roll. All YES.

RESOLUTION#19-03-6603 PASSED AND APPROVED UNANIMOUSLY

c. RESOLUTION – Business Tax Receipt Accounts Receivable Write-Off

Commissioner Wood moved to read. Seconded by Commissioner Borgelin.
Attorney read:
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO WRITE-OFF UNCOLLECTED BUSINESS TAX RECEIPT AND CONTRACTOR REGISTRATION CHARGES FOR THE PERIOD OF OCTOBER 1, 2003 TO SEPTEMBER 30, 2018; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Development Director, Tammy Reed-Holguin presented the item based on the back up memorandum. Ms. Holguin-Reed presented a Resolution for the Commission’s consideration to reconcile outstanding bills relating to the local business tax receipt program, both commercial and residential, and the contractor registration program. The receivables span 15 years and the Community Development Department has made numerous attempts to collect the delinquent fees and most of the business owners / contractors no longer do business with the City or own property. She reviewed the collection efforts involved and provided the amount of revenue collected and the amount being requested to write-off. Ms. Holguin-Reed described the implementation of additional on-line services and a new billing system that will enable tracking of outstanding payments once the outstanding fees showing in the system are cleaned up. She stated that Administration requests the Commission’s consideration and approval of the attached Resolution authorizing the write off of the uncollectible business, residential and contractor receivables billed between October 2003 and September 2018. Commissioner Moyle moved to adopt. Seconded by Commissioner Borgelin.

Commissioner Moyle questioned if a lot of these [write-offs] are for businesses that are closed. Ms. Holguin responded that it is possible but the amounts are on the city records and they have to write them off to get them off the books. She provided an example of situations involving businesses that did not pay fees owed after applying for a local business tax receipt. Commissioner Wood commented that he wanted the public to know that the city did collect 3.1 million dollars and will only write off 3%. He emphasized the city’s effort to be financially sound. He provided an example regarding ambulance services provided to people that cannot afford to pay for different reasons. He advised that the amount has to be written off at some point for accounting purposes. Commissioner Borgelin inquired if the City can still collect the money after it has been written-off. Attorney Goren responded yes, the City can still collect for payment. The write-off is just to clear the books moving forward for accounting purposes. Mayor Ziade inquired if there are still businesses on the list that owe the City money that are still in business; and to what extent will the City pursue the collection effort. Ms. Reed-Holguin replied they will continue to pursue collecting outstanding fees going back many years. There was some discussion on efforts to collect from businesses on the list, reconciling the books and the new billing system. Mayor Ziade questioned the length of time the fees went uncollected and if the new billing system will prevent this from happening again. Susan Nabors, Finance Director, explained the former and new billing system for the business licenses. She advised that in order to create account receivables in the system they need to clear the old accounts that are in the system which is an accounting clean up. There was discussion on the fifteen (15) years of uncollected fees and the process of writing off fees. Mayor Ziade inquired on the auditors review. Ms. Nabors explained the accounting practice for fees placed in a reserve for uncollectibles. Commissioner Bustamante questioned if you are required to have a federal identification number to obtain a business license. He commented that to have a company you have to have a federal identification number and would be required to make a payment on fees you owe. Ms. Reed-Holguin advised that many of the businesses did not complete the business license application. Commissioner Borgelin inquired as to where the funds collected get
applied. Ms. Reed-Holguin advised the funds go to the general fund. City Manager Bhatt explained the money goes to the general fund towards running the Community Development Department which is a self-supporting department. There was no further discussion. Clerk called roll. All YES.

RESOLUTION # 19-03-6604 PASSED AND APPROVED UNANIMOUSLY

RESOLUTION - Fire Station 34 and 44 Hurricane Hardening Project

Commissioner Borgelin moved to read. Seconded by Commissioner Wood. Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO A CONTRACT WITH WALTER ZACKRIA ASSOCIATES FOR THE ARCHITECTURAL, STRUCTURAL, AND CONSTRUCTION SERVICES OF THE FIRE STATION 34 AND 44 HURRICANE HARDENING PROJECT IN AN AMOUNT NOT TO EXCEED $110,705; AND PROVIDING AN EFFECTIVE DATE.

Public Works Director George Krawczyk presented the item based on the back up memorandum. He explained the grant was obtained through a combined effort by Public Works, Fire and Community Development. He explained the process of reaching out to the pool of consultants, and conducting a RFQ. (Request for Qualifications). He advised that Walter Zackria Associates are experienced and they have done similar work of this nature involving structural enhancements to facilities. Mr. Krawczyk explained the scope of work for the proposed projects for Fire Station 34 and 44. Mr. Krawczyk advised that Staff recommends approval and the documents are required to prepare for the bidding process. Commissioner Moyle moved to approve. Seconded by Commissioner Wood. City Manager Bhatt stated that most of the work applies to Fire Station 44 since it was built before Hurricane Andrew and since then the whole building code has changed. The basic requirement to use the funding is that the building being used needs to meet the current Florida Building wind code requirements and the city is required to provide that information. Commissioner Wood thanked Staff for seeking the grant. There was brief discussion on other grants the city has received and used for different programs over the years. Commissioner Borgelin questioned if there were any other consultants that were offered the opportunity to Bid. Mr. Krawczyk advised they rotate through a pool of consultants. Ms. Bhatt explained the process involved with establishing the pool of consultants. Attorney Goren advised that the pool of consultants consists of qualified professionals that are selected under state law according to the CCNA, (Consultants Competitive Negotiation Act), for a rotating list. Mayor Ziade questioned the administrative hourly rate of $95 in the proposal. Mr. Walter Zackria explained the way the rates are generated by applying an hourly rate and a multiplier, (the overhead and profit of the firm). Mayor Ziade expressed disagreement with the hourly rate. There was discussion on the hourly rate and having the rate reduced. Attorney Goren clarified the Resolution calls for it not to exceed figure of $110,705, if to the extent possible the motion approving this Resolution ratifies the presentation by the architect at a lesser rate for certain disciplines which are set forth in the contract then the rate needs to be stated for the record. The architect is stating he will waive the fee or some other comparable rate. Mayor Ziade inquired if Mr. Zakria is able to reduce the rate. There was discussion on an acceptable rate. Commissioner
Moyle called for a point of order, and stated there is a motion on the floor and a second, unless the Mayor has an alternate motion or a motion to table to allow staff to negotiate an amount. Attorney Goren advised to the extent then that the architect is offering a lesser rate for administrative expense under the terms of this proposal; the motion on the table is a motion to approve the proposal as offered. An alternate motion to approve the contract with the not to exceed figure of $110,705 for the lesser administrative rate would be in order. Mayor Ziade passed the gavel to Vice Mayor Borgelin. Mayor Ziade presented an alternate motion. She moved to approve the Resolution with a cap of $110,705 with a scope of services including administrative at $30 an hour. Seconded by Commissioner Borgelin. Commissioner Wood called for a point of order. He inquired on the hourly rate amount and if the Mr. Zackria agreed. Mr. Zackria advised that he did not agree with the $30 hourly rate. The Clerk took roll. MOTION PASSED 3-2, with Commissioner Moyle and Commissioner Wood dissenting. Attorney Goren stated the amendment prevails with the alternate motion. The Resolution will be adopted based on the cap not to exceed $110,705 with the rates as set forth in the contract with the exception of the administrative rate which will be $30 an hour and not $95 an hour. Mr. Zackria accepted the proposal based on the motion made and carried.

RESOLUTION# 19-03-6605 PASSED AND APPROVED ON A 3-2 VOTE

d. RESOLUTION – American Tower Corporation – Second Amendment to Cell Tower Lease

Commissioner Borgelin moved to read. Seconded by Commissioner Wood. Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OR DESIGNEE, TO EXECUTE THE SECOND AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF NORTH LAUDERDALE AND AMERICAN TOWER CORPORATION FOR THE LEASE OF A CELLULAR TOWER LOCATED AT 6100 KIMBERLY BLVD; AND PROVIDING AN EFFECTIVE DATE.

Susan Nabors, Finance Director presented the item based on the back up memorandum. She explained the initial term of the cell tower lease agreement with Verizon. The American Tower Corporation contacted the City with a proposal for a 30 year extension. She advised that after negotiations they were able to come to an agreement over the financial terms of the extension. Ms. Nabors reviewed the key points for the second amendment. She advised that City Administration recommends City Commission’s consideration and approval of the Resolution. Commissioner Wood moved to adopt. Seconded by Commissioner Moyle. Commissioner Borgelin inquired on any studies done on health hazards to the community. Ms. Nabors advised that she did not conduct a study and that she is not aware of any studies conducted by the city. Commissioner Borgelin inquired if there can be a study conducted for any future effects. City Manager Bhatty advised that this type of study would be done on a Federal level and she is not aware of any studies being conducted at this time. The item in front of us is to approve a lease agreement with the cell tower company. Commissioner Wood recalled concerns over the tower when it was first installed. He noted if they did not have the tower the signals would be affected and that the agreement is a revenue source for the city. Commissioner Wood acknowledged that the Staff goes into negotiations with the best interest of the city and the residents. He expressed
appreciation and thanks for their hard work. Ms. Nabors advised the lease negotiated will be front end loaded to achieve more revenue in the earlier parts of the lease rather than later. Commissioner Moyle commented that front end loaded is the best approach as we do not know how it will change over the next couple of years. There was some discussion on the research and concerns with health hazards due to cell towers and electrical lines and studies that are provided by the Federal government. There was no further discussion. Clerk took roll. MOTION PASSED 4-1, with Commissioner Borgelin dissenting.

RESOLUTION # 19-03-6606 PASSED AND APPROVED ON A 4-1 VOTE

9. REPORTS – None.

10. CITY MANAGER COMMENTS

a. Thursday, March 21 – 2:00 – 5:00 pm - Strategic Planning Workshop
City Manager Bhattty reminded everyone of the upcoming workshop. She explained the department heads will have an opportunity to share their ideas and recommendations for the next year’s budget for their individual department projects.

b. Saturday, March 23 – 2:00-9:00 pm – Broadview/Pompano Park 21st Annual Community Bazaar – Pompano Park Community Park - 4100 Bailey Road
City Manager Bhattty advised everyone on the upcoming Community Bazaar. She stated that the city has always partnered with Broadview Association on this event.

City Manager Bhattty advised the Silver Lakes Middle School Girls County Flag Football team won the County Championship and the Boys Volleyball team were the runner ups at the County Level. The Somerset Girls Basketball team won the State Championship. Ms. Bhattty indicated that she would like to invite them to a future Commission meeting to take a photograph.

11. COMMISSION COMMENTS

Commissioner Moyle:
- Complimented and thanked City Attorney Goren on his presentation at the Northwest Council of Elected Officials meeting. He expressed that Attorney Goren did an excellent job providing a legislative update.

Commissioner Wood:
- Reported on the Broward League Directors meeting and the Bills that were presented that attempt to preamp Home Rule. He thanked City Attorney Goren for reviewing the list of Bills at the meeting. He encouraged everyone to follow the proposed Bills and to contact their state and local representatives.
- Advised on a state funded program certifying teachers that work within our child care centers and schools presented by Commissioner Beam Furr that focuses on early childhood learning and achievement. A city list of child care providers will be distributed.
- Commented on the compliments received for the beautification projects in our city; the Rock Island Wall, the paving improvements to the roadways and the city monument signs.

Vice Mayor Borgelin:
• Commended Mike Sargis, Parks and Recreation Director on the Potato Round Up event. He complimented students on their participation and hard work.

• Advised on the positive responses he has received from residents on the speed humps on SW 84 TERR.

• Commented that there is no sign on Mr. Bill’s business in his district. City Manager Bhatti advised that Mr. Bill’s is not required to have a sign.

• Commented on having a larger pavilion at Jaycee Park.

• Commended Public Works for their dedicated work of pressure washing the medians.

**Mayor Ziade:**

• Commented that members of the Northwest Council expressed appreciation to the City for included their cities and schools in our City’s events.

• Requested a Code of Conduct Workshop to review procedures and proper etiquette at city meetings.

12. **CITY ATTORNEY COMMENTS**

City Attorney Goren advised there will be an update on the status of litigation and Bills at the next scheduled regular meeting of the City Commission.

13. **ADJOURNMENT**-There being no further discussion, the meeting adjourned at 8:46 pm.

Respectfully Submitted,

Patricia Vancheri, MMC
City Clerk

Transcribed by Deputy City Clerk Elizabeth Garcia -Beckford
The North Lauderdale City Commission met at the Municipal Complex on Tuesday, March 26, 2019. The meeting convened at 6:00 pm.

1. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Commissioner Bustamante gave the invocation and led the pledge.

2. **ROLL CALL** – Clerk called roll. All present.

   Mayor Ana Ziade  
   Vice Mayor Samson Borgelin  
   Commissioner Rich Moyle  
   Commissioner Lorenzo Wood  
   Commissioner Mario Bustamante  
   City Manager Ambreen Bhatti  
   City Attorney Samuel S. Goren  
   City Clerk Patricia Vancheri

3. **APPROVAL OF MINUTES** – None submitted

4. **PRESENTATIONS**

5. **PROCLAMATIONS**

   a. **National Library Week** – April 7-13 - Saraneiro Branch Library, Kimberly Blvd. – Clerk read Proclamation into the record. Manny Arocho and Rosa Murphy were present to accept the Proclamation.

   b. **National Boys & Girls Club Week** – April 8-12 – Clerk read Proclamation into the record. Derrick Brown, S. Robert Levine Campus/William E. Slaughter Club, was present to accept the Proclamation.

6. **PUBLIC DISCUSSION**

   Jerry Graziose, President of Broadview/Pompano Park Civic Association – SW 63 Avenue – Thanked City for its assistance with the Bazaar which was held last Saturday. It was a
successful event. He reported that Civic Association Members have voiced some concerns with regard to taking five weeks to obtain a roof permit after an application is submitted; he urged the department to take a look at what other cities do and handed out a pamphlet. Mr. Graziose also handed out a photocopy of an email he received from a resident regarding an election campaign issue and read the email for the record.

7. QUASI-JUDICIAL ITEMS

These Quasi-judicial Items 7(a); 7(b) and 7(c) were tabled on March 12, 2019 to a time-certain of March 26, 2019 at 6:00 pm. Staff has requested this item to be tabled again to a time certain of April 9, 2019 at the regular Commission meeting which will convene after the adjournment of a Student Government Mock Commission Meeting which convenes at 5:30 pm.

Commissioner Wood moved to read all three items into the record. Seconded by Commissioner Moyle. Attorney read:

   7105 W. McNab Rd

Variance request from City Code Section 106-222 (e) regarding allowing bollards where bumper guards, wheel stops or continuous curbing are required within a Community Business (B-2) zoning district.

APPLICANT: Bohler Engineering Inc. on behalf of Wawa Florida, Inc.

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING A VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-222(e) REGARDING THE REQUIRED BUMPER GUARDS, WHEEL STOPS OR CONTINUOUS CURBING; PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

   7105 W. McNab Rd.

Variance request from City Code Section 106-467 (11) to not completely enclose outdoor dining area and to allow access from outside the building within a General Business (B-2) zoning district.

APPLICANT: Bohler Engineering Inc., on behalf of Wawa Florida, Inc.

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING A VARIANCE FROM THE NORTH LAUDERDALE CODE OF
ORDINANCES, SECTION 106-467 (11) REGARDING THE DELINEATION OF THE OUTDOOR SEATING AREA BY MEANS OF A BARRIER; PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

c. SUBJECT: Site Plan SPR 19-01 Wawa Florida, Inc.
7105 W. McNab Rd.

Final site plan review to allow a new auto filling station, convenience store and restaurant within a Community Business (B-2) zoning district.

APPLICANT: Wawa Florida, Inc.

MOTION: To approve the final site plan subject to the seventeen (17) conditions set forth in staff memorandum.

Attorney Goren commented that this is the last time this item may be tabled. Commissioner Wood moved to postpone these three items to the April 9, 2019 City Commission meeting. Seconded by Commissioner Moyle. Motion passed unanimously by voice vote.

d. SUBJECT: SEU 19-01
7308 Southgate Blvd. (Presidential Plaza)

Commissioner Wood moved to read. Seconded by Vice Mayor Borgelin. Attorney read:

Special Exception Use request to permit the operation of a Primary use retail store with second hand sales as an accessory use in accordance with Section 106-438 (b) and Section 106-468 the Master Business List in an additional bay in a Community Business (B-2) zoning district.

APPLICANT: Stacey Smith - 2,4,6 Thrifts LLC.

Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. She indicated that the Applicant must adhere to Section 106-438 (b) by providing a ratio of no less than 51% to 49% of new to used goods as detailed in the backup exhibits. There can be no outside sales or storage on site and no repairs on site. All sales must be retail; no wholesale and pickup and drop off is restricted to rear of the building. Economic impact to the City is positive as the bay has been vacant for more than a year. There is more than enough parking in the plaza to accommodate this business which requires only 6 spaces. Planning and Zoning Board heard the item on March 5, 2019 and voted unanimously to recommend approval to the City Commission with the nine (9) conditions outlined in staff memorandum. Public hearing opened. No one spoke. Public hearing closed. The applicant, Stacey Smith, was present and agreed to the conditions as outlined.
Commissioner Moyle moved to approve the Special Exception Use request to permit the sale of secondhand goods as an accessory use to a primary retail store in accordance with Section 106-438 (b) and Section 106-468 of the Master Business List in a Community Business (B-2) Zoning District, subject to the nine (9) conditions outlined in staff memorandum. Commissioner Wood seconded the motion. No Commission discussion. Clerk called roll. All YES. Motion passed unanimously.

8. OTHER BUSINESS

a. SUBJECT - Farmers Market and Presentation of PATCH Program (People’s Access to Community Horticulture)

Commissioner Wood moved to read. Seconded by Vice Mayor Borgelin. Attorney read the motions into the record.

i. MOTION: To approve the establishment of the Farmer’s Market event to be organized and operated by PATCH as the City’s designated vendor contingent upon receipt of indemnity agreement

ii. MOTION: To waive the special event application fee of $106

Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. She gave a brief history of the Community Garden which was established in 2010 on property that was escheated by Broward County. That property was sold in 2013 to Habitat for Humanity so the garden was subsequently moved to the location across the street from City Hall. Keeping the garden alive has been a struggle and the department has been looking for ways to revitalize and bring activity to it. Over the years there was discussion of having a Farmers Market to benefit the growers as well as vendors seen in shopping centers that are selling sugar cane and coconuts to give them a legitimate place to sell that. PATCH (People’s Access To Community Horticulture) is a volunteer group that was first established in Dania Beach through their Community Redevelopment Agency and they are seeking other cities to be involved in their Farmer’s Market. Ms. Reed-Holguin commented that they will be seeking Commission’s consideration and approval of participating in a Farmers Market where they will propose to set up 2 pop-up tents and 5 tables on the lawn of City Hall on certain dates, from 4:00 – 7:00 pm, on various dates from April through June as a pilot program. The location has met the approval of Fire, BSO, Parks & Recreation and City Attorney and the liability insurance was approved by the City’s Risk Manager. Staff also requests that the special event application fee be waived. An Indemnity Agreement has been received as well since the memo was submitted. Nattaliah Earle, PATCH Mobile Markets Program Coordinator, thanked the City and Community Development for the opportunity to present this program. Ms. Earle gave a PowerPoint Presentation outlining the project; its sponsors and strategies of offering this project to promote healthy communities with community gardens, farmer’s markets, and urban farms. She indicated that they are able to do these projects through urban health partnerships and grants. Ms. Earle explained that they use organic fertilizers and organic methods to grow food; She explained the use of grow bags or jack pot bags; commented that they use Neem oil instead of pesticides; use organic fertilizers and even ladybugs to combat any issues. PATCH has also used
a grant to obtain a hydroponic system. PATCH also offers events and activities and works a lot with non-profits to bring physical fitness to the community. Ms. Earle indicated that they have operated 10 mobile markets among 6 locations in 3 areas of Broward County and they seek to add North Lauderdale as a partner. She passed out a pamphlet and a copy of her PowerPoint presentation is available in the City Clerk’s office. Commissioner Borgelin commented that if pesticides are used then the food would not be organic. Ms. Earle replied that they are not fully certified as organic because of the use of grow bags, but they use organic soil and seeds; organic fertilizer and only use Neem oil and pesticides used for the organic market. She commented that they focus on local growers as well and not just the organic market. Commissioner Wood commented he is very interested in workshops offered by PATCH and asked about how to get community interest in the garden. Ms. Earle explained that they have grower’s meet-ups through the University of Florida Institute of Food and Agricultural Sciences which is one of their big partners to encourage growers and they have seen more growers in Broward. Commissioner Bustamante asked if PATCH would produce its own fertilizer. Ms. Earle said that would be ideal; a vision of PATCH is to become a collaborative and to have it become a Broward County initiative, to be able to create products and supply all the farms. Mayor Ziade commented on the iguana issue. Ms. Earle said it would be a matter of planting something that was more attractive to the iguana than the food; much like they plant things around the food that attracts bugs as a form of pest control. No further questions.

Commissioner Moyle moved to approve the establishment of the Farmer’s Market event to be organized and operated by PATCH as the City’s designated vendor; seconded by Commissioner Wood. MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

Commissioner Wood moved to approve waiver of the special event application fee of $106; seconded by Vice Mayor Borgelin. MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

b. ORDINANCE - First Reading – Creating Purchasing Procedures

Commissioner Wood moved to read; seconded by Vice Mayor Borgelin. Attorney read:

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, CREATING CHAPTER 3 OF THE CITY’S CODE OF ORDINANCES, TO BE ENTITLED “PROCUREMENT PROCEDURES”; PROVIDING FOR A COMPREHENSIVE PROCUREMENT CODE FOR THE CITY OF NORTH LAUDERDALE; PROVIDING FOR DEFINITIONS; PROVIDING FOR COMPETITIVE PROCUREMENT PROCEDURES FOR GOODS AND SERVICES; PROVIDING FOR COMPETITIVE NEGOTIATIONS; PROVIDING FOR A CONE OF SILENCE; PROVIDING FOR BID PROTEST PROCEDURES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Susan Nabors, Finance Director, presented the item based on backup memorandum. She indicated that Staff has worked with the City Attorney’s office and other departments to create a
comprehensive ordinance to ensure goods and services utilized by the City are procured through an open, fair and competitive process. Ms. Nabors commented that many of the processes and procedures included in the ordinance are already currently in practice and she highlighted some new sections recommended to enhance the City’s procurement process, which are outlined in the backup memo. Additionally, Ms. Nabors commented that historically the guidelines for purchasing have been in the City’s Charter since its inception and that the language was limited in scope and clarity. Amending the Charter requires approval of a majority of the voters on election cycles and in November 2018 the voters approved a ballot question to remove the purchasing guidelines from the City Charter and require the City Commission to adopt a purchasing ordinance within 180 days, which due date is May 5. The benefit of this is that it allows for more timely updates and the City would not have to wait for an election cycle to make these updates deemed in the best interest of the City for operational effectiveness or for changes in Federal or State statutes. **Commissioner Moyle moved to approve on first reading. Seconded by Commissioner Wood.** Attorney Goren commented that Ms. Nabors has done an exceptional job in benchmarking the data and information contained in this ordinance which is one of the most significant pieces of legislation the City may adopt in a number of years. The ordinance will change the way the City does business as much of the Code that was developed over the years was done through the Charter by separate administrative policies that is currently codified in one document. This document was benchmarked against other cities and the County and is in line with best practices. He reiterated that this item was voted on favorably on the ballot. It is the kind of procedure that the Inspector General would look at in the context of how the City conducts its business with vendors. City Attorney stated this document gives a comprehensive approach to procuring goods and services. Commissioner Borgelin commented on clarification of Sec. 3-8 pertaining to language stating the City Manager “may” approve up to $25,000 and not “shall”. Ms. Nabors replied that even if something is below $25,000, if staff thinks it is something that would be beneficial to bring to the Commission they would have the option to do so; but anything over $25,000 “shall” come to Commission. Commissioner Borgelin also asked for clarification of “bid splitting”. Attorney Goren replied that it is illegal under the Code to “split” a quote to bring it under the threshold of a bidding process. **No further discussion; Clerk called roll. All YES. ORDINANCE PASSED UNANIMOUSLY ON FIRST READING. Second reading scheduled for April 9th.**

c. **RESOLUTION - EMS Transport Accounts Receivable Write-Off**

Vice Mayor Borgelin moved to read; seconded by Commissioner Wood. Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO WRITE-OFF UNCOLLECTED EMERGENCY MEDICAL TRANSPORT CHARGES FOR THE PERIOD OF OCTOBER 1, 2011 TO SEPTEMBER 30, 2013; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Susan Nabors, Finance Director, presented the item based on backup memorandum. She explained that the City has a contract with ADPI to process billing and file insurance claims on
North Lauderdale Fire Department’s EMS transports. Ms. Nabors highlighted the EMS transport receivables that were collected and the remaining balances left uncollected. Overall the collection percent is about 40% of what is billed; basically because Medicare/Medicaid pays a fixed amount per transport which is far below the amount billed. Also, some patients do not carry any insurance, and become responsible for the bill. Although efforts are made to collect, the balances remain unpaid, which is a regional and national issue with cities and counties not being able to collect the full amounts on EMS transports. The City did implement some new measures to try to collect such as accepting credit card payments which has seen an uptick in payment. Also, the City sends a letter to remind the patient that a partial payment process is also accepted; recently 1,800 letters have been sent. Ms. Nabors reported that the City is participating in a Public Emergency Medical Transport (PMET) program which is offered by the State to help fill the gap between the maximum that Medicaid pays and what is billed out. There is no financial statement impact to revenue or expense from the approval of this write-off and it does not constitute a forgiveness of the debt; it is simply a clean-up of the accounting records. Commissioner Wood moved to approve the write-off of uncollectible EMS receivables between October 2011 and September 2013 as outlined by staff. Seconded by Vice Mayor Borgelin. Commissioner Wood commended Ms. Nabors and Chief Turpel for their work in trying to collect the balances. Mayor Ziade asked how often the [write offs] happen. Ms. Nabors replied that they plan to do it annually going forward. Attorney Goren reiterated that they are not writing off the debt or the opportunity to collect, but this is done for accounting purposes. Commissioner Borgelin asked if collection is the same for residents and non-residents. Ms. Nabors replied the method of collection is the same for all transported; and their insurance, if any, is billed first, and if there is a gap it will be pursued by phone calls or letters to the transport patient. Attorney Goren interjected that [collection] is non-discriminatory. No further discussion; Clerk called roll. All YES.

RESOLUTION NO. 19-03-6607 PASSED AND APPROVED UNANIMOUSLY

d. RESOLUTION – Award of Canal Bank Repair - ITB #19-01-376

Vice Mayor Borgelin moved to read; seconded by Commissioner Wood.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH POSEIDON DREDGE & MARINE INC. FOR THE CANAL BANK REPAIRS AT 717, 719 AND 721 SW 79TH AVENUE, NORTH LAUDERDALE AS OUTLINED IN ITB #19-01-376 IN AN AMOUNT NOT TO EXCEED $603,728.47 WITH A CONTINGENCY OF $60,000.00 FOR ANY OTHER RELATED ITEMS IF NEEDED; PROVIDING FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.

George Krawczyk, Public Works/Utilities Director, presented the item based on backup memorandum. He stated this item is an award for the long awaited, complex and expensive repair of the collapse of this cavity, which was documented by a diver and is 8 feet below the surface on the waterside of this address. Mr. Krawczyk advised of the duly advertised bid and
reported that prospective bidders attended a pre-bid meeting on March 5th where the prospective vendors attended and viewed the site. The bid package was designed by Total Municipal Solutions, an experienced design team for this type of project. The low bidder is Poseidon Dredge & Marine Inc. Staff researched and called references to make sure the low bid was qualified as there was a substantial difference between the low bid and the high bid. Poseidon was found to be qualified for this type of project and staff recommends award of the contract to them for the canal bank repair as outlined in ITB #19-01-376. Upon contract signing, the project will be mobilized within the month. **Commissioner Wood moved to adopt. Seconded by Vice Mayor Borgelin.** Vice Mayor Borgelin asked what happens at the pre-bid. Mr. Krawczyk explained this is a mandatory meeting which was attended by 10 potential bidders. It gives them an opportunity to go to the site, see the scope of work, ask questions, do measurements and take it back to their company to see if they wish to bid on it. Of the ten that attended the pre-bid, four bids were submitted. After the pre-bid, prospective bidders also have an opportunity to submit questions and obtain answers specific to the project. Commissioner Wood asked if this site is continuing to erode and have we looked at other sites that need repair. Mr. Krawczyk replied that the sheet piles will prevent that; and this summer a dive team will be looking at other areas. **No further discussion; Clerk called roll. All YES.**

**RESOLUTION NO. 19-03-6608 PASSED AND APPROVED UNANIMOUSLY**

e. **RESOLUTION – Culvert Cleaning and Repair of Culvert No. 24**

Commissioner Wood moved to read; seconded by Vice Mayor Borgelin.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD A CONTRACT TO AQUA-NAUTIK UNDERWATER-WORK, LLC., TO PROVIDE CULVERT CLEANING SERVICES AND REPAIR OF ONE CULVERT, FOR AN AMOUNT NOT TO EXCEED $74,347.50, USING THE CITY OF SUNRISE CONTRACT, ITB 18-11-01, FOR CULVERT CLEANING AND REPAIRS; AND PROVIDING AN EFFECTIVE DATE.

George Krawczyk, Public Works/Utilities Director, presented the item based on backup memorandum. He explained that a culvert is a pipe crossing underneath a roadway with a canal on both sides. In March, and correcting the memorandum, actually 48 culverts were inspected and 14 were found to have obstruction of water flow. Staff recommends piggy-backing off the City of Sunrise contract to award the contract to Aqua-Nautik to clean these culverts now to prepare for hurricane season. **Commissioner Wood moved to adopt. Seconded by Commissioner Bustamante.** Vice Mayor Borgelin asked what the location of culvert No. 24 is. Mr. Krawczyk replied it is at Sussex Drive between Tam O’Shanter and Hampton; it will be welded under water to repair so there is no collapse. **No further discussion; Clerk called roll. All YES.**

RESOLUTION NO. 19-03-6609 PASSED AND APPROVED UNANIMOUSLY
At this time, we went off the Agenda, to revisit Public Discussion for a resident signing in late.

Cyndy Garcia – SW 69 Terrace – Voiced concerns about speeding at SW 18<sup>th</sup> Court and 69Terrace and requested speed bumps at SW 68 Avenue through SW 70 Avenue. Also reported that tenants at 1741 SW 69 Terr. have been speeding, leaving tire marks, very noisy on weekends with motorcycles and police presence is there almost every weekend. George Krawczyk reported that speed humps are scheduled to be put at SW 18<sup>th</sup> Court and at 70<sup>th</sup> Avenue. Commissioner Bustamante commented that there was a speed involved accident which happened right front of them in that neighborhood.

Clemencia Escobar – SW 69 Terrace – Also came to voice the same concerns as translated by Deputy Clerk Garcia-Beckford. She commented that there are a lot of cars there that block the parking area and they have difficulty entering their own parking area. She has lived in the same house for 23 years, but there is a home next to hers at 1743 SW 69 Terrace that requires maintenance.

9. REPORTS

a. Report on new 911 Text Initiative

Mike Sargis, Asst. City Mgr./Parks & Rec Dir., reported that he attended a meeting at the Broward Emergency Operations Center regarding the new “Text to 911” program which State law is making a requirement for counties. Currently, about 27 counties throughout the State have this program in place. Broward will be launching their service on April 2<sup>nd</sup>. The Commission has received an invitation to the press conference at the Sunrise Public Safety Complex at 10:00 am. This program benefits the deaf or speech impaired, or if you are in a situation where it is not safe to call. It is designed for limited use as the system is more complex and takes longer to implement than a phone call. Also, it is imperative that in texting, you provide your location or address in that it takes the carrier more time to identify your location before sending help. Text is only done in English and must not use abbreviations. If text is used and a call is dropped or not received, the County will not take responsibility for that. Federal law does not give texts any greater priority than the primary use of calling 911. The County will be putting a lot of effort in letting people know what and how this program is to be used, but it will not be primary to calling 911. Misuse of a 911 texting program will result in criminal charges.

10. CITY MANAGER COMMENTS – City Manager Bhatty referred to the flyers in the backup and said April will be a very busy month.

a. Upcoming Events:
   - Saturday, April 6 – 12:00-5:00pm – April Pools Day
   - Saturday, April 13 – 10:00-11:45 am – Eggstravaganza Egg Hunt
   - North Lauderdale Days
     - Friday, April 19 – 7:30-9:00 – Pool Party and ABC Circus
     - Saturday, April 20 – Noon-9:00 – Food, Music & Activities –
Main Music Event – 7:00 pm and Fireworks – 9:00 pm

- Wednesday, April 24 – 10:00-2:00pm - Senior Expo – Oakbrook Clubhouse

11. COMMISSION COMMENTS

a. RESOLUTION - Broward League of Cities Board of Directors Appointments

Vice Mayor Borgelin moved to read. Seconded by Commissioner Wood.

Attorney read:

A RESOLUTION OF THE NORTH LAUDERDALE CITY COMMISSION APPOINTING A DIRECTOR, AN ALTERNATE DIRECTOR AND A SECOND ALTERNATE TO THE BROWARD LEAGUE OF CITIES BOARD OF DIRECTORS EFFECTIVE MAY 18, 2019 THROUGH MAY 2020 PROVIDING THAT A COPY OF THIS RESOLUTION BE SENT TO MARY LOU TIGHE, EXECUTIVE DIRECTOR OF THE BROWARD LEAGUE OF CITIES; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Wood, as the current Director, nominated himself to remain the Director. Commissioner Moyle made that motion. Seconded by Commissioner Bustamante. All in favor by voice vote. Commissioner Wood moved to nominate Commissioner Moyle as Alternate. Seconded by Commissioner Bustamante. All in favor by voice vote. Commissioner Wood moved to nominate Mayor Ziade as the second alternate. All in favor by voice vote. Commissioner Wood moved to approve the Resolution appointing the slate of directors. Seconded by Commissioner Bustamante. Clerk called for voice vote. All in favor with the exception of Vice Mayor Borgelin. There was discussion regarding the former slate of directors, and the nominations for a current slate. Vice Mayor Borgelin asked how many votes are needed to pass this. Attorney Goren explained how the process of nominations works; if there is more than one nomination then the sequence is that a vote is taken for the first one and if it gets three votes, there is no second consideration unless the first vote did not have three votes. He advised that if the Mayor and Commission wished to reopen the nominations it would be their prerogative to allow a motion for reconsideration of the slate. Vice Mayor Borgelin made the motion to reconsider which was seconded by Commissioner Bustamante. Clerk called roll. Commissioner Moyle – NO; Commissioner Wood – NO; Commissioner Bustamante – YES; Vice Mayor Borgelin – YES; Mayor Ziade – YES. Motion to reconsider passed. Commissioner Wood nominated himself to remain as the Director; Seconded by Commissioner Moyle. Vice Mayor Borgelin nominated himself for Director; Seconded by Commissioner Bustamante. Nominations closed for Director. Clerk called roll. Commissioner Bustamante – YES; Commissioner Moyle – YES; Commissioner Wood – YES; Vice Mayor Borgelin – NO; Mayor Ziade – YES. Motion to appoint Commissioner Wood as Director passed on a 4-1 vote. Commissioner Wood moved to nominate Commissioner Moyle as the Alternate. Commissioner Moyle seconded. Mayor Ziade nominated Vice Mayor Borgelin as the Alternate. Commissioner Bustamante seconded. Nominations closed; Clerk called roll on first nomination for Alternate. Commissioner Moyle – YES; Commissioner Wood – YES; Vice Mayor Borgelin – NO; Commissioner Bustamante – NO; Mayor Ziade – NO. First nomination failed 3-2. Clerk called
roll on second nomination. Commissioner Wood – NO; Vice Mayor Borgelin – YES; Commissioner Bustamante – YES; Commissioner Moyle – NO; Mayor Ziade – YES. **Motion to appoint Vice Mayor Borgelin as Alternate passed on a 3-2 vote.** Commissioner Moyle moved to nominate Commissioner Bustamante as Second Alternate; seconded by Commissioner Wood. Mayor Ziade nominated herself; seconded by Vice Mayor Borgelin. Clerk called roll on first nomination. Commissioner Moyle – YES; Vice Mayor Borgelin – NO; Commissioner Bustamante – YES; Commissioner Wood – YES; Mayor Ziade – NO. **Motion to appoint Commissioner Bustamante as Second Alternate passed 3-2.**

**RESOLUTION NO. 19-03-6610 PASSED AND APPROVED UNANIMOUSLY**

b. **Discussion and possible motion to approve attendance at the Broward League of Cities’ 62nd Annual Gala Installation Dinner on Saturday, May 18, 2019 at Margaretwile, Hollywood**

Commissioner Wood asked City Clerk what was done last year to which she responded that the Commission approved a $2,500 sponsorship. Commissioner Wood said this keeps our League vibrant and recommends doing the same this year. **Commissioner Wood moved to approve a $2,500 sponsorship; seconded by Commissioner Moyle. Clerk called roll. Motion passed unanimously.**

c. **Motion to approve scheduling next Commission meeting to begin immediately after adjournment of the Student Government Mock Commission meeting set for 5:30 pm**

Clerk Vancheri advised that we will be hosting students from three North Lauderdale schools for a Student Government Day. Pinewood Elementary and North Broward Academy of Excellence will participate in a tour during the day; Silver Lakes Middle will participate in a tour as well as present a “Mock Commission Meeting” in the evening prior to a regular Commission meeting. **Commissioner Moyle moved to approve; seconded by Commissioner Wood. Motion passed unanimously.**

**Vice Mayor Borgelin**

- Thanked residents for coming to the meetings  
- Thanked Administration for speed humps on 81st Ave.; still needs speed humps SW 10th Street and SW 10th Court  
- Wants to schedule a District D forum for the Silver Lakes neighborhood

**Commissioner Wood**

- Commented on speeding and racing and this being a Countywide problem  
- Commented that a school bus driver that lives in his district has a problem with loud music which was brought up to BSO and Code  
- Commented that there is no BSO presence at the meeting tonight

**Commissioner Bustamante**

- Commented about resident complaints about getting out on Bailey Road from SW 63 and coming up with a solution; he will talk to George/Public Works about it
Mayor Ziade

- Commented that she and Commissioner Bustamante attended a Homeowner’s Association meeting at the Belmont and encouraged the public to invite the Commission to attend Homeowner’s Association meetings when they can voice their concerns and the concerns can be related to Staff.
- Thanked the residents who were in attendance at the meeting for coming out and thanked Resident Singh for kind words about the prompt results he received from the City. Resident Kenneth Singh spoke to that saying that within two hours of notifying the City Manager about some concerns, he had a response and work had been scheduled. Mr. Singh said he appreciates Public Works Director George Krawczyk and his team. Mr. Singh advised residents that if they “See something; Say something” and they will make a change and see things addressed in a timely manner. Mr. Singh also addressed the speeding issue and advised that there are no speed limit signs on McNab going east after Rock Island Road.

12. CITY ATTORNEY COMMENTS

Attorney Goren commented that the legislative session that began on March 5th will end on May 3rd. A lot of the bills are making their way through and by the next meeting April 9th there may be more direction on where they are going; particularly House Bill 3 which is the public records and ethics bill.

13. ADJOURNMENT – There being no further business, the meeting adjourned at 8:37 pm.

Respectfully submitted,

Patricia Vancheri, MMC
City Clerk
PROCLAMATION

STUDENT GOVERNMENT DAY 2019

WHEREAS, the education of our youth is important to the future of our City, State and Nation; and

WHEREAS, teaching students to be involved and knowledgeable about local government will benefit them as the future leaders of our communities; and

WHEREAS, the students from Pinewood Elementary; North Broward Academy of Excellence and Silver Lakes Middle Schools participated in Student Government Day activities to learn about local government from City Officials, City Manager, City Clerks, Department Heads and staff; and

WHEREAS, Student Government Day motivates students toward an interest in local issues and provides a “hands on” experience of the role that government plays in their future; and

NOW, THEREFORE, the Mayor and Commission of the City of North Lauderdale are dedicated to supporting community involvement and local government education of all students in the City North Lauderdale, Florida and does hereby proclaim April 9, 2019 as

STUDENT GOVERNMENT DAY

and honor the students, teachers, and officials who participated in this day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of North Lauderdale to be affixed this 9th day of April, 2019.

_______________________________
MAYOR ANA M. ZIADE
WHEREAS, the first National Autism Awareness Month was declared by the Autism Society in April 1970. The origins of the puzzle piece, the primary symbol for autism, go back to 1963. It was created by Gerald Gasson, a parent and board member for the National Autistic Society (formerly The Society for Autistic Children) in London. The board believed autistic people suffered from a 'puzzling' condition; and

WHEREAS, this month is backed by the Autism Society of America which has local chapters throughout the United States which hold special events throughout April and undertake a number of activities to raise awareness about autism. Thousands of landmarks, buildings, homes and communities around the world will ‘Light Up Blue’ in recognition of people living with autism; and

WHEREAS, the National Autism Awareness Month aims to educate the public about autism which is a complex mental condition with developmental disability, characterized by difficulties in the way a person communicates and interacts with other people; and

WHEREAS, autism can be present from birth or form during early childhood (typically within the first three years). Autism is a lifelong developmental disability with no single known cause; and

WHEREAS, people with autism are classed as having Autism Spectrum Disorder (ASD) and the terms autism and ASD are often used interchangeably. A wide spectrum disorder, people with autism have a set of symptoms unique to themselves; no two people are the same; and

WHEREAS, as about 1 in 150 people in America have autism, the chances are that you know someone with this disability. In the United States, autism affects 1 in every 110 children.

WHEREAS, Autism Awareness Month promotes acceptance and celebration of autistic people as family members; friends; classmates; co-workers; and community members making valuable contributions to our world. Autism is a natural variation of the human experience, and we can all create a world which values, includes, and celebrates all kinds of minds.

NOW THEREFORE, the Mayor and City Commission recognizes and proclaims the month of April as

NATIONAL AUTISM AWARENESS MONTH

and encourages all residents to be better informed; more empathetic and supportive towards people with autism.

Dated this 9th day of April, 2019

_____________________________________
MAYOR ANA M. ZIADE
WHEREAS, Florida’s future depends on nurturing the healthy development our children; and

WHEREAS, the abuse and neglect of children can cause severe, costly and lifelong problems; and

WHEREAS, every child has a right to a safe, healthy and happy childhood where they are educationally and developmentally on track; and

WHEREAS, research shows that parents and caregivers who have support systems and know how to seek help in times of trouble are more resilient and better able to provide safe environments and nurturing experiences for their children; and

WHEREAS, individuals, businesses, schools, and faith-based and community organizations must make children a top priority and take action to support the physical, social, emotional and educational development and competency of all children; and

WHEREAS, the blue and silver pinwheel stands as a symbol of the health and happiness all children deserve; and

WHEREAS, during the month of April, Prevent Child Abuse Florida, in collaboration with the Governor's Office of Adoption and Child Protection, the Florida Department of Children and Families and the Ounce of Prevention Fund of Florida, will implement Pinwheels for Prevention, a statewide campaign promoting awareness of healthy child development and positive parenting practices and the types of concrete support families need within their communities; and

NOW, THEREFORE, We, the City Commission of the City of North Lauderdale, Florida hereby proclaim the month of April 2019 as

CHILD ABUSE PREVENTION MONTH

and urge all residents to engage in activities whose purpose is to strengthen families and communities to provide the optimal environment for healthy child development.

Dated this 9th day of April, 2019

MAYOR ANA M. ZIADE
WHEREAS, Earth Day 2019 is an event observed annually on April 22. It is a day held to demonstrate and promote environmental awareness and calls for the protection of our planet. Today, Earth Day, 2019 is celebrated in more than 193 countries each year.

WHEREAS, all species play a unique role in the complex web of life and contribute to the ecosystem services on which all life on Earth depends, and hence, protecting our species is crucial to the survival of this planet and its inhabitants; and

WHEREAS, wild animal populations have declined on average by more than half and the Earth is facing an era of mass extinction; and the loss of species is for the most part a result of human activity, including degradation of ecosystems, deforestation, pollution, and climate change; and

WHEREAS, by 2050, between 60-70% of all people will live in cities and species provide important services to city dwellers such as generating oxygen and purifying the air; controlling other animals considered pests or that spread disease; pollinating plants and crops; providing recreation opportunities and well-being, etc.; and

WHEREAS, many plants, wild animals, and pollinators live in urbanized landscapes, and cities thereby have a responsibility to examine the ecological impacts of expanding urban areas and how to protect biodiversity; and

WHEREAS, it is understood that sustainability will only be achieved by meeting the needs of the present without compromising the needs of future generations; therefore, it is more important than ever to cooperate locally and internationally to defend the environmental progress that has been heretofore gained; and

WHEREAS, Earth Day is an annual reminder of the constant need for environmental activism, stewardship commitments and sustainability efforts.

NOW, THEREFORE, The Mayor and City Commission have the distinct honor of proclaiming April 22, 2019 as EARTH DAY

throughout the City of North Lauderdale and encourage all of its citizens, businesses, and institutions to use EARTH DAY to celebrate the Earth and promote the protection of our species.

Dated this 9th day of April, 2019

______________________________
MAYOR ANA M. ZIADE
TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Tammy Reed-Holguin, Community Development Director
DATE: March 26, 2019
SUBJECT: VAR-19-01 Wawa Florida, Inc
7105 W. McNab Rd.

Second Reading and Adoption: Variance request from City Code Section 106-222 (e) regarding allowing bollards where bumper guards, wheel stops or continuous curbing are required within a Community Business (B-2) zoning district.

APPLICANT: Bohler Engineering Inc. on behalf of Wawa Florida, Inc.

BACKGROUND:

Tonight we are presenting requests for two variances separately for consideration for adoption on second reading to accommodate the construction of a Wawa at 7105 W. McNab Road which is currently owned by Morgan Property Group and occupied by Walgreens. The applicant is requesting, in their first variance, to omit bumper guards, wheel stops or continuous curbing required by Section 106-222(e) and to install bollards instead. The final site plan will be considered later tonight contingent upon approval of both variances. The request is outlined in the table below:

<table>
<thead>
<tr>
<th>TYPE OF VARIANCE</th>
<th>CODE REQUIREMENTS</th>
<th>PROPOSED</th>
<th>VARIANCE REQUESTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 106-222(e) Off Street Parking</td>
<td>Bumper guards, wheel stops or continuous curbing required</td>
<td>Bollards and planter boxes</td>
<td>To install bollards instead of bumper guards, wheel stops or curbing</td>
</tr>
</tbody>
</table>

The owner/management company proposes to demolish the existing Walgreens once their lease expires and construct Wawa. The new building will be an auto filling station, convenience store and restaurant totaling 6,119 square feet. In support of their variance request, the applicant has
provided research by safety and engineering professionals demonstrating that the implementation of wheel stops and curbing serves as a trip hazard and potential launching mechanism for cars making them unsafe or injurious to the public. Wawa states that the bollards will better protect the store front and outdoor seating area from vehicles. The surface around the bollards will be flush with the pavement, eliminating the trip hazard for pedestrians.

**ANALYSIS AND FINDINGS**

Section 106-222 (e) of the City Code of Ordinances requires continuous curbing, bumper guards or wheel stops for parking stalls which abut landscaped areas, sidewalks, structures or property lines. The applicant has not provided any bumper guards, curbing or wheel stops but instead proposes bollards along the parking areas which front the building.

Per the guidelines and criteria contained in Section 106-79 of the City Code, a variance shall not be granted unless the City’s governing body determines the following:

1. That special circumstances exist affecting the land involved preventing the reasonable use of such land.
2. That the circumstances, which cause the hardship, are peculiar to the property, such that they clearly constitute marked exceptions to other properties in the district.
3. That the variance is the minimum variance that will make possible the reasonable use of the property and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
4. That the literal interpretation of the provisions of this chapter would deprive the applicant of a substantial property right that is enjoyed by other property owners in the district. It is of no importance whatever that the denial of the variance might deny to the property use in a more profitable way, or to sell it at a greater profit than is possible under the terms of this chapter.
5. That the hardship is not self-created or the result of mere disregard for, or ignorance of, the provisions of this chapter.

The applicant has provided the following justification for each of the above criteria:

- The site for the construction of the Wawa is part of an already constructed development called Hampton Plaza and therefore must fit within the existing infrastructure. However, these limitations do not necessarily affect the provision of the barrier for the outdoor seating.
- The circumstances cited above are particular to this property due to the existing development on the site. However, these circumstances do not relate to the requested variance.
- The minimum variance is being requested to accommodate the proposed new building/use and it will not be injurious to the neighborhood or detrimental to the public welfare. In fact, provision of the bollards protects the convenience store and outdoor seating area from vehicles.
Further demonstrating the safety feature of bollards, the applicant provided studies that demonstrate that the bollards would prevent tripping hazards commonly caused by wheel stops, curbing or vehicle encroachment into pedestrian or dining areas, which would avoid possible injury and ensure safe ease of access to the Wawa store as referenced by David A. Dodge in his article “Best Practices, Mercantile Safety”. *Journal of the American Society of Safety Engineers* (February 2015) and recommended by American Society for Testing Materials (ASTM) Standards.

- The proposed use of bollards without bumper guards, continuous curbing or wheel stops would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated.
- The applicant acknowledges the intent of the Code for the provision of wheel stops, bumper guards or continuous and has provided documentation that the provision of bollards meets, if not exceeds, the intent of the Code.

The Planning and Zoning Board met and heard this item on Tuesday, January 8, 2019. The Board unanimously (5-0) approved the variance.

The City Commission met on January 15, 2019 and approved the variance on first reading. The item was advertised for second reading and adoption to be heard on January 29th. During that meeting, the item was tabled to time certain of February 26th at the applicant’s request. The item was tabled again on February 26th to a time certain of March 26th at staff’s request due to the incompleteness of the traffic study requested by the Commission.

Tonight we are presenting the variance to the Commission for consideration of adoption on second reading.

**RECOMMENDATION:**
If the City Commission concurs with this request and Administration’s recommendation, a motion is in order to for the adoption of the attached Ordinance on second reading granting the variance subject to the following conditions:

1. That all applicable approvals by the City, County, State and other regulatory agencies be provided to the City of North Lauderdale prior to the issuance of permits.
2. That a final traffic analysis be submitted prior to consideration by City Commission.
3. That the variance is tied to the Wawa application and future use of the building once constructed.
ORDINANCE NO. ______________________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING A VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-222(e) REGARDING THE REQUIRED BUMPER GUARDS, WHEEL STOPS OR CONTINUOUS CURBING; PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 106-222 (e) of the City Code requires bumper guards, wheel stops or continuous curbing; and

WHEREAS, Bohler Engineering Inc., on behalf of Wawa Florida, Inc, has applied for a variance to allow bollards where a bumper guard, wheel stop or curbing is required; and

WHEREAS, the Planning and Zoning Board recommended consideration of approval of said variance request on January 8, 2019; and

WHEREAS, the City Commission finds that the variance requested is the minimal to allow use of the property and is not injurious to the neighbors or otherwise detrimental to the public welfare and will provide safety to the customers;

WHEREAS, the City Commission is desirous of granting the requested variance from the requirements of the afore cited Ordinance and associated Zoning Regulations and/or applicable provisions thereof to said legal titleholder(s) as they apply to the property in question.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

Section 1: That pursuant to an application properly filed for a variance from the requirement of, Section 106-222 (e) of the North Lauderdale Code, variance is and the same are hereby granted from the requirement for the project located at 7105 W. McNab Road, North Lauderdale, Florida.

Section 2: That the variance is hereby granted to inure to the benefit of the present and future titleholder(s) to said property.

Section 3: That all other requirements of the North Lauderdale Code of Ordinances and associated zoning regulations are not otherwise varied by the terms of this Ordinance and shall be in full force and effect and fully applicable to the property.

Section 4: That all applicable approvals by the City, County, State and other regulatory agencies are provided to the City of North Lauderdale prior to the issuance of permits and that
the applicant meets all conditions set forth by said regulatory agencies, including but not limited to the City engineer and Broward County Traffic Engineering Department.

Section 5: That all Ordinances, or parts of Ordinances, Resolutions or parts of Resolutions, in conflict herewith be and the same are repealed to the extent of such conflict.

Section 6: That this Ordinance shall take effect immediately upon adoption.

PASSED on first reading by the City Commission of the City of North Lauderdale, Florida, this 15 day of January, 2019.

PASSED on second reading by the City Commission of the City of North Lauderdale, Florida, this ________day of March, 2019.

APPROVED AS TO FORM:

___________________________________
CITY ATTORNEY SAMUEL S. GOREN

_________________________________
MAYOR ANA M. ZIADE

____________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

_________________________________
PATRICIA VANCHERI, CITY CLERK
LETTER OF AUTHORIZATION

To Whom It May Concern:

This letter authorizes Christopher Capellini, PE with Bohler Engineering to act on behalf of Florida Property Investment Partners, Inc. in regard to permits and applications for site plan approval through the City of North Lauderdale, as well as but not limited to all regulatory agencies, departments and governmental agencies of FDOT, Broward County Utilities, Broward County Transit, City of North Lauderdale Utilities and SFWMD, necessary for the construction and development located at W. McNab Rd & SW 71st Ave.

Signature: 

George M. Morgan, Jr.
Name (printed) EVP

STATE OF NORTH CAROLINA
COUNTY OF UNION

The foregoing instrument was acknowledged before me this 20 day of November 2018, by George A. Morgan III, Executive Vice President of Florida Property Investments Partners, Inc. He is personally known to me or have produced _____________ as identification.

Corrie B_Carr
Notary Public
Print Name Commission No. 20124200064
Expiration Date: August 31, 2023
TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Tammy Reed-Holguin, Community Development Director

DATE: April 9, 2019

SUBJECT: VAR-19-03 Wawa Florida, Inc.
7105 W. McNab Rd.

Request from Applicant to Withdraw:
Variance request from City Code Section 106-467 (11) to not completely enclose outdoor dining area and to allow access from outside the building within a General Business (B-2) zoning district.

APPLICANT: Bohler Engineering Inc., on behalf of Wawa Florida, Inc.

We received the email below on Wednesday evening, April 3 from Mr. Dickerson, the legal representative for the Wawa project. He indicates in the attached email that the outdoor seating area will be fully enclosed with fences and gates and is requesting that the variance from City Code Section 106-467 (11) to not completely enclose outdoor dining area and to allow access from outside the building within a General Business (B-2) zoning district be withdrawn.

At the time of the writing of this memorandum, the revised site plan depicting the fully enclosed outdoor seating area had not been received.
Good evening Tammy and Ambreen,

Pursuant to our recent conversations, Wawa has agreed to remove the one table closest to the front (south) entrance and place additional gates at the front (south) and rear (north) of the dining area for a total of 4 gates. As a result, Wawa’s outdoor dining area will be sufficiently enclosed, screened and delineated by the proposed bollards, raised landscape planters, fence and gates as required by Code Section 106-467(11)(c). Therefore, this e-mail shall serve as the applicant’s request to withdraw Variance Number 15-03 from the April 9, 2019 City Commission agenda as it is no longer necessary or required. I will send you the revised plans as soon as I receive them from our consultant. Please let me know if you have any questions regarding this matter. Thank you.

Dwayne

Dwayne L. Dickerson, Esq.
Partner
Dunay, Miskel & Backman, LLP
14 S.E. 4th Street, Suite 36
Boca Raton, FL 33432
Direct: 561-405-3336
Tel: 561-405-3300
Fax: 561-409-3341
Email: ddickerson@dmblaw.com

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From: Dwayne Dickerson
Sent: Monday, March 25, 2019 5:42 PM
To: ‘Tammy Reed-Holguin’ <ttholguin@nlauderdale.org>; Ambreen Bhatt <abhatt@nlauderdale.org>
Cc: Andrew Disbury <adisbury@nlauderdale.org>; ‘Scott Friedman’ <Sfrieman@themorgancos.com>; Angel Pinero
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Tammy Reed-Holguin, Community Development Director

DATE: April 9, 2019

SUBJECT: VAR- 19-03 Wawa Florida, Inc.
7105 W. McNab Rd.

Second Reading and Adoption: Variance request from City Code Section 106-467 (11) to not completely enclose outdoor dining area and to allow access from outside the building within a General Business (B-2) zoning district.

APPLICANT: Bohler Engineering Inc., on behalf of Wawa Florida, Inc.

Tonight we are presenting requests for two variances separately for consideration for adoption on second reading to accommodate the construction of a Wawa at 7105 W. McNab Road which is currently owned by Morgan Property Group and occupied by Walgreens. This second variance pertains to a barrier for the outdoor seating area to accommodate the construction of a new gas station/ convenience store/restaurant “Wawa” to be located at 7105 W. McNab Road. A second variance will also be presented tonight. The site plan will be considered later tonight contingent upon approval of both variances.

BACKGROUND:
The Morgan Property Group currently owns the property at 7105 W. McNab Road where Walgreens is located. The property owners are proposing to demolish the existing structure and build a new Wawa. To accommodate the construction of a new building which will be a convenience store, restaurant and auto filling station totaling 13,269 square feet, they authorized their tenant, Wawa Florida Inc. to request a variance for the enclosure around the outdoor seating area. The City Code Section 106-467 (11) requires the outdoor dining area to be delineated by fencing, walls or other means of a barrier. The applicant is requesting to not completely enclose the outdoor dining area and to allow access from outside the building. The request is outlined in the table below:
<table>
<thead>
<tr>
<th>TYPE OF VARIANCE</th>
<th>CODE REQUIREMENTS</th>
<th>PROPOSED</th>
<th>VARIANCE REQUESTED</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Section 106-467(11)</strong></td>
<td>Outdoor dining area is required to be delineated by fencing, walls or other means of a barrier</td>
<td>Landscape planters, and wrought iron decorative fencing as barrier with openings for access from outside of building</td>
<td>To allow wrought iron fencing as shown in elevations as means of a barrier</td>
</tr>
</tbody>
</table>

The applicant’s original design of the outdoor seating area provided bollards and planter boxes with open spaces in between as means of a barrier. Staff provided comments that the planter boxes and bollards were not spaced closely enough together to clearly delineate the area and serve as a safety barrier. The applicant understanding the safety concerns has provided decorative metal fencing as an additional means of barrier for the outdoor seating area. There remain two openings from the parking lot and on the ends into the outdoor seating area. The seating area can only be reached through these openings. It cannot be accessed from inside the building. During the Commission meeting, the City Manager requested that gates be placed at two additional openings and the Commission directed the applicant to work with the staff.

**ANALYSIS AND FINDINGS**

Section 106-467 (11) of the City Code of Ordinances requires an outdoor dining area to be delineated by fencing, walls or other means of a barrier. The proposed metal fencing shown in the elevations provides clear delineation and a partial barrier with two open spots from the parking lot and on the ends to access the dining area.

Per the guidelines and criteria contained in Section 106-79 of the City Code, a variance shall not be granted unless the City’s governing body determines the following:

1. That special circumstances exist affecting the land involved preventing the reasonable use of such land.
2. That the circumstances, which cause the hardship, are peculiar to the property, or to such a small number of properties that they clearly constitute marked exceptions to other properties in the district.
3. That the variance is the minimum variance that will make possible the reasonable use of the property and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
4. That the literal interpretation of the provisions of this chapter would deprive the applicant of a substantial property right that is enjoyed by other property owners in the district. It is of no importance whatever that the denial of the variance might deny to the property use in a more profitable way, or to sell it at a greater profit than is possible under the terms of this chapter.
5. That the hardship is not self-created or the result of mere disregard for, or ignorance of, the provisions of this chapter.

The applicant has provided the following justification for each of the above criteria:

- The site for the construction of the Wawa is part of an already constructed development called Hampton Plaza and therefore must fit within the existing infrastructure. However, these limitations do not necessarily affect the provision of the barrier for the outdoor seating.
- The circumstances cited above are particular to this property due to the existing development on the site. However, these circumstances do not relate to the requested variance.
- The minimum variance is being requested to accommodate the proposed new building/use and it will not be injurious to the neighborhood. Providing a partial barrier as requested would still be a risk factor.
- Denial of the request for a variance will not deprive the property owner of substantial property rights.
- The applicant acknowledges the intent of the Code for a delineation or barrier for the outdoor seating area and has made partial.

The Planning and Zoning Board met and heard this item on Tuesday, January 8, 2019. The Board unanimously (5-0) approved the variance.

The City Commission met on January 15, 2019. During the meeting, the City Manager requested that two additional gates be installed on existing openings located the east side of the property. The applicant agreed to the additional gates, however, the outdoor seating area is still not fully enclosed and a variance from this requirement is needed. After discussion, the Commission approved the variance on first reading with direction for the applicant to meet with the City Manager to review the aesthetics of the gates. The applicant met with City Administration on Thursday, March 21 and shared a rendering of the gates. The design, made from black wrought iron, matches the design of the fencing in between the barriers. The City Manager requested that the applicant’s representative approach Wawa again and request that the remaining two openings also be enclosed.

The item was advertised for second reading and adoption to be heard on January 29th. During that meeting, the item was tabled to time certain of February 26th at the applicant’s request. The item was tabled again on February 26th to a time certain of March 26th at staff’s request due to the incompleteness of the traffic study requested by the Commission.

Tonight we are presenting the variance to the Commission for consideration of adoption on second reading. The burden to justify the variance falls on the applicant.
RECOMMENDATION:
If the City Commission concurs with this request and Administration’s recommendation, a motion is in order to for the adoption of the attached Ordinance on second reading granting the variance subject to the following conditions:

1. That all applicable approvals by the City, County, State and other regulatory agencies be provided to the City of North Lauderdale prior to the issuance of permits.
2. That a final traffic analysis be submitted prior to consideration by City Commission on second reading with the final site plan.
3. That the designs of said barrier remain as shown in the elevations unless officially amended by the City Commission.
4. That the variance is tied to the Wawa application and future use of the building once constructed.
ORDINANCE NO. ______________________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING A VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-467 (11) REGARDING THE DELINEATION OF THE OUTDOOR SEATING AREA BY MEANS OF A BARRIER; PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 106-467 (11) of the City Code requires outdoor dining area be delineated by the use of fencing, walls, or some means of a barrier; and

WHEREAS, Bohler Engineering Inc., on behalf of Wawa Florida, Inc, has applied for a variance to allow openings to access the dining area without gates as part of the means of barrier; and

WHEREAS, the Planning and Zoning Board recommended consideration of approval of said variance request on January 8, 2019; and

WHEREAS, the City Commission finds that the variance requested is the minimal to allow use of the property and is not injurious to the neighbors or otherwise detrimental to the public welfare and will provide safety to the customers; and

WHEREAS, the City Commission is desirous of granting the requested variance from the requirements of the afore cited Ordinance and associated Zoning Regulations and/or applicable provisions thereof to said legal titleholder(s) as they apply to the property in question.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

Section 1: That pursuant to an application properly filed for a variance from the requirement of, Section 106-467 (11) of the North Lauderdale Code, variance is and the same are hereby granted from the requirement for the project located at 7105 W. McNab Road, North Lauderdale, Florida.

Section 2: That the variance is hereby granted to inure to the benefit of the present and future titleholder(s) to said property.

Section 3: That all other requirements of the North Lauderdale Code of Ordinances and associated zoning regulations are not otherwise varied by the terms of this Ordinance and shall be in full force and effect and fully applicable to the property.
Section 4: That all applicable approvals by the City, County, State and other regulatory agencies are provided to the City of North Lauderdale prior to the issuance of permits and that the applicant meets all conditions set forth by said regulatory agencies, including but not limited to the City engineer and Broward County Traffic Engineering Department.

Section 5: That all Ordinances, or parts of Ordinances, Resolutions or parts of Resolutions, in conflict herewith be and the same are repealed to the extent of such conflict.

Section 6: That this Ordinance shall take effect immediately upon adoption.

PASSED on first reading by the City Commission of the City of North Lauderdale, Florida, this 15 day of January, 2019.

PASSED on second reading by the City Commission of the City of North Lauderdale, Florida, this ________ day of March, 2019.

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR ANA M. ZIADE

______________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

______________________________
PATRICIA VANCHERI, CITY CLERK
MEMORANDUM OF INTENT AND VARIANCE JUSTIFICATION

STATEMENT

To: Tammy L. Reed-Holguin, Community Development Director
    Andrew E. Disbury, Community Development Specialist
From: Dwayne L. Dickerson, Esq.
Date: November 21, 2018
Re: Site Plan and Variance Approvals for Wawa Restaurant, Convenience Store and Gas Station

As you are aware, the law firm of Dunay, Miskel and Backman, LLP (“DMB”) represents FPIP VIII, LTD. (“FPPIP”) who is the owner of the property located at 7105 West McNab Road (“Property”) on the northwest corner of McNab Road and Rock Island Road within the City of North Lauderdale (“City”), Florida. The Property consists of +/- 2.15 net acres and is identified by the Broward County Property Appraiser as Property Identification/Folio Number 494102170884. The Property is currently developed with a Walgreens pharmacy and drugstore.

Wawa Florida, Inc. (“Wawa”) is proposing to redevelop the Property with a vibrant +/- 6,119 square foot Wawa restaurant and convenience store including a +/- 476 square foot outdoor dining area and a +/- 7,150 square foot gas station canopy area (“Project”). The Property is located within the B-2 Community Business zoning district, as such, the anticipated Wawa restaurant, convenience store and gas station uses are permitted uses by right. Wawa is often described as a restaurant that sells gasoline. It provides its patrons with a convenient stop for fresh, built-to-order foods, beverages, coffee, fuel services and surcharge-free ATMs. All of Wawa’s stores offer a large fresh food service selection, including Wawa brands such as built-to-order hoagies, fresh brewed coffee, hot breakfast sandwiches, built-to-order specialty beverages, and an assortment of soups, sides and snacks. Wawa anticipates employing approximately 15 - 25 employees at this store and strives to select its employees from the areas and communities surrounding the store. The hours of operation for the Wawa are 24 hours per day, 7 days per week. Wawa will continue to grow the economic base of the City by adding to the commercial sector of its economy and creating both temporary jobs during the construction phase and long-term jobs once the store opens.
The restaurant portion of the Wawa store provides walk-up counter service; therefore, pursuant to City Code of Ordinances ("Code") Section 106-467(11)(b), access through the restaurant is not required. Additionally, the outdoor dining area is sufficiently screened and delineated by the proposed bollards and raised landscape planters as demonstrated on the site plan; therefore, Section 106-467(11)(c) of the Code is satisfied.

In order to accommodate the Wawa development, and provide for the safest protection of pedestrians and outdoor dining patrons, a variance is required to allow for bollards on the Property. Code Section 106-222(e) of the City’s Code of Ordinances (“Code”) states that parking stalls which abut landscaped areas, sidewalks, structures or property lines shall be designed with bumper guards, wheel stops, or contiguous curbing. As such, FPIP and Wawa respectfully request the following variance:

**Variance from Section 106-222(e) of the City Code to allow for bollards in lieu of bumper guards, wheel stops, or contiguous curbing**

Safety concerns make it important to eliminate curbs and wheel stops in areas where pedestrians are likely to be present. When adjacent bays are level (sloped for drainage of course) and parking spaces are vacant, pedestrians are likely to cut across the parking area between cars. The cars create shadows, and a curb or wheel stop becomes a potential tripping hazard. Even without shadows, the poor contrast of a concrete curb or wheel stop against a concrete floor may not provide adequate visibility. The tripping hazard caused by curbing and wheel stops can be prevented by providing bollards and making the pavement flush with the sidewalk. Furthermore, bollards provide a physical barrier to protect pedestrians from encroaching vehicles by alerting drivers to the narrowed roadway and prevent vehicles from mounting the sidewalk and injuring pedestrians or patrons eating in the outdoor dining area. The potentially dangerous conditions referred to above are not attributable to the property owner or Wawa but are instead the result of desired safety precautions intended to protect patrons of the proposed use. The proposed use of bollards without curb or wheel stops would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated. The intent of the Code is to provide an orderly, efficient and safe condition for pedestrians and vehicles adjacent to the storefront. The proposed condition accomplishes exactly that while providing enhanced safety features resulting from prior experience at other Wawa locations. The use of bollards in conjunction with the pavement being flush with the sidewalk around the building, as illustrated on the site plan, is the minimum necessary design that will allow for the reasonable and safe use of the Property. Additionally, the use of bollards in place of wheel stops or curb would not adversely affect the health or safety of persons residing or working in the neighborhood, be injurious to Property or improvements in the neighborhood, or otherwise be detrimental to public welfare. To the contrary, as mentioned above, the bollards would prevent tripping hazards commonly caused by wheel stops, curbing or vehicle encroachment into pedestrian or dining areas, which would avoid possible injury and ensure safe ease of access to the Wawa store.
FPIP VIII, LTD.
5900 N. Andrews Avenue
Suite 410
Fort Lauderdale, FL 33309

Authorization and Letter of Representation

FPIP VIII, LTD. hereby authorizes Dwayne L. Dickerson, Esq., and/or the law firm of DUNAY, MISKEL AND BACKMAN, LLP, to represent FPIP VIII, LTD., at any meetings and public hearings, including lobbying before all officials, bodies and instrumentalities necessary in connection with their matters with the City of North Lauderdale.

By: Florida Property Investment Partners, Inc.

By: __________________________
Name and Title of Person Signing

GEORGE A. MORGAN, JR., PRESIDENT
LETTER OF AUTHORIZATION

To Whom It May Concern:

This letter authorizes Christopher Capellini, PE with Bohler Engineering to act on behalf of Florida Property Investment Partners, Inc. in regard to permits and applications for site plan approval through the City of North Lauderdale, as well as but not limited to all regulatory agencies, departments and governmental agencies of FDOT, Broward County Utilities, Broward County Transit, City of North Lauderdale Utilities and SFWMD, necessary for the construction and development located at W. McNab Rd & SW 71st Ave.

Signature:  

[Signature]

Name (printed)  

[Name]

STATE OF NORTH CAROLINA  
COUNTY OF UNION

The foregoing instrument was acknowledged before me this 20 day of November, 2018, by George A. Morgan III, Executive Vice President of Florida Property Investments Partners, Inc. He is personally known to me or have produced _____________ as identification.

[Notary Stamp]

Notary Public  

[Signature]

Print Name  

[Print Name]

Commission No. 201224200064

Expiration Date: August 31, 2022
Tonight we are presenting the proposed site plan for the construction of Wawa for the City Commission review and consideration. The preliminary site plan was approved by the Commission on January 15, 2019 with direction for the applicant to finalize the traffic study and the enclosure of the outdoor seating area. Approval of the final site plan is contingent upon approval of the two variances that were also presented tonight. Wawa Florida, Inc. is proposing to build a 6,119 square foot convenience store, gas station and restaurant. The store will occupy a currently developed lot that is the existing Walgreen’s location on the corner of Rock Island Road and McNab Road, 7105 W. McNab Road.

**Background:**
Wawa is a successful enterprise with roots in the Northeast. They are currently expanding operations into the Southern East coast. The proposed development includes a gas station, convenience store and a restaurant with an outdoor seating area. This is a permitted use within the B-2 zoning district and meets all the requirements for service stations according to the recently amended Section 106-467 (8) of the City Code of Ordinances. As the City Commission may remember, over a year ago with the approval of the last gas station, there was concern expressed regarding the number of gas stations within the City. A moratorium was put into place and Staff worked with the Commission to review the Code and research other cities to create an ordinance that would continue to allow the use but also encourage opportunities for diversification of uses within B-2 zoning districts. Based on the discussions and the research, amendments to the Code pertaining to the requirements for service stations were adopted in May 2017. The proposed site plan before you tonight has been reviewed against these new requirements and the submittal meets all the updated requirements for service stations including but not limited to the lot size, number of pumps, location and number per intersection and access points.
In addition to providing economical gas and convenience items, the business offers another restaurant choice. The 6,119 square foot store will also provide 15-25 new jobs. Wawa Florida, Inc. has stated in the letter of intent that they strive to select their employees from the areas and communities surrounding the store. Wawa is an employee owned company offering stock options and benefits to all employees. The Administration has offered to work with Wawa’s management team to host a job fair. Wawa will seek employees to staff their hours of operation for 24 hours a day, 7 days a week.

The City’s professional planners reviewed the site plan and verified that the site meets all required City Code parking requirements based on the proposed restaurant/retail use by providing 63 spaces including 3 ADA spaces where according to Section 106-223 of the City Code of Ordinances 60 parking spaces including 3 ADA spaces are required. All parking spaces are provided on site. All required building setbacks are met and the site provides the required 24 foot - 2 lane two way street to exit and enter the facility. There is one entrance to the site from within the provided access road off of McNab Road and a second entrance on the east side from Rock Island Road. There is no direct access to the site from McNab Road, however, the access points meet the Code requirements.

As part of this approval a traffic analysis was provided for the entire development. The plan was reviewed by the City’s traffic consultant and additional information was requested to complete the review. Since the last Commission meeting, the traffic study has been updated and reviewed and the recommendations are provided below.

In an effort to build a project consistent with the City’s plan for the McNab Road Redevelopment Overlay District; staff requested that the applicant include architectural features and a color palette to match or at a minimum complement the other outparcel buildings to provide a cohesive look for the development. The applicant has met this request as demonstrated in the attached color rendering. The building includes a signature, copper-colored metal roof, Woodland Crème (pale yellow) clapboard with red trim to complement the logo and cultured stone on bottom of the columns and the building façade.

The proposed use of the parcel is consistent with the Master Business List that allows auto filling stations, restaurants and convenience stores in B-2 and B-3 zoning districts. Given the limited vacant, commercial space within the City, staff always encourages developers to consider a diversification of uses. This project provides a restaurant component which addresses some of the need expressed by the Commission and Administration.

The specific extent of the anticipated use is explained in Attachment A, and made a part of this report.

The Development Review Committee met on December 12th, 2018 for a formal review. After considerable review and discussion, the Committee recommended approval of the site plan to the Planning and Zoning Board with direction to the applicant to continue to work with staff to finalize the site plan. At this time there remain outstanding traffic and landscape comments.
The Planning and Zoning Board heard the item on January 8, 2019 and as you heard earlier, recommends approval of both variances associated with the item. After presentation by Staff and the applicant, there was public input. A resident expressed concern about the traffic that will be generated with the proposed use, the potential for vehicle accidents citing the numerous incidents along Rock Island, and the garbage issues they experience from customers of the current tenants and the potential for the increase of these issues. The applicant responded to these concerns and a representative of the property owner was present. The site plan passed with a 5 to 1 vote in favor of recommending the site plan to the City Commission for approval. The dissenting vote expressed concern that a gas station was not the highest and best use for the property.

The City Commission met on January 15, 2019. During the meeting, the Commission heard concerns from the public regarding the current traffic situation, potential noise from customers in the outdoor seating area at night and potential for parking lot lighting to spill over into the neighborhoods. The staff’s presentation noted the additional trips identified by the applicant’s traffic consultant. There was concern that the report did not adequately address the concerns that were heard. The preliminary site plan was approved by a 3 to 1 vote. The direction from the Commission was that the traffic study be submitted in advance of consideration of this item for final approval and that the applicant meets with the City Manager regarding the gates and enclosure of the outdoor seating area. The item was advertised for second reading and adoption to be heard on January 29th. During that meeting, the item was tabled to time certain of February 26th at the applicant’s request. The item was tabled again on February 26th to a time certain of March 26th at staff’s request due to the incompleteness of the traffic study requested by the Commission. The item was tabled at the March 26th meeting to a time certain of April 9th.

Since the time of the preliminary site plan review at the Commission meeting on January 15th, a response was received from the applicant’s traffic consultant on March 9th. The study was reviewed by the City’s consulting traffic engineer who acknowledged that the 12 comments were addressed and based on the updated information clarification was requested regarding some of the data and tables that were provided in this updated report. The additional information was provided on March 18th and reviewed by the City’s consultant on March 19th. Based on the additional information provided by the applicant and a draft traffic study prepared by Marlin Engineering for intersection improvements at Rock Island and Doral, the City’s traffic consultant requested traffic mitigation improvements for that intersection. The City Administration and traffic consultant met with applicant, their attorney and traffic consultant on Thursday, March 21. The City’s traffic consultant concluded that Wawa’s traffic engineer was conservative in his approach in calculating trips by not deducting the number of current passerby or internal traffic which would have lowered the number of trips. However, there still remains an increased number of trips generated by this new development. There is an impact at all intersections, including Rock Island and McNab which is currently a Level E. However, there is little or no ability for improvements at this intersection so the consultant recommended looking at the intersection of Doral and Rock Island and provided a draft of the study done by Marlin Engineering for the City. This study was more safety related and the applicant’s study is operational. Crash data was provided in this study which indicates a safety concern at the intersection of Rock Island and Doral and provided three recommendations to address the concern; close Doral, limit access or provide signalization. The intersection does not meet
Broward County Traffic Engineering requirements for distance from another signal nor traffic counts to provide signalization. Closing the intersection would negatively impact residents and cause traffic jams at Rio Pinar as experienced when the wall was being constructed. The best and only option is to modify the intersection at Doral. Marlin Engineering recommended that this intersection be right in and right out only on both sides of Rock Island. The applicant’s representative stated that Wawa needs full access and could not agree to this scenario. They proposed another alternative that the City and their consultant agreed was an acceptable compromise.

- The applicant shall plan, design, permit and construct modifications to the Rock Island Road/SW 71st Avenue and SW 14th Street/Doral Avenue stop controlled intersection. Design modifications should include the addition of an eastbound right turn lane on Doral (SW 14th Street). The design modifications should also include above ground traffic channelization devices which restrict certain vehicular traffic movements as determined by the City of North Lauderdale. The City will be responsible for constructing a westbound right turn lane on Doral Avenue.

The other outstanding item was the final landscape plan. At the meeting on March 21st, the applicant’s landscape architect stated that they have addressed all comments from the City’s consulting landscape architect including all Code requirements with the exception of a recommendation for additional landscaping against the building to scale it. They are limited due to the paving and sidewalks. The City received the final landscape plan on March 26th.

The applicant requested confirmation of the Public safety impact fee. Upon review of the estimated calls for service to neighboring Wawa’s, historical data of the volume and types of calls to commercial properties in North Lauderdale, comparison to previous impact fees for similar developments, and after further input from the property owner and his representatives, it was agreed that a one-time fee of $50,000 for public safety would be acceptable.

The applicant submitted a revised site plan on March 7 which showed the addition of the two gates on the east side of the outdoor seating area as requested at the last Commission meeting. There remained an opening at the rear of the property on the north end and one on the south end near the front door. During the review on March 21st, the City Manager was satisfied with design of the gates that matched the railings but requested that the developer revisit the number of gates with Wawa for safety concerns and ask that the two remaining gates be added to fully enclose the seating area for safety reasons and to comply with the City Code instead of moving forward with the variance. Per the email received from Mr. Dickerson, the applicant’s legal counsel, the applicant has agreed to fully enclose the outdoor seating area. Therefore, the site plan must be amended. At the time of the writing of this memorandum, the amended site plan had not been received and Mr. Dickerson indicated it will be presented at the Commission meeting.

Upon review and confirmation that the fully enclosed area is the only change made to the site plan, staff will recommend moving forward with consideration of approval of the final site plan subject to the twenty conditions listed below.
RECOMMENDATION:

If the City Commission concurs with the recommendation of the Planning and Zoning Board and Administration, a motion is in order for approval of the final site plan subject to the following 20 conditions:

1. The applicant shall comply with applicable City Codes and Florida Building Codes (Broward Edition).
2. All terms, conditions and provisions imposed by the Planning and Zoning Board, City Commission, DRC and Staff including all life, health and safety Codes pertaining to this development shall be met prior to the issuance of building permits.
3. This approval is contingent upon obtaining approval on the variance request submitted concurrent with this request.
4. Proper plat note amendment approval shall be obtained from the County Commission if necessary.
5. The developer will incorporate architectural features and a color palette to match or at a minimum complement the other outparcel buildings and sites to provide a cohesive look for the development as indicated in the color rendering submitted for site plan approval.
6. The DRC, Planning and Zoning Board and City Commission reserve the right to impose any additional requirements deemed necessary during subsequent approval reviews.
7. Copies of all applicable permits and approvals by other regulatory agencies shall be provided to the City prior to issuance of building permits.
8. All conditions required by Code and/or set forth by the City engineer shall be met.
9. In the event that any problems arise, as a result of the operation of this establishment, such as noise, parking, traffic, and/or other nuisances, the applicant shall make all improvements required to mitigate these nuisances so as not to negatively impact adjacent areas.
10. Photometric Plan approval by staff is required prior to consideration of final site plan by the City Commission.
11. The applicant shall comply with all provisions contained in Chapter 102 “Vegetation” of the City Code and shall submit detailed landscaping plans for landscaping permit.
12. Prior to the issuance of building permits, the applicant shall provide a written verification that all County impact fees associated with this project have been paid.
13. Prior to the issuance of the Certificate of Occupancy by the City Building Department, the applicant shall pay all applicable assessment and impact fees to the City.
14. If necessary, proper easements will be dedicated to the City of North Lauderdale.
15. Traffic study approval is required prior to consideration of the final site plan by the City Commission.
16. The applicant shall install the pedestrian lights (the City style) along Rock Island and McNab Roads, at locations determined by the City Staff, prior to the issuance of Certificate of Occupancy.
17. The applicant shall incorporate the City tropical palm tree theme in the landscape plan along Rock Island and McNab Roads.
18. Applicant must comply with the executed cross access agreements Instrument # 101272987 recorded in Broward County Public Records.
19. The applicant shall plan, design, permit and construct modifications to the Rock Island Road/SW 71st Avenue and SW 14th Street/Doral Avenue stop controlled intersection and the above ground traffic channelization devices which restrict certain vehicular traffic movements. The applicant will be responsible for the addition of an eastbound right turn lane on Doral (SW 14th Street) and the above ground traffic channelization devices which restrict certain vehicular traffic movements as determined by the City of North Lauderdale. These improvements will be installed by the applicant prior to the issuance of the Certificate of Occupancy. The City will be responsible for constructing a westbound right turn lane on Doral Avenue.

20. The public safety impact fee of $50,000 will be paid prior to the issuance of the Certificate of Occupancy.
MEMORANDUM OF INTENT AND VARIANCE JUSTIFICATION

STATEMENT

To: Tammy L. Reed-Holguin, Community Development Director
   Andrew E. Disbury, Community Development Specialist

From: Dwayne L. Dickerson, Esq.

Date: November 21, 2018

Re: Site Plan and Variance Approvals for Wawa Restaurant, Convenience Store and Gas Station

As you are aware, the law firm of Dunay, Miskel and Backman, LLP (“DMB”) represents FPIP VIII, LTD. (“FPIP”) who is the owner of the property located at 7105 West McNab Road (“Property”) on the northwest corner of McNab Road and Rock Island Road within the City of North Lauderdale (“City”), Florida. The Property consists of +/- 2.15 net acres and is identified by the Broward County Property Appraiser as Property Identification/Folio Number 494102170884. The Property is currently developed with a Walgreens pharmacy and drugstore.

Wawa Florida, Inc. (“Wawa”) is proposing to redevelop the Property with a vibrant +/- 6,119 square foot Wawa restaurant and convenience store including a +/- 476 square foot outdoor dining area and a +/- 7,150 square foot gas station canopy area (“Project”). The Property is located within the B-2 Community Business zoning district, as such, the anticipated Wawa restaurant, convenience store and gas station uses are permitted uses by right. Wawa is often described as a restaurant that sells gasoline. It provides its patrons with a convenient stop for fresh, built-to-order foods, beverages, coffee, fuel services and surcharge-free ATMs. All of Wawa’s stores offer a large fresh food service selection, including Wawa brands such as built-to-order hoagies, fresh brewed coffee, hot breakfast sandwiches, built-to-order specialty beverages, and an assortment of soups, sides and snacks. Wawa anticipates employing approximately 15 - 25 employees at this store and strives to select its employees from the areas and communities surrounding the store. The hours of operation for the Wawa are 24 hours per day, 7 days per week. Wawa will continue to grow the economic base of the City by adding to the commercial sector of its economy and creating both temporary jobs during the construction phase and long-term jobs once the store opens.
The restaurant portion of the Wawa store provides walk-up counter service; therefore, pursuant to City Code of Ordinances ("Code") Section 106-467(11)(b), access through the restaurant is not required. Additionally, the outdoor dining area is sufficiently screened and delineated by the proposed bollards and raised landscape planters as demonstrated on the site plan; therefore, Section 106-467(11)(c) of the Code is satisfied.

In order to accommodate the Wawa development, and provide for the safest protection of pedestrians and outdoor dining patrons, a variance is required to allow for bollards on the Property. Code Section 106-222(e) of the City’s Code of Ordinances ("Code") states that parking stalls which abut landscaped areas, sidewalks, structures or property lines shall be designed with bumper guards, wheel stops, or contiguous curbing. As such, FPJP and Wawa respectfully request the following variance:

**Variance from Section 106-222(e) of the City Code to allow for bollards in lieu of bumper guards, wheel stops, or contiguous curbing**

Safety concerns make it important to eliminate curbs and wheel stops in areas where pedestrians are likely to be present. When adjacent bays are level (sloped for drainage of course) and parking spaces are vacant, pedestrians are likely to cut across the parking area between cars. The cars create shadows, and a curb or wheel stop becomes a potential tripping hazard. Even without shadows, the poor contrast of a concrete curb or wheel stop against a concrete floor may not provide adequate visibility. The tripping hazard caused by curbing and wheel stops can be prevented by providing bollards and making the pavement flush with the sidewalk. Furthermore, bollards provide a physical barrier to protect pedestrians from encroaching vehicles by alerting drivers to the narrowed roadway and prevent vehicles from mounting the sidewalk and injuring pedestrians or patrons eating in the outdoor dining area. The potentially dangerous conditions referred to above are not attributable to the property owner or Wawa but are instead the result of desired safety precautions intended to protect patrons of the proposed use. The proposed use of bollards without curb or wheel stops would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated. The intent of the Code is to provide an orderly, efficient and safe condition for pedestrians and vehicles adjacent to the storefront. The proposed condition accomplishes exactly that while providing enhanced safety features resulting from prior experience at other Wawa locations. The use of bollards in conjunction with the pavement being flush with the sidewalk around the building, as illustrated on the site plan, is the minimum necessary design that will allow for the reasonable and safe use of the Property. Additionally, the use of bollards in place of wheel stops or curb would not adversely affect the health or safety of persons residing or working in the neighborhood, be injurious to Property or improvements in the neighborhood, or otherwise be detrimental to public welfare. To the contrary, as mentioned above, the bollards would prevent tripping hazards commonly caused by wheel stops, curbing or vehicle encroachment into pedestrian or dining areas, which would avoid possible injury and ensure safe ease of access to the Wawa store.
LETTER OF AUTHORIZATION

To Whom It May Concern:

This letter authorizes Christopher Capellini, PE with Bohler Engineering to act on behalf of Florida Property Investment Partners, Inc. in regard to permits and applications for site plan approval through the City of North Lauderdale, as well as but not limited to all regulatory agencies, departments and governmental agencies of FDOT, Broward County Utilities, Broward County Transit, City of North Lauderdale Utilities and SFWMD, necessary for the construction and development located at W. McNab Rd & SW 71st Ave.

Signature: 

[Signature]

Name (printed) 

STATE OF NORTH CAROLINA
COUNTY OF UNION

The foregoing instrument was acknowledged before me this 20 day of November 2018, by George A. Morgan III, Executive Vice President of Florida Property Investments Partners, Inc. He is personally known to me or have produced ________________ as identification.

[Signature]

Notary Public

[Stamp]

Print Name: Corrie B. Carr
Commission No.: 2012242000064
Expiration Date: August 31, 2023
FPIP VIII, LTD.
5900 N. Andrews Avenue
Suite 410
Fort Lauderdale, FL 33309

Authorization and Letter of Representation

FPIP VIII, LTD. hereby authorizes Dwayne L. Dickerson, Esq., and/or the law firm of DUNAY, MISKEL AND BACKMAN, LLP, to represent FPIP VIII, LTD., at any meetings and public hearings, including lobbying before all officials, bodies and instrumentalities necessary in connection with their matters with the City of North Lauderdale.

FPIP VIII, LTD.
BY: FLORIDA PROPERTY INVESTMENT PARTNERS, INC.

By:

[Signature]

Name and Title of Person Signing

GEORGE A. MORAN JR., PRESIDENT
To: Honorable Mayor and City Commission
From: Ambreen Bhatti, City Manager
By: Susan Nabors, Director of Finance
Date: April 9, 2019
Subject: Second Reading – Ordinance Creating Purchasing Procedures

BACKGROUND:

On November 6, 2018 the voters of the City of North Lauderdale approved an amendment to Section 9.10 of the City Charter eliminating the procurement procedures from the Charter and requiring the City Commission to adopt an ordinance within 180 days establishing a comprehensive procurement code for the City.

On March 26, 2019 Commission approved, on first reading, an Ordinance creating purchasing procedures. Tonight is the second reading and approval of the Ordinance.

Over the last several months, City Finance staff has worked with other departments and the City Attorney’s Office to create a comprehensive ordinance; one that seeks to ensure goods and services utilized by the City are procured through an open, fair and competitive process. Best practices in local government purchasing have been reviewed and incorporated into the ordinance.

A couple of the benefits of creating a purchasing ordinance are that it allows for more timely updates. For example, the City does not have to wait for an election cycle to make updates that are deemed in the best interest of the City for operational effectiveness. Additionally, the ordinance can be updated more efficiently as Federal or State statues are changed.

Many of the processes and procedures included in the ordinance are already in current practice. However, there are some new sections recommended to enhance the City’s purchasing process.

The highlights of the purchasing ordinance are:

- **Section 3-2 – Definitions**
  - Provides clarify to commonly used purchasing terminology.

- **Section 3-4 – Competitive Bidding or Proposals Required; Exceptions**
  - Updates the minimum quotation threshold (from $1,000 to $3,000).
  - Maintains the other threshold and approval levels.
  - Clarifies any exceptions.

- **Section 3-5 – Unauthorized Purchasing Practices**
  - Identifies prohibited practices and identifies actions for violations.
• **Section 3-6 – Competitive Negotiations**
  o Provides criteria when negotiations may be used instead of a bid.

• **Section 3-7 – Cone of Silence  (New)**
  o Creates section to protect City Commission and City staff from potential ethics violations.

• **Section 3-8 – Award of Contract**
  o Initial purchase contracts in excess of $25,000 shall be approved by Commission
  o City Manager may approve up to $25,000; Department Director may approve up to $10,000

• **Section 3-9 – City Attorney Review and Approve Form of Purchasing Contracts**
  o Per City Charter, City Attorney shall review contracts in excess of $10,000

• **Section 3-10 – Change Orders**
  o Allows Department Director and City Manager to approve change orders on purchases only when certain criteria are met; establishes limits
  o Change orders on projects in excess of $25,000 require the approval of the City Commission.

• **Section 3-11 – Debarment and Suspension  (New)**
  o Identifies the causes that could lead to a debarment or suspension of a vendor.
  o Creates process

• **Section 3-12 – Local Vendor Preference  (New)**
  o Creates the program as it pertains to formal competitive solicitations.
  o Applies to North Lauderdale and Broward County certified vendors.
  o Describes the evaluation process.

• **Section 3-15 – Bid Protest Procedures  (New)**
  o Creates the process upon which a bid protest may occur.
  o Identifies requirements and time line for both vendor and city.

**RECOMMENDATION:**

The Administration recommends Commission’s consideration and adoption on second reading of the attached Ordinance creating Chapter 3 of the City’s code of ordinances, to be entitled “Procurement Procedures”.
ORDINANCE NO. ______________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, CREATING CHAPTER 3 OF THE CITY’S CODE OF ORDINANCES, TO BE ENTITLED “PROCUREMENT PROCEDURES”; PROVIDING FOR A COMPREHENSIVE PROCUREMENT CODE FOR THE CITY OF NORTH LAUDERDALE; PROVIDING FOR DEFINITIONS; PROVIDING FOR COMPETITIVE PROCUREMENT PROCEDURES FOR GOODS AND SERVICES; PROVIDING FOR COMPETITIVE NEGOTIATIONS; PROVIDING FOR A CONE OF SILENCE; PROVIDING FOR BID PROTEST PROCEDURES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 6, 2018, the electorate of the City of North Lauderdale approved an amendment to Section 9.10 of the City Charter eliminating the procurement procedures from the Charter and requiring the City Commission to adopt an ordinance establishing a comprehensive procurement code for the City; and

WHEREAS, the City Commission seeks to ensure that all goods and services utilized by the City are procured through an open, fair and competitive process; and

WHEREAS, the City Commission further seeks to ensure that all potential vendors seeking to do business with the City are given an equal opportunity to compete for City business; and

WHEREAS, the City’s professional staff has reviewed the best practices related to local government procurement and has recommended a comprehensive procurement code to the City Commission; and

WHEREAS, the City Commission finds that the procurement procedures set forth herein are in the best interests of the citizens and residents of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.
Section 2. The City Commission hereby creates Chapter 3 of the City’s Code of Ordinances, to be entitled “Procurement Procedures,” as set forth in Exhibit “A,” attached hereto and incorporated herein.

Section 3. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

Section 4. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 5. It is the intention of the City Commission of the City of North Lauderdale that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Lauderdale, Florida, that the Sections of this Ordinance may be renumbered, re-lettered, and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

Section 6. This Ordinance shall become effective immediately upon its passage and adoption.


APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL GOREN

__________________________________
MAYOR ANA M. ZIADE

__________________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

__________________________________
PATRICIA VANCHERI, CITY CLERK
CHAPTER 3 – PROCUREMENT PROCEDURES

Sec 3-1. General Purpose

The purpose of the purchasing code adopted in this chapter is to promote efficient procedures for the purchase of goods and services (including construction), provide fair and equitable treatment of all persons who transact business with the city and maximize the value of public funds. The procurement of goods, contractual services and construction services shall be conducted through adherence to the highest standards of ethics, professionalism and impartiality in the conduct of business transactions.

Sec 3-2. Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUSINESS LOCATION. A permanent office or other site where the vendor operates, conducts, engages in, or carries on all, or a portion of, its business. A post office box shall not be sufficient to constitute a BUSINESS LOCATION.

CONSULTANTS' COMPETITIVE NEGOTIATION ACT (CCNA). F.S. § 287.055, as may be amended from time to time, pertaining to the acquisition of architects, engineers, land surveyors, landscape architects, and mapping services.

CHANGE ORDER. Changes, due to unanticipated conditions or developments, made to an executory contract, which do not substantially alter the character of the work contracted for, and which do not vary so substantially from the original specifications as to constitute a new undertaking. The changes must reasonably and conscientiously be viewed as being in fulfillment of the original scope of the contract rather than as departing therefrom. Further, the changes, when viewed against the background of the work described in the contract and the language used in the specifications, must clearly be directed either to the achievement of a more satisfactory result or the elimination of work not necessary to the satisfactory completion of the contract.

CITY STANDARD COMMODITIES. Those situations where the city has determined that a particular style, brand, make, or model is the only type that meets the city’s requirements for performance, compatibility or other salient characteristics.

COMMODITIES. Personal property, including, but not limited to, goods, supplies, apparatus, equipment, material and other forms of tangible personal property.

CONTRACTOR. Any person or business entity having a contract with the city.

COOPERATIVE PURCHASING. Situations where the city participates in joint procurement of commodities or services with other public entities within the state, in order to obtain lower prices through greater purchasing volume.
INVITATION FOR BID. A written solicitation for competitive sealed bids with the title, date and hour of the public bid opening designated therein and specifically defining the commodities or services for which bids are sought. The invitation for bid shall be used when the city is capable of specifically defining the scope of work for which a service is required or when the city is capable of establishing precise specifications defining the actual commodities required. The invitation for bid shall include instruction to bidders, plans, drawings and specifications, if any, bid form and other required forms and documents to be submitted with the bid.

PROFESSIONAL SERVICES. Services rendered by members of recognized profession requiring specialty training in the arts or sciences and/or requiring holding professional licenses. For example, attorneys, certified public accountants or actuaries. Excludes those services subject to CCNA requirements (see CCNA definition).

QUOTATIONS. Unsealed telephonic, facsimile or written bids for commodities or services.

REQUEST FOR LETTERS OF INTEREST. A written solicitation for offers with the title, date and hour of the submission deadline designated. A request for letters of interests shall include, but is not limited to, general information and submission deadline. The city shall engage in competitive negotiations with responsible offerors determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of and conformance to the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion.

REQUEST FOR PROPOSALS. A written solicitation for competitive sealed proposals with the title, date and hour of the public opening designated. A request for proposals shall include, but is not limited to, general information, functional or general specifications, a statement of work, proposal instruction and evaluation criteria. All requests for proposals shall state the relative importance of price and any other evaluation criteria. The city may engage in competitive negotiations with responsible proposers determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of and conformance to the solicitation requirements. Proposers shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals and such revisions may be permitted after submissions and prior to award for the purpose of obtaining the best and final offer.

REQUEST FOR QUALIFICATIONS. A written solicitation for competitive sealed offers with the title, date and hour of the public opening designated. A request for qualifications shall include, but is not limited to, general information, functional or general specifications, statement of work, instructions for offer and evaluation criteria. All requests for qualifications shall state the relative importance of the evaluation criteria. The city may engage in competitive negotiations with responsible offerors determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of and conformance to the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of offers, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining the best and final offer.
RESPONSIBLE BIDDER, RESPONSIBLE OFFEROR, or RESPONSIBLE PROPOSER. A person or business entity having the capability in all respects to perform fully the contract requirements and sufficient experience, ability, reliability, capacity, facilities, equipment, financial resources and credit to give the city a reasonable expectation of good faith performance, determined solely within the city’s discretion.

RESPONSIVE BIDDER, RESPONSIVE OFFEROR, or RESPONSIVE PROPOSER. A person who has submitted a bid, offer, or proposal that conforms in all material respects to the invitation for bid, request for letters of interests, request for qualifications, or request for proposals, determined solely within the city’s discretion.

SERVICES. The furnishing of labor, time or effort by a contractor, not involving the delivery of a specific end-product other than reports that are merely incidental to the required performance. This term shall not include employment agreements or collective bargaining agreements.

SINGLE SOURCE. The commodities or services are available from more than one responsible vendor but because of City standardization, warranty, or other distinctive factors, the purchase is directed to one source.

SOLE SOURCE. The commodities or services are available from only one responsible vendor.

Sec. 3-3. Purchasing Division

The Purchasing Division shall be under the supervision of the Director of Finance.

Sec. 3-4. Competitive Bidding or Competitive Proposals Required; Exceptions

A. Purchases of commodities or services equal to or greater than three thousand dollars ($3,000.00) must have at least three (3) documented competitive written quotations. Purchases of commodities or services between ten thousand dollars ($10,000.00) and up to twenty-five thousand dollars ($25,000.00) must have at least three (3) competitive written quotations and shall require the pre-approval of the Purchasing Division and the City Manager. Purchases of or contract for commodities or services in excess of twenty-five thousand dollars ($25,000.00) shall be based on a formal competitive solicitation and shall be pre-approved by the City Commission.

A formal competitive solicitation in the form of an invitation to bid, request for proposals, request for qualifications, request for letters of interest, or other authorized competitive solicitation process shall be made available simultaneously to all vendors, must include the time and date for receipt of bids, proposals, replies, and must include all evaluation criteria to be used in determining acceptability and relative merit of the bid, proposal or reply.

Exceptions to these bidding requirements may be exempted as specifically provided herein. Approval levels still apply.
B. Subject to written justification by the ordering department and the concurrence of the Purchasing Division, or City Manager where applicable, the following are the only exceptions to the above competitive quotes and formal sealed competitive solicitations requirements:

a. *Emergency Purchases* – The Department Director may make an emergency purchase up to ten thousand dollars ($10,000.00) of commodities or services where there exists a clear and present threat to public health, property, welfare, safety or other substantial loss to the City.

Under emergency circumstances where the purchase of commodities or services in excess of ten thousand dollars ($10,000.00) is necessary, the City Manager may authorize the Department Director or Purchasing Division to secure by open market procedure any commodities or services, notwithstanding the estimated cost of the commodities or services.

Written justification describing the specific circumstance of the emergency, the commodities or services purchased, total cost, and vendor name shall be provided to Purchasing Division, the City Manager, or City Commission, as applicable, immediately, or as quickly as possible, after an emergency purchase is made.

An emergency purchase exception is not warranted for failure to plan or for situations deemed urgent when a threat to public health, property, welfare and safety does not exist.

b. *Contracts for professional services*.

c. *Sole Source Purchases* – Written documentation from the vendor certifying their sole source status is required.

d. *Single Source Purchases* – A written description of the distinctive characteristics that prohibit a competitive purchase must be provided and pre-approved by the Purchasing Division.

e. *Utilization of other governmental agencies’ contracts (Piggy-backing)* - Commodities or services that are the subject of contracts with the state its political subdivisions or other governmental entities including the United States government are excepted from this section provided the following conditions are satisfied:

1. the contract expressly permits or the awarding jurisdiction and/or the vendor agree to allow the city to purchase therefrom; and,
2. the commodities or services are the subject of a price schedule obtained through a competitive bid by another governmental agency and not on any preference; and,
3. the price offered for the commodity or service exactly equals or is lower than the governmental contract from vendors awarded the governmental contract; and,
4. the terms and conditions of the original contract or any extension options provided the other governmental agency are satisfactory to the City.
f. *Contracts procured through cooperative purchasing.*

g. *Best interests of the City.* Purchases of and contracts for commodities or services are exempt from this section when the City Commission declares by a simple majority affirmative vote that the process of competitive bidding and competitive proposals is not in the best interest of the city. The City Commission shall make specific factual findings that support its determination, and such contracts shall not be placed on the City Commission consent agenda.

h. *Federal or State funded procurements* – Specific rules and regulations mandated by Federal or State funding agencies supersede this Ordinance.

i. The following contractual services are not subject to the competitive procurement requirement:

1. Academic program reviews or lectures or seminars by individuals;
2. Travel expenses, hotel accommodations and hotel services;
3. Health services involving examination, diagnosis, treatment, prevention, medical consultation or administration;
4. Artistic services which are original and creative in character and skill in a recognized field of artistic endeavor such as music, dance, drama, painting and sculpture, photography, culinary arts, fashion design and the like.
5. Maintenance service of equipment. When considered to be in the best interest of the city and recommended by the using department and the services to be performed are by the equipment manufacturer, manufacturer’s service representative or a distributor of the manufacturer’s equipment, the services may be procured without following the competitive sealed bid process.
6. Newspaper advertising for the purpose of required public notifications;
7. Donations of goods/services to 501(C)(3)s, as approved by City Commission;
8. Sponsorships by the City;
9. Utilities including but not limited to electric, water and communications;
10. Copyrighted materials, except computer software;
11. Food, clothing and other promotional items purchased for resale or distribution to the public or employees;
12. Emergency food purchases for declared disaster;
13. The purchase of items critical to the security of City facilities;
14. The foregoing enumeration of services deemed to be exempt from the competitive procurement requirements is not intended to be an exhaustive or exclusive list. The City Manager or his or her designee may determine if a contractual service must be procured through the competitive procurement process if not expressly indicated herein.
Sec. 3-5. Unauthorized Purchasing Practices

An unauthorized purchase occurs when any employee of the city orders, contracts for or buys any goods, services, materials or supplies outside the purview of the city code and/or purchasing division. Any individual making an unauthorized purchase may be subject to disciplinary actions as appropriate, which may include termination and/or prosecution. The following are unauthorized purchasing practices:

a. Artificially dividing purchases into multiple segments, components or phases in an attempt to issue single orders below the dollar threshold requirements as established herein (also known as "stringing" or "splitting" purchase orders) is prohibited.

b. Purchasing any goods and/or services above the thresholds delineated herein directly from a vendor, bypassing the purchasing division.

c. Providing false information such as false quotations (without actually contacting and obtaining a quotation, bid or proposal from a vendor).

d. Adding unauthorized purchases to previously approved orders without approval of the appropriate approval authority.

Sec. 3-6. Competitive Negotiations

When the use of competitive bidding is not in the best interest of the city for a purchase of, or contract for, commodities and/or services estimated to cost in excess of $25,000, the commodities and/or services may be purchased by competitive negotiations. A request for proposals or a request for qualifications, or a request for letters of interest shall be issued. Adequate public notice of the solicitation shall be given. To assure full understanding of and responsiveness to the solicitation requirements and full understanding of qualified proposals or offers, discussions may be conducted with qualified proposers or offerors who submit responses determined to be reasonably acceptable of being selected for award for the purpose of clarification and to assure full understanding of, and responsiveness to, the solicitation requirements. The respondents shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of responses, and such revisions may be permitted through negotiations prior to award for the purpose of obtaining best and final proposals or offers. The award shall be made to the responsible proposer or offeror whose proposal or offer is determined to be the most advantageous to the city taking into consideration price and the evaluation factors set forth in the solicitation. No other criteria shall be used in the evaluation.

Sec. 3-7. Cone of Silence

A. Cone of Silence means a prohibition on any communication regarding a particular Request for Proposals (RFP), Request for Qualifications (RFQ), Request for Letters of Interest (RLI), bid or other competitive solicitation governed by Chapter 3 of the Code of Ordinances for a purchase governed by Chapter 3 of the Code of Ordinances between:
1. Any person who seeks an award therefrom, including a potential vendor or vendor's representative, and
2. Any member of the City Commission, all other city employees, and any non-employee appointed to evaluate or recommend selection in such procurement process. For purposes of this section, Vendor’s Representative means an employee, partner, officer, or director of a potential vendor, or consultant, lobbyist, or actual or potential subcontractor or sub-consultant of a vendor.

B. A Cone of Silence shall be applicable to the following:

1. Each RFP, RLI, RFQ, bid, or other competitive solicitation upon a determination by the Purchasing Division that sufficient specifications have been provided to begin development of the formal documents necessary for the issuance of the applicable RFP, RLI, RFQ, bid or other competitive solicitation. At the time of imposition of the cone of silence, public notice of the cone of silence shall be posted. A statement disclosing the requirements of this section shall be included in any advertisement and public solicitation for goods and services. The City Manager or his/her designee shall issue a notice to the affected department(s), the City Clerk, and City Commission's Office that such RFP, RLI, RFQ, bid or other competitive solicitation has been issued and the cone of silence has been imposed.

2. The cone of silence shall terminate at the time the city awards or approves a contract, votes to reject all bids or responses, or otherwise takes action which ends the solicitation or other procurement process. If the City Commission refers the item back to the City Manager and staff for further review, the cone of silence shall remain in effect until an award is made, a contract is approved, or the City Commission takes any other action which ends the solicitation or other procurement process. If a cone of silence is imposed for a competitive solicitation but the solicitation is not issued, the cone of silence shall terminate upon a final determination by the Purchasing Division that the solicitation will not be issued. When a cone of silence is terminated, public notice of the termination shall be posted.

C. Nothing contained herein shall prohibit any potential vendor or vendor's representative:

1. From making public presentations at a duly noticed pre-bid conference or before a duly noticed evaluation committee meeting;
2. From communicating with the City Commission during a duly noticed public meeting; or
3. From communicating verbally or in writing with a city employee for the limited purpose of seeking clarification or additional information, when such employee is specifically designated in the applicable RFP, RLI, RFQ, or bid documents. Only written addenda will be binding. No oral representations, clarifications, or changes made to the written specification by the city's employees, shall be binding unless such clarifications or changes are provided to bidders/proposers in written addendum form. All written information shall be provided to the members of the applicable Evaluation Committee, including any response thereto and attached to the City Commission agenda item or to the City Manager for consideration of the award under the applicable competitive solicitation.

4. From communicating in writing with the Purchasing Division or other staff person specifically designated on the procurement document, subject to the following provisions:

   a. The potential vendor or vendor's representative shall deliver a copy of any such written communication to the Purchasing Division, who shall make copies available to the public upon request. The written communication shall include a reference to the RFP, RLI, RFQ, or other bid document number.

   b. All written information shall be provided to the members of the applicable Evaluation Committee, including any response thereto and attached to the City Commission agenda item or to the City Manager for consideration of the award under the applicable competitive solicitation.

5. From communicating verbally, or in writing to the City Manager, the City Manager's designee, the City Attorney or the City Attorney's designee on those procurement items to be considered by the City Commission.

6. From attending meetings with homeowner associations, civic associations and the like to discuss a particular RFP, RFQ, RLI, bid or other competitive solicitation where a City Commissioner is in attendance.

D. Penalties. A violation of, or failure to comply with this section shall subject the offender, upon conviction, to a fine of $500.00, or imprisonment for a period not to exceed 60 days, or both such fine and imprisonment shall be imposed. In addition, the provisions of sections E through G, below shall apply.
E. The City Manager shall be informed of any vendor/vendor's representative who is alleged to have violated the requirements of this division. In such an event, the City Manager shall cause an investigation to be performed by the Cone of Silence Evaluation Committee (herein referred to as the Committee). The Committee shall be comprised of the Director of Finance, the Assistant City Manager, the City Clerk, and the director or designee of the department or office for which the contract is to be awarded. The director of the department or office for which the contract is to be awarded, or his/her designee, shall serve as the chairperson of the Committee. The City Attorney or designee shall be counsel to the Committee. The Committee shall investigate the alleged violations, and present a written report, including recommendations, to the City Manager. If the City Manager determines that a violation has occurred, he/she may void an award pursuant to section F, below, and/or order a debarment as provided in section G, below, based on the severity of the violation. A copy of the Committee's report, and the City Manager's determination of a violation, if any, as well as the voiding of the award as provided in section F, below and/or the order of debarment as provided in section G, below, if any, shall be furnished or mailed to the vendor and vendor's representative who has been investigated.

F. A determination of violation shall render any RFP award, RLI award, RFQ award, or bid award, or any contract entered into pursuant thereto, to said potential vendor voidable, at the sole discretion of the City Manager, for those contracts which he/she is otherwise authorized to approve, or the City Commission, for all other contracts.

G. The debarment of a vendor due to said violation shall be for a period commensurate with the seriousness of the violation and shall continue for the duration ordered by the City Manager. Where the violation is willful or egregious, an indefinite term of debarment may be imposed. During the period of debarment, the vendor, and other companies with any of the officers or principals the same as the debarred vendor, may not bid on any city contracts, regardless of the dollar amount, nor be approved as a subcontractor on any city contract.

H. Appeal. A vendor/vendor's representative who is determined to have violated this section and who has been penalized as provided in subsections F or G, may appeal in writing within ten (10) days or the date of receipt of the notice of violation. Said appeal request shall be submitted to the City Clerk, who shall place the appeal on the next available City Commission meeting.
**Sec. 3-8. Award of Contract**

A. City Commission approval. An initial purchase of, or contract for, commodities or services, in excess of $25,000, shall require the approval of the City Commission, regardless of whether the competitive bidding or competitive proposal procedures were followed. However, emergency purchases as described in Sec. 3-4Ba, shall not require advance City Commission approval. In such emergency situations that exceed $25,000, the City Manager may approve the purchase or contract, subject to later ratification by the City Commission. Emergency purchases are to be made only where there exists a clear and present threat to public health, property, welfare, safety or other substantial loss to the City.

B. City Manager approval. A purchase of, or contract for, commodities or services in an amount between $10,000 and up to $25,000 shall require the approval of the City Manager.

C. Department Director approval. A purchase of, or contract for, commodities or services in an amount up to $10,000 shall require the approval of the Department Director.

**Sec. 3-9. City Attorney to Review and Approve Form of Purchasing Contracts**

The City Attorney shall review contracts in excess of $10,000, as required by Section 9.3 of the City Charter, and shall approve the contracts as to form prior to their execution by the appropriate city officials. Notwithstanding the above, the City Attorney, in his or her discretion, may approve form contracts bearing a pre-printed City Attorney approval, provided that the provisions of the form contracts are not modified.

**Sec. 3-10. Change Orders**

A. Department Director authority. The Department Director is authorized to approve and initial work on the following types of change orders determined in his or her judgment, to be in the public interest:

1. All change orders decreasing the cost of the contract to the city that do not materially alter the character of the work contemplated by the contract;

2. A change order where the net change increases the cost of the contract to the city by an amount less than or equal to 5% as long as the sum of all change orders plus the original contract does not exceed $10,000, including contingency;

3. On a unit price contract a change order consisting of unit quantity increases at the unit price bid, which do not exceed 5% of the original unit quantity for each line item as long as the sum of all change orders plus the original contract does not exceed $10,000, including contingency;

   Budget funding must be available for change orders in all circumstances.
B. City Manager authority. The City Manager is authorized to approve and initial work on the following types of change orders determined in his or her judgment, to be in the public interest:

1. All change orders decreasing the cost of the contract to the city that do not materially alter the character of the work contemplated by the contract;

2. A change order where the net change increases the cost of the contract to the city by an amount less than or equal to 10% as long as the sum of all change orders plus the original contract does not exceed $25,000, including contingency;

3. On a unit price contract a change order consisting of unit quantity increases at the unit price bid, which do not exceed 10% of the original unit quantity for each line item as long as the sum of all change orders plus the original contract does not exceed $25,000, including contingency;

Budget funding must be available for change orders in all circumstances.

C. City Commission authority. The City Commission shall approve a change order where the sum of all change orders issued under the contract results in a revised total contract amount in excess of $25,000.

Sec. 3-11. Debarment and Suspension

A. Authority and requirement to debar and suspend. After reasonable notice to an actual or prospective contractual party, and after reasonable opportunity to such party to be heard, the City Manager, after consultation with the City Attorney, shall have the authority to debar a person or entity for the causes listed below from consideration for award of city contracts. The debarment shall be for a period of not fewer than three (3) years. The City Manager shall also have the authority to suspend a contractor from consideration for award of city contracts, if there is probable cause for debarment pending the debarment determination. The authority to debar and suspend contractors shall be exercised in accordance with regulations that shall be issued by the City Manager.

B. Causes for debarment or suspension. Causes for debarment or suspension include the following:

1. Conviction of a criminal offense incident to obtaining or attempting to obtain a public or private contract or subcontract, or incident to the performance of such contract or subcontract;

2. Conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty;
3. Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals;

4. Violation of city’s contract provisions, which is regarded by the City Manager to be indicative of non-responsibility. Such violation may include failure without good cause to perform in accordance with the terms and conditions of a city contract or to perform within the time limits provided in the city contract, provided that failure to perform caused by acts beyond the control of a party shall not be considered a basis for debarment or suspension;

5. Debarment or suspension of the person or entity by any federal, state, or other governmental entity;

6. False certification pursuant to division (C) below; and/or

7. Any other cause judged by the City Manager to be so serious and compelling as to affect the responsibility of the person or entity performing city contracts.

C. Debarment and suspension decisions. Subject to the provisions of division (A) above, the City Manager shall render a written decision stating the reasons for the debarment or suspension. A copy of the decision shall be provided promptly to the contractual party.

Sec. 3-12. Local Vendor Preference

A. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**LOCAL BROWARD COUNTY VENDOR.** A business entity which has maintained a permanent place of business with full-time employees within the Broward County limits for a minimum of one year prior to the date of issuance of a bid or proposal solicitation. The permanent place of business may not be a post office box. The business location must actually distribute goods or services from that location. In addition, the business must have a current business tax receipt from Broward County or the city within Broward County where the business resides.

**LOCAL NORTH LAUDERDALE VENDOR.** A business entity which has maintained a permanent place of business with full-time employees within the city limits for a minimum of one year prior to the date of issuance of a bid or proposal solicitation. The permanent place of business may not be a post office box. The business location must actually distribute goods or services from that location. In addition, the business must have a current business tax receipt from the City of North Lauderdale.
B. Process. Applies only at the tabulation of formal competitive solicitations.

1. For bid evaluation purposes, vendors that meet the definition of a local North Lauderdale vendor, as defined herein, shall be given a 5% evaluation credit and vendors that meet the definition of a local Broward County vendor, as detailed herein, shall be given a 2.5% evaluation credit. A vendor may claim only one local vendor preference per solicitation.

2. The evaluation credit will be applied to the bid or proposal price submitted by the vendor(s) who submitted the Local Vendor Preference Certification and who meet the definition herein. The local vendor’s price, after the evaluation credit is applied, will then be compared to other vendor’s submitted bid or proposal prices.

C. Local North Lauderdale vendor and local Broward County vendor shall be a criterion for award in any formal competitive solicitation unless specifically exempted by the City Manager or the City Commission.

D. Exemptions.

a. No local vendor preference will be included in any competitive solicitation where the city is the lead agency for the Southeast Florida Cooperative Purchasing Group;

b. Utilization of a state or other agency contract;

c. State or federal law prohibits the use of local preference;

d. The work is funded in whole or in part by a governmental entity where the laws, rules, regulations or policies prohibit the use of local preferences;

e. Sole source or single source purchases;

f. The local vendor is either non-responsive or non-responsible;

g. All bids submitted exceed the budget amount for the project;

h. Services procured pursuant to the State of Florida CCNA;

i. Emergency purchases;

j. The City Commission may exempt any competitive solicitation from the local vendor preference.

Sec. 3-13. Non-discrimination.

The vendor shall not discriminate against any person in its operations, activities or delivery of services. The vendor shall affirmatively comply with all applicable provisions of federal, state and local equal employment laws and shall not engage in or commit any discriminatory practice against any person based on race, age, religion, color, gender, pregnancy, sexual orientation, gender identity and expression, national origin, marital status, physical or mental disability, political affiliation or any other factor which cannot be lawfully used as a basis for service delivery.
Sec. 3-14. Non-Collusion.

A bidder shall not collude, conspire, connive or agree, directly or indirectly, with any other bidder, firm or person to submit a collusive or sham bid in connection with the work for which the bid has been submitted; or to refrain from bidding in connection with such work or have in any manner, directly or indirectly, sought by person to fix the price or prices in the bid or of any other bidder, or to fix any overhead profit, or cost elements of the bid price or the bid price of any other bidder, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against any other bidder, or any person interested in the proposed work.

Sec. 3-15. Bid Protest Procedures

A. Upon completion of the evaluation of all bids for a particular procurement, the Purchasing Division shall issue a notice of bid/proposal action. This notice, containing the date and time of issuance, shall be posted on the city website and on the Internet bid service websites named in the bid documents.

B. A bidder with a “substantial interest” who has been adversely affected by the city’s selection of a bidder may protest the selection by complying with the requirements set forth herein. A bidder shall be deemed to have a “substantial interest” if the bidder would have been selected as the lowest responsive and responsible bidder but for the alleged mistake or irregularly described in the protest. If the Purchasing Division determines that a bidder does not have a “substantial interest,” that bidder is precluded from bringing a protest pursuant to this section.

C. A bidder wishing to object to terms, conditions, specifications, procedures, selection criteria, weight of evaluation criteria or other matter set forth in the bid or proposed documents must make such objections in writing during the period of time set forth for questions and answers in the invitation to bid, request for proposal, request for qualifications or request for letters of interest. A bidder who has not raised such objections in writing during the question and answer time may not use the bid protest process to object to these matters once a notice of bid/proposal action has been posted.

D. A bidder may file a “Notice of Intent to Protest” by emailing said notice to the Purchasing Division within two business days of the issuance of the notice of bid/proposal action pursuant to Sec 3-15A or the publication of a City Commission agenda recommending the award of the bid, whichever is sooner. Such notice of protest shall include the bid or proposal number and title, the name and address of the protester, and a brief statement as to the basis of the protest.

E. The complete written protest must be filed with the Purchasing Division within 7 calendar days of the issuance of the notice of bid action. To be considered, the written protest must include:

1. Bid or proposal number and title;
2. Company name, protester’s name and title, physical address of protester, and email address of protester;
3. The facts and law upon which the protest is based; and grounds not stated shall be deemed waived;
4. Rules, regulations or statutes pertinent to the protest;
5. Relief which the protester seeks;
6. Any other information that the protester deems to be material to the protest; and
7. A bid protest bond in the form of a certified check, cashier’s check, or money order made payable to the City of North Lauderdale in an amount equal to 5% of the protester’s bid or $5,000, whichever is less. If the protest is upheld by the city, the bond will be refunded to the protester. If the protest is denied, the entire bond amount shall be forfeited to the city.

F. Upon receipt of a timely filled and complete formal written protest, the Purchasing Division shall stay the award of the purchase order or contract until the protest is resolved, unless the Purchasing Division determines in writing that compelling circumstances exist which require that the award be processed without further delay, in order to protect the city’s interest or for the purpose of avoiding an immediate and serious danger to the public health, safety or welfare.

G. After receipt of the timely filed and complete written protest, and upon the protester’s request, the Purchasing Division shall meet with the protester to discuss the allegations and to attempt to resolve the matter. The Purchasing Division shall issue his or her decision on the protest within 10 calendar days of the meeting, or if no meeting is requested, within 10 days of receipt of the timely filed and complete written protest. Such decision shall be e-mailed to the protester on the date of issuance unless otherwise directed by the protester.

H. The protester may appeal the decision of the Purchasing Division to the City Manager by filing a written appeal with the City Clerk’s office within 3 business days of issuance of the Purchasing Division’s decision. The appeal must be in writing and must include a full explanation of the basis of disagreement with the decision rendered by the Purchasing Division, as well as the relief sought. The City Manager shall overturn the selection if the protester proves that the selection did not comply in material respects with the requirements contained in the invitation to bid, request for proposal, request for qualifications or request for letters of interest; with this procurement code, or with Florida law. The decision of the City Manager shall be final. The City Manager’s decision shall be e-mailed to the protester on the date of issuance unless otherwise directed by the protester.

I. Failure by a bidder to comply with the timelines and requirements set forth herein shall result in an immediate invalidation and termination of the protest and a waiver of the right to seek further redress or to appeal the alleged adverse action in a court of law.

J. Any and all costs incurred by a protesting party in connection with a protest pursuant to this section shall be the sole responsibility of the protesting party.
RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPOINTING NORAH GREENWOOD AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY COMMISSIONER LORENZO WOOD); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, a vacancy exists on the Code Enforcement Board; and

WHEREAS, Commissioner Lorenzo Wood recommends the appointment of Norah Greenwood, to fill said vacancy with a regular member from his district;

WHEREAS, Norah Greenwood, a resident of District A, has submitted an application to serve as a regular member of the Code Enforcement Board; and

WHEREAS, the City Commission is desirous of ratifying said appointment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

Section 1: That Norah Greenwood be and the same is hereby appointed as a regular member of the North Lauderdale Code Enforcement Board.

Section 2: That Norah Greenwood shall serve in said capacity for a three year term commencing on April 9, 2019 through May 31, 2022 or until resignation, whichever comes first.

Section 3: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 9th day of April, 2019.

APPROVED AS TO FORM:

CITY ATTORNEY SAMUEL S. GOREN

MAYOR ANA M. ZIADE

VICE MAYOR SAMSON BORGELIN

ATTEST:

CITY CLERK PATRICIA VANCHERI
CITY OF NORTH LAUDERDALE

RESOLUTION NO. _____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, OPPOSING HOUSE BILL 3, PREEMPTING LOCAL BUSINESS REGULATIONS TO THE STATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Representative Michael Grant filed House Bill 3 that, if passed, would prohibit certain local governments from imposing or adopting certain regulations on businesses, and would expressly preempt the regulation and licensing of professions and occupations to the State; and

WHEREAS, under the Florida Constitution and Section 166.021, Florida Statutes, municipalities are given broad home rule powers; and

WHEREAS, as part of their home rule powers, municipalities should have the ability to regulate local businesses in their jurisdiction; and

WHEREAS, municipalities should continue to have the power to decide what is consistent with the needs of their own communities; and

WHEREAS, House Bill 3, if passed, would infringe upon the home rule powers of municipalities; and

WHEREAS, the City Commission opposes House Bill 3; and

WHEREAS, the City Commission believes it is in the best interest of the City to approve this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of North Lauderdale, Florida:

Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: The City Commission opposes House Bill 3.

Section 3: The City Clerk is directed to distribute this Resolution to the Florida Governor, the President of the Florida Senate, the Speaker of the Florida House of Representatives, the Broward County Legislative Delegation, the Florida League of Cities, the Board of County Commissioners for Broward County, the Broward County League of Cities, and each of the municipalities in Broward County.
Section 4  This Resolution shall take effect upon its adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 9th day of April, 2019.

APPROVED AS TO FORM:

CITY ATTORNEY SAMUEL S. GOREN

__________________________
MAYOR ANA M. ZIADE

__________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:
CITY CLERK PATRICIA VANCHERI
CITY OF NORTH LAUDERDALE

RESOLUTION NO. _____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, OPPOSING HOUSE BILL 447, CREATING PROCEDURES RELATED TO OPEN AND EXPIRED BUILDING PERMITS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Representative Ben Diamond filed House Bill 447 that, if passed, would create procedures related to open and expired building permits; and

WHEREAS, under the Florida Constitution and Section 166.021, Florida Statutes, municipalities are given broad home rule powers; and

WHEREAS, the City Commission determines that House Bill 447 is contrary to the policy behind home rule powers granted to counties and municipalities; and

WHEREAS, House Bill 447, if passed, would infringe upon the home rule powers of municipalities as the procedures prohibit the local enforcement agencies from taking certain actions against a subsequent arms-length purchaser of property because a building permit was not properly closed within certain time periods and limits the applicable governmental entity to charge one search fee for identifying open or expired permits; and

WHEREAS, the City Commission opposes House Bill 447; and

WHEREAS, the City Commission believes it is in the best interest of the City to approve this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of North Lauderdale, Florida:

Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: The City Commission opposes House Bill 447.

Section 3: The City Clerk is directed to distribute this Resolution to the Florida Governor, the President of the Florida Senate, the Speaker of the Florida House of Representatives, the Broward County Legislative Delegation, the Florida League of Cities, the Board of County Commissioners for Broward County, the Broward County League of Cities, and each of the municipalities in Broward County.

Section 4: This Resolution shall take effect upon its adoption.
PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 9th day of April, 2019.

APPROVED AS TO FORM:

__________________________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________________________
MAYOR ANA M. ZIADE

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VICE MAYOR SAMSON BORGELIN

ATTEST:____________________________________
CITY CLERK PATRICIA VANCHERI
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, OPPOSING SENATE BILL 246, REDUCING THE AMOUNT A LOCAL GOVERNMENTAL ENTITY MAY WITHHOLD FROM A PROGRESS PAYMENT TO A CONTRACTOR AS RETAINAGE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Senator Ed Hooper filed Senate Bill 246 that, if passed, would reduce the retainage amount a local governmental entity may withhold from payment to a contractor for construction services as follows; the retainage amount would be reduced from ten percent to five percent for construction projects until the project is at least 50 percent complete and would reduce the retainage from five percent to 2.5 percent for construction projects after the project has reached 50 percent completion; and

WHEREAS, under the Florida Constitution and Section 166.021, Florida Statutes, municipalities are given broad home rule powers; and

WHEREAS, the City Commission determines that Senate Bill 246 is contrary to the policy behind home rule powers granted to counties and municipalities; and

WHEREAS, Senate Bill 246, if passed, would infringe upon the home rule powers of municipalities and the reduction of the retainage cap places local governments at greater risk of non-performance and would be detrimental to local governmental entities; and

WHEREAS, the City Commission opposes Senate Bill 246; and

WHEREAS, the City Commission believes it is in the best interest of the City to approve this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of North Lauderdale, Florida:

Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: The City Commission opposes Senate Bill 246.

Section 3: The City Clerk is directed to distribute this Resolution to the Florida Governor, the President of the Florida Senate, the Speaker of the Florida House of Representatives, the Broward County Legislative Delegation, the Florida League of Cities, the Board of County
Commissioners for Broward County, the Broward County League of Cities, and each of the municipalities in Broward County.

Section 4: This Resolution shall take effect upon its adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 9th day of April, 2019.

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

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MAYOR ANA M. ZIADE

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VICE MAYOR SAMSON BORGELIN

______________________________
ATTEST: CITY CLERK PATRICIA VANCHERI
CITY OF NORTH LAUDERDALE

RESOLUTION NO. _________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, OPPOSING SENATE BILL 824, PREEMPTING THE REGULATION OF VACATION RENTALS TO THE STATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Senator Manny Diaz, Jr. filed Senate Bill 824 that, if passed, would preempt the regulation of vacation rentals, including but not limited to, inspection, licensing, and occupancy limits, to the state; and

WHEREAS, under the Florida Constitution and Section 166.021, Florida Statutes, municipalities are given broad home rule powers; and

WHEREAS, as part of their home rule powers, municipalities should have the ability to regulate vacation rentals in their jurisdiction; and

WHEREAS, municipalities should continue to have the power to decide what is consistent with the needs of their own communities; and

WHEREAS, if Senate Bill 824 passed, it would violate the home rule powers of municipalities; and

WHEREAS, the City Commission opposes Senate Bill 824; and

WHEREAS, the City Commission believes it is in the best interest of the City to approve this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of North Lauderdale, Florida:

Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: The City Commission opposes Senate Bill 824.

Section 3: The City Clerk is directed to distribute this Resolution to the Florida Governor, the President of the Florida Senate, the Speaker of the Florida House of Representatives, the Broward County Legislative Delegation, the Florida League of Cities, the Board of County Commissioners for Broward County, the Broward County League of Cities, and each of the municipalities in Broward County.

Section 4: This Resolution shall take effect upon its adoption.
PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 9th day of April, 2019.

APPROVED AS TO FORM:

____________________________
CITY ATTORNEY SAMUEL S. GOREN

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MAYOR ANA M. ZIADE

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VICE MAYOR SAMSON BORGELIN

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ATTEST:
CITY CLERK PATRICIA VANCHERI
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, OPPOSING SENATE BILL 868, SETTING A CAP FOR BUSINESS TAXES AND REDUCING THE MAXIMUM FEES FOR RECEIPT TRANSFERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Senator Travis Hutson filed Senate Bill 868 that, if passed, would cap the local business tax to $25.00 per taxpayer per year and receipt transfer fee limits are reduced from $25.00 to $10.00; and

WHEREAS, the City of North Lauderdale has historically opposed legislative efforts to eliminate or limit business taxes; and

WHEREAS, in 2012, Florida Representative O’Toole filed House Bill 4025 and Senator Hayes filed Senate Bill 760, pertaining to the repeal of Chapter 205, F.S., which established the Local Business Tax Act; and

WHEREAS, under the Florida Constitution and Section 166.021, Florida Statutes, municipalities are given broad home rule powers; and

WHEREAS, the City Commission determines that Senate Bill 868 is contrary to the policy behind home rule powers granted to counties and municipalities; and

WHEREAS, municipalities should continue to have the power to decide what business taxes are consistent with the needs of their own communities; and

WHEREAS, Senate Bill 868, if passed, would infringe upon the home rule powers of municipalities and would significantly reduce revenues that municipalities rely upon, placing a greater burden on other revenue sources (including, ad valorem property taxes); and

WHEREAS, the City Commission opposes Senate Bill 868; and

WHEREAS, the City Commission believes it is in the best interest of the City to approve this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of North Lauderdale, Florida:

Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.
Section 2: The City Commission opposes Senate Bill 868.

Section 3: The City Clerk is directed to distribute this Resolution to the Florida Governor, the President of the Florida Senate, the Speaker of the Florida House of Representatives, the Broward County Legislative Delegation, the Florida League of Cities, the Board of County Commissioners for Broward County, the Broward County League of Cities, and each of the municipalities in Broward County.

Section 4: This Resolution shall take effect upon its adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 9th day of April, 2019.

APPROVED AS TO FORM:

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CITY ATTORNEY SAMUEL S. GOREN

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MAYOR ANA M. ZIADE

______________________________
VICE MAYOR SAMSON BORGELIN

______________________________
ATTEST:
CITY CLERK PATRICIA VANCHERI
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, OPPOSING SENATE BILL 1000, REDUCING THE TAX RATE BY ONE PERCENT ON THE STATE COMMUNICATIONS SERVICES AND DIRECT-TO-HOME SATELLITE SERVICES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Senator Travis Hutson filed Senate Bill 1000 that, if passed, would reduce the tax rate by one percent on the state communication services and direct-to-home satellite services and would revise the authority for municipalities to impose permit fees on providers of communication services that use or occupy municipal roads or rights-of-way; and

WHEREAS, Senate Bill 1000, if passed, would significantly reduce revenues that municipalities rely upon, placing a greater burden on other revenue sources (including ad valorem property taxes); and

WHEREAS, the City Commission opposes Senate Bill 1000; and

WHEREAS, the City Commission believes it is in the best interest of the City to approve this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of North Lauderdale, Florida:

Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: The City Commission opposes Senate Bill 1000.

Section 3: The City Clerk is directed to distribute this Resolution to the Florida Governor, the President of the Florida Senate, the Speaker of the Florida House of Representatives, the Broward County Legislative Delegation, the Florida League of Cities, the Board of County Commissioners for Broward County, the Broward County League of Cities, and each of the municipalities in Broward County.

Section 4: This Resolution shall take effect upon its adoption.
PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 9th day of April, 2019.

APPROVED AS TO FORM:

_________________________
CITY ATTORNEY SAMUEL S. GOREN

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MAYOR ANA M. ZIADE

_________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

_________________________
CITY CLERK PATRICIA VANCHERI
CITY OF NORTH LAUDERDALE

RESOLUTION NO. _____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, SUPPORTING HOUSE BILL 1235, AMENDING FLORIDA STATUTES TO AUTHORIZE GOVERNMENTAL AGENCIES TO USE THEIR PUBLICLY ACCESSIBLE WEBSITES FOR LEGALLY REQUIRED ADVERTISEMENTS AND PUBLIC NOTICES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Representative Randy Fine filed House Bill 1235 that, if passed, would authorize governmental agencies to use their publicly accessible websites for legally required advertisements and public notices; and

WHEREAS, on April 30, 2010, Florida Senate Bill 376 died in the Committee on Community Affairs; and

WHEREAS, on December 17, 2010, House Bill 89, a similar bill, was filed, and on May 7, 2011, it died in the House Government Operations Subcommittee, which, if it had passed would have authorized a governmental entity to use its publicly accessible website for legally required public notices and advertisements; and

WHEREAS, on December 7, 2011, Florida House Bill 937 was filed, which, among other things, required a legal notice to be placed on a newspaper’s website on the same day the notice appears in the newspaper, at no additional charge; and

WHEREAS, on May 6, 2012, House Bill 937 was signed into law by the Florida Governor; and

WHEREAS, House Bill 937 did not relieve local governments from paying the costs for legally required newspaper advertisements, and there is no evidence that publication of public notices on the newspapers’ websites has increased the public’s viewship of the legally required notice; and

WHEREAS, on February 20, 2017, Florida Representative Richard Stark filed House Bill 897, and on May 5, 2017, it died in Local, Federal and Veterans Affairs Subcommittee, which, if it had passed would have authorized local governmental entities to use their publicly accessible websites under certain circumstances for legally required public notices and advertisements; and

WHEREAS, the City Commission to advocate for this much needed change as residents will have as much or more notice on the publicly accessible governmental websites as compared with traditional newspaper advertisements while the costs of legally required public notices and advertisements would be significantly reduced; and
WHEREAS, the City Commission supports House Bill 1235 that, if passed, would authorize governmental agencies to use their publicly accessible websites for legally required advertisements and public notices; and

WHEREAS, the City Commission believes it is in the best interest of the City to approve this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of North Lauderdale, Florida:

Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: The City Commission supports House Bill 1235.

Section 3: The City Clerk is directed to distribute this Resolution to the Florida Governor, the President of the Florida Senate, the Speaker of the Florida House of Representatives, the Broward County Legislative Delegation, the Florida League of Cities, the Board of County Commissioners for Broward County, the Broward County League of Cities, and each of the municipalities in Broward County.

Section 4: This Resolution shall take effect upon its adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 9th day of April, 2019.

APPROVED AS TO FORM:

CITY ATTORNEY SAMUEL S. GOREN

MAYOR ANA M. ZIADE

VICE MAYOR SAMSON BORGELIN

ATTEST:
CITY CLERK PATRICIA VANCHERI
CITY OF NORTH LAUDERDALE
PARKS AND RECREATION DEPARTMENT

TO: Mayor and City Commission
FROM: Ambreen Bhaty, City Manager
BY: Michael Sargis, Assistant City Manager/Parks and Recreation Director
DATE: April 9, 2019
SUBJECT: Award of Champions Hall Restroom Remodel
Invitation to Bid (ITB) #19-03-378

The Parks and Recreation Department allocated funds for the renovations of the two restrooms at the Champions Hall, located at 6601 Boulevard of Champions. The Hall is extremely popular for rentals of all types and the restrooms are in need of a facelift as they haven’t been renovated since the mid 90’s.

The proposed renovations include:

- New tile flooring
- New fixtures (lighting, urinals, toilet, sinks, counters, etc.)
- New 8’ high partitions walls
- New tile/paint on walls

The staff’s plan for this project is to buy all the materials using the city’s tax exempt status and contract with a contractor to provide the labor.

In February 2019, ITB #19-03-378 for the Champions Hall Restroom remodel project was publicly released and a mandatory bid meeting was held to provide important information and City’s expectations to interested bidders. As a result, five (5) bids were submitted with the lowest bid coming from ARZ Builders, Inc. in an amount not to exceed $19,525.00. The following are the bid received:

<table>
<thead>
<tr>
<th>Project Bid</th>
<th>Contingency</th>
<th>Total Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARZ Builders, Inc.</td>
<td>$17,750.00</td>
<td>$1,775.00</td>
</tr>
<tr>
<td>Cubic USA</td>
<td>$20,040.00</td>
<td>$2,004.00</td>
</tr>
<tr>
<td>Encop, Inc.</td>
<td>$20,600.00</td>
<td>$2,060.00</td>
</tr>
<tr>
<td>Green Engineering &amp; Construction, Inc.</td>
<td>$22,560.70</td>
<td>$2,256.07</td>
</tr>
<tr>
<td>Rogar Management Consulting of FL, LLC</td>
<td>$39,400.00</td>
<td>$3,940.00</td>
</tr>
</tbody>
</table>
ARZ Builders, Inc. has done work for the City in the past and the staff feels that this vendor will be able to complete the project in the time frame indicated within the bid documents.

Along with the labor cost, the staff anticipates cost of the materials to be approximately $20,000.00, bringing the total project cost to approximately $40,000.00.

Funding for this project is available in the Parks and Recreation Department’s 2018/19 General Fund Budget 0017071-546200.

With the approval of the Commission tonight, the staff will begin the process of ordering materials so that the contractor will have all necessary supplies to start the job.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached Resolution authorizing the City Manager or her designee to enter into an agreement between the City of North Lauderdale and ARZ Builders, Inc. for the renovations of the Champions Hall restrooms in an amount not to exceed $19,525.00.
RESOLUTION NO. ____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH ARZ BUILDERS, INC. FOR THE RENOVATIONS OF THE CHAMPIONS HALL RESTROOMS IN AN AMOUNT NOT TO EXCEED $19,525.00; PROVIDING FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

Section 1: That the Bids for the project were obtained through Invitation to Bid #19-03-378.

Section 2: That the lowest bidder, ARZ Builders, Inc. was deemed responsive and responsible.

Section 3: That the City Manager, or her designee, is authorized to enter into an agreement with ARZ Builders, Inc. in an amount not to exceed $19,525.00.

Section 4: That the funding for this project is budgeted in Fiscal Year 2019.

Section 5: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 9th day of April, 2019.

APPROVED AS TO FORM:

_________________________
CITY ATTORNEY SAMUEL S. GOREN

_________________________
MAYOR ANA M. ZIADE

_________________________
VICE MAYOR SAMSON BORGELIN

ATTEST: _______________________
CITY CLERK PATRICIA VANCHERI
As part of the rental process for Champions Hall, the City requires certain parties to have an off duty police detail from the Broward Sheriff’s Office present before the facility opens for the party. The types of parties that require a Detail Deputy are those that have a greater potential for large number of teens to attend and or party crashers:

**Teen Parties**
- Sweet 16
- 18th Birthday
- Quinceanera

**Graduation Parties**
- High School

Recently, the two hall renters made arrangements with the Sheriff’s Detail Office; however at the day of party they were told that no deputy was available for the detail. Whenever this happens, this puts the City in the position of either taking the risk and allowing the party without the detail coverage or canceling the party at the last minute. Fortunately, the local BSO District has been willing to work with us in these situations and provide a greater patrol presence (if available) in the area of Champions Hall so the parties can go on.

As part of a conversation that staff had with the BSO Detail Office, it was explained that they are unable to fill numerous details a month and recommended that we reach out to FHP – Florida Highway Patrol to also provide details.

Staff spoke with the FHP Trooper who stated that before the City can request a detail Trooper, the City would need to enter into an agreement with the Florida Highway Patrol to provide this service. The key parts of the agreement that differ from BSO are:

1. City needs to request the detail and to be the contractor with FHP.
2. Renter would be responsible for paying the FHP Trooper when they arrive for the detail – failure to pay in full at that time will result in the Trooper leaving the detail and the City canceling the party.
It should be noted, that like BSO, FHP does not guarantee the availability of a Trooper and even if assigned, the Trooper is subject to recall for duty at any time before or during the party. In these situations, the City will still have the right to cancel the party on a case by case basis.

The cost for Detail Officers is as follows:

- **BSO** - $38 per hour
- **FHP**
  - $55 per hour – 5hr minimum - Sunday thru Thursday
  - $60 per hour – 5hr minimum – Friday and Saturday
  - $90 per hour – 5hr minimum - Holidays

By entering into this agreement, the renters will be able hire a Detail Police Officer from FHP as another option in the event BSO isn’t able to provide a deputy.

Attached for your consideration and approval is the Agreement between the City of North Lauderdale and the Florida Highway Patrol so the FHP can become an eligible vendor for Off Duty Details in the City.

**RECOMMENDATION:**

The City Administration recommends Commission’s consideration and approval of the attached Resolution authorizing the City Manager or her designee to enter into an Agreement between the City of North Lauderdale and the Florida Highway Patrol so the FHP can become an eligible vendor for Off Duty Details in the City.
RESOLUTION NO. ________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF NORTH LAUDERDALE AND THE FLORIDA HIGHWAY PATROL SO THAT FHP CAN BECOME AN ELIGIBLE VENDOR FOR OFF DUTY DETAILS IN THE CITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

Section 1: That some rentals at Champions Hall require detail police details as outlined in the Rental Policy.

Section 2: That currently, only the Broward Sheriff’s Office is able to provide said details.

Section 3: That due to demand and operational needs, at times, the Sheriff’s Office is not able to provide detail deputies.

Section 4: That the City is desirous of becoming a vendor with the (FHP) Florida Highway Patrol to provide Detail Troopers.

Section 5: All costs for detail BSO Deputies or FHP Troopers are paid by the renter to the agency renting the facility and not by the City

Section 6: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 9th day of April, 2019.

APPROVED AS TO FORM:

__________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________
MAYOR ANA M. ZIADE

__________________________
VICE MAYOR SAMSON BORGEIN

__________________________
ATTEST: CITY CLERK PATRICIA VANCHERI
Trooper Tony Lee
Off Duty Detail Agreement Form

1) I, _______________________________, agree to a _________ (Day, Week, Month, or Year) agreement with Trooper Lee in reference to scheduling off-duty State Police Officers for ______________________________ (Company). I understand all officer’s scheduled by Trooper Lee are independent contractors working in an off duty capacity within the guidelines of their departmental polices and Florida Law.

2) Each Officer’s job description will consist of one of the following: (Security, Traffic Control, or Escort Service).
   All officers will be in a police uniform at all times during their shift with a marked or unmarked police vehicle.
   Each officer reserves the right to investigate any incident, or forward the incident to local police department.

3) All officers will make a Law Enforcement decision based on the guidelines of their Department and Florida Law without interference from others or employers.

4) Rates: Detail Rate Number # 1-3 Applies to your detail request.

| Detail # 1 | A minimum of 5 @ an hourly rate: | $55.00 | Security Details & Traffic Control |
| Detail # 2 | A minimum of 5 @ an hourly rate: | $60.00 | Friday / Saturday Night |
| DETAIL # 3 | A minimum of 5 @ an hourly rate: | $90.00 | ALL HOLIDAYS |

An hourly minimum will be billed for all requested shifts regardless of hours worked. A 5 hour cancellation fee will be billed on all cancellations within 5 hours prior to shift or upon arrival at job.

All Officers will be paid individually

5) Payroll fees will be paid in cash check, or Money Order, at arrival time of detail? Initial (____) 

6) Issues with any officer working off duty will be discussed with Trooper Lee via email or phone.

7) If communication is needed with any officer employer must provide (Two Way Radio, Cellphone Etc.) along with contact person information.

8) Description
   B) Traffic Control: Provide protection for workers and advance warning for motorist, assist with lane closure.
   Employer will provide traffic cones, arrow board, and crash truck for all moving operations etc.
   C) Escorts: Will require map outline of route, Copies of permits if needed, 2 or more officers.

12) Please provide the name and email address of person processing payment for officers:
    Name: _______________________________ Email: _______________________________

13) I have read and I agree to the above listed terms of this off duty agreement form.

Signature of Employer: _______________________________  Trooper Signature: A. Lee___________________
Email Address: _______________________________  Email Address: Offdutyofficers0264@gmail.com
Phone: ___________________________ Date: ___________  Phone: 954-448-1417 Fax: 954-791-2209
The Jack Brady Sports Complex, is the main athletic fields for youth and adult sports programs as well as for City run Special Events in North Lauderdale. Over the years, the Complex has been home to:

- Youth Baseball
- Youth Soccer (Under6, 8 and 10)
- Cricket
- Use by 1,300 Somerset Prep Students daily for Physical Education
- Use by 150 afterschool kids daily
- Winterfest
- Egg Hunt
- North Lauderdale Days

Due to the extensive use of this facility, periodic large scale renovations are required to keep the field in good functional condition. The last time a major renovation project at Sports Complex was done was in 2010. The staff has planned similar renovations this year, which would include re-grading and re-sodding of Field #4 with approximately 50,000 square feet of new certified Bermuda sod. The project is planned for the upcoming summer months and field will be closed so that the work can be completed and the sod can take before the start of the new sports seasons.

At tonight’s meeting, the staff is seeking Commission’s approval to award the re-grading and re-sodding job to Sports Turf One, Inc. Sports Turf One, Inc. is Florida’s premier vendor with expertise in athletic field construction, sports field construction, and installing turf. This vendor also provides customized design solutions for the pre-construction, construction and maintenance of a wide variety of athletic fields.

Since it’s conception in 1997, Sports Turf One has provided athletic and sports field construction, design, installation, and maintenance for high schools, universities, sports-teams, sports clubs, and parks. Some of the completed projects include: Florida International University Riccardo Silva Stadium Field Renovation, North Broward Preparatory School Baseball & Softball Field construction, the Oxbridge Academy Thunderwolves Football Field in West Palm Beach Florida, and the FAU (Florida Atlantic University) Howard Schnellenberger Football/Soccer Field in Boca Raton.
The project planned for Sports Complex is estimated at $60,708.57 and consists of:

1. Sod removal of approximately 50,000 sq. ft. Including treating the area with chemicals and herbicide.
2. Disc till entire site, rake entire area and remove debris
3. Laser Grade areas to existing grade level
4. Install approximately 50,000 sq. feet of certified Bermuda 419 Grass, site rolled with a 3-ton roller after installation

Section 9.10(a) of the City Charter allows a waiver from multiple bids when the equipment or services are of a unique character not otherwise obtainable. Considering the complexity of re-sodding an athletic field, including laser grading, standard sodding vendors are not able to handle this caliber of work. This vendor is the predominant athletic field maintenance company to the overwhelming majority of the Parks and Recreation departments in the state. Colleges and professional athletic organizations, including the Miami Dolphins, use this vendor for field re-sodding.

Under the conditions set forth in Section 9.10(a) of the City Charter, we are requesting the authorization to proceed with the regrading and re-sodding project for Sports Complex with Sports Turf One, Inc in an amount not to exceed $60,708.57. This work was last done in 2010. During this process we also obtained a quote to replace the grass turf with artificial turf and that cost was $775,730.57.

These repairs were anticipated and funded in the Parks and Recreation Department General Fund Operating Budget 0017071-546200.

**Recommendation**
The City Administration recommends Commission consideration and approval of the attached resolution authorizing the City Manager or his designee to enter into an agreement with Sports Turf One, Inc in an amount not to exceed $60,708.57 for the re-grading and re-sodding of field 4 of the Sports Complex.
RESOLUTION NO. _______________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, DIRECTING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH SPORTS TURF ONE, INC. IN AN AMOUNT NOT TO EXCEED $60,708.57 FOR THE RE-GRADING AND RE-SODDING OF FIELD 4 OF THE JACK BRADY SPORTS COMPLEX; PROVIDING FOR THE ALLOCATION OF FUNDS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Lauderdale, Florida, has determined that a need exist to re-grade and re-sod Field 4 of the Jack Brady Sports complex.

WHEREAS, SPORTS TURF ONE, INC is the leader in the industry in the repair of athletic fields in South Florida.

WHEREAS, the City Commission, upon recommendation of the City Administration, is therefore desirous of awarding the work to Sports Turf One, Inc. in accordance with section 9.10(a) of the City Code

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

Section 1: That the re-grading and re-sod Project is awarded to Sports Turf One Inc at a total contract price/amount not to exceed $60,708.57

Section 2: That the funds allocated and appropriated pursuant hereto and for the purpose of carrying out the tenets of this Resolution shall be from account # 0017071-54650.

Section 3: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 9th day of April, 2019.

APPROVED AS TO FORM:

CITY ATTORNEY SAMUEL S. GOREN

MAYOR ANA M. ZIADE

VICE MAYOR SAMSON BORGELIN

ATTEST:

PATRICIA VANCHERI, CITY CLERK
TO: Mayor and City Commission
FROM: Ambreen Bhatty, City Manager
BY: Michael Sargis, Assistant City Manager/Parks and Recreation Director
DATE: April 9, 2019
SUBJECT: City’s Show Mobile Stage Repairs

In late 2005, as a result of damage caused by Hurricane Wilma, the City’s had to replace it’s Mobile Stage with a new Century Industries Show Mobile Stage at a cost of $84,000.00.

In the last 14 years, this stage has been used frequently by the City, local school, neighboring cities and other government agencies such as the Sheriff’s Office.

Due to this frequent use over the years, the stage has started to show signs of wear and tear and is in need of major service/overhaul. The stage manufacturer, Century Industries is located in Indiana, and has no local service representatives; therefore the stage will need to go back to Indiana for repairs. Staff has sent pictures of the items needing attention as well as had numerous phone conversations with the staff at Century and they have submitted a quote of $37,899.80, which includes the round trip transportation and repairs by the vendor. It is anticipated that the manufacturing of parts and repairs will take approximately 16 weeks. Once the stage arrives in Indiana, the price for repairs may be lower or slightly higher depending on a visual inspection. The following is a breakdown of repairs anticipated at this time:

- Hydraulic Leak, new filter and new fluid
- Remove/Replace inner and outer decking
- Remove/Replace trim, sound wings, lighting fixtures
- Sandblast Rust/Re-Paint

Section 9.10(a) of the City Charter allows a waiver from multiple bids when the equipment or services are of a unique character not otherwise obtainable. Since the original manufacturer is best to complete the repairs in compliance with the original specifications of the stage, a request is made to waive the multiple bid requirements for this repair.

Under the conditions set forth in Section 9.10(a) of the City Charter, we are requesting the authorization to proceed with the repairs after North Lauderdale Days with Century Industries in Sellersburg Indiana, Inc in an amount not to exceed $37,899.80. Additionally, we would like to set a contingency in the amount of $15,000 for any unexpected additional repairs that may be needed once the Stage is inspected in Indiana.
Funding for this project is available in the Parks and Recreation Department's 2018/19 General Fund Budget 0017071-546200.

With the approval of the Commission tonight, the Staff will make arrangements with the vendor to have the stage transported to Indiana for repairs immediately after North Lauderdale days.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached Resolution authorizing the City Manager or her designee to enter into an agreement between the City of North Lauderdale and Century Industries for repair of the City’s Show Mobile Stage in an amount of $37,899.80 and also setting a contingency fund in the amount of $15,000 for any unexpected additional repairs.
RESOLUTION NO. ______________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH CENTURY INDUSTRIES IN AN AMOUNT NOT TO EXCEED $37,899.80 FOR REPAIRS TO THE CITY’S SHOW MOBILE STAGE AND SETTING A CONTINGENCY OF $15,000 FOR ANY UNEXPECTED ADDITIONAL REPAIRS; PROVIDING FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

Section 1: That the City’s 2005 Show Mobile Stage is in need of repairs

Section 2: That the only vendor capable of making the repairs is the manufacturer Century Industries of Sellersburg, Indiana.

Section 3: That the City Manager or her designee, is authorized to enter into an agreement with Century Industries in an amount of $37,899.80 for the necessary repairs

Section 4: That a contingency of $15,000 is established for any unknown additional repairs

Section 4: That the funding for this project is budgeted in Fiscal Year 2019.

Section 5: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 9th day of April, 2019.

APPROVED AS TO FORM:

___________________________________________
CITY ATTORNEY SAMUEL S. GOREN

___________________________________________
MAYOR ANA M. ZIADE

___________________________________________
VICE MAYOR SAMSON BORGELIN

ATTEST: __________________________________
CITY CLERK PATRICIA VANCHERI
TO: Mayor and City Commission  
FROM: Ambreen Bhatti, City Manager  
BY: Michael Sargis, Assistant City Manager/Parks & Recreation Director  
DATE: April 9, 2019  
SUBJECT: Date for 2019 Holiday Parade and Tree Lighting Ceremony

As the Parks and Recreation Department finalize plans for spring and summer events and programs, the staff is also looking at the Winter Holiday Calendar and in particular a date for the 2019 Holiday Spirit Parade and the Tree Lighting Ceremony.

In order to set this event’s date that doesn’t conflict with Commission travel or other holiday plans, and to assure that we can get High School Bands to perform, the staff is proposing to hold the City’s Holiday Parade and Tree Lighting Ceremony on Saturday, December 14, 2019. Last year’s parade was the largest to date and we are looking to make the 2019 Holiday Parade even a bigger success.

If the Commission agrees with the date then the following motion is in order:

**MOTION:**

A motion to approve Saturday, December 14th, 2019 as the date for the 42nd City of North Lauderdale Annual Holiday Parade and Tree Lighting Ceremony.
North Lauderdale Homeowners are you looking to paint your house before the summer heat rolls in and in the process help beautify North Lauderdale? If so, then consider being part of the new **North Lauderdale Exterior Residential Paint Program**. This program is designed to reimburse homeowners up to $500 for the paint portion of the exterior painting of your house.

You choose the store where to buy the paint and the type of paint, however, paint colors must be approved by the City at the time an application is submitted. Expenses for reimbursement are made only after approval of the final paint job has been granted by the City. So don’t go out and buy the paint yet. Step 1 is simple, contact the Community Development Department at 954-724-7069 Option 3 and find out how you can get an application and be a part of the Home Paint Program.

Funding is limited so don’t delay and help us make “North Lauderdale a Beautiful City in the Heart of Broward”.

For More Information, Please Call Community Development 954-724-7069 Option #3
City of North Lauderdale

STATE OF THE CITY EXPO

April 25, 2019
5:30 to 7:30 p.m.

Polish American Club
935 Rock Island Road • North Lauderdale, FL 33068

Opportunities Available:
✓ Sponsorships
✓ Business Tables
✓ Food Vendors

$15 Open Bar
Complimentary Food

info@tamaracnorthlauderdale.org
954.722.1520

Thank you to our Sponsors

NEED A USED CAR?
OffLeaseOnly.com

PuroClean
The Paramedics of Property Damage

Waste Pro
Caring For Our Communities
The City is teaming up with PATCH (People’s Access to Community Horticulture) to bring a Farmers Market to North Lauderdale Residents. PATCH is a volunteer group that was first established in Dania Beach through their Community Redevelopment Agency and is funded by a grant from Broward Regional Health Planning Council. The goal of the group is to provide locally grown food at reasonable prices to people in neighborhoods that don’t typically have access to or can’t afford fresh fruit and vegetables. Residents may use their SNAP (Supplemental Nutrition Assistance Program) benefits to purchase the food with proceeds going back into the program.

**Monday, April 29 & Thursday, May 30**

**4:00 PM - 7:00 PM**

**On the Front Lawn of City Hall**

For More Information, Please Call Community Development 954-724-7069 Option #3