AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Vice Mayor Borgelin

2. ROLL CALL

   Mayor Ana M. 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

   a. June 25, 2019
   b. July 09, 2019
   c. August 13, 2019

4. PRESENTATIONS

   a. Florida League of Cities – Recognition of Commissioner Rich Moyle’s 25 Years of Service (Michael J. Morrill, FLC Account Executive)

   b. Colin Wanless, Joshua’s Heart Foundation - Certificate of Recognition – Community Service Award (Vice Mayor Borgelin)

   c. Kenneth Palladino - Certificate of Recognition – Community Service Award (Vice Mayor Borgelin)
5. PROCLAMATIONS
   a. Census 2020 Complete Count Committee Kick-off Day – Sept. 10
   b. Hispanic Heritage Month – September 15 to October 19
   c. Choose Peace Stop Violence – September 16 to September 20
   d. National Voter Registration Day – September 24

6. PUBLIC DISCUSSION

7. QUASI-JUDICIAL ITEMS
   a. SUBJECT: Site Plan SPR 19-03
       Final site plan approval to allow the addition of a prefabricated building for auto repair to an existing building in an Industrial (M-1) zoning district.

       APPLICANT: Jack Cummings
       LOCATION: 1752 S. SR 7 Folio No. 4942 07 09 0010

       • 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 on first reading
       • Commission discussion
       • Commission vote

       MOTION: To approve the final site plan SPR 19-03 subject to the six (6) conditions outlined in staff memorandum.

   b. ORDINANCE – Second Reading - VAR- 19-04
       Gonzalez Residence – 6001 NW 43rd Avenue

       • All interested parties are sworn in by City Attorney
       • Motion and second and vote to read title
       • Staff presentation
       • Public Hearing opened
       • Public comments
Public Hearing closed
Commission motion and second to pass the ordinance on first reading
Commission discussion
Commission vote

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING VARIANCES FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-276 (b) & (d) TO PERMIT 3.2 FEET SETBACK FROM A SIDE PROPERTY LINE, AND TO PERMIT 13.4 FEET SETBACK FROM A REAR PROPERTY LINE AS OPPOSED TO THE 7.5 FEET FOR THE SIDE PROPERTY SETBACK AND 15 FEET FOR THE REAR PROPERTY SETBACK REQUIRED BY THE CODE WITHIN AN SINGLE FAMILY (RS-5) ZONING DISTRICT; 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.

8. 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 –SWAV 19-06 - Sign Waiver request for Spin Car Wash**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING A SIGN WAIVER REQUEST FOR TWO MENU BOARD SIGNS FOR SPIN CAR WASH TO BE LOCATED AT 7880 WEST MCNAB ROAD, NORTH LAUDERDALE, FLORIDA, THEREBY PERMITTING THE INSTALLATION AND MAINTENANCE OF TWO MENU BOARD SIGNS TOTALLING 25 SQUARE FEET IN SIZE WHEREAS ONLY 1 SIGN UP TO 16 SQUARE FEET IS ALLOWED BY SECTION 94-14 (13) (A) & (B) WITHIN A GENERAL BUSINESS (B-3) ZONING DISTRICT.

b. **RESOLUTION - Sign Waiver SWAV 19-05 Peter Piper Pizza, 7700 W. McNab**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING A SIGN WAIVER REQUEST FOR ONE WALL SIGN FOR PETER PIPER PIZZA, LOCATED AT 7700 WEST MCNAB ROAD NORTH LAUDERDALE, FLORIDA, 33068 THEREBY PERMITTING THE INSTALLATION AND MAINTENANCE OF ONE MAIN WALL SIGN WITH THE 22 INCH HIGH LETTERS “P”, “i”, “t” AND 16 INCH HIGH LETTERING ELSEWHERE WHEREAS SECTION 94-16(C)(1)(C) OF THE CITY CODE ALLOWS FOR 16 INCH MAXIMUM LETTER HEIGHT, WITHIN A B-3 GENERAL BUSINESS DISTRICT.
c. **RESOLUTION – Appointing Jessica Ogeer to the Housing Authority Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPOINTING JESSICA OGEER AS A REGULAR MEMBER OF THE HOUSING AUTHORITY BOARD; (SPONSORED BY VICE MAYOR SAMSON BORGELIN) PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

d. **RESOLUTION – School Crossing Guard Service Agreement with Waterfield Florida Staffing, d/b/a Action Labor LLC Partnering with the City of Tamarac as Lead Agency**

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING THE AWARD OF CITY OF TAMARAC RFP NO. 19-23R FOR SCHOOL CROSSING GUARD SERVICES TO WATERFIELD STAFFING FLORIDA, LLC, D/B/A ACTION LABOR FOR A PERIOD COMMENCING SEPTEMBER 1, 2019 THROUGH AUGUST 31, 2021 WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL TWO (2) YEAR PERIODS; DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WATERFIELD STAFFING FLORIDA, LLC, D/B/A ACTION LABOR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

e. **RESOLUTION – Agreement with the School Board of Broward County (Aka: Broward Fire Academy) 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 SCHOOL BOARD OF BROWARD COUNTY (A/K/A: BROWARD FIRE ACADEMY), 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.

f. **RESOLUTION - Flexible Spending Account Plan**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BY AND BETWEEN THE CITY AND AMERIFLEX AND AUTHORIZING COLONIAL INSURANCE TO ADMINISTER A FLEXIBLE SPENDING ACCOUNT PROGRAM FOR THE EMPLOYEES OF NORTH LAUDERDALE; AND PROVIDING AN EFFECTIVE DATE.
9. OTHER BUSINESS

a. SUBJECT - Interlocal Agreement with the Broward County Building Code Services Division of the Environmental Protection and Growth Management Department to Contract:

i. RESOLUTION - Building Plan Review/Inspection Services and Building Official Services.

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Tammy Reed-Holguin)
- 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 TO ENTER INTO THE INTERLOCAL AGREEMENT, ATTACHED HERETO, BY AND BETWEEN THE CITY OF NORTH LAUDERDALE, FLORIDA AND BROWARD COUNTY, FLORIDA FOR INSPECTION, PLAN REVIEW, BUILDING OFFICIAL AND RELATED SERVICES TO BE PERFORMED BY THE BROWARD COUNTY BUILDING CODE SERVICES DIVISION OF THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

i. RESOLUTION - Utilization of Broward County Unsafe Structures Board

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Tammy Reed-Holguin)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO THE INTERLOCAL AGREEMENT, ATTACHED HERETO, BY AND BETWEEN THE CITY OF NORTH LAUDERDALE, FLORIDA AND BROWARD COUNTY, FLORIDA FOR REPRESENTATION AT HEARINGS OF THE BROWARD COUNTY UNSAFE STRUCTURES BOARD; AND PROVIDING AN EFFECTIVE DATE.
b. **RESOLUTION - Agreement with Connectica, LLC to Create Branding & Strategic Marketing Plan**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Tammy Reed-Holguin)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH CONNECTICA, LLC IN AN AMOUNT NOT TO EXCEED $25,800; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO INITIATE THE NEXT STEPS TO IMPLEMENT THE PROGRAM INCLUDING, BUT NOT LIMITED TO, THE PREPARATION OF A CITYWIDE BRANDING AND STRATEGIC MARKETING PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

c. **RESOLUTION - Agreement with Gadson & Ravitz, LLC to Create and Manage a Public Art Program**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Tammy Reed-Holguin)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH GADSON AND RAVITZ, LLC IN AN AMOUNT NOT TO EXCEED $30,000; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO INITIATE THE NEXT STEPS TO IMPLEMENT THE ART PROGRAM INCLUDING, BUT NOT LIMITED TO, THE PREPARATION OF A STRATEGY TO ESTABLISH A PUBLIC ART PROGRAM AND PROVIDE PROGRAM MANAGEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

d. **RESOLUTION - Memorandum of Understanding regarding Collaborative Study & Development of an Integrated Solid Waste & Recycling System**
Motion, second and vote to read
Attorney reads title
Staff presentation (George Krawczyk)
Commission motion and second to adopt
Commission discussion
Commission vote

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY MANAGER TO ENTER INTO THE ATTACHED MEMORANDUM OF UNDERSTANDING REGARDING COLLABORATIVE STUDY AND SUBSEQUENT DEVELOPMENT OF AN INTEGRATED SOLID WASTE AND RECYCLING SYSTEM WITH BROWARD COUNTY AND PARTICIPATING CITIES; AND PROVIDING AN EFFECTIVE DATE.

e. RESOLUTION - Requesting and Accepting Deed Transfer of Property for CSLIP Application

Motion, second and vote to read
Attorney reads title
Staff presentation (Tammy Reed-Holguin/George Krawczyk)
Commission motion and second to adopt
Commission discussion
Commission vote

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RELATING TO THE CITY’S APPLICATION FOR A GRANT THROUGH THE COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES PROGRAM WITH THE BROWARD METROPOLITAN PLANNING ORGANIZATION; RESPECTFULLY REQUESTING THAT THE BROWARD COUNTY COMMISSION ADOPT A RESOLUTION AUTHORIZING THE TRANSFER BY DEED OR OTHER LEGAL MEANS OF CONVEYANCE OF CERTAIN REAL PROPERTY IDENTIFIED HEREIN, TO THE CITY OF NORTH LAUDERDALE; PROVIDING FOR THE ACCEPTANCE BY THE CITY OF THE TRANSFER OF TITLE OF THE REAL PROPERTY IDENTIFIED HEREIN FROM BROWARD COUNTY; RESPECTFULLY REQUESTING THAT THE BROWARD COUNTY COMMISSION RESOLUTION SUPPORT THE CITY’S APPLICATION FOR A GRANT THROUGH THE COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES PROGRAM WITH THE BROWARD METROPOLITAN PLANNING ORGANIZATION, AND AUTHORIZING THE CITY TO PERFORM WORK IN THE COUNTY RIGHT-OF-WAY UNTIL SUCH TIME AS THE TRANSFER OF TITLE REQUESTED HEREIN IS COMPLETE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
f. **RESOLUTION – Exercise Equipment – Pompano Park & Jaycee Park**

- 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 OF NORTH LAUDERDALE AUTHORIZING THE EXPENDITURE OF $42,684.00 TO PLAYMORE FOR THE PURCHASE AND INSTALLATION OF OUTDOOR EXERCISE EQUIPMENT AT POMPANO PARK AND JAYCEE PARK BY PIGGYBACKING OFF OF THE PLAYMORE AND SCHOOL BOARD OF PALM BEACH COUNTY CONTRACT #15C-32B; FUNDING IS AVAILABLE IN THE 2018-2019 PARKS AND RECREATION DEPARTMENT CAPITAL FUND BUDGET; AND PROVIDING AN EFFECTIVE DATE.

g. **RESOLUTION - North Lauderdale Days 2020**

- 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, ESTABLISHING APRIL 17 THROUGH APRIL 19 AS NORTH LAUDERDALE DAY(S) FOR THE YEAR 2020 IN THE CITY OF NORTH LAUDERDALE; PROVIDING FOR COMPLIANCE WITH THE TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE NO. 81-3-409 WHICH DID CREATE AND ESTABLISH “NORTH LAUDERDALE DAY” AS A DAY TO OCCUR AS A FESTIVE EVENT AND CELEBRATION OF THE CITY OF NORTH LAUDERDALE; AND PROVIDING AN EFFECTIVE DATE.

10. **REPORTS**

   a. Parks and Recreation Updates (Mike Sargis)

11. **CITY MANAGER COMMENTS**

   a. 9-11 Wreath Laying Ceremony – Wednesday, Sept. 11 City Hall 9-11 Memorial at 10:00 am
b. Discussion and possible motion to proceed with process regarding Broadview Civic Association’s proposal regarding their daycare property located at 1880 SW 62nd Avenue

c. Discussion and possible motion regarding the establishment of a Census 2020 Complete Count Steering Committee

d. Discussion and possible motion regarding City Lobbyists

12. COMMISSION COMMENTS

a. Recommendation for a Citizens Advisory Board Appointment to the Metropolitan Planning Organization Board (Mayor Ziade)

b. National League of Cities – Discussion and possible Motion to Approve Membership Renewal in the amount of $4,002, and possible attendance at NLC City Summit in San Antonio TX – November 20-23 (Registration $650 per person and Hotel approximately $240.00 per night).

c. En USA – Discussion and possible Motion regarding request from En USA publication to place a congratulatory ad in the October edition in honor of Hispanic Heritage Month in the amount of $423.

13. CITY ATTORNEY COMMENTS

14. ADJOURNMENT
The North Lauderdale City Commission met at the Municipal Complex on Tuesday, June 25, 2019. The meeting convened at 6:00 pm.

1. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Commissioner Rich Moyle 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. **May 28, 2019** – Vice Mayor Borgelin moved to approve the Minutes as submitted. Seconded by Commissioner Bustamante. **Minutes unanimously approved by voice vote.**

4. **PRESENTATIONS**
   a. **The Family of former Mayor Pat Petta** – Mr. Richard Petta, Son of former Mayor Pat Petta and Ms. Angelique Petta, Grand-daughter, attended the meeting while visiting from Winter Garden, to express their privilege to be present in the building which was built and dedicated to Mayor Pat Petta during his term in the 1980’s. Mr. Petta thanked the City for the Honor Guard that was provided at his father’s funeral even though he was no longer a resident. He spoke of his father’s dedication to public service and the principal of “do for the people” while in office during the first time a Council existed that was not controlled by the builders. Mr. Petta stated that if his father were still alive today, he would be gratified by the way the City, that he helped start, has progressed today.

   b. **Parkland’s Recognition of North Lauderdale’s Support following MSD tragedy**
   Ken Cutler, Vice Mayor of the City of Parkland, together with Parkland’s Commissioner Bob Mayersohn; Nancy Morando, Interim City Manager; and Sowandee Johnson, Assistant City Manager, addressed the City Commission and audience. Vice Mayor Cutler stated that on February 14, 2018 much of the world came to know the City of Parkland in the aftermath of an unthinkable day for their community, as they faced something that no city should have to face. He said in that time-frame the City of North Lauderdale’s First Responders rallied to their City to aid them, as well as members of the
Commission who offered support. As a result of the City’s gesture, a token of appreciation and thanks was given to the City. Mayor Ziade deferred to City Manager Bhatty who expressed heartfelt comments and introduced the First Responders present who had responded to the call that day. Battalion Chief Jon Sucher introduced Firefighter/Paramedic Matthew Santana and Firefighter/Paramedic Nick Ruesga and stated that Lt. Christopher Passino was not present this evening, who responded to this tragic event. City Manager Bhatty explained how the City’s Teen Club presented their idea to build a Memorial Garden which has now been completed and dedicated in honor of the victims.

c. GFOA Distinguished Budget Award
Clerk Vancheri introduced the Finance Director, Susan Nabors, who received the Distinguished Budget Award from the Government Finance Officers Association on behalf of the City. This is the 25th year the City has received this special award, which the highest award presented, for its commitment to excellence and transparency in preparation of budget documents based on program standards. Finance Director Nabors commented that this award is obtained with collaboration from all City Administration and Department Heads who have a hand in putting the budget together. Budget documents can be found on the City’s website.

d. North Lauderdale Fire Department Promotions
Fire Chief Rodney Turpel stated that tonight he has the honor of presenting a full contingency of officers that are ready, qualified and able to be promoted in the North Lauderdale Fire Rescue Department, whose main mission is to protect and serve the residents of North Lauderdale and surrounding cities in the County when needed in the ten-fifteen mile radius of the city. Chief Turpel commented that this is the sixth promotional ceremony held during the past six years and he is proud of the top men and women of North Lauderdale Fire Rescue that have been promoted. Tonight two vacant Lieutenant positions are being filled. Chief Turpel gave some history of their careers to date. Lt. Frank Nobile and Lt. Matt Hurt were joined by their family and friends as their new badges were pinned by their wives.

5. PROCLAMATIONS
   a. Park and Recreation Month – July
Clerk read the Proclamation into the record and it was presented to Mike Sargis, Parks and Recreation Director.

6. PUBLIC DISCUSSION
   Allen and Victor Chi – SW 13 Street – Commented on a situation with their water bill and late fees. City Manager advised the matter would be looked into.

7. OTHER BUSINESS
   a. RESOLUTION - Contracting with Broward County for Stormwater Assessment
Commissioner Moyle 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 TO ENTER INTO AN AGREEMENT WITH BROWARD COUNTY FOR IMPLEMENTATION OF A STORMWATER
ASSESSMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Bhatty stated presented the item based on backup memorandum, stating that several steps have been taken toward transitioning the stormwater fee from the water bill to the tax bill. This last step is for an Interlocal Agreement with Broward County to request the Property Appraiser’s Office to use the uniform method of collection as part of the annual tax bill. This type of resolution has been done in the past for assessments such as for the garbage assessment fee and Water Control District assessment fee. The Broward County Property Appraiser’s office charges a 2% collection fee on the total revenue collected, plus $0.50 per tax bill. Susan Nabors, Finance Director, reiterated that this is a formality to enter into a contract with the BCPA who sends out the bills, receives the money and remits it to the City. This will be effective in October and tax bills go out in November. Commissioner Moyle moved to adopt. Seconded by Commissioner Wood. No Commission discussion; Clerk called roll. All YES.

RESOLUTION NO. 19-06-6642 PASSED AND APPROVED UNANIMOUSLY

b. SUBJECT - SPEV 19-01 “Reggae Pon The Grill” Community Appreciation Event – 8032 W. McNab Road (Broward Meat and Fish)

Commissioner Moyle moved to read. Seconded by Commissioner Wood. Attorney read item into record. Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. She indicated that the request will mark the three year anniversary of the restaurant’s business. All residents are invited. Applicant has provided an indemnity agreement; insurance certificate; layout of event; letter of intent; and authorization from the property owner to hold the event. Also, the property owner consented to the Commission’s approval of waiver of the clean-up bond. Applicant is requesting waiver of the $106 special event fee. Administration is not aware of any other fees for this event. Fire Department has provided the Applicant with all safety requirements that must be met prior to the event and the Applicant is responsible for continued coordination with Police and Fire for the event. Administration recommends Commission’s consideration and motion for approval subject to conditions as outlined; items 3 and 4 already having been satisfied. Consideration of waiver of the application fee and clean-up bond is also requested. Applicant, Ava Thompson-Samuels, was present and indicated that she reviewed and agrees to the six conditions. Commissioner Moyle moved to approve the “Reggae Pon the Grill Community Appreciation Event” and the applicant’s request for waiver of application fee of $106, to be held on Saturday and Sunday, July 13-14, 2019, from 2:00 P.M. to 9 P.M. at the restaurant location 8032 W. McNab Road subject to the six (6) conditions listed in Staff’s memorandum. Seconded by Commissioner Bustamante. Clerk called roll; All YES. MOTION PASSED AND APPROVED UNANIMOUSLY.

c. ORDINANCE - First Reading – Amendment to Article III – Property Maintenance Standards Regarding Timely Removal of Hurricane Shutters

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ARTICLE III ENTITLED “PROPERTY MAINTENANCE
STANDARDS”, SECTION 82-62 “DEFINITIONS” AND SECTION 82-81 “MAINTENANCE OF EXTERIOR OF PREMISES” OF THE CODE OF ORDINANCES OF THE CITY OF NORTH LAUDERDALE, BY INCORPORATING LANGUAGE REQUIRING THE TIMELY REMOVAL OF HURRICANE SHUTTERS AND OTHER PROTECTIVE DEVICES FROM OCCUPIED BUILDINGS AND UTILIZING THE PENALTY SECTION OF THE PUBLIC NUISANCE CODE FOR NON-COMPLIANCE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development Director, presented the item indicating that approval on first reading of this Ordinance will add language compatible with the Florida Fire Prevention Code requiring the removal of hurricane shutters as outlined in the backup memorandum, within 15 days after the termination of weather threats and to utilize penalties of the Code for non-compliance. Ms. Reed-Holguin commented that this is an item that the Commission has discussed frequently regarding the safety and dangers of leaving them on with regard to access in case of emergencies. In February of 2019, the Broward County local amendments to the Florida Fire Prevention Code became effective to require that these devices be removed from occupied buildings within 15 days of a threat. Ms. Reed-Holguin stated that this will be added to the City’s Code of Ordinances to have a mechanism to enforce removal of these shutters through a code enforcement process. Commissioner Moyle moved to adopt. Seconded by Commissioner Wood. Vice Mayor Borgelin asked how residents be notified that they need to remove them within 15 days after an event. Ms. Reed-Holguin explained that the robo-call system can be used if phones are working. Also immediately after winds die down, Rapid Impact Assessment Teams go out in the field that is made up of Code Officers and Building Inspectors who go door to door to do a preliminary assessment of damages and information can be distributed at that time. City Manager interjected that after 15 days the Code Officers will issue Courtesy Warning Notices giving them 24 hours to remove before citations are issued. Mayor Ziade asked about properties that have the shutters up and the property owners are gone? Ms. Reed-Holguin replied that this will apply to occupied buildings. Mayor Ziade said something to think about is maybe having a list of people who are gone for months at a time so the City is aware the property is unoccupied. City Manager said they will refine the procedure once this is implemented. No further discussion; Clerk call roll. All YES

ORDINANCE PASSED AND APPROVED UNANIMOUSLY ON FIRST READING
Second and final reading will be on July 9, 2019.

d. ORDINANCE – First Reading: Proposed Fee Schedule Revision (Article 1, Section 4 of Appendix F) - To Modify Local Business Tax Receipts and Associated Processing Fees

Commissioner Wood moved to read. Seconded by Commissioner Moyle.

Attorney read:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ARTICLE 1, SECTION 4, OF APPENDIX F OF THE CODE OF ORDINANCES OF THE CITY OF NORTH LAUDERDALE, ENTITLED LOCAL BUSINESS TAX, TO INCREASE BY FIVE PERCENT (5%) OF THE CURRENT RATE STRUCTURE
Tammy Reed-Holguin, Community Development Director, presented the item indicating that approval on first reading of this Ordinance will adopt the revised fee schedule for local business tax receipts, increasing the fee by the statutory limit of 5% every two years. The last time the item was brought to the Commission was in 2017, and this is the only opportunity to adjust the fees at this time. Ms. Reed-Holguin reiterated the background as indicated in the memorandum indicating that in 1995 the City established an Equity Study and met all requirements of State Statutes. Staff is recommending an increase to the fees for the commercial businesses only by 5%, effective on second reading of the Ordinance to be advertised for July 9th. It is estimated that this increase will amount to about $9,800 in additional revenue if all remains the same with the number of businesses and the value of their licenses last year. It is not a huge revenue generator for the City, but operating costs for the City licensing programs, inspections, administrative costs for issuance and a new invoicing program which is labor-intensive, an increase is recommended to implement and cover these processes. No increase for residential rental tax receipts is recommended at this time. Ms. Reed-Holguin stated that with this proposed 5% increase, the majority of businesses will see an increase of between $3.00 and $15.00 depending on the size of the business. **Commissioner Wood moved to adopt. Seconded by Commissioner Bustamante.** Commissioner Wood reiterated it is not a large fee to keep our businesses licensed and viable, and that we are upholding the State Statute. Vice Mayor Borgelin asked how much we receive from businesses. Ms. Reed-Holguin and Mayor Ziade explained that the $9,800 estimated is above the amount collected the previous year. Vice Mayor Borgelin commented that he wants to encourage businesses and can these costs come from somewhere other than an increase, and how do we compare to other cities. Ms. Reed-Holguin replied that the fees the businesses pay here are 1/10th the amount that they would pay in a city such as Pembroke Pines. She said the City can only go by the Statute which allows an increase of up to 5% and they are working with a level that was set in 1995, and our business tax receipt is very reasonable. Ms. Reed-Holguin said the small businesses fall within the $100-200 range, which would amount to a $5-$10 increase for them for the whole year. City Manager Bhatty interjected that when the equity study was done in 1995 they looked at the nature of the businesses and the fees at that point were based on the nature of the businesses and the size of the business so that was the baseline to begin with. Ms. Reed-Holguin gave an example of a business such as a barber shop with the 5% increase would bring the tax receipt to approximately $33.00 per year. Commissioner Bustamante asked what the costs would be in the event of a recession and is this an annual increase. City Manager Bhatty said the rate remains the same and it is for every two years; we have to have increases because costs to provide services goes up. No further discussion; Clerk called roll. Vice Mayor Borgelin – NO; Commissioner Bustamante – YES; Commissioner Moyle – YES; Commissioner Wood – YES; Mayor Ziade – YES. Motion passed on a 4-1 Vote; Vice Mayor Borgelin dissenting.

**ORDINANCE PASSED AND APPROVED ON A 4-1 VOTE ON FIRST READING**
Second and final reading will be on July 9, 2019.

e.  **RESOLUTION – Grant Application for the Community Shuttle Program (CSP)**

Commissioner Moyle 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 SUBMIT AN APPLICATION TO BROWARD COUNTY TRANSIT DIVISION REQUESTING TWO (2) COMMUNITY SHUTTLE BUSES SERVICING NORTH LAUDERDALE RESIDENTS; PROVIDING THAT THE CITY MANAGER OR HER DESIGNEE SHALL BE AUTHORIZED TO TAKE ALL NECESSARY STEPS TO SUBMIT AN APPLICATION AND IF AWARDED, TO EXECUTE AN INTER-LOCAL AGREEMENT (ILA) WITH BROWARD COUNTY TRANSIT; AND PROVIDING AN EFFECTIVE DATE.

Katherine Randall, presented the item based on the backup memorandum. She indicated that this resolution will approve submittal of an application to Broward County for two proposed routes for community shuttle buses for east and west routes in the City. She gave background information indicating that during 2004-2011 the City partnered with Broward County’s Community Shuttle Program. In 2011 the services were eliminated due to ridership threshold not being met. Funding is now available through the Transportation Surtax Referendum that was approved in November 2018 and residents have expressed interest in the provision of mobility and connectivity options. The City’s application will request 2 buses routes (east and west) running six days a week from 7:30 am to 6:00 pm; the routes would be free and would provide connectivity to existing County and neighboring city routes which will enable the City to increase its ridership. Ms. Randall showed a PowerPoint presentation, which is available in the City Clerk’s office, and indicated that at a Town Hall meeting in District D residents voiced their opinions. The application is due on June 28. Commissioner Moyle moved to approve. Seconded by Commissioner Wood. Commissioner Wood and Vice Mayor Borgelin expressed thanks for this presentation and their approval. City Manager commented that they have included all the stops that were expressed during the Town Hall meeting, however once the application is submitted the County staff will do their review of the routes to determine a final approval. Commissioner Wood reiterated that we have to reach the ridership threshold to receive the funding. He suggested the Commission embrace the ridership and maybe do a field trip on the bus as a promo. Ms. Randall said the County wants to partner with the City to make this work. No further discussion; Clerk called roll. All YES.

RESOLUTION NO. 19-06-6643 PASSED AND APPROVED UNANIMOUSLY

f. RESOLUTION – Award of Silver Lakes Drainage Improvements Bid #19-05-380

Commissioner Moyle 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 FLORIDA ENGINEERING AND DEVELOPMENT CORP. FOR THE SILVER LAKES DRAINAGE IMPROVEMENTS OUTLINED IN BID #19-05-380 IN AN AMOUNT NOT TO EXCEED $383,284.33; PROVIDING FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.
George Krawczyk, Public Works Director, presented the item based on backup memorandum. He indicated the scope of work for the project to alleviate some of the ongoing drainage issues on the east side of the Silver Lakes Community. The west side improvements will be part of a big drainage study conducted during the next phase. Funding for this project will come from a Federal Community Development Block Grant program. This City has gone through the bid process and the bid was duly advertised, as required by all CDBG and HUD Federal rules and regulations. A pre-bid meeting was held on May 23, 2019. Sealed bids were due to be submitted by June 13th at 10:00 am at which time nine bid packets were received and opened. Upon review three bids were deemed non-responsive. Of the six responsive bids, Florida Engineering and Development Corp. came in as the lowest and most responsible bidder at $383,284.33. The project is supported by the County and their portion of the funding will be $249,587. The balance of the project in the amount of $133,697.33 will be funded through the City’s capital improvement fund. The project will have a 120-day construction schedule to proceed after paperwork is approved and a notice to proceed is done. Staff recommends Commission’s consideration and approval of the resolution to accept Florida Engineering and Development Corporation’s bid and to enter into an agreement for this project. **Commissioner Moyle moved to adopt. Seconded by Commissioner Wood.** Commissioner Wood asked for clarification of when SW 10 Court on the east side would be done and when was that cleaned out. Mr. Krawczyk replied it would be focused on in the next phase drainage study and the pipes do drain, but the sizing is too small currently. Vice Mayor Borgelin asked if 78th will be included and can a sign be posted when it will be one. Mr. Krawczyk replied it will be in the next phase and there is specific criteria by the CBGD program and signs will be posted at the project area and will include costs. **No further discussion; Clerk called roll. All YES.**

**RESOLUTION NO. 19-06-6644 PASSED AND APPROVED UNANIMOUSLY**

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**Carmen Joseph** - At this point Ms. Joseph was introduced by the Mayor as a late arrival for Public Discussion. She addressed the Commission to say she has lived in the City for 10 years and just began to attend the Commission meetings. Ms. Joseph said she is proud to be a resident and appreciates that the Commission respects each other; listen to the residents; and thanked them for their hard work.

8. **REPORTS**

   a. **Traffic Study Report regarding 81st Avenue**

George Krawczyk, Public Works Director, stated that staff was directed to look into the area surrounding Mr. Bill’s [convenient store], Tam O’Shanter Blvd., 81st Avenue and 10th Court. He presented an aerial view of the area. The main concern is the turning movements coming out of Mr. Bill’s going southbound on 81st Avenue, which is an illegal turn as there is a “right turn only” sign there. Walter Keller, a Registered Professional Engineer and Certified Planner, was hired as a consultant to do a study and report to come up with ideas for the area. Traffic data was collected from three intersections and three driveways identified, which are very close to each other. Mr. Keller commented the study showed there is a lack of a median or separator for southbound turning lanes on 81st Avenue, which could possibly eliminate some of the problem if put into some of the cross-sections to make the flow safer. The study also included looking into accidents, which occurred a lot in the intersections, caused by lack of traffic control in the intersections and with the signals. Mr. Keller explained what he observed during his study at different times of the day. Mr. Keller said because some of the
intersections are only about 260 feet apart so you can only put a median in one direction. Tam O’Shanter is the intersection with the largest number of left turns and the most accidents. Mr. Keller said the City needs to look at doing either a traffic signal or a traffic circle if there is enough room. A signal warrant study would have to be done to collect a little more data to see if the conditions can be met. Mr. Keller said from the initial study there are several warrants that may qualify for this light. Vice Mayor Borgelin said that a light would possibly help with the speed and turns at Tam O’Shanter, but reiterated that the main issue is left turns out of Mr. Bill’s. Mr. Keller stated he did see many illegal turns at Mr. Bill’s and one option may be to put a diverter in that driveway so that people would have to make a right in, and a right out. Even with that change, Mr. Keller said you would have to do something about the traffic control because of the speeds on 81st Avenue. Mr. Krawczyk reported that the big picture is Tam O’Shanter and in the meantime they will look at designing some sort of divider from the sidewalk to the roadway. Mayor Ziade asked for a realistic time frame to implement a solution. Mr. Krawczyk replied it could be several months as it requires design, review and approval of the County, permitting, bidding and/or construction time. Vice Mayor Borgelin asked about if 81st could be widened. Mr. Krawczyk commented that is for a bigger picture regarding that C-Slip grant which includes paths and bike lanes and the bigger graphic for that would be from right-of-way to right-of-way. City Manager Bhatty commented that the sidewalks have to be made wider also, for the ADA requirements factored in. She further commented that although the County will approve the permits for a light, funding needs to be found as the cost of a signal light is about $250,000. Vice Mayor Borgelin also commented that there is a lot of tree canopy between Mr. Bill’s and Valero and too many people hang out there. Mr. Krawczyk said they can work with Code and BSO to see if something can be done about that.

9. CITY MANAGER COMMENTS

   a. Upcoming Events
      - Fourth of July Fun Run/Walk on Thursday, July 4 – 8:00 am
      - Free Pool Admission July 4, 6 and 7 – 10:00 am-5:00 pm

10. COMMISSION COMMENTS

   a. Florida League of Mayors Membership
   City Clerk Vancheri sought Commission’s consideration and approval to reinstate membership with the Florida League of Mayors and to pay the invoice for annual membership in the amount of $1,103.00. Commissioner Moyle made that motion which was seconded by Commissioner Wood. Clerk polled Commission. Motion was unanimously approved.

   b. Ceremonial Request for Letter of Honor
   Commissioner Wood stated that at the last meeting he brought forth Ms. Jerleen Norey of Simply Inspired Dance Studio, located at 7930 W. McNab Road, and he advised that he would be presenting a letter of honor to her. Commission supported this in the form of a unanimous motion.
**Commissioner Wood**

- Gave thanks to the Fire Dept., BSO, City Administration and Departments for assisting with the Community Forum held on June 19th in District A. He also thanked the residents in the audience who also attended the Forum, and commented that it was a successful event and a lot of useful information was put out. He also encouraged successful forums in other Commission districts.
- Commented that Joshua’s Heart Foundation and Teleperformance had a successful event this past Saturday, with the help of Community Development Department, in providing foods and products useful to 200 families and looks forward to recognizing this group
- Commented that to further discussions on safety and speeding, he just received a text about a four car accident at 64th and Kimberly Blvd this evening at the 4way stop and hopes there were no serious injuries
- Commented on a report from former Captain Chris McCoy in January 2019 regarding Law Enforcement Trust Fund purchases and asked when would they be purchased. He especially inquired about the license plate reader. Lt. Lupo said the readers have been purchased and received but they need to be hooked up to laptop computers and requires training. They are mobile units in that they are on trailers. He reported that all the LETF purchases have been received.
- Commented he attended the unveiling of the wing at the Courthouse in honor of Judge Reddick, the first African American Judge in Broward County on June 19th and also made some comments on the meaning of Juneteenth as a second day of freedom of the slaves in Texas who found out and it is a day of service

**Commissioner Borgelin**

- Thanked to Administration and Staff for the success of his Community Forum in Silver Lakes Community on June 15th in District D
- Sought consensus to recognize Colin Wanless of Joshua’s Heart at the next Commission meeting for a “Making a Difference Community Service Award” and commented that the Teleperformance event benefited 200 families. Consensus was given.
- Sought consensus to recognize Kenneth Palladino, a Home Depot employee, for his many years of Community Service, at the next Commission meeting. Consensus was given through a motion made by Commissioner Wood and seconded by Commissioner Moyle. All in favor.
- Commented that he attended a “Juneteenth” event on June 19th in Broward County which was a freedom day and leadership event
- Commented that he also attended the Teleperformance event on June 20th
- Commented that the residents appreciated the Fire Dept. giving away the smoke detectors at the Community Forum
- Commented that residents commented about a rats in North Lauderdale
- Commented that he visited Waste Management’s Recycling Facility which was an eye-opening education to see the process

**Mayor Ziade**

- Commented that she attended Representative Anika Omphroy’s Community Forum this past weekend regarding informative legislative issues in Tallahassee and stated it was a great turnout of elected officials and residents. Other forums will be held and sub-committees will be formed going forward
11.  CITY ATTORNEY COMMENTS

Attorney Goren reminded the Commission of the BLC Ethics Workshop on the coming Friday where they can earn their required credits. He said he, Jacob Horowitz and Quentin Morgan from his law firm are moderators, as well as Attorneys Jamie Cole and Robert Meyers and it should be a good workshop.

12.  ADJOURNMENT – There being no further business the meeting adjourned at 8:36 pm.

Respectfully submitted,

Patricia Vancheri, MMC
City Clerk
The North Lauderdale City Commission met at the Municipal Complex on Tuesday, July 9, 2019. The meeting convened at 6:05 pm.

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

2. **ROLL CALL** – Clerk called roll. **Present:**
   - Mayor Ana M. Ziade
   - Vice Mayor Samson Borgelin (*Excused absence*)
   - 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**
   - **June 11, 2019** – Commissioner Wood moved to approve the Minutes as submitted. Seconded by Commissioner Moyle. Mayor Ziade commented that there was a typo on Page 4, paragraph two – a dollar sign ($) should be inserted in front of the dollar amount of the increase. Clerk indicated the record copy would be corrected. **Commissioner Wood moved to approve the Minutes as modified; seconded by Commissioner Moyle. All in favor by voice vote.**

4. **PRESENTATIONS**
   - **Broward Sheriff’s Office** - Chief Kregg Lupo introduced new command staff to the District, as a result of transfers and promotions:
     - **Recognition of Lieutenant Steve O’Neill for promotion to Executive Officer**
       - Lt. O’Neill commented that he was previously the patrol commander for the past two and a half years and is very excited to take the Executive Officer position here in North Lauderdale, after serving several municipalities in the County.
     - **Operations Lieutenant Ben Anderson**
       - Lt. Anderson thanked the City and residents for welcoming him. He has served around the County for the past three years, after serving in Miami-Dade County since the 90’s and recently in Dania Beach before his promotion to Lieutenant. Lt. Anderson has worked in many facets of law enforcement and he commented that [District 15] is a well-respected District and is happy to be in North Lauderdale.
b. US Census Bureau
Tammy Reed-Holguin, Community Development Director introduced Brandon Wink, who has recently been promoted to Planner and will take the lead on coordinating the City’s census efforts. Mr. Wink commented he has been attending regular census meetings to ensure that our City is up to date with the best information and strategies for the 2020 census. He introduced Ana Maria Diaz, Partnership Specialist, who spoke about what the census represents and does for the communities. She reported that over $675 billion dollars of federal money is at stake and up for grabs yearly, for the next ten years, for use in community planning which is very much needed by the cities. This funding is used for roads, community centers and schools. The US Census is the only agency of government that collects the data so that businesses, city planners, non-profits and organizations can use those numbers to request grants. Since 1790 a census has been conducted and it mandated by our Constitution. Mr. Diaz stated it is our civic duty to be counted as so much is at stake. She indicated the importance of counting children, which is the most undercounted population in the Nation. Missing a count of a population can result in millions of dollars that a City or County will lose. Ms. Diaz encourages the City to form a “Complete Count Committee”, which can be volunteers or leaders from all ethnic representations of the city so that an accurate count can be obtained and reported. She indicated that there are factors within a city that determines a population that may be under-counted, but should be actively encouraged to participate in the census. The money follows the numbers, and once the census is complete and the population is counted, those numbers are turned over to the first session of Congress in 2021 where a re-districting for representation happens based on the numbers. Ms. Diaz said letters will go out to households around mid-March and everyone in a household should be counted, no matter their immigration status. She said it is important to respond to the questionnaire, which can be done several ways, and that all answers reported are sealed for 72 years. Also, the Census Bureau is hiring for jobs and Ms. Diaz will supply the City with all the tools necessary to ensure the best census count. Commissioner Wood expressed his commitment to the census. City Manager commented that in April at North Lauderdale days would be a good place to target the community. Ms. Diaz said they would also like to target any events sooner as well since they will be recruiting for jobs too. Tammy Reed-Holguin commented that a good date would be November at the Business Give-Back event at Hampton Pines Park. Mayor Ziade said BSO’s National Night Out in August is also a well-attended event in all cities. Commissioner Wood suggested the Commission become committee members to target goals.

c. Jerleen Norey – Letter of Honor
Commissioner Wood presented a letter of honor to Ms. Jerleen Norey, recognizing her business, Simply Inspired Dance Company and School in North Lauderdale, for providing an environment in which the youth of our community can receive cultural enrichment through the art of dancing as well as engaging the parents to embrace the arts. Commissioner Wood commented that he attended a recital and was knocked out of his seat by what she brought out of those kids with their performance. Ms. Norey thanked Commissioner Wood and said it is an honor to have a business in North Lauderdale and she said everyone was supportive as she obtained her business license and she hopes to continue to grow. A short video clip was shown of the School and dance performances by the students.
5. PROCLAMATIONS

a. Women’s Equality Day – August 26 – Clerk read the Proclamation into the record, which commemorates the certification of the 19th Amendment to the Constitution in 1920 and the day on which women’s right to vote took place, and to support women’s efforts toward full equality.

b. National League of Cities – Small Cities Month – Clerk read the Proclamation into the record encouraging the support of programs and legislation for the continued success and growth of small cities and their businesses and organizations.

6. PUBLIC DISCUSSION

Yvonne Howard – SW 74th Avenue – Spoke about an issue with her high water bill and meter. Susan Nabors Finance Director reported on some findings in researching the concerns and the matter is being further investigated by utility staff and administration.

Ricardo Freire and Theresa Marino – SW 67 Terrace – Commented that they have experienced some profiling from a neighbor who is using the City [Code Enforcement Division] to report that he is using his residence for auto mechanic repairs and roofing without a permit, which they are not. There is a Code hearing tomorrow regarding the matter. City Manager Bhatty interjected that it has been investigated by Code and BSO and they have not reported seeing anything. City Manager stated they will look further into the matter which may be a civil issue between the neighbors.

7. QUASI-JUDICIAL ITEMS

a. SUBJECT: Site Plan SPR 19-03 – 1752 S. State Road 7

Preliminary site plan review to allow the addition of a prefabricated building for auto repair to an existing building in an Industrial (M-1) zoning district.

APPLICANT: Jack Cummings

Attorney Goren read the item into the record and all persons present to speak on the item were duly sworn. Tammy Reed-Holguin presented the item based on backup memorandum. Applicant is proposing to install a prefabricated building, of approximately 2,065 square feet, as an addition to an existing building, which will provide an area to do reconditioning work on cars getting ready for sale. The dealership has been there for many years, but has a new operator wishing to make an improvement to an existing business. Property owners have given authorization for this purpose. Staff reviewed the proposed site plan and has indicated that it meets all zoning specifications, although seven (7) additional parking spaces are needed to comply with City Code Sec. 106-223. Several Development Review Committee meetings were held to review the proposal since its submittal in 2018. Applicant has met all requirements outlined by the Committee and staff recommends approval with six conditions outlined in the memorandum. The Planning and Zoning Board heard the item on July 2nd and was approved for recommendation to the City Commission on a unanimous vote. City Commission’s approval of
the preliminary sight plan is being sought tonight. If approved tonight, a second reading will be presented in September. The Architect for the project, Mr. Louis Berrera, reiterated that this building is an addition to the existing building and Nexcar recognizes the importance of having an enclosed area to recondition the cars. He stated that the building will not encroach in the back, and there is no impact to State Road 7. Public hearing opened. No one spoke. Attorney Goren asked Mr. Berrera if he has the authority to bind the applicant, Mr. Cummings, to the conditions outlined by staff. Mr. Berrera replied yes. Commissioner Moyle moved approve the preliminary site plan review subject to the six (6) conditions outlined in staff memorandum. Seconded by Commissioner Wood. No Commission discussion; Clerk called roll. MOTION PASSED UNANIMOUSLY.

b. ORDINANCE – First Reading – VAR 19-04 - Gonzalez Residence

Attorney Goren read the title of the Ordinance into the record and all persons present to speak on the item were duly sworn.

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING VARIANCES FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-276 (b) & (d) TO PERMIT 3.2 FEET SETBACK FROM A SIDE PROPERTY LINE, AND TO PERMIT 13.4 FEET SETBACK FROM A REAR PROPERTY LINE AS OPPOSED TO THE 7.5 FEET FOR THE SIDE PROPERTY SETBACK AND 15 FEET FOR THE REAR PROPERTY SETBACK REQUIRED BY THE CODE WITHIN AN SINGLE FAMILY (RS-5) ZONING DISTRICT; 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.

Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. Applicant is requesting a variance to accommodate the construction of a rear addition totaling 273 square feet and an existing side addition. This is an oddly shaped corner lot. The Applicant was in the process of enclosing a rear porch when notified by Code Division that a permit was required back in August of 2018. The homeowner obtained and submitted an updated survey and plans for this property that was annexed into the City and had certain conditions that required permits to legalize previously added structures. Ms. Reed-Holguin explained the particulars of the requested setbacks as outlined in the memorandum. She indicated that the item was heard by the Planning and Zoning Board on July 2, 2019, and several members of the public were present to speak on the item and get clarification as to what a variance was. After staff’s explanation, no one opposed the item. Ms. Reed-Holguin commented that pursuant to the City Code Sec. 106-79, it is the burden of the applicant to show that the criteria has been met before going forward and upon Staff’s review of the justification it was found that the current owner purchased the property with the existing side addition. Once applicant was notified of the violation they took the steps necessary to bring it into compliance. Ms. Reed-Holguin pointed out that the shape and angle of the lot creates an unusual circumstance which could justify a variance in this case and the request is not an economical or self-created hardship, and appears to be a minimum variance to accommodate the existing addition. The Planning and Zoning Board unanimously approved recommendation to present
these two variances to the City Commission for consideration to accommodate the side and rear setback variance requests. Tonight Commission’s consideration and approval would be for first reading. Applicant was present for any questions. **Public hearing opened. No one spoke.** Commissioner Bustamante asked for clarification that the rear setback would be about a foot and a half. Ms. Holguin reiterated that it would be a rear set-back of 13.4 feet instead of 15 feet, for a variance of 1.6 feet; the side variance would be 3.2 feet instead of 7.5 feet, for a variance of 4.1 feet. Commissioner Wood moved to approve the ordinance on first reading for the requested variances. Seconded by Commissioner Bustamante. No Commission discussion; Clerk called roll. All YES.

**ORDINANCE PASSED AND APPROVED UNANIMOUSLY ON FIRST READING**

8. **ORDINANCES SECOND READING**

   a. **Ordinance – Second Reading – Amendment to Article III – Property Maintenance Standards Regarding Timely Removal of Hurricane Shutter**

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

   **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ARTICLE III ENTITLED “PROPERTY MAINTENANCE STANDARDS”, SECTION 82-62 “DEFINITIONS” AND SECTION 82-81 “MAINTENANCE OF EXTERIOR OF PREMISES” OF THE CODE OF ORDINANCES OF THE CITY OF NORTH LAUDERDALE, BY INCORPORATING LANGUAGE REQUIRING THE TIMELY REMOVAL OF HURRICANE SHUTTERS AND OTHER PROTECTIVE DEVICES FROM OCCUPIED BUILDINGS AND UTILIZING THE PENALTY SECTION OF THE PUBLIC NUISANCE CODE FOR NON-COMPLIANCE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE.**

   Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. This is the second reading of an ordinance that would amend the property maintenance standards of the City by adding language that will be compatible with the Florida Fire Prevention Code that requires removal of hurricane shutters from occupied buildings within 15 days after the termination of weather threats and to utilize the penalties within the property maintenance section of the Code for non-compliance. During the first reading, Commission inquired how the public would be notified of this new requirement, as well as concerns regarding property owners that leave town for an extended period of time. Staff, along with the Public Information Office, created flyers that will be handed out to educate the residents. As far as people who would be away, Code Division has created a form to fill out to notify the City that they will not be in the property for a certain time. The form will be available online and the information will also be shared with the Fire Department. Commission’s consideration and approval is sought tonight on second reading. **Public hearing opened. No one spoke.**
Commissioner Moyle moved to adopt. Seconded by Commissioner Wood. Commissioner Moyle questioned if the most important issue is safety or aesthetics. Ms. Reed-Holguin replied that safety is the biggest concern for the safety of people inside the homes; the safety of the Firefighters and this has been adopted in the Fire Prevention Code. Commissioner Moyle asked about shutters that can be opened from within the home. Fire Chief Turpel stated that if you are unconscious in your house during a fire, you will not be able to push a button to get out and if the Fire Department has to get there and tear down accordion shutters it can take some time and you are going to perish. He said this is a State and a County requirement; there are extenuating circumstances and although he wouldn’t want to see people penalized, it is a safety hazard and is in agreement with the County Fire Marshall. After ensuing discussion, Commissioner Moyle moved to approve the Ordinance on second reading. Seconded by Commissioner Wood. Clerk called roll. All YES.

ORDINANCE NO. 19-07-1390 PASSED AND ADOPTED UNANIMOUSLY

b. Ordinance – Second Reading - Proposed Fee Schedule Revision (Article 1, Section 4 of Appendix F) - To Modify Local Business Tax Receipts

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ARTICLE 1, SECTION 4, OF APPENDIX F OF THE CODE OF ORDINANCES OF THE CITY OF NORTH LAUDERDALE, ENTITLED LOCAL BUSINESS TAX, TO INCREASE BY FIVE PERCENT (5%) OF THE CURRENT RATE STRUCTURE FOR LOCAL BUSINESS TAX RECEIPTS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. She indicated that approval on second reading of the proposed Ordinance will institute the revised fee schedule for local business tax receipts, increasing the fee by the statutory limit of 5% every two years. Two years ago in 2017, the 5% fee increase averaged about $12.00 per business, and increased revenue by approximately $9,800 which covered some of the additional expenses of the local business tax receipt office. Administration recommends a 5% increase this year as permitted by State Statute to cover the next two annual licensing cycles. This is estimated to be a one-time increase between $3 and $15 per business license. Administration is only recommending this increase for the commercial businesses. The residential rental tax receipts are still in the process of being licensed and the licensing fee will be held steady for their first round of licensing. If the ordinance is approved this evening, it will be effective immediately for new licensing and renewals. First reading of the ordinance was approved on a 4-1 vote on June 25th. Public hearing opened. No one spoke. Commissioner Moyle moved to approve. Seconded by Commissioner Wood. There was some discussion about the effective date of the ordinance; when the renewal notices would go out; pending
application fees and the initial classification fee structure. Discussion concluded; Clerk called roll. All YES.

ORDINANCE NO. 19-07-1391 PASSED AND ADOPTED UNANIMOUSLY

9. OTHER BUSINESS

a. RESOLUTION - Adoption of a Tentative Millage Rate for the General Operating Budget for Fiscal Year 2019/2020

Commissioner Wood moved to read. Seconded by Commissioner Bustamante.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ADOPTING A TENTATIVE MILLAGE RATE OF 7.4000 FOR GENERAL OPERATING BUDGET PURPOSES FOR FISCAL YEAR 2019/2020 PROVIDING FOR THE ESTABLISHMENT OF AND SETTING FORTH THE DATE, TIME AND PLACE OF THE FIRST PUBLIC HEARING TO FORMALLY ADOPT THE FISCAL YEAR 2019/2020 MILLAGE RATE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Susan Nabors, Finance Director, presented the item based on backup memorandum. She also provided a PowerPoint presentation which is available in the City Clerk’s office and was previously presented at the budget workshop prior to this meeting. The proposed resolution will set the tentative millage rate on which property taxes will be calculated for fiscal year 2020 which begins in October 2019. The City’s budget is built around the proposed rate of 7.4000 mills per thousand dollars of taxable property. This will be the third year in a row that it is recommended that this rate be maintained with no increases. Adoption of the resolution will establish the tentative millage rate and also schedule the first public hearing on the budget for September 12, 2019 at 6:00 pm. Ms. Nabors referred to a chart that showed what portion of the property taxes goes to each taxing authorities, which is Broward County; the Hospital District; Broward County School District; City of North Lauderdale and some independent districts. The City receives about one-third of the portion of taxes collected. Ms. Nabors also showed an example of a tax bill and explained what portion is distributed to the City and spoke about the services provided by the City which is funded by this revenue. The fiscal year city-wide budget is expected to decrease over the prior year and is proposed to be $62,925,370. Last year’s budget was $69,351,310, which is about a 6.4 million dollar reduction in the budget. This reduction is based on less capital projects to be funded next year. Ms. Nabors explained that property taxes help to fund general functions of City departments and services, and the projected general fund budget for FY 2020 is $34,259,820. Of that amount, it is projected that the City will collect $11.3 million dollars in property taxes. This is about a third of the money that has to be spent which comes from property taxes. Property taxes do not pay the City’s entire operation. Some fees are collected for services, and some inter-governmental revenues are received from the State. Ms. Nabors stated that at the millage rate of 7.4000, with an average single family property being just above $90,000 taxpayers will pay approximately $668 per year, or about $56 per month in City property taxes; depending on the property values, some may pay higher or
some less. Eligible tax discounts of up to 4% will apply if paid early. Projected slight changes in the assessment rates are $13 per year increase for Fire Assessment for single family and $23 per year increase for multi-family. There is no increase for Solid Waste Assessment or Water Control District or the new Stormwater Assessment, which is transitioning off the utility bill to the tax bill. There are no increases to the water and sewer rates for the next fiscal year.

**Commissioner Moyle moved to approve the 7.4000 millage rate. Seconded by Commissioner Wood.** Commissioner Wood said the pamphlet provided in the utility bill to educate the residents about the transition of the Stormwater fee was very helpful. He also mentioned that North Lauderdale has had an increase of 8.9% in property value. Commissioner Moyle thanked the Department Heads for their input in providing their budgets for the fiscal year. Commissioner Wood reiterated the importance of [being counted] in the upcoming census so that the City can tap into more governmental revenues, and also emphasized that based on population the City will receive a portion of allocations such as the penny transportation tax. Mayor Ziade and City Manager commented that those transportation tax funds may be allocated to the proposed community shuttle program which has been submitted for, possibly within the year. **No further discussion; Clerk called roll. All YES.**

**RESOLUTION NO. 19-07-6645 PASSED AND APPROVED UNANIMOUSLY**

b. **RESOLUTION - Comprehensive Pay and Classification Plan - Fiscal Year 2019 Amendment**

Commissioner Moyle moved to read. Seconded by Commissioner Wood.

Attorney read:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING THE CITY OF NORTH LAUDERDALE COMPREHENSIVE PAY AND CLASSIFICATION PLAN FOR FISCAL YEAR 2018/19, AND HEREBY ESTABLISHING A REVISED PAY AND CLASSIFICATION PLAN FOR FISCAL YEAR 2018/19 COMMENCING ON JULY 10, 2019; PROVIDING FOR THE ESTABLISHMENT OF A NEW CLASSIFICATION; PROVIDING FOR CONFLICTS; AND, PROVIDING AN EFFECTIVE DATE.**

Jennifer Yarmitzky, Human Resources Manager, presented the item based on the backup memorandum. This item is to re-classify one Grounds Maintenance Worker II position in the Parks and Recreation Department to an Irrigation Technician position, at a Grade 53. Commissioner Moyle moved to approve. **Seconded by Commissioner Bustamante. No Commission discussion. Clerk called roll; All YES.**

**RESOLUTION NO. 19-07-6646 PASSED AND APPROVED UNANIMOUSLY**

c. **RESOLUTION - Comprehensive Pay and Classification Plan - Fiscal Year 2020**

Commissioner Moyle moved to read. Seconded by Commissioner Wood.

Attorney read:
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, REPEALING RESOLUTION 18-07-6540 WHICH RESOLUTION DID ADOPT THE CITY OF NORTH LAUDERDALE COMPREHENSIVE PAY AND CLASSIFICATION PLAN FOR FISCAL YEAR 2019, AS AMENDED FROM TIME TO TIME, AND HEREBY ESTABLISHING A REVISED PAY AND CLASSIFICATION PLAN FOR FISCAL YEAR 2020 COMMENCING ON OCTOBER 1, 2019; PROVIDING FOR THE ESTABLISHMENT OF NEW CLASSIFICATIONS; PROVIDING FOR CONFLICTS; AND, PROVIDING AN EFFECTIVE DATE.

Jennifer Yarmitzky, Human Resources Manager, presented the item based on the backup memorandum. This item is for consideration and approval of the annual Comprehensive Pay and Classification plant for FY 2020, recommending a 3% salary adjustment across the board for all employee groups. In addition Administration is recommending a general pay adjustment for the general management and FPE groups of $1,000. The Fire general pay adjustment will be the $2,500 per their union contract. Ms. Yarmitzky stated there are some personnel changes to create a reserve part-time Firefighter/Paramedic position and a part-time recreational Recreation Aide in Parks and Recreation Dept. The grant salary schedule for the vacant Grant Clerk and Grant Administration positions will be eliminated. Re-classification of the Neighborhood Improvement Coordinator will be upgraded to Grade 58; and a down-grade of the Community Development Specialist I (Grade 53) to Administrative Coordinator (Grade 50). For housekeeping purposes there is a reclassification of the Bookkeeper (Grade 46) position to Accountant 1 (Grade 56); reclassification of Human Resources Generalist position Grade 52 (non-exempt) to Grade 58 (exempt). The Information Technology Manager position (Grade 65) will be reclassified to create the Information Chief Technology Officer position which is equivalent of the IT Director position which is in Grade 81. The Utility Service Worker I; Utility Service Worker II and Utility Service Technician will each get reclassification for a one-grade adjustment including the 3% salary adjustment and the general pay adjustment. There was discussion of exempt and non-exempt employees and as presented in the workshop. City Manager Bhatty stated she understood the consensus was to make the change. Mayor Ziade commented they wanted more clarification because some departments do comp time versus overtime and they wanted figures on the over-time. Commissioner Wood commented that if the non-exempt employees receiving overtime were put in the exempt side it will affect their paycheck and they are trying not to affect an employee’s salary. City Manager Bhatty stated to be clear, these classifications and positions were paid as an exempt as these were salary based positions that were made non-exempt when the law was put in place [in 2016] and that money was never taken away and they were still enjoying those salaries with overtime or comp time on top of that. Mayor Ziade asked for a list of employees it would impact. Commissioner Moyle moved to adopt so the item could be discussed. Seconded by Commissioner Wood.

Commissioner Moyle said the only person on the list who would be exempt is the Deputy City Clerk. He said unless there is something written regarding comp time, he can see where some employees might not be compensated at some point. There doesn’t seem to be anything in place that determines what the comp time should be. City Manager stated that the employees are given an option to take the pay or bank it as comp time and she explained ways this would be used. Exempt employees are not just contracted employees; the salary rate structure criteria is determined by the Department of Labor. Discussion ensued regarding the ways the employees are compensated and use flex time. Ms. Yarmitzky reiterated that the reason these positions were moved from exempt to non-exempt 2 years ago was because the Dept. of Labor changed
the salary threshold rule at that time. The matter went to the Supreme Court and the rule from two years ago is being rescinded, changing the salary thresholds again. City Manager said she will be happy to look into the positions that have more need for overtime and provide the information, but recommended adopting this Pay Plan and after more research is done and an amendment required it can come back. Mayor Ziade also reiterated that during the workshop the Commission waived an additional $1,000 pay increase for them. Commissioner Wood modified the Motion to adopt the Comprehensive Pay and Classification Plan subject to further review. Seconded by Commissioner Moyle. Clerk called roll; All YES.

RESOLUTION NO. 19-07-6647 PASSED AND APPROVED UNANIMOUSLY

d. RESOLUTION – Sign Waiver SWAV 19-04 – Aldi 1180 S. State Road 7

Commissioner Wood moved to read; seconded by Commissioner Bustamante.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING A REQUEST FOR THREE SIGN WAIVERS FOR ALDI LOCATED AT 1180 S. STATE ROAD 7, NORTH LAUDERDALE, FLORIDA, THEREBY PERMITTING THE INSTALLATION AND MAINTENANCE OF TWO WALL SIGNS TOTALING 119 SQUARE FEET IN AREA, WHERE A MAXIMUM OF ONE WALL SIGN IS ALLOWED BY SECTION 94-16 (C) (1) (A), AND ONE MONUMENT TOTALING 75 SQUARE FEET WITH 17 INCH HIGH LETTERS WHEREAS ONE MONUMENT SIGN WITH 16 INCH HIGH LETTERS TOTALING 50 SQUARE FOOT IS ALLOWED BY SECTION 94-16 (b) 1 (d) AND SECTION 94-16 (b) (1) (b) OF THE CITY’S CODE OF ORDINANCES WITHIN A GENERAL BUSINESS (B-3) ZONING DISTRICT.

Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. She indicated that applicant requests these three sign waivers for letter height; number of wall signs and amount of sign area, to support the construction of their new grocery store. The City Commission approved the site plan and the associated variances for this business on December 11, 2018. Ms. Reed-Holguin showed a PowerPoint presentation and gave a breakdown of the three sign waiver requests which the applicant brought back for consideration. A copy is available in the City Clerk’s office. These requests are being made to provide favorable exposure to the business along the 441 corridor. The item was heard by the Planning and Zoning Board on July 2, 2019, and they considered each sign waiver separately. Section 94-43 of the City Code makes a provision that the Commission can approve these waivers on recommendation of the Planning and Zoning Board, especially along the major roadways, such as State Road 7 for visibility purposes for our businesses. The waivers for wall sign and size of lettering on the freestanding sign were approved unanimously 6-0. The waiver for the size of the monument sign was approved on a 5-1 vote. The dissenting vote was opposed to the size of the monument sign for one business. A chart was added to the memo to reference previous approvals for free-standing signs for a comparison. Staff has determined these requests will provide adequate exposure for the business, will not create public welfare issues or injuries to other properties and will benefit the business and its customers. The resolution was prepared
with all sign waivers incorporated, however the Commission can consider the sign waivers separately if they wish to. **Commissioner Moyle moved to approve. Seconded by Commissioner Wood.** Commissioner Wood questioned the location of the free-standing sign. Ms. Reed-Holguin replied it will be on the Aldi property, in back of the sidewalk and not on the swale. Commissioner Wood commented to Attorney Dickerson, Aldi’s representative, to invite the Commission to the ribbon-cutting to be welcomed to the City. No further discussion; Clerk called roll. All YES.

**RESOLUTION NO. 19-07-6648 PASSED AND APPROVED UNANIMOUSLY**

e. **RESOLUTION - Grant Application for Hurricane Loss Mitigation Program (HLMP) Funding through the State of Florida Division of Emergency Management**

Commissioner Moyle 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 OF THE CITY OF NORTH LAUDERDALE, FLORIDA OR HER DESIGNEE, TO APPLY FOR AND TO FILE SUCH DOCUMENTS AS MAY BE REASONABLY REQUIRED FOR AVAILABLE HURRICANE LOSS MITIGATION PROGRAM COMPETITIVE GRANT PROGRAM FOR AN ESTIMATED GRANT OF $194,000 FROM THE 2019-2020 FLORIDA LEGISLATURE APPROPRIATION FROM THE FLORIDA HURRICANE CATASTROPHE FUND TO INCLUDE THE HURRICANE LOSS MITIGATION PROGRAM TO PREVENT LOSSES AND REDUCE THE COST OF DISASTERS BY RETROFITTING PROPERTIES PER THE FLORIDA BUILDING CODE AND LOCAL MITIGATION STRATEGY; PROVIDED THAT THE CITY MANAGER OR HER DESIGNEE SHALL BE AUTHORIZED TO EXECUTE THE GRANT AWARD AGREEMENT AND TO TAKE ALL NECESSARY ACTIONS, INCLUDING, BUT NOT LIMITED TO EXTENSIONS OF TIME, LINE-ITEM BUDGET AMENDMENTS, AND PROGRAM MODIFICATIONS, TO IMPLEMENT SAID PROGRAMS IF AND WHEN FUNDING IS APPROVED; PROVIDING FOR FINDINGS AND CONCLUSIONS WITH REGARD TO THE BENEFITS TO BE DERIVED BY PROCESSING AND OBTAINING SUCH GRANT FUNDS; AND, PROVIDING AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. She indicated that Staff is excited about this competitive grant opening up and seeks Commission’s approval to submit an application, as we have done for the past six years. Katherine Randall, Asst. Community Development Director has been persistent with the State to know when these funds may become available. The grant will provide $194,000 in grant funds for residents to retro-fit their homes with new roofs, shutters and doors to mitigate the impact of hurricanes. It would assist approximately 12 homeowners with average grants of $15,000 each, depending on the needs reported by the inspectors. **Commissioner Moyle moved to adopt.**
Seconded by Commissioner Wood. Commissioner Wood thanked staff for staying on top of this.

RESOLUTION NO. 19-07-6649 PASSED AND APPROVED UNANIMOUSLY

f. RESOLUTION - Rejection of ITB #19-05-379 – Portable Generators for Lift Stations Project

Commissioner Moyle moved to read; seconded by Commissioner Wood. Attorney read:

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, REJECTING THE BID #19-05-379 FOR THE PURCHASE OF PORTABLE EMERGENCY GENERATORS FOR CRITICAL LIFT STATIONS AND TO REEVALUATE THE PROJECT FOR A RE-BID; AND PROVIDING AN EFFECTIVE DATE.

George Krawczyk, Public Works/Utilities Director, reported that we have an awarded grant through the Hazard Mitigation Grant Program of $570,000 for the purchase of three portable generators. The City’s portion is a 25% match of $142,000, which is included in the City’s budget and will be rolled over to the next year’s capital budget. However, a bid was advertised and put out on the online Demand Star system and only one respondent, Technology International Inc., submitted a bid for a dollar amount of $726,675, which was over the estimated and budgeted cost for the project. Based on the outcome of the bid and Staff’s evaluation they proposed to reject the bid; reevaluate the specifications and re-bid the project within this fiscal year. Staff hopes to get a better response upon a re-bid and will bring it back to the Commission. Commissioner Moyle moves to adopt the resolution to reject the bid and re-bid. Commissioner Wood seconded. Commissioner Wood asked about the piggy-back option. Mr. Krawczyk replied the City cannot piggy-back a contract with federal grant funds. City Manager Bhatty commented on the instances where a piggy-back option can be used based on the criteria. No further discussion; Clerk called roll. All YES.

RESOLUTION NO. 19-07-6650 PASSED AND APPROVED UNANIMOUSLY

g. RESOLUTION - Purchase of Exercise Equipment for Pompano Park & Jaycee Park

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

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE AUTHORIZING THE EXPENDITURE OF $52,755.00 TO EXO FIT FOR THE PURCHASE AND INSTALLATION OF OUTDOOR EXERCISE EQUIPMENT AT POMPANO PARK AND JAYCEE PARK BY PIGGYBACKING OFF OF THE CITY OF PORT ST. LUCIE CONTRACT #20180187, FUNDING IS AVAILABLE IN THE 2018-2019 PARKS AND
RECREATION DEPARTMENT CAPITAL FUND BUDGET; AND PROVIDING AN EFFECTIVE DATE.

Mike Sargis, Parks and Recreation Director, presented the item based on backup memorandum. He reported that in February a new type of hydraulic driven equipment, made by ExoFitness, was dedicated at Hampton Pines Park. Only two companies offer this type of equipment, and it was determined that ExoFit was the lower bidder for the same type of equipment including warranties. ExoFit has a contract with the City of Port St. Lucie Parks and Recreation Department who gave excellent reviews about the equipment and the vendor. The City budgeted money for purchase and installation of equipment at two other City parks, Pompano Park and Jaycee Park. Tonight staff is seeking Commission’s approval to move forward with the purchase by piggybacking off the Port St. Lucie’s bid for a total not to exceed $52,755. Commissioner Bustamante moved to approve. Seconded by Commissioner Wood. Commissioner Moyle commented that this is a great idea as these two parks could use the equipment. City Manager Bhatty also commented that there is a benefit to having one vendor with regard to all the parks for the purposes of maintenance and inspections. Commissioner Wood commented he would like to meet with Parks and Rec Director and City Manager going forward for plans about the parks in his District. No further discussion; Clerk called roll. All YES.

RESOLUTION NO. 19-07-6651 PASSED AND APPROVED UNANIMOUSLY

10. REPORTS - None

11. CITY MANAGER COMMENTS

   a. Event Reminders:
      • Summer Camp Talent Show – Wednesday, July 31 – 7:00 pm – Omni at Broward College
      • Basketball Championship Event – Saturday, August 3 – 9:00 am – City Gym

Walk on Item:
City Manager commented that every year the County applies for the distribution of the Edward Byrne Memorial Justice Assistance Grant-Countywide (JAG-C) Program funds and seeks Commission’s consensus for the Mayor to sign a letter of support for the application and funding of projects for employability skills training and related services for youth and for the planning, evaluation, technology and improvements in the Community Partnerships Division. Commissioner Wood moved to add the item to the Agenda and authorize the Mayor to sign the letter of support. Seconded by Commissioner Moyle. Motion passed unanimously by voice vote.
12. **COMMISSION COMMENTS**

**Commissioner Bustamante**
- Thanked everyone for attending the Commission meeting

**Commissioner Moyle**
- Reiterated his comments from the workshop, that it is very important that it be a top priority to make the necessary changes to make City Hall safe for employees and residents

**Commissioner Wood**
- Echoed the comments about safety in City Hall
- Thanked Parks and Recreation team for the July 5K walk
- Commented on the new development, The Crossings, and said people are moving in, but there have been break-ins and he would like to have BSO increase patrols there
- Thanked City Board Members in the audience who regularly attend Commission meetings and Board meetings; discussion ensued regarding board appointments, volunteers and importance of attendance. Commissioner Wood asked for a letter to be signed by the Mayor and Commission reiterating the same. City Manager also asked Commission to fill any vacancies on the boards.

**Mayor Ziade**
- Asked for protocol for signing documents since the Vice Mayor is not present. **Commissioner Wood made a motion to appoint Rich Moyle as Acting Vice Mayor for the purposes of signing tonight’s adopted legal documents.** Seconded by **Commissioner Bustamante. All in favor.**
- Noted that the City Commission is still accessible even though the Commission meetings are suspended for recess until September 10th

13. **CITY ATTORNEY COMMENTS**

**Attorney Goren** – Reported that there have been some legislative reports submitted by his law firm and future updates will be forthcoming.

14. **ADJOURNMENT** – There being no further business, the meeting adjourned at 9:24 pm.

Respectfully submitted,

Patricia Vancheri, City Clerk
The North Lauderdale City Commission met at the Municipal Complex on Tuesday, August 13, 2019. The meeting convened at 4:32 pm.

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

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

2. **RESOLUTION** – Resolution Requesting and Accepting Deed Transfer of Properties for CSLIP Applications

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

Attorney read:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RELATING TO THE CITY’S APPLICATION FOR A GRANT THROUGH THE COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES PROGRAM WITH THE BROWARD METROPOLITAN PLANNING ORGANIZATION; AUTHORIZING AND DIRECTING THE CITY MANAGER TO SEND A LETTER TO THE BROWARD COUNTY ADMINISTRATOR RESPECTFULLY REQUESTING THE TRANSFER BY DEED OR OTHER LEGAL MEANS OF CONVEYANCE OF CERTAIN REAL PROPERTIES IDENTIFIED HEREIN, TO THE CITY OF NORTH LAUDERDALE; PROVIDING FOR THE ACCEPTANCE BY THE CITY OF THE TRANSFER OF TITLE OF THE REAL PROPERTIES IDENTIFIED HEREIN FROM BROWARD COUNTY; RESPECTFULLY REQUESTING THAT THE BROWARD COUNTY COMMISSION ADOPT A RESOLUTION IN SUPPORT OF THE CITY’S APPLICATION FOR A GRANT THROUGH THE COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES PROGRAM WITH THE BROWARD METROPOLITAN PLANNING ORGANIZATION, AND TO PERFORM WORK IN THE COUNTY RIGHT-OF-WAY UNTIL SUCH TIME AS THE TRANSFER OF TITLE REQUESTED HEREIN IS**
Tammy Reed-Holguin presented the item based on backup memorandum. She indicated that Staff has been working with the Metropolitan Planning Organization for three years to get a project funded through the Complete Streets and Other Localized Initiatives Program. The first year was a learning experience and going through it some adjustments needed to be made, including the fact that a park was added and it was deemed ineligible, because this funding comes from the Department of Transportation. Staff revised the project and submitted the application for a second round last year, only to be told that the City did not have ownership control of the right-of-way, for the project along SW 81st Avenue. Ms. Reed-Holguin stated staff went into this project with a map for the MPO and the Broward County Right-Of-Ways Dept. that both said the City owned the right of way; they did not know the City did not have ownership until advised by FDOT in November. In December, the City Attorney’s office did a title opinion to verify that the right-of-way was in fact Broward County’s. Staff has been working diligently since then, and having numerous conversations with FDOT, the MPO and the Highway and Engineering Division of Broward County to try to get clear direction on what to do. Last week Attorney Goren got with the County Attorney’s office and tonight the attached resolution is being presented. Within this process, there were three other projects identified for future funding through the same program that the City did not have control of the rights-of-way for. Ms. Reed-Holguin said that they are not ready to apply for funding for the other three projects right now they want to take care of this right now so as not to stall the process. The Property Appraiser’s Office has corrected ownership of the Tam O’Shanter to show ownership by the City and regarding Prospect Road rights-of-way a new folio number has to be created to show City ownership. **Staff seeks Commission authorization to direct the City Manager to send a letter to the County Manager asking that they convey the deed for the rights-of-way on 81st Avenue and Southgate Blvd to the City, as well as asking that they adopt a Resolution supporting the City’s CSLIP application and authorizing the City to work in the rights-of-way in the event the Deed is not received in time to submit the application. Commissioner Moyle moved to approve the attached Resolution outlining those requests. Vice Mayor Borgelin seconded the motion. All in favor by voice vote.**

Ms. Reed-Holguin advised that a meeting with all parties involved has been requested to make it clear as to what the City has to do to make these applications complete, as well as to clarify to other cities what has to be submitted so that applications don’t get rejected.

**RESOLUTION NO. 19-08-6652 PASSED AND APPROVED UNANIMOUSLY**

3. **ADJOURNMENT** – There being no further business the meeting adjourned at 4:41pm.

Respectfully submitted,

Patricia Vancheri, MMC
City Clerk
Making a Difference
Community Service Award

The Mayor and Commission of the City of North Lauderdale
Hereby present this certificate to

Colin Wanless

In recognition of your dedicated leadership and your diligence in addressing the issue of childhood hunger through your involvement in the Joshua Heart Foundation. Your efforts have empowered today’s youth and future generations to help their fellow man. We applaud your endeavors in making a positive difference in our community.

Presented this 10th day of September, 2019

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MAYOR ANA M. ZIADE
Community Service Award

The Mayor and Commission of the City of North Lauderdale
Hereby present this certificate to

Kenneth Palladino

In recognition of faithfully serving the residents of North Lauderdale,
by providing exemplary customer service as a team member of a local business in our city,
and for your committed involvement and volunteerism with the American Cancer Society.
We commend your positive impact to our community throughout your dedicated years of service.

Presented this 10th day of September, 2019

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MAYOR ANA M. ZIADE
PROCLAMATION

WHEREAS, every ten years the U.S. Census Bureau counts residents across the country. And April 1, 2020 is the official deadline for residents to submit their Census 2020 form.

WHEREAS, the City of North Lauderdale is officially kicking off a local census campaign with the creation of a Census 2020 Complete Count Committee for the City of North Lauderdale; and

WHEREAS, a Complete Count Committee raises awareness of the importance of Census 2020, assertively reaches out to hard to enumerate groups, and encourages participation in the Census for all citizens of the City of North Lauderdale; and

WHEREAS, a Complete Count ensures accurate Census data that is critical for government programs, policies and decision making, including federal and state representation, and funding of programs such as supplemental nutrition assistance (SNAP), Section 8 Housing Choice Vouchers, Children’s Health Insurance, Medicaid, and public education; and

WHEREAS, undercounted communities do not receive their fair share of federal funds. A recent study from George Washington University shows $1,445 in federal funds is distributed annually for each resident counted in Florida; and

WHEREAS, six subcommittees have been established as part of the Census 2020 Complete Count Committee: City-County Coordination, Cultural and Ethnic, Interfaith Institutions, Hard to Enumerate, Promotions, and Recruitment and Training; and

WHEREAS, each subcommittee is being chaired by a “trusted voice” in the community in partnership with a Broward County agency staff liaison and dedicated members of the community.

NOW THEREFORE, BE IT PROCLAIMED BY THE MAYOR AND COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA that September 10, 2019 be designated as North Lauderdale’s official Census 2020 Complete Count Committee Kick-off Day.

Dated this 10th day of September, 2019.

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MAYOR ANA M. ZIADE
PROCLAMATION

HISPANIC HERITAGE MONTH
“Hispanic Americans: A History of Serving Our Nation”

WHEREAS, during National Hispanic Heritage Month (September 15 to October 15) we recognize the contributions made and the important presence of Hispanic and Latino Americans to the United States and celebrate their heritage and culture; and

WHEREAS, Hispanics have had a profound and positive influence on our country through their strong commitment to family, faith, hard work, and service. They have enhanced and shaped our national character with centuries-old traditions that reflect the multiethnic and multicultural customs of their communities; and

WHEREAS, the term Hispanic or Latino, refers to Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race. On the 2010 Census form, people of Spanish, Hispanic and/or Latino origin could identify themselves as Mexican, Mexican American, Chicano, Puerto Rican, Cuban, or "another Hispanic, Latino, or Spanish origin"; and

WHEREAS, today, 55 million people or 17% of the American population are of Hispanic or Latino origin. This represents a significant increase from 2000, which registered the Hispanic population at 35.3 million or 13% of the total U.S. population.

NOW THEREFORE, be it resolved that the Mayor and Commission of the City of North Lauderdale do hereby proclaim September 15, 2019 to October 15, 2019 as

HISPANIC HERITAGE MONTH

and encourage observation of this special annual tribute by learning and celebrating the generations of Hispanic and Latino Americans who have positively influenced and enriched our nation and society.

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MAYOR ANA M. ZIADE
Dated this 10th day of September, 2019
PROCLAMATION

CHOOSE PEACE – STOP VIOLENCE WEEK
SEPTEMBER 16-20, 2019

WHEREAS, violence and risky behaviors have become a serious problem in our communities and society at large with great implications for the well-being and future of our children; and

WHEREAS, local leaders in government, business and the community have committed to work towards the elimination of youth violence and conflict in our community, as well as the enhancement of inclusive environments; and

WHEREAS, the City of North Lauderdale, in coordination with numerous local partners, has joined to support Choose Peace – Stop Violence Week as an annual week of educational activities aimed at preventing or reducing youth violence of all kinds while providing schools and communities with the tools, resources, and inspiration to launch an ongoing campaign to eliminate youth violence in Broward County.

NOW, THEREFORE, We, the City Commission of the City of North Lauderdale do hereby proclaim September 16-20, 2019 as

CHOOSE PEACE - STOP VIOLENCE WEEK

and encourages all citizens to observe and support participate in any community activities.

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MAYOR ANA M. ZIADE

Dated this 10th day of September, 2019
PROCLAMATION

NATIONAL VOTER REGISTRATION DAY - SEPTEMBER 24, 2019

WHEREAS, one of the most fundamental and sacred rights of any representative democracy is the right to vote. In order for our government formed as a representative democracy to function effectively and respond to the needs and intentions of our people, citizens must play a role in shaping it through voting; and,

WHEREAS, in the past decade, voting has become more convenient in Broward County, Florida through the use of more early voting sites over many days preceding elections and ability to mail a cast ballot to the Supervisor of Elections (SOE), yet data proves that too many of our fellow citizens fail to exercise their right to vote, particularly during the electoral process when voting for President of the United States is not on the ballot.

WHEREAS, the November elections in 2020 are of paramount importance, and the outcomes of these elections directly impact the residents of every municipality in Broward County because our local, county, state and national elected leaders are the representatives who make decisions which directly impact our community; and,

WHEREAS, when citizens do not exercise the right to vote, they not only give away their voice for important decisions, they concede their ability to shape the future of our community and the country we love. The right to vote for women and people of color was hard fought over generations, including protests, loss of life and limb, and court battles to ensure that equal protection under the law included the absolute right to vote for every citizen. Beyond the fight to have the right to vote, generations of Americans before us risked their lives on battlefields and the high seas to protect and secure this fundamental right; and,

WHEREAS, registering to vote is convenient, including the ability to register on line through RegisterToVoteFlorida.gov or to apply through a Florida driver license office, a tax collector’s office that issues driver licenses or Florida identification (ID) cards, through the Florida Department of Highway Safety and Motor Vehicle’s online website for renewing a driver license or state identification card or through a voter registration agency such as a public assistance office or public library. Additionally, those eligible to vote can also submit a paper voter registration application by mail or in-person; and,

WHEREAS, the deadline to register for the November 2020 General Election is October 5, 2020; and it is vital that we recommit to exercising one of the most precious rights we have as Americans and take seriously our responsibility to make our voices heard in this election cycle. All citizens eligible to register to vote are encouraged to do so to vote in the 2020 election, not only because every election is important but also because it sets an example for the next generation and pays due respect to those who fought for the right to vote and those who sacrificed to protect and secure our right to vote.

NOW THEREFORE, be it resolved that the Mayor and Commission of the City of North Lauderdale, do hereby proclaim September 24, 2019 as

National Voter Registration Day

and encourages the entire community to assist eligible voters to register to vote and that all registered voters exercise their right vote in the November 2020 General Election through mail-in ballot, early voting or in person voting on election day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official Seal of the City of North Lauderdale, Florida to be affixed this 10th day of September, 2019.

Mayor Ana M. Ziade
Tonight we are presenting the site plan for Nexcar located at 1752 S. State Road 7, North Lauderdale for final approval by the City Commission. The applicant is proposing to install a prefabricated building, approximately 2,065 square foot, as an addition to the existing building. This addition will provide an indoor area to do reconditioning work getting cars ready for the sales lot. The addition of this building will allow the car dealer to perform this work inside as required by Code and to operate more efficiently. The specific extent of the anticipated use is explained in Attachment A, and made a part of this report.

**Background:**
Nexcar is a new operator of an existing car dealership into the City. They recently relocated to North Lauderdale and need this new space to accommodate their business needs. The property owners have provided written authorization for Nexcar to build this building and the letter is attached to this memorandum.

Staff has reviewed the proposed site plan and has determined that it meets all zoning specifications. Seven additional parking spaces are needed according to City Code section 106-223 and the large, existing paved area is being properly marked and striped. The building will mainly be used as an auto body and repair shop. Painting will be taking place inside and the building will be properly ventilated. Customers will not have direct access. The previous use of this property and the adjacent property to the North are similar in nature.

Several Development Review Committee meetings were held to review since 2018 when the proposal was first submitted. The applicant has met all requirements outlined by the committee members and staff is recommending approval of the site plan with six conditions outlined below.
This item was originally scheduled for a hearing for June 4th, 2019 Planning and Zoning Board meeting. Unfortunately it could not proceed due to lack of a quorum of the Planning and Zoning Board.

The item was re-advertised for the July 2, 2019 Planning and Zoning Board meeting where it was heard and approved with a 6-0 vote.

The City Commission on July 9, 2019 approved the site plan on preliminary review

**RECOMMENDATION:**

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

1. The applicant shall comply with applicable City Codes and Florida Building Codes.
2. All terms, conditions and provisions imposed originally 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. The DRC, Planning and Zoning Board and City Commission reserve the right to impose any additional requirements deemed necessary during subsequent approval reviews.
4. Copies of all applicable permits and approvals by other regulatory agencies shall be provided to the City prior to issuance of building permits.
5. All conditions set forth by the City engineer shall be met.
6. 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 residential areas.
January 17, 2019

To: City of North Lauderdale Building and Zoning  
701 SW 71st Avenue, North Lauderdale, Florida 33068  
Community Development Department – Mr. Andrew Disbury and Mr. Osny Jean

Owner: Mr. John Cummings, CV Building LLC, Land Owner, Land Lessor  
Mr. Eduardo Cyrino, Owner – NexCar, Inc. Land Lessee  
1752 South State Road 7 – US 441, North Lauderdale, Florida 33068

Client: 1752 South State Road 7 – US 441, North Lauderdale, Florida 33068  
Proposed Improvements – Erect a new building in rear, approx. 35’x58’; improve paving circulation, conc. drives and walks.

Dear Mr. Disbury:

In response to your e-mail of January 14, 2019, this letter is a joint response to your request to state what exactly will be the proposed use of the new prefabricated steel building, submitted for Site Plan approval in Mid-December of 2018.

This building will house a much needed addition to NexCar’s daily operations, in an enclosed environment, of certain required preparations of vehicles for final view in the Sales lot. The structure will be utilized for mechanical and body shop purposes.

We have also requested Mr. Cummings, as Land Owner, who we have been dealing with continuously, to prepare a notarized letter confirming his agreement as to the need of this added facility. If you have any questions, we are both available via telephone numbers or e-mails noted. Thank you.

Signature(s) Louis E. Barrera

Louis E. Barrera, R.A., President 
L E Barrera Architecture, Inc. 
2707 NW 116th Terrace 
Coral Springs, FL 33065

Date: 1/17/2019

Mr. Eduardo Cyrino, 
NexCar, LLC. 
1752 S State Road 7 North Lauderdale, FL 33068

01/17/2019
January 18, 2019

To the Community Development Specialist

From: J Cummings, of CV Building LLC which is the owner of record with me as manager and principal.

Dear North Lauderdale men of Great Importance,

I apologize to my late reply to your requests with respect to our quest to construct an addition to the existing building located at 1752 South State Road 7, in the City of North Lauderdale. I have been very occupied with attention to my wife who suffered a traumatic fall which caused her substantial injury in the dislocation of her right shoulder with collateral damage to the right arm, wrist and fingers. I have gained a remarkable new admiration to care givers.

It comes to my attention that you have requested a letter of authorization with respect to the response which has come to you by way of my Architect Louis Barrera. I appreciate this and confirm that Mr. Barrera and Eddie (of Nextcar) have my utmost confidence that they are acting on my behalf with the submission of the required information and documents which include drawings and other items as you may request. Please rest assured that they have my authorization for these actions. Naturally, should I be able to add to your needed information please let me know. I will fax this letter today and also mail a copy that will have a check made out to the City of North Lauderdale in the amount as requested of $723.72

Sincerely yours,

Jack Cummings

Cc to adisbury @ nlauderdale.org, ojean@nlauderdale.org eddie@mynexcar.com and barrera1264@bellsouth.net and jwcwriter@gmail.com
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission

FROM: Ambreen Bhaty, City Manager

BY: Tammy Reed-Holguin, AICP, Community Development Director

DATE: September 10, 2019

SUBJECT: Second Reading and Adoption: VAR- 19-04
Gonzalez Residence

Requesting a 3.2 foot side setback whereas a 7.5 foot side setback is required and a 13.4 foot rear setback whereas a 15 foot rear setback is required per Section 106-276 (b) & (d) of the City of North Lauderdale Code of Ordinances within a Single Family Residential (RS-5) zoning district.

LOCATION: 6001 NW 43rd Ave.

APPLICANT: Robert Gonzalez

Tonight staff is presenting an Ordinance for consideration of adoption on second reading for the Gonzalez residence located at 6001 NW 43rd Avenue. The homeowner/applicant is requesting two variances to accommodate the construction of a rear addition totaling 273 square feet and an existing side addition.

BACKGROUND:

The applicant was in the process of enclosing a rear porch and was notified by the Code Division that a permit was required. A permit was submitted by the homeowner in February 2019 to complete this room addition to the house. This property is located with the Broadview/Pompano Park area and was annexed with some existing conditions. Upon review of the survey, it was found that a structure had been added to the side of the house by a previous owner without permits. The homeowner was advised to obtain an updated survey and submit plans that would legalize both additions. Plans and a new survey were submitted and upon review it was found that neither additions meet the setback requirements for residential structures within the RS-5 zoning district. Therefore, the applicant is requesting a variance of 3.2 feet from the 7.5 foot side setback and 13.4 foot rear setback whereas a 15 foot rear setback is required. No site plan approval is required because Section 98-136 of the City Code exempts a single family home on a single lot of record from the site planning process and the footprint of the structure is not changing. The request for both variances 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 106-276(b) Setbacks</td>
<td>7.5 foot side property setback</td>
<td>3.2 foot side property setback</td>
<td>4.1 foot encroachment into side setback</td>
</tr>
<tr>
<td>Section 106-276(d) Setbacks</td>
<td>15 foot rear property setback</td>
<td>13.4 foot rear property setback</td>
<td>1.6 ft. encroachment into rear setback</td>
</tr>
</tbody>
</table>

Staff has reviewed available variance cases for previous years and identified two similar cases where a variance was granted. Variance files 98-05 and more recently, 15-01 both approved a rear setback variance. Both additions were built prior to being permitted and infringed on the rear setback but were determined to have no negative impact on adjacent properties.

**ANALYSIS AND FINDINGS**

The RS-5 (Residential Single Family) City Code Section 106-276 (b) requires a 7.5 foot wide side setback between the property line and the residence. It was identified that the addition is 4.1 feet into the side setback, leaving 3.2 feet from the side property line. The rear addition is currently being constructed and due to the existing placement of the house, which is angled due to the nature of the shape of the lot, the applicant has requested a variance of 1.6 feet for a 13.4 foot rear setback where 15 foot is required by section 106-276 (d) of the City code.

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 hardship is not an economical hardship.
4. That the hardship is not self-created.
5. 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.

Staff has reviewed the application in light of the guidelines and criterion listed above and determined that it reasonably meets the guidelines established for granting a variance, and will enable the reasonable use of this property. This determination is based upon the following facts:
• The current owner purchased the property with the existing side addition and once notified of the violation, took the necessary steps to bring the property into compliance by submitting plans and permit applications.
• The shape of the lot which is angled and the placement of the existing house on that unusually shaped lot creates a circumstance that is peculiar to the property in attempts to meet the setback requirements.
• The request is not an economical or self-created hardship.
• The owner is requesting the minimum variance to accommodate the existing addition.

Taking this analysis into consideration, staff is confident that this is a minimal variance request and that the hardship is not self-created, and is not an economic hardship.

The Planning and Zoning Board met on July 2\textsuperscript{nd}, 2019. After a presentation by staff, several members of the public spoke. They indicated that they attended the meeting regarding this item as a result of receiving the 300 foot notice from City Staff. Some members of the public expressed an interest in learning about the variance process more than being for or against this specific item. One member of the public and neighbor of the applicant supported the request for the variance as did a second neighbor once he was assured that the addition was not encroaching on his property. Staff explained that the rear structure in question would still be 13.4 feet from the rear property line.

After hearing from Staff, the applicant and members of the public, the Planning and Zoning Board voted 6-0 to approve both the side and rear setback variance requests.

During the July 9\textsuperscript{th}, 2019 City Commission meeting the Commission approved the variances on first reading.

Tonight we are presenting the variances to the Commission for consideration of adoption on second and final reading.

**RECOMMENDATION:**

If the City Commission concurs with this request and the recommendation of the Planning and Zoning Board and Administration, a motion is in order to approve the attached Ordinance on second reading granting the variance subject to the following condition:

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.
ORDINANCE NO. ______________________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING VARIANCES FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-276 (b) & (d) TO PERMIT 3.2 FEET SETBACK FROM A SIDE PROPERTY LINE, AND TO PERMIT 13.4 FEET SETBACK FROM A REAR PROPERTY LINE AS OPPOSED TO THE 7.5 FEET FOR THE SIDE PROPERTY SETBACK AND 15 FEET FOR THE REAR PROPERTY SETBACK REQUIRED BY THE CODE WITHIN AN SINGLE FAMILY (RS-5) ZONING DISTRICT; 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 106-276 (b) of the City Code requires a 7.5 feet side setback from the side property line and Section 106-276 (d) of the City Code requires a 15 foot rear property setback; and

WHEREAS, Robert Gonzalez has applied for a variance to allow a 3.2 foot side setback and a 13.4 feet rear setback from the rear property line; and

WHEREAS, the Planning and Zoning Board recommended approval of said variance request at their regular meeting on July 2nd, 2019; and

WHEREAS, if the City Commission is desirous of granting the requested variances from the requirements of the aforecited 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 variances from the requirements of, Section 106-276 (b) & (d) of the North Lauderdale Code, variances are and the same are hereby granted from the requirements for the project located at 6001 NW 43rd Avenue, North Lauderdale, Florida.

Section 2: That the petitions for variances filed by the City of North Lauderdale are hereby granted to the City the same 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 9TH day of July, 2019.

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

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR ANA M. ZIADE

______________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

______________________________
PATRICIA VANCHERI, CITY CLERK
ROBERT GONZALEZ  
6001 NW 43 AVENUE  
NORTH LAUDERDALE, FL. 33319  
PH: 954-652-9489 

5/16/19

TO: The City of North Lauderdale  
Community Development Department 

RE: Variance Application for ; Lot 24, Block 5, Pompano Park Section 2. 

Dear Sir or Madam,  
The following will clarify in more detail the circumstance for the purpose of the attached  
Variance Application : 

- The circumstances presented hereby are unique to the property in question. 
- The application of the Law creates a hardship for the reasonable use of the land thereof. 
- The variance applied will provides relief to the established hardship, which was not self created. 
- As seen in the 1992 survey, and before Pompano Park was incorporated to the City of North Lauderdale, this condition exist and the property line goes in angle, not straight, being too close at the right side of the structure at some points with 3.2 , 4.1 and 5.7 feet away from this line. 

I humbly submit this application, with a little touch of hope for requesting some variance for the existing lines and solve this hardship, which prevent the reasonable use of the land. 
I am requesting, if is possible to set back to 13.4 feet in the Rear side, and 3.2 feet at the right side of the property, instant 15.0 feet, and 7.5 feet allowed by the city code. 
I brought the property in 2014, and the condition already exist. Now I know, after meet with closed neighbors, that this property had this addition since 1996 or so, like most property in the neighborhood, where was very popular the construction of a family room, and or florida room or porch by that time. I conduct a research around the neighborhood, and I found more 67 property with some type of addiction, and the for sure without permit. 
I think, it will be fair enough that those property must ask for permit by the city of North Lauderdale in the same way I do, if you need somebody reported I will send to you those 67 address. 
I left this petition in your hands, and considerations for a good purpose, and I hope with can solve it very soon. 

Sincerely,  

[Signature] 

Robert Gonzalez. 
TO:   Mayor and City Commission
FROM:  Ambreen Bhatti, City Manager
BY:    Tammy L. Reed-Holguin, AICP
        Community Development Director
DATE:  September 10, 2019
SUBJECT:  SWAV 19-06 - Sign Waiver request for
          Spin Car Wash
          7880 W. McNab Road

          To allow two menu board signs that are 12.5 square feet each
          whereas one menu board sign is allowed that is 16 square feet by
          City Code Section 94-14 (13) (a) & (b) within a General
          Business(B-3) Zoning District.

APPLICANT:  Shark Signs

Background

Spin Car Wash is currently under construction per approved site plan SPR 17-06 at 7880
W. McNab Road within the Walmart Plaza. The business is anticipated to open soon and
the applicant is requesting a sign waiver to facilitate the operations of the new car wash.

Spin Car Wash is requesting two menu boards that are each 12.5 sq. ft. whereas only one
menu board sign with a maximum size of 16 sq ft. is allowed by Section 94-14 (13) (a) &
(b) of the City Code. The signage would describe to the customer the various car washes
and products available assisting in the operation of the business. There are two lanes to
enter the car wash and one menu board will be placed at each lane to allow customers to
select the type of service they want. The specific details of the request are contained in
the attachments and made a part of this report.

Section 94-43 of the sign code makes a provision where the City recognizes that the
commercial areas located adjacent to McNab Road Overlay District are established
business areas serving a regional population base and that certain requirements of the
sign code may not be applicable.
It is always staff’s objective to review any application in the best interest of business viability and success. Staff also has the responsibility to review the aesthetic impact of any signage along our roadways.

The menu board signs are incidental to the business and due to the vegetation, placement of the building and overall size these signs are not visible from the main roadways. These signs are only visible from within the site internally and will direct customers to select the services of the car wash and to know the cost. Therefore the increase in number of signs from one to two and the total square footage of 25 square feet with each sign being 12.5 square feet is not anticipated to have a negative impact on surrounding businesses. The letter height will not exceed 4” as allowed by Code. Establishments such as McDonalds, Jeff Express Car Wash and Taco Bell have similar approved waivers for multiple menu board signs due to the number of drive-through lanes.

Staff has reviewed the request based on operational needs and accommodations provided in the Code and have determined that the request is the minimal waiver needed by the business and would cause no negative impact to the surrounding businesses or aesthetics of the commercial area.

The Planning and Zoning Board reviewed the sign waiver request on August 6th, 2019 and recommends consideration of approval of the sign waiver request by the Commission.

Therefore, staff requests the City Commission approve of the sign waiver request as recommended by the Planning and Zoning Board and staff.

**RECOMMENDATION:**

If the City Commission concurs with the Planning and Zoning Board and staff’s recommendation that the proposed signs would benefit the customers and the business, then a motion is in order to approve of the sign waiver. The recommendation would be subject to the condition that all applicable codes of the City regarding the installation of signs, conditions and provisions imposed by the City Commission, Planning and Zoning Board, and staff shall be met.
RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING A SIGN WAIVER REQUEST FOR TWO MENU BOARD SIGNS FOR SPIN CAR WASH TO BE LOCATED AT 7880 WEST MCNAB ROAD, NORTH LAUDERDALE, FLORIDA, THEREBY PERMITTING THE INSTALLATION AND MAINTENANCE OF TWO MENU BOARD SIGNS TOTALLING 25 SQUARE FEET IN SIZE WHEREAS ONLY 1 SIGN UP TO 16 SQUARE FEET IS ALLOWED BY SECTION 94-14 (13) (A)&(B) WITHIN A GENERAL BUSINESS (B-3) ZONING DISTRICT.

WHEREAS, Section 94-43, of the City's Sign Code, allows the City Commission the option to waive the requirements of the Sign Code relating to commercial areas adjacent to Rock Island Road, Southgate Boulevard, State Road 7, McNab Road and S.W. 81st Avenue; and

WHEREAS, Spin Car Wash, is located at 7880 W. McNab Road, North Lauderdale, Florida, within the McNab Road Redevelopment District; and

WHEREAS, Spin Car Wash feels that the provisions of the sign code for menu board and wall sign(s) are inadequate for their needs; and

WHEREAS, Spin Car Wash, is requesting sign waivers to allow the installation and maintenance of two menu board signs not to exceed a total of 25 square feet in area, where a maximum of one menu board and 16 square feet is allowed per section 94-14 (13) (a)&(b) of the City’s Code of Ordinances within a General Business (B-3) zoning district; and

WHEREAS, the Planning and Zoning Board recommended approval of said request at their meeting on August 6th, 2019.

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

Section 1: That the waivers of the sign code be and the same are hereby granted to Spin Car Wash to allow the installation and maintenance of two menu board signs not to exceed 25 square feet in area, where a maximum of one menu board and 16 square feet is allowed per section 94-14 (13) (a)&(b) of the City’s Code of Ordinances within a General Business (B-3) zoning district.

Section 2: That the waivers granted by this Resolution shall not excuse the applicant from compliance with each and every term, condition and provision of the City's Sign
Code, the Code of Ordinances of the City of North Lauderdale, Florida, as well as the obtainment of the necessary permits.

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 10th day of September 2019.

APPROVED AS TO FORM:

_______________________________
CITY ATTORNEY SAMUEL GOREN

_______________________________
MAYOR ANA M. ZIADE

_______________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

_______________________________
CITY CLERK PATRICIA VANCHERI
July 19 of 2019

Andrew E. Dishby
Community Development Specialist
City of North Lauderdale
Re: Sign Waiver Price Sign 201901281

Mr. Dishby,

This letter authorizes Gustavo Cala, from Shark Signs, to represent us during the process for the sign waiver for the price signs that will be installed at the property located in 7880 W. McNab Rd. in North Lauderdale.

Any questions, please feel free to contact me

Sasha Palmer, Development Manager
Spin Car Wash
P.O. Box 14790,
Fort Lauderdale, FL 33302
Cell: (954) 552-2959
June 20th of 2019

City of North Lauderdale
Building Department
Re: Permit Application 201901281

The purpose of this letter is to address one of the zoning comments on this application.

ONE MENU BOARD SIGN ALLOWED PER CODE 94-13 (a)

(13) Menu board. A menu board is any on-premises sign which contains a list of food and beverage items which are sold within a restaurant.
  a. Such signs shall be limited to one per restaurant.
  b. Such signs shall not be permitted to exceed 16 square feet in area.
  c. Such signs shall not be permitted within any required setback.
  d. Such signs shall not be counted towards determining the maximum allowable sign area specified in section 94-16.
  e. Maximum lettering size for any items of information shall be four inches in height.

According to the code, the limit of one menu sign per restaurant, clearly specifies restaurants. Spin car wash is not a restaurant. This is an automated car wash services that has two lanes to enter the car wash machine. We need 2 signs for each lane to show pricing on the different services. There is no office where clients come in to look at pricing or pay for the service. Payment is made at the entrance gate where the signs will be located and is where pricing is displayed before they proceed with the service. This is completely necessary.

The sign are located at the back of the building opposite to McNab Rd. therefore there is no exposure to the signs from the road. The signs are only visible to clients who are already on the line to use the carwash machine.

Lastly, all other requirements in terms of size, height and letter size are met.

Attached please find surveys with exact locations where the signs will be installed.

Thank you for your consideration

Casandra Cala
sharksignsinc@gmail.com

1701 NW 107th Terrace, Plantation, FL 33322 - Phone: 754-300-9493 - Fax: 868-724-7499 - sharksignsinc@gmail.com
Drive Thru Illuminated Price Board (No Visibility From Road)

Signs:

* Faces subject to change as price and products change*
* Text not to exceed 4" in height *

**Spin Car Wash**

**SPIN MENU**

**TOP SPIN**
- Top Spin
- Wash
- Rim Polish
- Ceramic Wax
- Rain Shield

**SPIN ++**
- Spin
- Triple Foam
- Conditioner
- Clear Coat Protectant

**SPIN +**
- Spin
- Tire Shine
- Surface Sealer

**SPIN**
- Spin
- Wash
- Wheel Brite
- High Pressure Blast

**Wash**
- Wash
- Tire
- Dry

Illuminated Cut Out Letters

60W LED Power Supply
- 4.5 Amps

LED Modules

Disconnect Switch

Disconnect Switch connected to existing 20AMP line, connected to photocell. Total Current 4.5A

UL

Customer:
Spin Car Wash
7880 W. McNab Rd.
North Lauderdale, FL

754-300-9493

SHARK Signs

Name: ____________________________

Signature: ________________________ Date: __________

I approve for size, spelling, and colors, understanding that any corrections requested after signing of this proof, will result in reasonable extra charges.
TO:  Mayor and City Commission
FROM:  Ambreen Bhatti, City Manager
BY:  Tammy L. Reed-Holguin AICP, Community Development Director
DATE:  September 10, 2019
SUBJECT: Sign Waiver SWAV 19-05
Peter Piper Pizza
7700 W. McNab Rd.

To allow: 22 inch high letter P, i and t in the lettering “Peter Piper Pizza” wall sign whereas 16 inch high lettering is allowed by Section 94-16 (C) (1) (C) of the City Code within a General Business (B-3) Zoning District.

APPLICANT: Vector Signs Corporation

Tonight we are presenting a request for a sign waiver for newly constructed Peter Piper Pizza located at 7700 W. McNab Road in an outparcel in front of WalMart. The applicant is requesting signage with the larger letter size and design to match the franchise’s other locations.

Background:

Peter Piper Pizza is a new business in front of Walmart which faces North and is located about 125 feet from McNab Road. This new tenant will also have signage on two monument signs along McNab Road. The applicant is requesting a sign waiver for a wall sign to allow the letters “P” “i” “t” in “Peter Piper Pizza” to be 22 inch high letters and the remaining letters to be 16 inches high where a maximum of 16 inch high letters are allowed per Section 94-16(C)(1)(c) of the City Code. The overall proposed sign area is 46.9 square feet where 76 square feet is allowed per City Code Section 94-16(C)(1)(a). The applicant is maximizing the use of available sign square footage by adding a separate wall sign reading “Great Food and Family Fun”. The letters in this sign are 11 ¾” inside a 19” orange box. The sign is on the same North elevation and is 28.65 square feet for a total of 75.55 square feet of proposed signage.

The applicant indicates that approval of this request is necessary to business operations and would provide favorable exposure to their business along McNab Road and the internal shopping plaza. The specific details of the request are contained in Exhibit A of the attachments and made a part of this report.

It is always the staff’s objective to review any application in the best interest of business viability and success. Staff also has the responsibility to review the aesthetic and other impacts of any signage in the City.
Historically, staff has recommended approval of larger letters with the condition that the overall square footage of the sign not exceed the linear footage of the front area of the building that is owned or leased per Section 94-16(C)(1)(a) of the City Code of Ordinances. In this instance the linear frontage is 76 feet, which allows Peter Piper Pizza 76 square foot of signage. The proposed sign with the larger letters is 46.9 square feet plus the additional sign for a total of 75.55 square feet which is within the allowed overall square footage.

The criteria that staff uses to consider sign waivers include how far the business sits from the roadway, if there are any obstructions limiting visibility from the road, if signage other than the wall sign is available and can be used additionally, and if the larger letter size does not increase the size of the sign beyond that which is allowed by Code in terms of square footage.

Peter Piper Pizza is an individual outparcel. The store is 125 feet from McNab Road. The requested sign waiver is reasonable to provide branding consistency for the new business given the setback from the roadway and speed limits of McNab Road.

The Planning and Zoning Board reviewed the request on August 6\textsuperscript{th}, 2019 and recommended consideration of approval by the City Commission.

**Recommendation:**

Taking into consideration that the request will not create a hazard to public welfare or injuries to other properties or improvements in the vicinity, and it will benefit the business and its customers, Staff recommends favorable consideration by the City Commission. Should the City Commission concur with the Planning and Zoning Board and staff’s recommendation then a motion is in order for the City Commission to approve the sign waiver subject to the following conditions:

- To allow a wall sign “Peter Piper Pizza” with “P” “i” “t” as 22 inch high letters and all other letters 16 inches in height whereas a maximum of 16 inch high letters are allowed by section 94-16(C)(1)(c) of the City of North Lauderdale City Code.
- All applicable codes of the City regarding the installation of signs, conditions and provisions imposed by the City Commission, Planning and Zoning Board, and staff shall be met.
RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING A SIGN WAIVER REQUEST FOR ONE WALL SIGN FOR PETER PIPER PIZZA, LOCATED AT 7700 WEST MCNAB ROAD NORTH LAUDERDALE, FLORIDA, 33068 THEREBY PERMITTING THE INSTALLATION AND MAINTENANCE OF ONE MAIN WALL SIGN WITH THE 22 INCH HIGH LETTERS “P”, “i”, “t” AND 16 INCH HIGH LETTERING ELSEWHERE WHEREAS SECTION 94-16(C)(1)(c) OF THE CITY CODE ALLOWS FOR 16 INCH MAXIMUM LETTER HEIGHT, WITHIN A B-3 GENERAL BUSINESS DISTRICT.

WHEREAS, Section 94-43, of the City's Sign Code, allows the City Commission the option to waive the requirements of the Sign Code relating to commercial areas adjacent to Rock Island Road, Southgate Boulevard, State Road 7, Commercial Boulevard, McNab Road and S.W. 81st Avenue; and

WHEREAS, Peter Piper Pizza, is located at 7700 West McNab Road North Lauderdale, Florida, within the McNab Redevelopment Overlay District; and

WHEREAS, Peter Piper Pizza, feels that the provisions of the sign code are inadequate for their needs; and

WHEREAS, Peter Piper Pizza, is requesting a sign waiver to allow one main wall sign with the 22 inch high lettering “P” “i” “t” and 16 inch high lettering elsewhere, whereas Section 94-16(C)(1)(c) of the City Code allows for 16 inch maximum letter height within a B-3 general business district.; and

WHEREAS, the Planning and Zoning Board recommended approval of a wall sign with maximum 22 inch high lettering “P” “i” “t” and 16 inch high lettering elsewhere, totaling 75.55 square feet at their meeting on August 6, 2019.

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

Section 1: That the waiver of the sign code be and the same is hereby granted to Peter Piper Pizza to allow the installation and maintenance of wall sign with 22 inch high lettering “P”, “i”, “t” and 16 inch high lettering elsewhere, whereas Section 94-16(C)(1)(c) of the City Code allows for 16 inch maximum letter height within a B-3 General Business District.

Section 2: That the waiver granted by this Resolution shall not excuse the applicant from compliance with each and every term, condition and provision of the City's Sign Code, the Code of Ordinances of the City of North Lauderdale, Florida, as well as the obtainment of the necessary permits.
Section 3: That this waiver expressly supersedes all prior sign waivers pertaining to this applicant for this location; all prior sign waivers are no longer applicable.

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 10th day of September, 2019.

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL GOREN

______________________________
MAYOR ANA M. ZIADE

______________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

______________________________
CITY CLERK PATRICIA VANCHERI
SIGN WAIVER D  LANDSCAPE WAIVER D  OTHER WAIVER D ______________________________

APPLICANT: Peter Piper Pizza, Inc. Phone: 972-258-5565
Mailing Address: 1707 Market Place Blvd., Suite 200
City: Irving State: Texas Zip: 75063

PROPERTY OWNER (if different from above): Arena North Lauderdale Shoppes, LLC
Mailing Address: 2150 Coral Way, Suite 4A Phone:
City: Coral Gables State: Florida Zip: 33145

- Location of Special Exception Requested: 7900 W. McNab Road
- Name of Business: Peter Piper Pizza, Inc. Current Use: Restaurant
- Please explain nature, extent, scope and purpose of proposed use:
  This is to satisfy the city's letter height requirement for the trademarked letters.

Applicant Signature: __________________________ Date: 7/1/15

BELOW FOR COMMUNITY DEVELOPMENT USE ONLY

Waiver Fee: $150.00 each Paid _____ / ____ / ____ Received By: ________
Planning & Zoning Board Meeting: _____ / ____ / ____ Recommendation: D Approve D Deny
Identify any conditions or stipulations recommended or basis for denial: __________________________________________

City Commission Meeting: _____ / ____ / ____ Recommendation: D Approve D Deny
Identify any conditions or stipulations recommended or basis for denial: __________________________________________
Letter of Authorization

To Whom It May Concern,

This letter acknowledges Comet Signs is authorized to apply for permits and install signage at the address below.

7700 W. McNab Road, Store 1270, N. Lauderdale, FL 33068
Street, Suite City State, Zip Code

Signature of Property Owner/Agent

Oscar Rodriguez - Manager

Printed Name of Property Owner/Agent

3056005294
Phone

July 17, 2019
Date

State of Florida
County of Miami-Dade

This instrument was signed or acknowledged before me on July 17, 2019
by Oscar Rodriguez
Print name of signer(s)

[Notary Signature]
(SEAL/STAMP)
RESOLUTION NO. _______________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPOINTING JESSICA OGEER AS A REGULAR MEMBER OF THE HOUSING AUTHORITY BOARD; (SPONSORED BY VICE MAYOR SAMSON BORGELIN) PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, a vacancy exists on the Housing Authority Board; and

WHEREAS, Vice Mayor Samson Borgelin recommends the appointment of Jessica Ogeer, who resides in District D, as a regular member of the Housing Authority Board; and

WHEREAS, Jessica Ogeer has submitted an application for board membership and is willing to serve on the Housing Authority 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 Jessica Ogeer be and the same is hereby appointed as a regular member of the Housing Authority Board.

Section 2: That Ms. Ogeer shall serve in said capacity for a term of four years, commencing 09-10-2019 through 09-10-2022 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 10th day of September, 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: Susan Nabors, Finance Director

DATE: September 10, 2019

SUBJECT: School Crossing Guard Service Agreement with Waterfield Florida Staffing, d/b/a Action Labor LLC Partnering with the City of Tamarac as Lead Agency

In June 2019, the City partnered with a number of other cities to enter into a new agreement for school crossing guard services. The Cities of Tamarac, along with Sunrise and Coral Springs, joined together with North Lauderdale in a Request For Proposal (RFP). The City of Tamarac was the lead agency. As a result of this solicitation, three (3) competitive bids were received and Waterfield Florida Staffing, d/b/a Action Labor LLC was the selected vendor.

The contract runs for the period of September 1, 2019 through August 31, 2021 with an option of two (2) two (2) year renewal options. The hourly rate is set at $11.52 per hour. A provision is in place under this contract to adjust costs in the event of a U.S. or the State of Florida minimum wage increase.

Action Labor has been providing school crossing guard services to the City since 2001. The rate under the recent RFP is the same we have been paying this year. Funds are budgeted for these services.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached resolution authorizing and directing the City Manager to enter into the agreement by and between the City of North Lauderdale and Waterfield Florida Staffing, d/b/a Action Labor LLC for school crossing guard services within the City limits.
CITY OF NORTH LAUDERDALE, FLORIDA

RESOLUTION NO. ________________

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING THE AWARD OF CITY OF TAMARAC RFP NO. 19-23R FOR SCHOOL CROSSING GUARD SERVICES TO WATERFIELD STAFFING FLORIDA, LLC, D/B/A ACTION LABOR FOR A PERIOD COMMENCING SEPTEMBER 1, 2019 THROUGH AUGUST 31, 2021 WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL TWO (2) YEAR PERIODS; DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WATERFIELD STAFFING FLORIDA, LLC, D/B/A ACTION LABOR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City requires the services of a qualified contractor to provide crossing guard services to promote the safety and well-being of children walking and bicycling to and from school; and

WHEREAS, a Request for Proposal was issued by the City of Tamarac (as the lead agency) on behalf of members of the Southeast Florida Governmental Purchasing Cooperative, including the City of Tamarac, the City of Sunrise, the City of Coral Springs, and the City of North Lauderdale, to obtain the services of such a firm; and

WHEREAS, the City of North Lauderdale has partnered with the City of Coral Springs, the City of Sunrise and the City of Tamarac through the Southeast Florida Governmental Purchasing Cooperative, of which the City is a member in good standing, to combine our needs for Crossing Guard Services; and

WHEREAS, three (3) responsive proposals were received from Waterfield Staffing Florida, LLC, D/B/A Action Labor, American Guard Services and Kemp International; and

WHEREAS, an evaluation committee was facilitated by the City of Tamarac, as the lead agency, which included appointed representatives from the participating Cities. The Evaluation Committee evaluated and ranked each firm, and determined that the proposal submitted by
Waterfield Staffing Florida, LLC, D/B/A Action Labor provided the most advantageous and cost effective proposal for the City; and

WHEREAS, The City of Tamarac awarded a contract to Waterfield Staffing Florida, LLC, D/B/A Action Labor; and

WHEREAS, the contract is effective September 1, 2019 through August 31, 2021 with up to two (2) year renewal options; and

WHEREAS, Waterfield Staffing Florida, LLC, D/B/A Action Labor has provided for a rate of $11.52 per hour for crossing guards; and

WHEREAS, the Agreement provides a provision to adjust costs in the event of an increase in the U.S. Minimum Wage or the State of Florida Minimum Wage; and

WHEREAS, there are no further renewal options available to the City under this Agreement; and

WHEREAS, funding is available in the General Fund for said purposes; and

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

SECTION 1. RECITALS The foregoing “WHEREAS” clauses are true and correct and hereby ratified and confirmed by the City Commission.

SECTION 2. AUTHORITY The appropriate City Officials furthermore are hereby authorized to approve the new Agreement, to approve price adjustments in accordance with the provisions of the Agreement, and to approve and accept renewal options as provided for in the Agreement.

SECTION 3. Because these services are being made using an existing governmental contract, the City’s formal bidding procedures are hereby waived.
SECTION 4. Effective Date. This Resolution shall be effective immediately upon its
passage.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this
10th day of September, 2019.

__________________________________
MAYOR ANA M. ZIADÉ

___________________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

___________________________________
PATRICIA VANCHERI, City Clerk

APPROVED AS TO LEGAL FORM
BY CITY ATTORNEY:

___________________________________
SAMUEL S. GOREN, ESQUIRE
TO: Honorable Mayor and City Commissioners

FROM: Ambreen Bhatti City Manager

BY: Rodney Turpel, Fire Chief

DATE: September 10, 2019

SUBJECT: Agreement with the School Board of Broward County (Aka: Broward Fire Academy) to permit Paramedic and Emergency Medical Technician students to participate in Educational Programs with the North Lauderdale Fire Rescue Department

North Lauderdale Fire Rescue Department has been able to take advantage of an opportunity to have emergency medical technician (EMT) and paramedic students from Broward Fire Academy to participate in our daily emergency medical service operations by riding on our rescue units. This opportunity not only enables these students to learn from our staff to enhance their career, but it also allows our city firefighter/paramedics an opportunity to learn and train with the latest techniques and information that is provided to these students through these institutions.

Tonight staff is requesting Commission’s consideration and approval to authorize entering into an agreement with Broward Fire Academy that would allow students to ride, learn and experience the day-to-day aspects of being a firefighter/paramedic with our department. The proposed contract is written and approved by the City Attorney’s Office, Broward Fire Academy and is available in the City Clerk’s office for public review.

According to the contract, the school will schedule, organize and allow their students to ride with the firefighter/paramedics. This institution meets the State and Federal guidelines for teaching; carries the necessary medical malpractice liability insurance and has demonstrated a high degree of professionalism that the City demands when students associate with the department.

Please be advised that there is no compensation paid to either parties to be in this partnership. This agreement goes in effect immediately and lasts for a three year (3) period ending September 7, 2022.

RECOMMENDATION:

The Administration recommends Commission’s consideration and approval of the attached Resolution authorizing the City Manager to enter into an acceptable agreement with School Board of Broward County (Aka: Broward Fire Academy) to allow EMT and paramedic students to ride with the North Lauderdale Fire Rescue department for educational and training purposes.
RESOLUTION NO. _______________________

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 SCHOOL BOARD OF BROWARD COUNTY (A/K/A: BROWARD FIRE ACADEMY), 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.

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

Section 1: That the City Commission does hereby authorize the City Manager to enter into acceptable agreement with School Board of Broward County (aka: Broward Fire Academy), permitting students to ride with the North Lauderdale Fire Rescue Department for educational and training purposes under the guidelines set forth in each agreement.

Section 2: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 10th day of September, 2019.

APPROVED AS TO FORM:

CITY ATTORNEY SAMUEL S. GOREN

_______________________________
MAYOR ANA M. ZIADE

_______________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

_______________________________
CITY CLERK PATRICIA VANCHERI
On September 28, 2001, the Commission approved providing a Flexible Spending Account to North Lauderdale full-time employees. Flexible Spending is a Section 125 plan for Health and Dependent Care. The plan is designed to allow employees, whom select to participate, to have a specified amount of their income deducted from their salary on a pre-tax basis for anticipated/planned health and/or dependent care costs. Each participating employee receives a flexible spending account card. The card allows instant access to their account funds for approved health care services/products.

The City has had an agreement with Ameriflex, with Colonial Insurance authorized to provide the Flexible Spending Account administrative services since FY 09. This agreement includes an annual renewal provision. The FY 19 program cost includes a one-time annual renewal fee of $170.00 and a $5.25 monthly administrative fee per participant bringing the total current year expenditure to approximately $2,175. Ameriflex has a slight increase in these rates for Fiscal Year 2019/20. This is the first increase in the 10 years with Ameriflex. The program cost for FY 20 includes an annual renewal fee of $180.00 (increase of $10 one-time) and a $5.45 monthly administrative fee per participant (increase of $.20 per participant; approximately $6.00 per month). The estimated expenditure for FY 20 is approximately $2,273. Administration is recommending the renewal of this agreement for another year, effective October 1, 2019.

Overview of the current Flexible Spending program:

a) Health Care Flexible Spending Account
   • Pays out-of-pocket medical expenses (co-pays, prescriptions, etc.)
   • Pre-tax dollars are taken by payroll deduction and put into a reimbursable account
   • Eligible expenses are reimbursed by a third party administrator as they occur
   • Includes a “use it or lose it” clause
   • $2,700 maximum contributions established
   • Participants receive a flexible spending account (debit) card

b) Dependent Care Flexible Spending Account
   • Pays for child care and elder care expenses with pre-tax dollars
   • Both parents must be working to be eligible
- Maximum contributions established ($5,000 for married couples filing jointly, $2,500 for married filing separately)
- Includes a “use it or lose it clause”.

This program is well received by the City employees and the percentage of employees enrolled continues to increase annually.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached resolution authorizing the City Manager to enter into an agreement between the City and Ameriflex and authorizing Colonial Insurance to administer a flexible spending account program for the employees of North Lauderdale.
Hello Jennifer,

In 2018, we helped Americans save $105,756,992.00! That’s real dollar savings going back into your local economy to help people pay for college tuition, vacations, bills, mortgages, and so much more.

To continue delivering these cost-savings benefits and a customer experience at the highest level, we are increasing some of our fees. On your renewal date, your prices will be adjusted as follows:

<table>
<thead>
<tr>
<th>City of North Lauderdale</th>
<th>Current Fee</th>
<th>New Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flex Annual Renewal</td>
<td>170.00</td>
<td>180.00</td>
</tr>
<tr>
<td>Flex Per Employee Per Month (PEPM)</td>
<td>5.25</td>
<td>5.45</td>
</tr>
<tr>
<td>Flex Minimum Monthly</td>
<td>60.00</td>
<td>65.00</td>
</tr>
</tbody>
</table>

Thank you for giving us the opportunity to help Americans have better access to healthcare. We’re here for you and are always committed to delivering you a great experience.

Please don’t hesitate to contact your dedicated Client Experience Specialist if you have any questions.

Ameriflex

2508 Highlander Way, Suite 200, Carrollton, TX 75006
844.423.4636  | info@myameriflex.com  | myameriflex.com
RESOLUTION NO. _______________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BY AND BETWEEN THE CITY AND AMERIFLEX AND AUTHORIZING COLONIAL INSURANCE TO ADMINISTER A FLEXIBLE SPENDING ACCOUNT PROGRAM FOR THE EMPLOYEES OF NORTH LAUDERDALE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1: That the City Commission does hereby authorize and direct the City Manager to enter into an agreement by and between the City and Ameriflex and authorizing Colonial Insurance to administer a Flexible Spending Account Program for the employees of the City of North Lauderdale.

Section 2: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 10th day of September, 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 Bhaty, City Manager

BY: Tammy L. Reed-Holguin, Community Development Director

DATE: September 10, 2019

SUBJECT: Interlocal Agreement with the Broward County Building Code Services Division of the Environmental Protection and Growth Management Department to Contract:


b) Utilization of Broward County Unsafe Structures Board

The Broward County Building Code Services Division has provided the above mentioned services to the Community Development Department per two separate interlocal agreements for over twenty-five years. In June 2014, the City renewed these agreements with the County for a five-year period. The current contract is due to expire at the end of September 2019. Although the current contract has a renewal clause, the County has presented a new five year contract for consideration. This contract also has an option to renew for an additional five (5) years at the request of the City and with County’s approval. An average rate increase of 1.96% is proposed for fiscal year 2020 for the hourly rates. The rates for Building Official and Clerical Support did not change. The City does not normally utilize the Clerical Support staff from the County. The County will review the contract annually and will advise the City by May 1st of each year if a rate increase is proposed. The increase will not exceed 5% with the exception of incidents of natural disasters when labor may be at a premium. There are no other substantive changes to the contracts.

We are presenting both agreements, Building Plan Review/Inspection and Unsafe Structures Board, tonight for the City Commission’s consideration. Should the Commission approve and transmit this agreement, it will become effective on October 1, 2019. The agreements have been discussed and previously reviewed by the City Attorney’s office and they are satisfied with the contents. Both agreements are available in the City Clerk’s office for public review.

Agreements Overview:
The major components of the new Agreements are as follows:

- The service costs in the new building services agreement commencing with the 2020 fiscal year reflects a 1.96% increase to the hourly rates with the exception of the Building Official and Clerical Support that will remain the same. The hourly rates will be $97.58 per hour for plan review, $85.67 per hour for inspections, $98.56 for Chief Building Code
Inspector and $99.80 per hour for Building Official services and $37.70 for Clerical Support.

- The estimated cost of the building services agreement, based on a minimum projected level of service, falls within the FY 2020 budgeted amount.

- The contract for Services rendered by the Broward County’s Unsafe Structure Board has no modifications. There is a 1.96% increase in the hourly rates for County Code Enforcement Officer presenting the case on behalf of the City which is consistent with the rates in the Building Services contract ($85.67/hour). The hourly rate for County clerical support will remain consistent at $37.70. The cost for this service will remain capped at a maximum of $500.00 for each case that is handled by the Board.

- According to the contract, the City will be responsible for the actual costs of implementing the Orders and directive of the Unsafe Structures Board to cause the violation(s) to be corrected. These costs could include boarding up or demolishing the property. The property owner will be directed by the Unsafe Structures Board to take the necessary action, however, if they do not, the City will need to take the steps to implement the order and will place a lien on the property in order to recover the incurred costs. The City has budgeted minimal funding to address properties that are been deemed public nuisances. Any costs incurred by the City to alleviate nuisances will become liens on the property.

- These agreements will be effective until September 30, 2024, with a maximum annual 5% rate increase. Both Agreements contain a clause in Sections 3.3 and 3.4 respectively that allow the County to adjust the hourly rates beyond the 5% in the event of a natural disaster. Please be advised that this clause is consistent with the current agreement. The agreement may be renewed for additional five (5) year periods upon request by the City and acceptance by the County. The Agreement for Building Services may be terminated by either party upon written notice of ninety (90) days and the Agreement for Unsafe Structures Board may be terminated by either party upon written notice of thirty (30) days.

The City will continue to provide clerical support on a daily basis, and maintain all records pertaining to inspections and plan reviews in the City Hall. In addition, all citizen interactions regarding these services will continue to be through the Community Development Department.

**Recommendation:**

The City Administration recommends Commission’s consideration and approval of the following attached Resolutions:

i) Resolution authorizing and directing the City Manager to enter into the attached agreements between the Broward County Building Code Services Division and the City of North Lauderdale, to contract for building plan review/inspection services; and

ii) Resolution authorizing and directing the City Manager to enter into the attached agreements between the Broward County Building Code Services Division and the City of North Lauderdale for the utilization of the Unsafe Structures Board.
RESOLUTION NO. ________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO THE INTERLOCAL AGREEMENT, ATTACHED HERETO, BY AND BETWEEN THE CITY OF NORTH LAUDERDALE, FLORIDA AND BROWARD COUNTY, FLORIDA FOR INSPECTION, PLAN REVIEW, BUILDING OFFICIAL AND RELATED SERVICES TO BE PERFORMED BY THE BROWARD COUNTY BUILDING CODE SERVICES DIVISION OF THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1: That the City Manager, be and the same is hereby authorized and directed to enter into the Interlocal Agreement, attached hereto, by and between the City of North Lauderdale, Florida and Broward County, Florida, providing for Inspection, Plan Review, Building Official and related Services to be performed by the Broward County Building Code Services Division, of the Environmental and Growth Management Department, effective October 1, 2019.

Section 2: That this Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Commission of the City of North Lauderdale, Florida this ___ day of ___________________.

APPROVED AS TO FORM:

CITY ATTORNEY SAMUEL GOREN

MAYOR ANA M. ZIADE

VICE MAYOR SAMSON BORGELIN

ATTEST:

PATRICIA VANCHERI, CITY CLERK
RESOLUTION NO. ________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO THE INTERLOCAL AGREEMENT, ATTACHED HERETO, BY AND BETWEEN THE CITY OF NORTH LAUDERDALE, FLORIDA AND BROWARD COUNTY, FLORIDA FOR REPRESENTATION AT HEARINGS OF THE BROWARD COUNTY UNSAFE STRUCTURES BOARD; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1: That the City Manager, be and the same is hereby authorized and directed to enter into the Interlocal Agreement, attached hereto, by and between the City of North Lauderdale, Florida and Broward County, Florida, providing for representation at Hearings by the Broward County Unsafe Structures Board.

Section 2: That this Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Commission of the City of North Lauderdale, Florida this _________day of _____________________, 2019.

APPROVED AS TO FORM:

_________________________________
CITY ATTORNEY SAMUEL GOREN

_________________________________
MAYOR ANA M. ZIADE

_________________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

_________________________________
PATRICIA VANCHERI, CITY CLERK
Tonight we are requesting your approval of the attached Resolution authorizing the City Manager to enter into an Agreement with Connectica, LLC to provide services to initiate a Branding and Strategic Marketing Plan.

**Background:**

As you will recall, the City completed an Economic Development Strategy (EDS) Plan in October 2018 that identified opportunities and initiatives for redevelopment and made recommendations on how to best share them with outside investors and the public. One of the initiatives mentioned in the EDS and that has been discussed on numerous occasions is incorporating “Citywide Branding” into the City’s redevelopment activities. This approach will assist in increasing the visibility of the City and promote investment in the City. In addition, by implementing this initiative, the City is positioning itself within the digital world to promote and brand as well as enhance the City’s reputation and tell its story to the community.

After receiving direction from the City Commission during the City’s Budget Strategic Planning workshop earlier this year, funding for this initiative has been included in the fiscal year 2020 budget.

Through discussions with the Finance Department and review of the recently adopted procurement ordinance, it was determined that this type of service falls under one of the Competitive bidding exemption clauses in the Procurement Policy:

Sec.3-4 Competitive Bidding or Competitive Proposals Required; Exceptions i.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.
The City Administration developed a scope of services and received quotes from three firms. Connectica, LLC submitted the lowest quote and is a full-service firm. One firm was considered to be unresponsive because they could not provide all of the services. Connectica is located in Tamarac and will be readily accessible for events and on-going photography. They are also a member of the North Lauderdale Chamber of Commerce. They have experience with our City having recently completed the City’s video for the State of the City and the Memorial Day video. On August 13, 2019 at the Appropriations Workshop and Special City Commission Meeting, Ian and Jane Gerada of Connectica LLC firm provided a brief presentation regarding the firm and services they can provide to the City.

Since the proposal exceeds the $25,000 threshold to be signed by the City Manager, we are bringing it before the Commission tonight for consideration of adoption of the attached Resolution authorizing the City Manager to enter into a one year agreement with Connectica, LLC in an amount not to exceed $25,800 with options to renew for an additional year.

**RECOMMENDATION:**

The City Administration recommends Commission’s approval of the attached Resolution;

1. Authorizing the City Manager or her designee to enter into a contractual Agreement with Connectica, LLC to provide services to create a citywide Branding and Strategic Marketing Plan in an amount not to exceed $25,800 for a one year term with an option to renew for an additional year.
RESOLUTION NO.________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH CONNECTICA, LLC IN AN AMOUNT NOT TO EXCEED $25,800; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO INITIATE THE NEXT STEPS TO IMPLEMENT THE PROGRAM INCLUDING, BUT NOT LIMITED TO, THE PREPARATION OF A CITYWIDE BRANDING AND STRATEGIC MARKETING PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Commission of the City of North Lauderdale is positioning itself within the digital world to both promote and brand as well as enhance the City’s reputation and tell its story to the community; and

WHEREAS, the Commission of the City of North Lauderdale, wishes to create and implement a destination/identity branding campaign for each district connecting one to the other through messaging and signage; and

WHEREAS, the City’s Economic Development Strategy establishes initiatives to increase the visibility and investment opportunities by focusing on the branding and marketing; and

WHEREAS, Connectica, LLC demonstrates that their firm has the experience and desire to work with the City to create a successful citywide Branding and Strategic Marketing Plan; and

WHEREAS, the Commission determines it is in the best interest of the residents of the City to authorize the appropriate City Officials to execute an Agreement with Connectica, LLC for a contract term of one year with an option to renew for an additional year.
NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, THAT:

Section 1: The foregoing “WHEREAS” clauses are true and correct, and hereby ratified and confirmed by the City Commission and incorporated herein.

Section 2: That the City Commission has recognized Connectica, LLC as a qualified firm to provide services to implement a branding and strategic marketing plan.

Section 3: That the City Commission has authorized the City Manager or her designee to enter into an agreement with Connectica, LLC in an amount not to exceed $25,800 for a one year term with an option to renew.

Section 4: All Resolutions or part of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

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, ON THIS _____ DAY OF __________, 2019.

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR ANA M. ZIADE

______________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

______________________________
CITY CLERK PATRICIA VANCHERI
Tonight we are requesting your approval of the attached Resolution authorizing the City Manager to enter into an Agreement with Gadson & Ravitz, LLC to provide services to create and manage a Citywide Public Art Program.

Background:
As you will recall, the City completed an Economic Development Strategy (EDS) Plan in October 2018 that identified opportunities and initiatives for redevelopment and made recommendations on how to best share them with outside investors and the public. One of the initiatives mentioned in the EDS and that has been discussed on numerous occasions is incorporating “Art and Culture” into the City’s redevelopment activities. This approach will assist in increasing the visibility of the City and enhance the cultural experience for residents and visitors. After receiving direction from the City Commission during the City’s Budget Strategic Planning workshop earlier this year, funding for this initiative has been included in the fiscal year 2020 budget.

Through discussions with the Finance Department and review of the recently adopted procurement ordinance, it was determined that this type of service falls under one of the Competitive bidding exemption clauses in the Procurement Policy;

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

Earlier this summer, the City Administration developed a scope of services and contacted a local firm from Coral Springs, Gadson & Ravitz to submit a proposal. This firm is well-known in
South Florida for their work with many local communities including nearby Lauderhill, Coral Springs and Tamarac. Mr. Gadson recently received the Arts and Culture Visionary Award from ArtServe, Fort Lauderdale. On August 13, 2019 at the Appropriations Workshop and Special City Commission Meeting, Mr. Gadson and Ms. Ravitz of the Gadson & Ravitz LLC firm provided a brief presentation regarding the firm and services they can provide to the City.

Since the proposal exceeds the $25,000 threshold to be signed by the City Manager, the staff is bringing it before the Commission tonight for consideration of adoption of the attached Resolution authorizing the City Manager to enter into a one year agreement with Gadson & Ravitz in an amount not to exceed $30,000 with options to renew for an additional year.

RECOMMENDATION:

The City Administration recommends Commission’s approval of the attached Resolution;

1. Authorizing the City Manager or her designee to enter into a contractual Agreement with Gadson & Ravitz, LLC to provide services to create Public Art Program and Program Management in an amount not to exceed $30,000 for a one year term with an option to renew for an additional year.
RESOLUTION NO.__________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH GADSON AND RAVITZ, LLC IN AN AMOUNT NOT TO EXCEED $30,000; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO INITIATE THE NEXT STEPS TO IMPLEMENT THE ART PROGRAM INCLUDING, BUT NOT LIMITED TO, THE PREPARATION OF A STRATEGY TO ESTABLISH A PUBLIC ART PROGRAM AND PROVIDE PROGRAM MANAGEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Commission of the City of North Lauderdale finds a public art program is important to a city, because it brings social, cultural and economic benefits to the public and visitors to the City; and

WHEREAS, the Commission of the City of North Lauderdale, wishes to create and establish a program which will enhance the cultural environment in the City by incorporating art into the City’s capital improvement projects; and

WHEREAS, the City’s Economic Development Strategy establishes initiatives to increase the visibility and enhance the cultural experience by focusing on the Branding, Marketing, Art, and Culture; and

WHEREAS, Gadson & Ravitz, LLC demonstrates that their firm has the experience and desire to work with the City to create a successful Public Art Program; and

WHEREAS, the Commission determines it is in the best interest of the residents of the City to authorize the appropriate City Officials to execute an Agreement with Gadson & Ravitz, LLC for a contract term of one year with an option to renew for an additional year.
NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, THAT:

Section 1. The foregoing “WHEREAS” clauses are true and correct, and hereby ratified and confirmed by the City Commission and incorporated herein.

Section 2: That the City Commission has recognized Gadson & Ravitz, LLC as a qualified firm to provide services to create and manage a public art program.

Section 3: That the City Commission has authorized the City Manager or her designee to enter into an agreement with Gadson & Ravitz, LLC in an amount not to exceed $30,000 for a one year term with an option to renew.

Section 4. All Resolutions or part of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

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, ON THIS _____ DAY OF ___________, 2019.

APPROVED AS TO FORM:

___________________________________
CITY ATTORNEY SAMUEL S. GOREN

___________________________________
MAYOR ANA M. ZIADE

___________________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

___________________________________
CITY CLERK PATRICIA VANCHERI
Broward County and participating municipalities recognize that there are significant short and long-term benefits of regional management of solid waste disposal and recyclables processing, and therefore they are committed to working toward establishing a much needed integrated and comprehensive regional solid waste management system for the County. In this regard the attached Memorandum Of Understanding (MOU) has been drafted by the County to bring together the County and Municipalities to work towards this common goal of all the residents.

Background:
In June 2017, the County in collaboration with numerous county municipalities called upon a number of consulting firms to conduct a study for an evaluation and recommendation regarding the following:

- How to reach a seventy-five percent (75%) countywide recycling goal.
- The impact continued public ownership of a parcel of land known as Alpha 250 would have on said recycling goal and countywide solid waste disposal.
- Other general solid waste issues identified through the study.

The final report presented in December of 2018, summarized the study findings and recommendations as follows:

- An evaluation of three (3) different scenarios through which the seventy-five (75%) countywide recycling goal could be achieved or approached by 2025.
- Alpha 250 remain publicly owned.
- Create an independent special district as the governance structure for any established regional solid waste management system.
- The solid waste processing facilities developed as part of regional solid waste management system be based on a public/private partnership ownership option.

Update:
Keeping in mind the findings of the report mentioned above, the County Commission adopted the attached MOU on June 11, 2019 and requested the cities to adopt it to show their support towards this common goal. The key points of this MOU are as follows:

- To identify the local governments that wish to participate in the establishment and implementation of a regional solid waste management system that is based upon a long-term, comprehensive plan to provide for efficient, effective, and environmentally sensitive means by which to dispose of solid waste, yard waste, bulk waste, construction and demolition debris, household hazardous waste, and recyclable materials.
• To establish a mechanism and process to analyze and evaluate study’s recommendations.
• To provide a schedule that these local governments agree to follow in order to initiate the establishment of a regional solid waste management system.
• Each City shall have representation in this MOU.
• The Schedule is attached to the Memorandum as Work shall begin in October 1, 2019.
• There shall be Working Group and Technical Group established.
• A commitment to a Continued Study and a Solid Waste Pledge where all items will be lawful for the future.

By the acceptance of this MOU the County and Participating Cities agree that the effectiveness and longevity of a regional solid waste management system depend on the established principals and commitments that are written in the MOU.

**RECOMMENDATION:**

The City Administration recommends Commission’s consideration and approval of the attached resolution authorizing the Mayor and the City Manager to enter into the attached Memorandum of Understanding to support the Collaborative Study and subsequent Development of an Integrated Solid Waste & Recycling System with the County and Participating Cities.
RESOLUTION NO. ___________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY MANAGER TO ENTER INTO THE ATTACHED MEMORANDUM OF UNDERSTANDING REGARDING COLLABORATIVE STUDY AND SUBSEQUENT DEVELOPMENT OF AN INTEGRATED SOLID WASTE AND RECYCLING SYSTEM WITH BROWARD COUNTY AND PARTICIPATING CITIES; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1: That the City Commission of the City of North Lauderdale, Florida authorizes the Mayor to support the Collaborative Study and subsequent Development of an Integrated Solid Waste & Recycling System.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 10th day of September, 2019.

APPROVED AS TO LEGAL FORM:

___________________________________
CITY ATTORNEY SAMUEL S. GOREN

_______________________________
MAYOR ANA M. ZIADE

_______________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

__________________________________
PATRICIA VANCHERI, CITY CLERK
MEMORANDUM OF UNDERSTANDING
REGARDING COLLABORATIVE STUDY AND SUBSEQUENT DEVELOPMENT OF
AN INTEGRATED SOLID WASTE AND RECYCLING SYSTEM

This Memorandum of Understanding Regarding Collaborative Study and Subsequent Development of an Integrated Solid Waste and Recycling System ("MOU"), by and among Broward County, Florida (the "County"), a political subdivision of the State of Florida, and those municipalities located within the County that approve and execute this MOU (individually, each is a "Participating Municipality"; collectively, the "Participating Municipalities"), is made and entered into as of the Effective Date (as defined below).

Recitals

A. The County and the Participating Municipalities recognize that there are significant short- and long-term benefits of regional management of solid waste disposal and recyclables processing, and are therefore committed to working toward establishing an integrated and comprehensive regional solid waste management system.

B. The County, working with numerous County municipalities, previously procured a study ("Study") for an evaluation and recommendations regarding (i) how to reach a seventy-five percent (75%) countywide recycling goal, (ii) the impact continued public ownership of a parcel of land known as Alpha 250 would have on said recycling goal and countywide solid waste disposal, and (iii) other general solid waste issues identified through the Study.

C. In June 2017, the County, in collaboration with numerous County municipalities, retained Arcadis, U.S., Inc., Kessler Consulting, Inc., Total Municipal Solutions, L.L.C., and GMAC Consulting, L.L.C. (collectively, the "Arcadis Team") to conduct the Study, which the Arcadis Team commenced in October 2017.

D. In December 2018, the Arcadis Team concluded the Study and issued its Solid Waste and Recycling Issues Study Final Report (the "Final Report"). The Final Report summarizes the Arcadis Team’s findings and recommendations, which include the following: (i) an evaluation of three different scenarios through which the seventy-five percent (75%) countywide recycling goal could be achieved or approached by 2025; (ii) a recommendation that Alpha 250 remain publicly owned given its viability as a location for the development of certain solid waste processing facilities described in the Final Report; (iii) a recommendation that an independent special district be created as the governance structure for any established regional solid waste management system; and (iv) a recommendation that the solid waste processing facilities developed as part of the regional solid waste management system be based on a public/private partnership ownership option (collectively, the "Arcadis Recommendations").

E. With the benefit of the Arcadis Team’s Final Report and the Arcadis Recommendations, the County and the Participating Municipalities now desire to formalize
their shared and ongoing commitment to work cooperatively in establishing and implementing a regional solid waste management system that addresses the short- and long-term opportunities and challenges associated with providing solid waste disposal and recyclables processing services to their respective constituents.

F. Accordingly, the County and the Participating Municipalities desire to enter into this MOU under the terms and conditions set forth herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and are incorporated herein by reference.

2. **Intent.** This MOU is intended to: (a) identify the local governments that wish to participate in the establishment and implementation of a regional solid waste management system that is based upon a long-term, comprehensive plan to provide for efficient, effective, and environmentally sensitive means by which to dispose of solid waste, yard waste, bulk waste, construction and demolition debris, household hazardous waste, and recyclable materials; (b) establish a mechanism and process to analyze and evaluate the Arcadis Recommendations; and (c) provide a schedule, as defined below, that these local governments agree to follow in order to initiate the establishment of a regional solid waste management system.

3. **Representation.** The County and the Participating Municipalities each agree that the County and each Participating Municipality shall have representation under this MOU and under any governing body established to govern any integrated solid waste and recycling system resulting from this MOU. The County and the Participating Municipalities shall establish rules governing their activities related to any governing body established hereunder.

4. **Agreement to Collaborate and Work Together.** The County and the Participating Municipalities each agree to work cooperatively, diligently, and in good faith with one another to develop countywide strategies and solutions to address short- and long-term opportunities and challenges associated with providing cost-effective solid waste and recyclables processing and disposal services to their respective constituents.

5. **Schedule.** The County and the Participating Municipalities shall use all diligent efforts to jointly achieve the milestones listed in Exhibit A (Milestone Schedule), attached hereto and incorporated herein, within the time periods specified.

6. **Working Group.** The County and the Participating Municipalities shall designate a working group ("Working Group"). The purpose of the Working Group is to establish policy and provide direction to the Technical Group and any consultants retained by Working Group. The Working Group shall consist of no fewer than five members and no more than nine
members. One member shall be a member of the Board of County Commissioners, and the remaining members shall each be a member of the governing body of a Participating Municipality. The Participating Municipalities will determine the number of, and the process for, selection of the municipal representatives on the Working Group. The County or any Participating Municipality shall be represented by no more than one member of their respective body. All Working Group meetings shall be open to all Participating Municipalities not represented in the Working Group. The Working Group will be staffed jointly by the Broward League of Cities and the County.

7. **Technical Group.** The County and the Participating Municipalities shall establish a technical group ("Technical Group"). The purpose of the Technical Group is to address the operational aspect of integrated solid waste and recycling systems, recommend to the Working Group the retention of any needed consultants, and report findings and recommendations to the Working Group. Any Participating Municipality may, at its discretion, have one representative serve as a member of the Technical Group. The County may have two representatives serve as members of the Technical Group.

8. **Continued Study.** Recognizing the benefit of the Study conducted by the Arcadis Team and the need for continued study and independent analysis, the County and the Participating Municipalities agree to jointly undertake the continued study and analysis of additional critical solid waste issues identified by mutual agreement, which may relate to recycling programs, identification and location of necessary assets, and options for flow control. A detailed and comprehensive scope of such continued study and analysis will be developed by the Working Group, and the Working Group shall retain and interact with any appropriate consultant and/or attorneys during the course of the continued study to ensure that balance and independence are maintained throughout. The County and the Participating Municipalities further agree that the respective financial contributions necessary for the continued study and analysis described herein will be mutually agreed upon.

9. **Solid Waste Pledge.** Provided acceptable terms can be developed and lawfully implemented, the County and the Participating Municipalities are prepared, subject to future approval of binding agreements or enactment of law, to pledge their solid waste flow for as many years as necessary (perhaps as many as thirty (30) years) in order to finance the property and construction that will be needed to create and develop the regional solid waste management system that the County and the Participating Municipalities seek to establish pursuant to this MOU. Nothing in this MOU commits any party to supporting any potential legislation, including legislation that would establish a special district.

10. **Shared Principles and Commitments.** The County and the Participating Municipalities agree that the effectiveness and longevity of a regional solid waste management system depend on certain principles and commitments, including but not limited to the following:

   i. County-wide solid waste disposal and recycling efforts are best accomplished as collaborative ventures among the County and the Participating Municipalities, as
collaboration would enable the development of a regional solid waste management system that would serve the needs of all residents for many decades and that is capable of taking advantage of purchasing economies and other economies of scale.

ii. In developing a regional solid waste management system, the County and the Participating Municipalities are committed to considering all of the Arcadis Recommendations as well as the preferences of the County and the Participating Municipalities and the results of the continued study and analysis described in Section 8 above.

iii. The County and the Participating Municipalities are committed to exploring all possible governance structures for a regional solid waste management system. In addition to the independent special district recommended by the Arcadis Team in its Arcadis Recommendations, the County and the Participating Municipalities may also consider other possible governance structures for a regional solid waste management system that may be proposed by the County or any Participating Municipality, including one to which the parties could agree pursuant to an interlocal agreement. That said, the County and the Participating Municipalities prefer a governance structure that, if possible, maintains local control and flexibility while still affording the opportunity to effectively establish assessments or other mechanisms to, if desired, permit economic flow control.

iv. The County and the Participating Municipalities are committed to discussing organizational structures for a regional solid waste management system that may consist of common ownership and/or common control of the system’s acquired and constructed public assets, as well as common responsibility for the system’s liabilities, such as landfill closure and long-term maintenance costs. The County and the Participating Municipalities are also committed to developing a mutually agreed-upon arrangement regarding control over the operations of the system.

v. The County and the Participating Municipalities are committed to exercising common control over the setting of tipping and other fees, with such fees being set in an amount that is adequate to recover all costs, including reasonable personnel costs. While full cost recovery is required, the County and the Participating Municipalities agree that continuous effort should be expended to ensure that fees are kept at the lowest practicable level while still providing a comprehensive range of solid waste disposal and recyclables processing offerings.

vi. There is a critical need to develop robust recycling programs even when the status of the recycling market imposes additional short-term costs, and the full value of such programs involves far more than a comparison of the cost thereof to the cost of common disposal of recyclables. Instead, all externalities must be considered in determining whether a given recycling program is feasible, including careful
consideration of the long-term impacts that a failure to adequately recycle will cause.

vii. All available options regarding programs and required assets should be identified and analyzed, including potentially contracting with private entities under terms that would protect the long-term interests of the County and the Participating Municipalities. Alpha 250 and the Broward County Landfill should be analyzed to determine what role these properties will play in the regional solid waste management system, with due consideration paid to the County's statutory obligations that would continue beyond any expiration of the collaborative arrangement established by the parties. Further, the County's and the Participating Municipalities' respective interests in various public assets that may become part of the regional solid waste management system shall be taken into account in determining the County's and each of the Participating Municipalities' respective financial contributions for establishing and supporting the operations of the regional solid waste management system. Nothing in this MOU, however, obligates or commits the County or the Participating Municipalities with respect to Alpha 250, the Broward County Landfill, or any other public asset that may become part of the regional solid waste management system; any such obligation or commitment may only be effectuated pursuant to a subsequent written agreement.

11. Approval Process. Once approved by the County Commission, this MOU is to be presented for approval at public Commission/Council meetings at each of the municipalities located within the County. Each such municipality will then have until September 30, 2019 to approve and execute this MOU and thereby join as a Participating Municipality hereunder.

12. Effective Date. The "Effective Date" of this MOU shall be October 1, 2019; provided, however, to become effective, municipalities collectively representing no less than fifty percent (50%) of the County's total population must timely approve and execute this MOU by such date. Provided this MOU becomes effective consistent with the preceding sentence, any municipality not timely approving and executing this MOU may become a Participating Municipality by thereafter approving and executing this MOU, provided a majority of Participating Municipalities approve the addition of the municipality. A Participating Municipality or the County may withdraw from this MOU at any time by serving written notice upon the other parties. Upon withdrawal, the municipality or the County shall have no further obligations, financial or otherwise, but shall not be entitled to the refund of any contributions previously made and will no longer be entitled to participate or have any voting rights previously established.

13. Entire Agreement. This MOU constitutes the entire agreement between the County and the Participating Municipalities relating to the transactions contemplated herein and supersedes and cancels any other agreement, representation, or communication, whether oral or written, between the County and the Participating Municipalities relating to the specific
subject matter addressed in the MOU.

14. **Headings.** The section and subsection headings in this MOU are inserted for convenience only and shall not affect in any way the meaning or interpretations of this MOU.

15. **Counterparts and Multiple Originals.** This MOU may be executed in multiple originals, and may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same instrument.

16. **Joint Preparation.** The preparation of this MOU has been a joint effort of the parties hereto and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against any party hereto.

(remainder of page intentionally left blank)
IN WITNESS WHEREOF, the parties hereto have made and executed this Memorandum of Understanding Regarding Collaborative Study and Subsequent Development of an Integrated Solid Waste and Recycling System on the respective dates under each signature: Broward County, signing by and through its Mayor or Vice-Mayor, duly authorized to execute same by Board action on the 11th day of June, 2019, and the Participating Municipalities, signing by and through their respective Mayors or other representatives duly authorized to execute same.

BROWARD COUNTY

ATTEST: BROWARD COUNTY, by and through its Board of County Commissioners

__________________________
Broward County Administrator, as ex officio Clerk of the Broward County Board of County Commissioners

By _______________________
Mayor

___ day of _____________, 2019

Approved as to form by
Andrew J. Meyers
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telexoner: (954) 357-7641

By _______________________
Keoki M. Baron (Date)
Assistant County Attorney
MEMORANDUM OF UNDERSTANDING
REGARDING COLLABORATIVE STUDY AND SUBSEQUENT DEVELOPMENT OF
AN INTEGRATED SOLID WASTE AND RECYCLING SYSTEM

[NAME OF PARTICIPATING MUNICIPALITY]

ATTEST:

________________________________________
________________________________________, City Clerk

Approved as to form and legality:

By: ____________________________
   City Attorney
   ___ day of _________, 2019

BY: ____________________________
   Mayor
   ___ day of _________, 2019

BY: ____________________________
   City Manager
   ___ day of _________, 2019
**Exhibit A**
Milestone Schedule

<table>
<thead>
<tr>
<th>Milestone Description</th>
<th>Milestone Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>County Approval of the MOU</td>
<td>June 11, 2019</td>
</tr>
<tr>
<td>Participating Municipality Approval of the MOU</td>
<td>September 30, 2019</td>
</tr>
<tr>
<td>Designation of Working Group</td>
<td>November 15, 2019</td>
</tr>
<tr>
<td>Designation of Technical Group</td>
<td>December 15, 2019</td>
</tr>
<tr>
<td>Retention of consultants and/or any required legal counsel</td>
<td>December 15, 2019</td>
</tr>
<tr>
<td>Determination as to form of governance for the regional solid waste management system (e.g., interlocal agreement, special district*)</td>
<td>April 20, 2020</td>
</tr>
<tr>
<td><em>Finalization of the necessary creation documents (which would permit timely submission to the Florida Legislature if an independent special district is to be pursued)</em></td>
<td>September 30, 2020</td>
</tr>
</tbody>
</table>
CITY OF NORTH LAUDERDALE  
COMMUNITY DEVELOPMENT DEPARTMENT  

TO: Mayor and City Commission  
FROM: Ambreen Bhatti, City Manager  
By: Tammy L. Reed-Holguin, Community Development Director  
George Krawczyk, Public Works Director  
DATE: September 10, 2019  
SUBJECT: Resolution Requesting and Accepting Deed Transfer of Property for CSLIP Application  

Tonight we are requesting Commission approval of the attached Resolution respectfully requesting the County to transfer certain real property owned by the County to the City. The property is a right-of-way on the east side of 81st Avenue within the City that the County records show are City roads, but which property records show are owned by Broward County. The resolution also provides for the City’s acceptance of the transfer of ownership of the properties from the County and that the County Commission’s resolution supports the City’s application for CSLIP funding and authorize the City to perform the proposed work in the County right-of-way until such time of the title transfer is complete.

BACKGROUND:  
As discussed at the Commission meeting on August 13th, we are in the process of resubmitting the grant application for potential funding through the Broward MPO Complete Streets and Other Localized Initiatives Program (CSLIP) for the project along SW 81st Avenue from McNab Road to Southgate Boulevard.

One of the criteria for funding through the Complete Streets Program is that the cities must demonstrate that they have control of the right-of-way. The Commission adopted a Resolution 19-08-6652 on August 13, 2019 accepting the transfer of title for three parcels along this corridor. Recently a fourth parcel was identified along the east side of the corridor sandwiched between two other right-of-ways that the City already owns.

- Folio No. 4941-02-01-0056

Tonight, we are requesting approval of the attached Resolution authorizing the transfer of this additional right-of-way and providing for the acceptance by the City of the transfer of title of such property. The Resolution also requests the Broward County Commission’s Resolution support the City’s application for a grant through the Complete Streets and Other Localized Initiatives Program with the Broward Metropolitan Planning Organization, and authorizes the City to perform work in the County right-of-way until such time as the transfer of title is complete. The item is scheduled to be heard by the County Commission on October 15th with the conveyance of the deed to be completed by the County no later than February 2020 and prior to the
final review of the CSLIP application by the Florida Department of Transportation (FDOT).

**RECOMMENDATION:**
The City Administration recommends Commission’s consideration and adoption of the attached resolution requesting the transfer of certain real property by Broward County to the City and providing for the acceptance by the City of the transfer of title of such property. The Resolution also requests the Broward County Commission support the City’s application for a grant through the Complete Streets and Other Localized Initiatives Program with the Broward Metropolitan Planning Organization, and to perform work in the County right-of-way until such time as the transfer of title is complete.
RESOLUTION NO. ________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RELATING TO THE CITY’S APPLICATION FOR A GRANT THROUGH THE COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES PROGRAM WITH THE BROWARD METROPOLITAN PLANNING ORGANIZATION; RESPECTFULLY REQUESTING THAT THE BROWARD COUNTY COMMISSION ADOPT A RESOLUTION AUTHORIZING THE TRANSFER BY DEED OR OTHER LEGAL MEANS OF CONVEYANCE OF CERTAIN REAL PROPERTY IDENTIFIED HEREIN, TO THE CITY OF NORTH LAUDERDALE; PROVIDING FOR THE ACCEPTANCE BY THE CITY OF THE TRANSFER OF TITLE OF THE REAL PROPERTY IDENTIFIED HEREIN FROM BROWARD COUNTY; RESPECTFULLY REQUESTING THAT THE BROWARD COUNTY COMMISSION RESOLUTION SUPPORT THE CITY’S APPLICATION FOR A GRANT THROUGH THE COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES PROGRAM WITH THE BROWARD METROPOLITAN PLANNING ORGANIZATION, AND AUTHORIZING THE CITY TO PERFORM WORK IN THE COUNTY RIGHT-OF-WAY UNTIL SUCH TIME AS THE TRANSFER OF TITLE REQUESTED HEREIN IS COMPLETE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Broward County Metropolitan Planning Organization administers the Complete Streets and Other Localized Initiatives Program to provide funding to local municipalities to implement street improvements; and,

WHEREAS, the City has identified a project along SW 81st Avenue that they desire to submit a funding request; and,

WHEREAS, this potential project area contains a right-of-way that is not currently owned and/or controlled by the City and local jurisdiction control and/or ownership is a requirement for eligibility; and

WHEREAS, Broward County has expressed interest in transferring said ownership upon the City’s agreement to accept the transfer of title; and

WHEREAS, the Commission accepts the conveyance of the property described in the attached legal description; and

WHEREAS, the City Commission respectfully requests the County Commission’s Resolution support the City’s application for CSLIP funding and authorize the City to perform the proposed work in the County right-of-way on the properties to be transferred to the City until such time that the title transfer is complete.
NOW, THEREFORE, BE IT RESOLVED 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 incorporated herein by this reference.

SECTION 2. The City accepts the transfer of title of the Property.

SECTION 3: The City requests that the Broward County Commission resolution supports the City’s application for a grant through the Complete Streets and other Localized Initiatives Program (CSLIP) with the Broward Metropolitan Planning Organization (MPO), and authorizes the City to perform work in the County right-of-way on the Property until such time as the transfer of title is complete.

SECTION 4. The City Commission finds and determines that it is in the best interests of the citizens and residents of the City of North Lauderdale, Florida, to apply for said Complete Streets grant for the funding of the City’s program.

SECTION 5. CONFLICT. All resolutions or parts of resolutions on in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

SECTION 6. SEVERABILITY. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 7. This Resolution shall become effective upon adoption.


APPROVED AS TO FORM:

SAMUEL S. GOREN, CITY ATTORNEY  MAYOR ANA M. ZIADE

ATTEST: PATRICIA VANCHERI  VICE MAYOR SAMSON BORGELIN
CITY CLERK
COMPOSITE EXHIBIT “A”

REAL PROPERTY REQUESTED TO BE CONVEYED BY BROWARD COUNTY TO
THE CITY OF NORTH LAUDERDALE

Parcel 1: East side of 81st Avenue from McNab Road north to Kimberly Boulevard:

Folio No. 4941 02 01 0056

FORT LAUDERDALE TRUCK FARMS 2-49-41 4-31 B W 10 OF SAID SEC, LYING S OF
N/L OF TR 12 & N OF LINE 502 N OF S/L TR 13 & W 10 OF S 2415 OF SEC 2

*Aerial attached below
TO: Mayor and City Commission  
FROM: Ambreen Bhatti, City Manager  
BY: Michael Sargis, Assistant City Manager/Parks & Recreation Director  
DATE: September 10, 2019  
SUBJECT: Purchase of Exercise Equipment for Pompano Park & Jaycee Park

At the July 9, 2019 Commission meeting, the City Commission approved an expenditure of $52,755.00 for new exercise equipment at Pompano Park and Landings Park. Once the item was approved, that staff was notified by the vendor, EXO Fit that the Port St. Lucie contract that the City was piggybacking off of had expired and therefore the price listed in that contract was not valid anymore. Subsequently, the staff found another distributor PLAYMORE who sells Exo Fit equipment and has a current contract with the School District of Palm Beach County (Agreement 15C-32B) that we can piggyback off of, which is actually $10,000 less than the previously approved contract off the Port St. Lucie contract.

As discussed at the July meeting, the Department identified three (3) parks in the City for new exercise equipment. As you may recall, Hampton Pines Park was the first to receive the new equipment in February of 2019. Seeing the popularity of the exercise equipment by the users of the park, the Staff is proposing to install similar equipment in Pompano Park and Jaycee Park.

In addition, EXO Fit Outdoor Fitness comes with the following warranties:

- Limited 10-year warranty on posts.
- Limited 3-year warranty on moving parts and bearings.
- Limited 2-year warranty on any rubber or plastic parts.

For the ease of maintenance, inspections and repairs, staff believes it is logical to use the same manufacturer for this type of exercise equipment throughout the City’s park system.

Based on the facts listed above, the staff is proposing to piggyback off of the School Board of Palm Beach County Contract #15C-32B to contract with PLAYMORE in an amount not to exceed $42,684.00 for the purchase and installation of two new EXO FIT exercise stations as listed below:

- 9 Piece Station at Pompano Park for $22,186.40
- 8 Piece Station at Jaycee Park for $20,497.60
RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached resolution authorizing the expenditure of $42,684.00 from the Parks and Recreation Department’s Capital Fund to PLAYMORE for the purchase and installation of two outdoor EXO FIT exercise stations off of the Palm Beach County School Board Contract 15C-32B.
RESOLUTION NO. ______________

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE AUTHORIZING THE EXPENDITURE OF $42,684.00 TO PLAYMORE FOR THE PURCHASE AND INSTALLATION OF OUTDOOR EXERCISE EQUIPMENT AT POMPANO PARK AND JAYCEE PARK BY PIGGYBACKING OFF OF THE PLAYMORE AND SCHOOL BOARD OF PALM BEACH COUNTY CONTRACT #15C-32B; FUNDING IS AVAILABLE IN THE 2018-2019 PARKS AND RECREATION DEPARTMENT CAPITAL FUND BUDGET; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of North Lauderdale, Florida has determined a need to install Exercise Equipment at Jaycee Park and Pompano Park; and

WHEREAS, the City is purchasing equipment off of a piggyback from the PLAYMORE and School Board of Palm Beach County Contract 15C-32B; and

WHEREAS, the City of North Lauderdale has budgeted $90,000 in the Department’s Capital Budget; and

WHEREAS, the City shall pay a total of $42,684.00 to PLAYMORE for Exo Fit exercise equipment at Jaycee Park and Pompano Park.

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

Section 1. This Resolution shall become effective immediately upon its passage and adoption.


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MAYOR ANA M. ZIADE

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VICE MAYOR SAMSON BORGELIN

ATTEST:

______________________________
PATRICIA VANCHERI, City Clerk

APPROVED AS TO LEGAL FORM BY CITY ATTORNEY:

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SAMUEL S. GOREN, ESQUIRE
TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Michael Sargis, Assistant City Manager/Parks and Recreation Director

DATE: September 10, 2019

SUBJECT: North Lauderdale Days 2020

With the winter holidays approaching, staff has initiated the planning of the events for the next 6 months. Tonight the staff is requesting to set a date for North Lauderdale Days 2020 so that the planning for this significant event can begin. As you know, Ordinance 81-3-409 of the City Code of Ordinances provides that North Lauderdale Days shall occur on or before May 30th of each year on a date and time established and adopted by the City Commission through a resolution.

As in the past, the staff intends to make it another successful and fun-filled event by conducting certain activities in the month of April and May in celebration of our City’s 56th Anniversary. In this regard, the staff is looking to hold the North Lauderdale Days event on the weekend of April 17, 2020.

This year’s General Fund contribution is $65,000.00 for the entire event. Any additional revenue needed for the event will come from Recreation Special Project Fund or from a donation of the North Lauderdale Recreation Foundation.

In the coming months, the Department will be working hard to make the event for the entire community and will include diverse food and entertainment. As always, the staff intends to make North Lauderdale Days the best possible community event in the area.

**RECOMMENDATION:**

The City Administration recommends Commission’s consideration and approval of the attached resolution establishing North Lauderdale Days 2020 as April 17th through April 19th, 2020.
RESOLUTION NO._____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ESTABLISHING APRIL 17 THROUGH APRIL 19 AS NORTH LAUDERDALE DAY(S) FOR THE YEAR 2020 IN THE CITY OF NORTH LAUDERDALE; PROVIDING FOR COMPLIANCE WITH THE TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE NO. 81-3-409 WHICH DID CREATE AND ESTABLISH “NORTH LAUDERDALE DAY” AS A DAY TO OCCUR AS A FESTIVE EVENT AND CELEBRATION OF THE CITY OF NORTH LAUDERDALE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, North Lauderdale has established “North Lauderdale Days” by Ordinance, as a day of festive events and celebration; and

WHEREAS, Ordinance 81-3-409 provides that North Lauderdale Day shall occur on or before May 30th of each year on a date and time established and adopted by the City Commission of North Lauderdale by resolution; and

WHEREAS, this City Commission has found and determined that April 17 through April 19 of 2020, are appropriate and proper days to hold North Lauderdale Day festivities.

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

Section 1: That the City Commission publicly announces and decrees that April 17 through April 19 are hereby designated North Lauderdale Days for the year 2020 conforming to the terms and provisions and conditions of Ordinance No. 81-3-409 of the Code of Ordinances of the City of North Lauderdale, Florida.

Section 2: That the City Commission encourages and directs the Administration of the City of North Lauderdale as well as all of the citizens and residents of the City of North Lauderdale as well as all of the citizens and residents of the City to take all appropriate steps and actions to make North Lauderdale Day a successful festive and celebrated event in North Lauderdale.

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 10th day of September, 2020.

APPROVED AS TO FORM:

___________________________________   _________________________________
SAMUEL S. GOREN, CITY ATTORNEY   MAYOR ANA M. ZIADE

___________________________________   _________________________________
ATTEST: PATRICIA VANCHERI   VICE MAYOR SAMSON BORGELIN
CITY CLERK