

CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, JULY 09, 2019

MINUTES

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 Bhatti
City Attorney Samuel S. Goren
City Clerk Patricia Vancheri
3. **APPROVAL OF MINUTES**
 - a. **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**
 - a. **Broward Sheriff's Office** - Chief Gregg 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 Bhatti 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 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 HURRICANCE 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 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 to 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 plan 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 Bhatti 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 Bhatti 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; PROVIDING 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 REEVALUTE 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 Bhatti 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 Bhatti 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