CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, JUNE 30, 2015

WORKSHOP - 5:00 p.m.

REGULAR MEETING – 6:00 p.m.

WATER CONTROL DISTRICT
(Immediately after regular meeting)

AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Moyle

2. ROLL CALL

   Mayor Jack Brady
   Vice Mayor Jerry Graziose
   Commissioner David G. Hilton
   Commissioner Rich Moyle
   Commissioner Lorenzo Wood
   City Manager Ambreen Bhatti
   City Attorney Samuel S. Goren
   City Clerk Patricia Vancheri

3. APPROVAL OF MINUTES

   a. [June 9, 2015]

4. PRESENTATIONS

   a. Certificate of Recognition – Douglas Frankow – Veteran’s Association Volunteer

   b. Government Finance Officers Association’s Distinguished Budget Presentation Award for Fiscal Year beginning October 1, 2014 to City of North Lauderdale - Finance Dept.
5. PROCLAMATIONS
   a. Parks and Recreation Month – July

6. PUBLIC DISCUSSION

7. BUDGET MATTERS
   a. RESOLUTION – Preliminary Fire/Rescue Special Assessment Rate
      - Motion, second and vote to read
      - Attorney reads title
      - Staff presentation (Rene Gonzalez)
      - 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 PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF NORTH LAUDERDALE, FLORIDA; ESTABLISHING THE ESTIMATED RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

b. RESOLUTION – Preliminary Solid Waste Assessment Rate
      - Motion, second and vote to read
      - Attorney reads title
      - Staff presentation (Rene Gonzalez)
      - 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 PROVISION OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES AND FACILITIES AND PROGRAMS IN THE CITY OF NORTH LAUDERDALE, FLORIDA; PROVIDING FOR PURPOSE AND DEFINITIONS; PROVIDING FOR LEGISLATIVE DETERMINATIONS; ESTABLISHING THE ESTIMATED RATE FOR THE RESIDENTIAL SOLID WASTE COLLECTION SERVICES ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015; DIRECTING THE PREPARATION OF A RESIDENTIAL SOLID WASTE COLLECTION SERVICES SPECIAL ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.
8. ORDINANCES SECOND READING

a. Ordinance – Second Reading – Amendment to Section 78-55 “Providing for the Removal of Members”

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

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 78, ARTICLE III- PLANNING AND ZONING BOARD, SECTION 78-55 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH LAUDERDALE TO AMEND LANGUAGE PERTAINING TO THE REMOVAL OF MEMBERS PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

9. CONSENT AGENDA

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

a. RESOLUTION – Appointing Donna Luzadder to the Code Enforcement Board

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPOINTING DONNA LUZADDER AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY VICE MAYOR JERRY GRAZIOSE); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

b. RESOLUTION – Appointing Ortis M. Pyronneau to the Planning & Zoning Board

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA APPOINTING ORTIS M. PYRONNEAU (SPONSORED BY COMMISSIONER WOOD) AS A REGULAR MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.
c. RESOLUTION - BIDERA Auction Services

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, PURSUANT TO SECTION 2-36 OF THE CITY CODE OF ORDINANCES, APPROVING A NON-EXCLUSIVE AGREEMENT, EXHIBIT “A”, WITH BIDERA, LLC FOR THE SALE OF THE CITY’S SURPLUS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SERVICES SUBJECT TO APPROVAL AS TO FORM AND LEGAL SUFFICIENCY BY THE CITY ATTORNEY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

d. RESOLUTION - Amendment #3 - Contract with the Staffing Connection for School Crossing Guard Services

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT #3 TO THE ORIGINAL AGREEMENT FOR CROSSING GUARD SERVICES WITH STAFFING CONNECTION TO RENEW THE ORIGINAL CONTRACT FOR 2 YEARS THROUGH AUGUST 31, 2017; AND PROVIDING FOR AN EFFECTIVE DATE.

e. RESOLUTION - Surplus of Public Works/Utilities Equipment

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, DECLARING A 2003 FORD F150 SUPER CAB (VIN# 1FTRX17213NB39142) SURPLUS AND ALLOW FOR THE PROPER CITY OFFICIAL TO SIGN THE TITLE OF THE VEHICLE TO THE FLORIDA LEAGUE OF CITIES, OUR INSURANCE CARRIER, IN LIEU OF $7,760.90; AND PROVIDING AN EFFECTIVE DATE.

10. OTHER BUSINESS

a. ORDINANCE – First Reading – VAR 15-01 – Dana Lifshitz – 1314 SW 74 Ave

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Tammy Reed-Holguin)
- Commission motion and second to adopt
- 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 106-304 (E) (1) TO PERMIT 16.5 FEET SETBACK FROM A PROPERTY LINE, AS OPPOSED TO THE 20 FEET REQUIRED BY THE CODE;
PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; AND, PROVIDING AN EFFECTIVE DATE.

b. ORDINANCE - **First Reading - Proposed Fee Schedule Revision (Appendix F)**

Basic Permit Label Fee for Installation of Wireless Alarm Systems

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING APPENDIX F, OF THE CITY OF NORTH LAUDERDALE CODE OF ORDINANCES, ENTITLED "FEES", BY AMENDING ARTICLE I, SECTION 3 ENTITLED "BUILDING PERMIT AND RELATED FEES" (19) “ELECTRICAL PERMITS” TO PROVIDE FOR REVISIONS TO THE FEE FOR WIRELESS ALARM SYSTEMS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

c. ORDINANCE - **First Reading - Proposed Fee Schedule Revision (Appendix F)**

Sec. 54- "Lien Information, Recording and Satisfaction Fees"

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING APPENDIX F, OF THE CITY OF NORTH LAUDERDALE CODE OF ORDINANCES, ENTITLED "FEES", BY AMENDING ARTICLE II, ENTITLED, "OTHER FEES AND CHARGES", SECTION 54 ENTITLED “LIEN INFORMATION, RECORDING AND SATISFACTION FEES” TO PROVIDE FOR REVISIONS TO THE FEE FOR LIEN SEARCHES AND PREPARATION AND RECORDING OF LIENS AND LIEN SATISFACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.
d. RESOLUTION - Grant Application for Residential Mitigation Construction Program (RCMP) funding through the Florida Division of Emergency Management

- 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 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 RESIDENTIAL CONSTRUCTION MITIGATION PROGRAM COMPETITIVE GRANT PROGRAM FOR THE MAXIMUM GRANT AMOUNT OF $194,000 FROM THE 2015-2016 FLORIDA LEGISLATURE APPROPRIATION FROM THE FLORIDA HURRICANE CATASTROPHE FUND TO INCLUDE THE RESIDENTIAL CONSTRUCTION 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.

e. RESOLUTION – Interlocal Agreement with the Broward County Environmental Licensing and Building Permitting Division to Contract: Emergency/Non-Guaranteed Supplemental Support 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 EMERGENCY/ NON GUARANTEED SUPPLEMENTAL SUPPORT SERVICES TO BE PERFORMED BY THE BROWARD COUNTY ENVIRONMENTAL LICENSING AND BUILDING PERMITTING DIVISION OF THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

f. SUBJECT - Foreclosure of Property located at 1500 SW 68 Way

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

MOTION: To authorize City Attorney’s Office to move forward with foreclosure action against property located at 1500 SW 68 Way.

g. RESOLUTION - RFP #15-05-348 – Disaster and Debris Management Services

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

h. RESOLUTION - **RFP #15-05-349 – Disaster/Debris Monitoring Services and Financial Recovery Assistance**

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

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO A CONTRACT WITH WITT O’BRIEN PERSUANT TO RFP# 05-349 FOR DISASTER/DEBRIS MONITORING SERVICES AND FINANCIAL RECOVERY ASSISTANCE, IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE AGREEMENTS AND RFP# 15-05-349 DISASTER AND DEBRIS MANAGEMENT SERVICES, PRICING SCHEDULES AND ALL ATTACHMENTS AND AMENDMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

i. RESOLUTION - **Registration – Computer Software System**

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO A MAINTENANCE AND LICENSE AGREEMENT WITH VERMONT SYSTEMS FOR A RECREATION PROGRAM REGISTRATION SOFTWARE SYSTEM; DIRECTING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

j. ORDINANCE – **First Reading – Privilege Fee**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation
- Commission motion and second to adopt
- Commission discussion
- Commission vote
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 70, ENTITLED “UTILITIES” OF THE CODE OF ORDINANCES OF THE CITY OF NORTH LAUDERDALE TO CREATE SECTION 70-8 TO BE ENTITLED “PRIVILEGE FEE” TO PROVIDE FOR THE IMPOSITION OF A FEE FOR THE USE OF PUBLICLY OWNED PROPERTY BY THE WATER AND SEWER UTILITY FUND; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

k. ORDINANCE – First Reading – Amending Sec. 2-32 “Meetings” – Establishing Commission Meeting Times

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 2, ENTITLED “ADMINISTRATION”, ARTICLE II, ENTITLED “GOVERNING BODY”, DIVISION 1, SECTION 2-32 ENTITLED “MEETINGS”, TO ESTABLISH THAT REGULAR MEETINGS OF THE CITY COMMISSION SHALL BEGIN AT 6:00 P.M.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

11. REPORTS

a. 8th Street Block Party – July 4th – 11:00 am to Midnight (Tammy Reed-Holguin)

b. Burnham Woods Block Party – November 14th - 10:00 am to 6:00 pm (Tammy Reed-Holguin)

12. COMMISSION COMMENTS

a. Nominations and Motion to approve a voting delegate to represent the City of North Lauderdale at the Annual Business Session of the Florida League of Cities 89th Annual Conference in Orlando
b. Discussion and possible Motion to approve attendance at United Way’s Mayors Gala on Saturday, October 24, 2015 and for the purchase of individual tickets at $175 per attendee

13. CITY MANAGER COMMENTS
   a. Upcoming Events:
      - Saturday – July 4 – Fourth of July Firecracker 5K Run/Walk – 8:00 a.m.
      - Saturday – July 4 and Sunday – July 5 – 10:00 am to 6:00 pm - Free Swimming at Jerry Resnick Aquatic Center

14. CITY ATTORNEY COMMENTS

15. ADJOURNMENT

   CONVENE TO WATER CONTROL DISTRICT
The North Lauderdale City Commission met at the Municipal Complex on Tuesday, June 9, 2015. The meeting convened at 6:00 p.m.

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

2. **ROLL CALL** – All present.
   - Mayor Jack Brady
   - Vice Mayor Jerry Graziose
   - Commissioner David G. Hilton
   - Commissioner Rich Moyle
   - Commissioner Lorenzo Wood
   - City Manager Ambreen Bhattty
   - City Attorney Samuel S. Goren
   - City Clerk Patricia Vancheri

3. **APPROVAL OF MINUTES**
   a. **May 12, 2015 (Amended)** – Vice Mayor Graziose moved to approve the Minutes of May 12, 2015 as amended. Seconded by Commissioner Wood. **Minutes approved unanimously by voice vote.**
   
   b. **May 26, 2015** – Commissioner Wood moved to approve the Minutes as submitted. Seconded by Vice Mayor Graziose. **Minutes approved unanimously by voice vote.**

4. **PRESENTATIONS** – The Commission recognized Hilary LeBlanc, Fourth Grade and Art Teacher, from the North Broward Academy of Excellence Charter School for receiving the “Teacher of the Year” award for 2015.

5. **PUBLIC DISCUSSION** – No one spoke.
6. OTHER BUSINESS

a. ORDINANCE – First Reading - Amendment to Section 78-55 “Providing for the Removal of Members”

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

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 78, ARTICLE III- PLANNING AND ZONING BOARD, SECTION 78-55 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH LAUDERDALE TO AMEND LANGUAGE PERTAINING TO THE REMOVAL OF MEMBERS PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Andrew Disbury, Community Development Specialist, presented the item for first reading, based on the backup memorandum. It is being proposed that a new ordinance cover excused and unexcused absences by requiring notification to staff 24 hours in advance and changes the language from three absences in a 12 month period to three “unexcused absences” within a 12 month period. Commissioner Hilton moved to adopt. Seconded by Commissioner Moyle. Motion passed unanimously by voice vote.

ORDINANCE PASSED UNANIMOUSLY ON FIRST READING

b. SUBJECT – Special Event (SPEV 15-01) - Grand Opening - Goldson Spine Rehabilitation Center - Tam O Shanter Plaza - 1335 S. State Road 7

Vice Mayor Graziose moved to read. Seconded by Commissioner Hilton. Attorney read item. Andrew Disbury, Community Development Specialist presented the item based on the backup memorandum. He indicated that Commission previously approved a special exception use permit for the applicant and now the applicant is seeking a special event permit to host a grand opening. Dr. Koi Ibraham was present on behalf of Goldson Spine and indicated that they have two other locations, one in Pembroke Pines and one in Plantation and this will be the grand opening for their third location in North Lauderdale. Dr. Ibraham said Goldson Spine has been in operation for about 22 years is has grown. He indicated that the grand opening will include a full day of health and wellness activities and presentations for community participation. Dr. Ibraham indicated the applicant is agreeable to the conditions outlined by staff in the backup memorandum. Commissioner Hilton moved to approve Special Exception Use permit SPEV 15-01 for Goldson Spine Rehabilitation Center’s Grand Opening to be held on Saturday, June 13th, 2015, from 10:00 A.M. to 4:00 P.M. at the Tam O’Shanter Plaza subject to the conditions listed in the staff memorandum. Seconded by Commissioner Wood. No Commission discussion. MOTION PASSED UNANIMOUSLY BY VOICE VOTE.
c. RESOLUTION - East Accelerator Treatment Unit Project Additional Coating

Vice Mayor Graziose moved to read. Seconded by Commissioner Hilton.
Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO APPROVE AN AGREEMENT WITH ZTI INC, IN THE AMOUNT NOT TO EXCEED $71,848.00 FOR THE COATING OF THE EAST ACCELERATOR UNIT WITH THE NSF-61 APPROVED POLYUREA ELASTOMER SPRAY; AND PROVIDING AN EFFECTIVE DATE.

Mike Shields, Public Works Director, presented the item based on the backup memorandum. Mr. Shields commented that the first stage of the work on the Accelator as part of the water plant improvement project was completed and once it is cured, ZTI will come in and coat it with the polyurea product to hopefully resolve the leak problems and make the cleaning of the Accelator easier in the future. Commissioner Hilton moved to approve. Seconded by Commissioner Moyle. No Commission discussion. All in favor by voice vote.

RESOLUTION NO. 15-06-6178 PASSED AND APPROVED UNANIMOUSLY

d. SUBJECT - Declare a Bobcat Loader Surplus and Purchase a new T4 Bobcat Skid-Steer Loader

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

i. RESOLUTION – Declaring 1994 Bobcat Skid-Steer Loader Surplus

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, DECLARING THE 1994 BOBCAT SKID-STEER AS SURPLUS AND ALLOWING STAFF TO DISPOSE OF THE SURPLUS ITEM IN AN APPROPRIATE MANNER; AND PROVIDING AN EFFECTIVE DATE.

George Krawczyk, Assistant Public Works Director, presented the item based on the backup memorandum. He indicated that the Bobcat Skid-Steer served the City well for over 20 years and is ready to be replaced. Commissioner Wood moved to adopt. Seconded by Vice Mayor Graziose. No Commission discussion. All in favor by voice vote.

RESOLUTION NO. 15-06-6179 PASSED AND APPROVED UNANIMOUSLY
ii. RESOLUTION – Authorizing Purchase of 2015 Bobcat Skid-Steer Loader

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO PURCHASE THE 2015 BOBCAT SKID-STEER LOADER IN AN AMOUNT NOT TO EXCEED $29,236.12 FROM THE 2015 FLORIDA SHERIFF’S CONTRACT BID# 14-12-0904 FROM CLARK EQUIPMENT COMPANY D/B/A BOBCAT COMPANY; AND PROVIDING AN EFFECTIVE DATE.

George Krawczyk, Assistant Public Works Director, presented the item based on the backup memorandum. He indicated that the purchase of a new unit would be through the procurement process off the Sheriff’s contract. Commissioner Moyle moved to adopt. Seconded by Commissioner Wood. No Commission discussion. All in favor by voice vote.

RESOLUTION NO. 15-06-6180 PASSED AND APPROVED UNANIMOUSLY

7. REPORTS

a. Signage Options for Waste Pro Trucks

City Manager Ambreen Bhatty commented that previously a request was made by the Commission to have some sort of signage on the Waste Pro trucks. Entryway signs was also discussed at that time and Commission’s direction was to seek some local artists to create a design. Ms. Bhatty indicated that a flyer with regard to that will be posted to all available resources to encourage participation in the design contest. With regard to the signage on the Waste Pro trucks, Ms. Bhatty indicated that they will create a magnetic sign for use on the trucks and presented design options with the City logo and “Proudly serving the City of North Lauderdale”. Commission chose option #2 which was a one line design.

b. North Lauderdale Fire Training Facility

City Manager Bhatty asked Vice Mayor Graziose to present this report as it was his idea. Staff helped put the presentation together. Mr. Graziose recognized some of the Broadview Homeowner’s Association board members who were present in the audience and gave some background regarding this project based on a PowerPoint presentation provided. A copy of the presentation is available in the City Clerk’s office. The Broadview Homeowner’s Association has been working with the North Lauderdale Fire Department on this proposed project for a fire training facility. Mr. Graziose said the homeowner’s association still owns some property next to Broadview Elementary and they discussed donating the 1.1 acres to the City for two items; 1) for money to be used as part of the funding for a training tower project and 2) for a scholarship
that would benefit the students in our City who want to become firemen or paramedics. Documentation was provided from the Broward Property Appraiser indicating the value of the property to be $237,790. Mr. Graziose indicated that the Homeowner’s Association is limited on what can be done with the property that is currently leased to a daycare center and commented that if the City owned it, they might come up with a different contract. He also spoke of some options for use of the surrounding property and Pompano Park to make it an active area during the day.

Dave Sweet, North Lauderdale Deputy Fire Chief, addressed the Commission and spoke about some of the requirements for a training facility. He said this is a bold project that they believe very strongly in and know will highlight the City in the future. Some requirements are that the drill tower has to be three stories in height; have a burn room for live fire training and must be on a minimum of two acres. The proposed land for the tower is about 3.5 to 4 acres. Deputy Chief Sweet stated the proposed facility will be much like the layout of the Pompano Beach County facility and also seen right off the turnpike like that. He stated that one benefit of a training facility is to increase their ISO rating to bring them to a Class One. It would also lower insurance premiums across, including City buildings and make us the 98th department in the United States with an ISO Class One rating out of 48,000 departments. Deputy Chief Sweet also outlined some other benefits of having a training facility in our own backyard, including keeping our equipment here; lowering costs of training and being able to charge fees for the use of the facility by other cities. He said they could also create a Fire Academy type environment for the Cadets and Explorers programs by using it for training and recruitment. Also, community classes like CPR and fire extinguishing training could be conducted there, and this may also generate revenue for surrounding businesses by people using the facility.

Mike Sargis, Assistant City Manager, spoke about funding this project. He indicated that this would be a long term project and estimated that the tower structure would be about $750,000; fencing would be about $30,000; additional soft costs of about $150,000; conversion of existing building into a classroom about $100,000; about $100,000 for internet setting and conversion of restrooms; and also removing the existing playground and rebuilding it in a different location in the park would be about $100,000. Mr. Sargis said the total initial investment would be about $1.2 million dollars; the largest portion being for the tower structure. Additional and unforeseen costs may include insurance costs; inspection costs and general maintenance and upkeep costs. Personnel costs are unknown yet as to how it would be managed. It is estimated that these ongoing costs would be approximately $80,000 per year. He said warranty would be about 20 years for the life expectancy of the structure.

Mr. Sargis commented that some potential funding sources would be the donation of land from the Broadview Association and the sale/rental of that; increase of fire assessment fee; FEMA federal grants; Fire Fighter Assistance grants or community block grants. At this time there are no grants available, but hopefully in a few years some federal money will become available. Also, a general obligation bond may be a possibility, but that would require a ballot and voter approval. Some revenue sources may come from some surrounding agencies for use of the facility.
Mr. Graziose commented that he would like to seek assistance at the legislative level from Representative Hazelle Rogers for funding for this project. He also said the County appraisal of the property is low, and he would like to get new appraisals and thinks that a new appraisal would be around $400,000, which would be about a third of the cost of the whole project. Mr. Graziose said he is seeking guidance relating to this proposed project. Mayor Brady commented that it is a great idea, but our main issue right now is infrastructure. City Manager Bhatty commented that this is not a project to embark on this year but for the future. Mr. Graziose commented that they are looking to contribute the Broadview property as part of a considerable amount of the funding for the project and is looking to see if they can pursue getting help from other sources for additional funding. City Manager Bhatty said they are just seeking Commission’s endorsement of the concept and continue seeking resources for the next few years and then build the project. Commissioner Hilton said he likes the idea, the cadet program and supports the concept. Commissioner Moyle also likes the concept very much. Deputy Fire Chief Sweet commented that not to compare North Lauderdale to Coral Springs, but they started out slow and are now one of the top fire academies in the State of Florida. Commissioner Wood also commented that he supports the concept and would like the Fire Department to seek the Class One rating, and the funding issue can be resourced and solicited. Commissioner Wood inquired about the current tenant on the Broadview Property and Mr. Graziose replied that the tenant has tried to purchase the property, but the Association intends on doing something with the property for the benefit of the City. Commission’s consensus was to continue to pursue the idea.

c. Unveiling of New Wyland Wall Lights – immediately following Commission meeting convene to Wyland Wall

Commission will reconvene at the Wyland Wall to review the new lights after the Water Control District meeting.

8. COMMISSION COMMENTS

a. Nominations and Motion to approve a voting delegate to represent the City of North Lauderdale at the Annual Business Session of the Florida League of Cities 89th Annual Conference in Orlando

This item was postponed until it was decided who would be attending the conference.

b. Discussion and possible motion to direct City Attorney and Staff to draft an amendment to Sec. 2-32 – “Meetings” – to establish new City Commission meeting times.

City Manager Bhatty commented that a pilot program was in place to change the meeting times of the Commission meetings to 6:00 p.m. to see if it improved resident participation. She said 6:00 seemed to be an appropriate and convenient time for both employees and residents on a
Commissioner Moyle made a motion to keep the time at 6:00 p.m. for both meetings of the month. Seconded by Commissioner Wood. All in favor by voice vote. Attorney Goren commented that an ordinance will be brought back for first reading at the next meeting.

Mayor Brady commented on a project brought up by Broward County Commissioner Marty Kiar which is a “Yellow Dot” program for information in your vehicle which gives permission for accident victims pertaining to medical treatment. He also commented on the recent Broward Sheriff’s Office’s presentation on the dangers of Flakka and other synthetic drugs and that it is important to educate our residents.

Commissioner Wood also commented that this presentation was an eye-opener and it is serious.

Vice Mayor Graziose also commented that he is on the Broward County EMS council and the County will be distributing information to the Fire departments for the “Yellow Dot” program. He also commented that a Bill which has been approved is on the Governor’s desk for signing which relates to allowing the imposition of a surcharge for Fire Rescue for additional funding. Also, Vice Mayor Graziose reported that the MPO has been working on a State Road 7 survey. He also commented that he had a good time at the Youth Baseball League’s closing ceremony.

Mayor Brady commented that Athletic Supervisor, Tom Vancheri, and Alex Trivino did a good job with the Baseball League closing.

9. CITY MANAGER COMMENTS

City Manager Bhatty commented that currently, BSO and the Code division are addressing an issue at Highland Court regarding the basketball hoop.

10. CITY ATTORNEY COMMENTS

Attorney Goren reported that at a meeting today the County Commission considered a motion to direct the County Attorney to draft and revise the Broward County Code of Ethics on items that the County and the League had no objection to and outlined those items.

11. ADJOURNMENT – There being no further business, the meeting adjourned at 7:12 p.m. and convened to the Water Control District meeting.

Respectfully submitted,

Patricia Vancheri, City Clerk
The City Commission of the City of North Lauderdale, Florida is pleased to acknowledge and congratulate you on your accomplishments and achievements in obtaining the PRESIDENT’S VOLUNTEER SERVICE AWARD for your years of dedicated volunteering and commitment to the TAMARAC VETERANS ASSOCIATION FACILITY.

Given this 26th day of May, 2015

Mayor Jack Brady

Vice Mayor Jerry Graziose
Commissioner David Hilton
Commissioner Rich Moyle
Commissioner Lorenzo Wood

MAYOR JACK BRADY
WHEREAS parks and recreation programs are an integral part of communities throughout this country, including North Lauderdale; and

WHEREAS our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS parks and recreation programs increase a community’s economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation programs are fundamental to the environmental well-being of our community; and

WHEREAS parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS the City of North Lauderdale recognizes the benefits derived from parks and recreation resources.

NOW, THEREFORE, We, the City Commission of the City of North Lauderdale, Florida hereby proclaim JULY as

PARK AND RECREATION MONTH

Dated this 30th day of June, 2015. _____________________________

MAYOR JACK BRADY
FINANCE DEPARTMENT
MEMORANDUM

To: Honorable Mayor and City Commission

From: Ambreen Bhatti, City Manager

By: René D. Gonzalez, Finance Director

Date: June 30, 2015

Re: Preliminary Fire/Rescue Special Assessment Rate

In February 2011, the City Administration engaged Government Services Group, Inc., (GSG) to review our City’s fire/rescue special assessment rates and provide a five (5) year plan. As a result of their review, GSG issued an Assessment Program Memorandum in June, 2011, in which it recommended a revised rate structure that provided for the full funding of the fire assessment over the following five years. GSG’s methodology allows for smooth and natural adjustments to the assessment rates that correspond to the Fire/Rescue Department’s fluctuating operational costs (such as health insurance, fuel, and capital costs). The assessment for the year beginning October 1, 2015 will be the last year of the five (5) year plan.

Recommendation:

The City Administration recommends Commission’s consideration and approval of the attached Preliminary Fire Rescue Rate Resolution reflecting an annual adjustment to our current year fire assessment rate for Single Family residents to $178 (from $156 – an increase of $22 per year) and the multi-family residents, including fire inspections, to $383 (from $335 – an increase of $48 per year). The Commercial, Industrial-Warehouse and Institutional Property Use Categories will also experience their respective proportional changes. The resolution also schedules our City’s public hearing on these fire/rescue assessment rates for Friday, September 11, 2015, at 5:05 p.m.
RESOLUTION NO_________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF NORTH LAUDERDALE, FLORIDA; ESTABLISHING THE ESTIMATED RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 1996, the City of North Lauderdale began levying and collecting a non-ad valorem special assessment to fund its integrated fire rescue services, determining that the City’s fire rescue services provided a special benefit to the real property specially assessed for the services; and,

WHEREAS, on June 14, 2000, the Fourth District Court of Appeal rendered its decision in SMM Properties, Inc. v. City of North Lauderdale, 760 So.2d 998, in which the appellate court found that emergency medical services (EMS) could not be included in the services funded a special assessment, which decision was approved by the Florida Supreme Court; and,

WHEREAS, since the SMM Properties decision the City has excluded EMS from its special assessment, and City staff has carefully and fully reviewed the City’s fire rescue budget, the delivery of fire rescue services, and the fire rescue incidents, in order to conform the City’s fire rescue special assessment to the parameters of the SMM Properties decision; and,

WHEREAS, in 2011, the City retained the services of Government Services Group (GSG) to complete a comprehensive review of the City’s Assessment Methodology for Fire Rescue Special Assessment, and GSG prepared an Assessment Program Memorandum, dated June 2011, which reviewed and updated the assessment rates for the City’s Fire Services Special Assessment; and,

WHEREAS, the City Commission determines that it is fair and equitable to levy and collect a non-ad valorem special assessment to fund the Fire Services provided within the City which is consistent with the decision in SMM Properties and pursuant to the 2011 GSG Memorandum.
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

SECTION 1. RECITALS.

The legislative findings set forth in the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct, and are hereby incorporated herein and made a part hereof.

SECTION 2. AUTHORITY.

This Resolution is adopted pursuant to the provisions of Ordinance No. 96-6-901, as amended by Ordinance 97-7-933 (collectively, the “Ordinance”), sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 3. PURPOSE AND DEFINITIONS.

This Resolution constitutes the Preliminary Rate Resolution as defined in the Ordinance, which initiates the annual process for updating the Assessment Roll and directs the imposition of fire rescue assessments for the fiscal year beginning October 1, 2015.

SECTION 4. DEFINITIONS

All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance. Unless the context indicates otherwise, words imparting the singular number, include the plural number, and vice versa. As used in this Resolution, the following terms shall have the following meanings, unless the context hereof otherwise requires:

“Building Area” means the adjusted area of a Building expressed in square feet and reflected on the Tax Roll or, in the event such information is not reflected or determined not to be accurately reflected on the Tax Roll, the area determined by the City.

“Code Descriptions” mean the code descriptions listed in the Fixed Property Use Codes.

“Commercial Property” means those Tax Parcels with a Code Description designated as “Commercial” in the Fixed Property Use Codes.

“Cost Apportionment” means the apportionment of the Fire Rescue Assessed Cost among all Property Use Categories according to the Demand Percentages established pursuant to the apportionment methodology described in Section 8 of this Preliminary Assessment Resolution.

“Demand Percentage” means the percentage of demand for Fire Rescue services, facilities, or programs attributable to each Property Use Category determined by analyzing the historical demand for fire rescue services as reflected in Incident Reports in the State Database, and as described in Section 8 of this Preliminary Assessment Resolution.
“DOR Code” means a property use code established in Rule 12D-8.008, Florida Administrative Code, assigned by the Property Appraiser to Tax Parcels within the City.

“Dwelling Unit” means (1) a Building, or a portion thereof, available to be used for residential purposes, consisting of one or more rooms arranged, designed, used, or intended to be used as living quarters for one family only, or (2) the use of land in which lots or spaces are offered for rent or lease for the placement of mobile homes, travel trailers, or the like for residential purposes.

“Estimated Fire Rescue Assessment Rate Schedule” means that rate schedule attached hereto as Appendix “B” and hereby incorporated herein by reference, specifying the Fire Rescue Assessed Costs determined in Section 9 of this Preliminary Assessment Resolution and the estimated Fire Rescue Assessments established in Section 9 of this Preliminary Assessment Resolution.

"FFIRS" means the Florida Fire Incident Reporting System.

“Fixed Property Use Codes” means the property use codes used by FFIRS, and which correlate with the property use codes used by the Broward County Property Appraisers Office, as specified in Appendix “A” attached hereto and incorporated herein by reference.

“Improvement Codes” means the building use codes assigned by the Property Appraiser to Tax Parcels within the City, which correlate to the Fixed Property Use Codes as specified in Appendix “A”, attached hereto and incorporated herein by reference.

“Incident Report” means an individual report filed with the Florida State Fire Marshal under FFIRS.

“Industrial/Warehouse Property” means those Tax Parcels with a Code Description designated as "Industrial/Warehouse" in the Fixed Property Use Codes.

“Institutional Property” means those Tax Parcels with a Code Description designated as “Institutional” in the Fixed Property Use Codes.

“Mixed Use Property” means a Tax Parcel that contains Buildings whose use descriptions are capable of assignment under a Code Description in the Fixed Property Use Codes in more than one Property Use Category.

“Multi-Family Residential Property” means those Tax Parcels with a Code Description designated as “Multi-Family Residential” in the Fixed Property Use Codes, and which require annual recurring fire inspections.

“Non-Residential Property” means, collectively, Commercial Property, Industrial/Warehouse Property, and Institutional Property.
“Parcel Apportionment” means the further apportionment of the Fire Rescue Assessed Cost allocated to each Property Use Category by the Cost Apportionment among the Tax Parcels under the methodology established in Section 8 of this Preliminary Assessment Resolution.

“Property Use Categories” means, collectively, Residential Property and all categories of Non-Residential Property.

“Residential Property” means those Tax Parcels with a condominium use under the DOR Codes together with those Tax Parcels with a Code Description designated as “Residential” in the Fixed Property Use Codes.

“Single-Family Residential Property” means those Tax Parcels with a Code Description designated as “Single-Family Residential” in the Fixed Property Use Codes, and which do not require annual recurring fire inspections.

“State Database” means the incident data specific to the City derived from the FFIRS Incident Reports maintained by the Florida State Fire Marshal.

“Tax Parcel” means a parcel of property located within the City to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

SECTION 5. PROVISION AND FUNDING OF FIRE RESCUE SERVICES.

5.1 Upon the imposition of fire rescue assessments for fire rescue services, facilities, or programs against assessed property located within the City, the City shall provide fire rescue services to such assessed property. A portion of the cost to provide such fire rescue services, facilities, or programs shall be funded from proceeds of the fire rescue assessments. The remaining cost required to provide fire rescue services, facilities, and programs shall be funded by available City revenues other than fire rescue assessment proceeds. No costs for emergency medical services (EMS) shall be funded by the special assessment.

5.2 It is hereby ascertained, determined, and declared that each parcel of Assessed Property located within the City will be benefited by the City’s provision of fire rescue services, facilities, and programs in an amount not less than the fire rescue assessment imposed against such parcel, computed in the manner set forth in this Preliminary Rate Resolution.

SECTION 6. IMPOSITION AND COMPUTATION OF FIRE RESCUE ASSESSMENTS. Fire rescue assessments shall be imposed against all tax parcels within the property use categories. All EMS costs have been removed from the fire rescue assessed costs, and all EMS calls have been removed from the historical call data used to allocate those costs among real property within the City. The fire rescue assessments shall be computed in the manner described herein and the June, 2011 Assessment Program Memorandum from Government Services Group.
SECTION 7. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT. The City Commission reconfirms the legislative findings in the Ordinance, and adopts the following legislative findings relating to the fire rescue special assessment:

AUTHORITY

7.1 Pursuant to Article VIII, Section 2(b) of the Florida Constitution, and Sections 166.021 and 166.041, Florida Statutes, the City Commission has all powers of local self-government to perform municipal functions and render municipal services except when prohibited by law and such power may be exercised by the enactment of City ordinances or resolutions.

7.2 The City Commission may exercise any governmental, corporate, or proprietary power for a municipal purpose except when expressly prohibited by law, and the City Commission may legislate on any subject matter on which the Florida Legislature may act, except those subjects described in (a), (b), (c), and (d) of Section 166.021(3), Florida Statutes. The subject matter of paragraphs (a), (b), (c), and (d) of Section 166.021(3), Florida Statutes, are not relevant to the imposition of assessments related to fire services, facilities or programs.

SPECIAL BENEFIT

7.3 The special benefits provided to affected lands as a result of a fire rescue assessment include by way of example and not limitation, the availability and use of fire services by the owners and occupants of the property, protection of public safety, stable, or decreasing insurance costs, a potential increase in value to property, and better service to landowners and tenants.

7.4 Fire rescue services possess a logical relationship to the use and enjoyment of improved property by:

7.4.1 protecting the value of the improvements and structures by providing available fire control services;

7.4.2 protecting the life and safety of intended occupants in the use and enjoyment of improvements and structures within improved parcels;

7.4.3 lowering the cost of fire insurance by the presence of a professional and comprehensive fire control program within the City; and

7.4.4 containing the spread of fire incidents occurring on vacant property, that have the potential to spread and endanger the structures and occupants of improved property.
IMPOSITION AND COLLECTION

7.5 The annual fire rescue assessments to be imposed pursuant to this Resolution shall constitute non-ad valorem assessments within the meaning and intent of the Uniform Assessment Collection Act ("Uniform Method").

7.6 The fire rescue assessment imposed pursuant to this Resolution is imposed by the City Commission, not the Broward County Board of County Commissioners, Property Appraiser or Tax Collector. Any activity of the Property Appraiser or Tax Collector under the provisions of this Resolution shall be construed as ministerial.

APPORTIONMENT

7.7 It is fair and reasonable to use the Fixed Property Use Codes and DOR Codes for the Cost Apportionment and the Parcel Apportionment because: (1) the Tax Roll database employing the use of such property use codes is the most comprehensive, accurate, and reliable information readily available to determine the property use and Building Area for improved property within the City, and (2) the Tax Roll database within such property use codes is maintained by the Property Appraiser and is thus consistent with parcel designations on the Tax Roll which compatibility permits the development of an Assessment Roll in conformity with the requirements of the Uniform Method.

7.8 Apportioning fire rescue assessed costs among classifications of improved property based upon historical demand for fire rescue services is fair and reasonable and proportional to the special benefit received.

7.9 The Incident Reports are the most reliable data available to determine the potential demand for fire services from property use and to determine the benefit to property use resulting from the availability of fire rescue services to protect and serve Buildings located within Assessed Property and their intended occupants. There exists sufficient Incident Reports documenting the historical demand for fire services from Assessed Property Use Category by an examination of such Incident Reports which is consistent with the experience of the City. Therefore, the use of Demand Percentages determined by an examination of Incident Reports is a fair and reasonable method to apportion the fire services assessed costs among the property use categories.

7.10 The level of services required to meet the anticipated demand for fire rescue services and the corresponding annual budget required to fund fire services provided to incidents at non-specific property uses would be required notwithstanding the occurrence of any incidents from non-specific property uses. Therefore, the calls to non-specific property uses are omitted from the cost apportionment exercise and not re-allocated.

7.11 The City annually provides inspections of all improved property other than single family Dwelling Units. Adding the City’s annual fire inspection program costs to the fire services assessment determined for all Residential Property (other than single family Dwelling
Units) and Non-Residential Property is fair and reasonable and proportional to the special benefit received by such property as a result of such inspections.

RESIDENTIAL PARCEL APPORTIONMENT

7.12 The size or the value of the residential property does not determine the scope of the required fire rescue response. The potential demand for fire rescue services is driven by the existence of a Dwelling Unit and the anticipated average occupant population.

7.13 Apportioning the fire rescue assessed costs for fire services attributable to Residential Property on a per Dwelling Unit basis is required to avoid cost inefficiency and unnecessary administration and is a fair and reasonable method of Parcel Apportionment based upon historical call data.

NON-RESIDENTIAL PARCEL APPORTIONMENT

7.14 The risk of loss and the demand for fire service availability is substantially related to Buildings size. Because the value and anticipated occupancy of non-residential Buildings is substantially related to Building size, it is fair, reasonable and equitable to allocate the assessment burden on improved property containing such Buildings based upon the size of the Building.

7.15 The separation of improved Non-Residential Property into Building Area classification ranges is fair and reasonable for the purposes of the Parcel Apportionment because: (1) the absence of a need for precise square footage data within the ad valorem tax records maintained by the Property Appraiser undermines the use of the actual Building Area within each improved parcel as a basis for Parcel Apportionment; (2) the administrative expense and complexity created by an on-site inspection to determine the actual Building Area within each improved parcel assessed is impractical; (3) the demand for fire rescue service availability is not precisely determined or measured by the actual Building Area within benefited parcels; and, (4) the classification of parcels within Building Area classification ranges is a fair and reasonable method to classify benefited parcels and to apportion costs among benefited parcels that create similar demand for the availability of fire rescue services.

7.16 The allocation of the assessment burden to improved Non-Residential Property by building size is fair and reasonable for the purposes of Parcel Apportionment because it is a fair and reasonable method of classifying benefited parcels and will apportion costs among benefited parcels that create similar demand for the availability of fire rescue services.

7.17 The demand for the availability of fire rescue services may diminish at the outer limit of structure size because a fire occurring at a structure greater than a certain size is not capable of being suppressed under expected conditions. Additionally, the fire flow capacity anticipated at the fire scene under the level of service provided by the assessable costs limits the benefit provided to a structure beyond a certain size. Therefore, it is reasonable to place a cap on the square footage of benefited buildings within the non-residential property use categories.
7.18 Institutional Property whose use is exempt from ad valorem taxation under Florida law provide facilities and uses to the ownership, occupants, membership as well as public in general that otherwise might be required to be provided by the City and such use thereof serve a legitimate public purpose and provide a public benefit. Therefore, it is fair and reasonable not to impose fire rescue assessments upon such parcels of Institutional Property whose use is exempt from ad valorem taxation under Florida law.

VACANT PROPERTY

7.19 Because of the urbanized character of the City, the suppression of fire on agricultural and vacant property, including acreage, primarily benefits improved property by the containment of the spread of fire rather than the preservation of the value of the vacant property. Therefore, it is fair and reasonable to not assess vacant property for fire services.

SECTION 8. COST APPORTIONMENT AND PARCEL APPORTIONMENT METHODOLOGIES.

8.1 Cost Apportionment:

8.1.1 To correlate the Property Use Categories with the State Data Base, the Code Descriptions within the Fixed Property Use Codes similar to Code Descriptions within the Improvement Codes that were used to determine the Property Use Categories were identified using the information in Appendix “A.” Such correlation in Code Descriptions by Property Use category between the Fixed Property Use Codes and the Improvement Codes is necessary to allocate the historical demand for fire rescue services as reflected by the Incident Reports for Tax Parcels on the Tax Roll within the Property Use Categories.

8.1.2 Historical demand for fire rescue services, excluding EMS calls, is identified by property use category through incident reports maintained by the City’s Fire Department.

8.1.3 A demand percentage is determined for each property use category by calculating the percentage that incident reports allocated to each property use category bear to the total number of incident reports documented for all property use categories within the sampling period.

8.1.4 Assessable property use categories are: residential, commercial, industrial/warehouse, and institutional.

8.1.5 The demand percentage for each property use category is applied to the fire rescue assessed costs and the resulting product is the cost allocation of that portion of the fire rescue assessed costs allocated to each individual property use category.

8.1.6 Calls to non-specific property uses are omitted from the cost apportionment and not re-allocated consistent with the findings in section 7.10 above.
8.2 Parcel Apportionment Methodology

8.2.1 Apportionment among Tax Parcels of that portion of the fire rescue services Assessed Costs apportioned to each Property Use Category, under the Cost Apportionment, shall be consistent with the following Parcel Apportionment methodology:

8.2.1.1 The fire rescue services assessment for each Tax Parcel of residential property shall be computed by dividing the allocated assessed costs by the total number of dwelling units shown on the tax roll within the City, and then multiplying such quotient by the number of dwelling units located on such tax parcel.

8.2.1.2 That portion of the fire rescue assessed costs related to the City’s fire inspection program were additionally allocated to Residential Property, except single family Dwelling Units, by dividing the portion of such costs by the number of Dwelling Units that require such fire inspections. That portion of the fire rescue assessed costs relating to the recurring fire inspection program allocated to Non-Residential Property was further allocated to each non-residential parcel based upon the demand percentages developed by the fire rescue methodology.

8.2.1.3 The fire rescue services assessment for each tax parcel of improved non-residential property shall be computed by dividing the allocated assessed costs per category by the total square footage shown on the tax roll within the City for each category and multiplying such quotient by the total square feet of such tax parcel.

8.2.1.4 Vacant Lots are not assessed pursuant to the findings set forth in paragraph 7.19 above.

SECTION 9. DETERMINATION OF FIRE RESCUE ASSESSED COSTS; ESTABLISHMENT OF ANNUAL FIRE RESCUE ASSESSMENT RATES.

9.1 The fire rescue assessed costs to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and the Parcel Apportionment for the Fiscal Year commencing October 1, 2015, is the amount determined in the Estimated Fire Rescue Assessment Rate Schedule, attached hereto as Appendix “B.” The approval of the Estimated Fire Rescue Assessment Rate Schedule by the adoption of this Preliminary Rate Resolution determines the amount of the fire rescue assessed costs. The remainder of such fiscal year budget for fire rescue services, facilities, and programs, as well as all EMS costs, shall be funded from available City revenue other than fire rescue assessment proceeds.

9.2 The estimated fire rescue assessments specified in the Estimated Fire Rescue Assessment Rate Schedule are hereby established to fund the specified fire rescue assessed costs determined to be assessed in the Fiscal Year commencing October 1, 2015.

9.3 The estimated fire rescue assessments established in this Preliminary Rate Resolution shall be the estimated assessment rates applied by the Assessment Coordinator in the
preparation of the updated Assessment Roll for the Fiscal Year commencing October 1, 2015 as provided in Section 10 of this Preliminary Rate Resolution.

SECTION 10. ANNUAL ASSESSMENT ROLL.

10.1 The Assessment Coordinator is hereby directed to prepare, or cause to be prepared, an updated Assessment Roll for the Fiscal Year commencing October 1, 2015, in the manner provided in the Ordinance. The updated Assessment Roll shall include all Tax Parcels within the Property Use Categories. The Assessment Coordinator shall apportion the estimated fire rescue assessed cost to be recovered through fire rescue assessments in the manner set forth in this Preliminary Rate Resolution. A copy of this Preliminary Rate Resolution, the Ordinance, and the updated Assessment Roll shall be maintained on file in the office of the City Clerk and open to public inspection. The foregoing shall not be construed to require that the updated Assessment Roll proposed for the Fiscal Year beginning October 1, 2015 be in printed form if the amount of the fire rescue assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

10.2 In determining the estimated fire rescue assessment for any tax parcel, the updated Assessment Roll shall include, pursuant to the Ordinance, an amount equivalent to any delinquent fire rescue assessment imposed for a prior fiscal year, together with any costs, fees or expenses attributable thereto.

10.3 It is hereby ascertained, determined, and declared that the method of determining the fire rescue assessments for fire rescue services as set forth in this Preliminary Rate Resolution is a fair and reasonable method of apportioning the fire rescue assessed cost among parcels of assessed property located within the City, the methodology and apportionment assures that no property is assessed an amount greater than the benefit which it receives from Fire Rescue provided by the City, and the methodology and apportionment are consistent with the decision of the Fourth District Court of Appeal in SMM Properties.

SECTION 11. AUTHORIZATION OF PUBLIC HEARING.

There is hereby established a public hearing to be held at 5:05 p.m. on September 11, 2015, in City Commission Chambers of City Hall, 701 Southwest 71st Avenue, North Lauderdale, Florida, at which time the City Commission will receive and consider any comments on the fire rescue assessments from the public and affected property owners and consider imposing fire rescue assessments for the fiscal year beginning October 1, 2015 and collecting such assessments on the same bill as ad valorem taxes.

SECTION 12. NOTICE BY PUBLICATION.

The Assessment Coordinator shall publish a notice of the public hearing authorized by Section 11 of this Preliminary Rate Resolution in the manner and time provided in the Ordinance. The notice shall be published no later than August 22, 2015, in substantially the form attached hereto as Appendix “D.”
SECTION 13. NOTICE BY MAIL.

The Assessment Coordinator shall ensure that proper and timely notice is provided to the Owners of Assessed Property though use of the TRIM notices forwarded by the Property Appraiser’s Office to Property Owners within the City in a manner consistent with the requirements of the Ordinance.

SECTION 14. APPLICATION OF ASSESSMENT PROCEEDS.

Proceeds derived by the City from the fire rescue assessments will be utilized for the provision of fire rescue services, facilities, and programs, consistent with this Resolution and the Fourth District Court of Appeal opinion in SMM Properties. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund fire rescue services, facilities, and programs.

SECTION 15. EFFECTIVE DATE.

This Preliminary Rate Resolution shall take effect immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED THIS 30th DAY OF JUNE, 2015.

__________________________________________________________
MAYOR JACK BRADY

APPROVED AS TO FORM:

__________________________________________________________
SAMUEL S. GOREN, CITY ATTORNEY

ATTEST:

__________________________________________________________
PATTI VANCHERI, CITY CLERK
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<td>Clinics, Other</td>
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</tr>
<tr>
<td>341</td>
<td>Clinic, Clinic-Type Infirmary</td>
<td>Commercial</td>
</tr>
<tr>
<td>342</td>
<td>Doctor/Dentist/Surgeons Office</td>
<td>Commercial</td>
</tr>
<tr>
<td>361</td>
<td>Jail/Prison - Not Juvenile</td>
<td>Institutional</td>
</tr>
<tr>
<td>365</td>
<td>Police Station</td>
<td>Institutional</td>
</tr>
<tr>
<td>400</td>
<td>Residential Other</td>
<td>Residential</td>
</tr>
<tr>
<td>419</td>
<td>One- And Two-Family Dwelling</td>
<td>Residential</td>
</tr>
<tr>
<td>429</td>
<td>Multi-Family Dwellings</td>
<td>Multi-Family</td>
</tr>
<tr>
<td>439</td>
<td>Rooming, Boarding, Residential Hotels</td>
<td>Commercial</td>
</tr>
<tr>
<td>449</td>
<td>Hotels, Motels, Inns, Lodges</td>
<td>Commercial</td>
</tr>
<tr>
<td>459</td>
<td>Residential Board And Care</td>
<td>Institutional</td>
</tr>
<tr>
<td>460</td>
<td>Dormitories Other</td>
<td>Multi-Family</td>
</tr>
<tr>
<td>500</td>
<td>Mercantile Properties Other</td>
<td>Commercial</td>
</tr>
<tr>
<td>511</td>
<td>Convenience Store</td>
<td>Commercial</td>
</tr>
<tr>
<td>519</td>
<td>Food, Beverage Sales, Grocery Store</td>
<td>Commercial</td>
</tr>
<tr>
<td>529</td>
<td>Textile, Wearing Apparel Sales</td>
<td>Commercial</td>
</tr>
<tr>
<td>539</td>
<td>Household Goods Sales, Repairs</td>
<td>Commercial</td>
</tr>
<tr>
<td>549</td>
<td>Specialty Shops</td>
<td>Commercial</td>
</tr>
<tr>
<td>557</td>
<td>Barber, Beauty Shop, Personal Services</td>
<td>Commercial</td>
</tr>
<tr>
<td>559</td>
<td>Recreational, Hobby, Home Sales, Pet Store</td>
<td>Commercial</td>
</tr>
<tr>
<td>564</td>
<td>Self-Service Laundry/Dry Cleaning</td>
<td>Commercial</td>
</tr>
<tr>
<td>Fixed Property Use Code</td>
<td>Fixed Property Use Description</td>
<td>Fixed Property Use Category</td>
</tr>
<tr>
<td>----------------------</td>
<td>---------------------------------------------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>569</td>
<td>Professional Supplies</td>
<td>Commercial</td>
</tr>
<tr>
<td>571</td>
<td>Service Station</td>
<td>Commercial</td>
</tr>
<tr>
<td>579</td>
<td>Motor Vehicle, Boat Sales/Service/Repairs</td>
<td>Commercial</td>
</tr>
<tr>
<td>580</td>
<td>General Item Stores, Other</td>
<td>Commercial</td>
</tr>
<tr>
<td>581</td>
<td>Department Store</td>
<td>Commercial</td>
</tr>
<tr>
<td>599</td>
<td>Business Offices</td>
<td>Commercial</td>
</tr>
<tr>
<td>600</td>
<td>Basic Industry, Utility, Defense Other</td>
<td>Industrial/Warehouse</td>
</tr>
<tr>
<td>635</td>
<td>Computer, Data Processing Cntr</td>
<td>Industrial/Warehouse</td>
</tr>
<tr>
<td>639</td>
<td>Communications Center</td>
<td>Industrial/Warehouse</td>
</tr>
<tr>
<td>640</td>
<td>Utility, Energy Distribution Cntr Other</td>
<td>Industrial/Warehouse</td>
</tr>
<tr>
<td>642</td>
<td>Electric Transmission Distib. System</td>
<td>Industrial/Warehouse</td>
</tr>
<tr>
<td>644</td>
<td>Gas Distribution System, Pipeline</td>
<td>Industrial/Warehouse</td>
</tr>
<tr>
<td>645</td>
<td>Flammable Liquid System, Pipeline</td>
<td>Industrial/Warehouse</td>
</tr>
<tr>
<td>669</td>
<td>Forest, Timberland</td>
<td>Agricultural</td>
</tr>
<tr>
<td>700</td>
<td>Manufacturing Property, Processing</td>
<td>Industrial/Warehouse</td>
</tr>
<tr>
<td>800</td>
<td>Storage Property Other</td>
<td>Industrial/Warehouse</td>
</tr>
<tr>
<td>807</td>
<td>Outside Material Storage Area</td>
<td>Industrial/Warehouse</td>
</tr>
<tr>
<td>880</td>
<td>Vehicle Storage; Other</td>
<td>Industrial/Warehouse</td>
</tr>
<tr>
<td>882</td>
<td>General Vehicle Parking Garage</td>
<td>Not Used</td>
</tr>
<tr>
<td>888</td>
<td>Fire Stations</td>
<td>Institutional</td>
</tr>
<tr>
<td>891</td>
<td>General Warehouse</td>
<td>Industrial/Warehouse</td>
</tr>
<tr>
<td>900</td>
<td>Outside, Special Properties; Other</td>
<td>Not Used</td>
</tr>
<tr>
<td>919</td>
<td>Dump Sanitary Landfill</td>
<td>Not Used</td>
</tr>
<tr>
<td>931</td>
<td>Open Land, Field</td>
<td>Vacant</td>
</tr>
<tr>
<td>935</td>
<td>Campsite With Utilities</td>
<td>Commercial</td>
</tr>
<tr>
<td>936</td>
<td>Vacant Lot</td>
<td>Vacant</td>
</tr>
<tr>
<td>938</td>
<td>Graded And Cured For Plots Of Land</td>
<td>Agricultural</td>
</tr>
<tr>
<td>940</td>
<td>Water Areas, Other</td>
<td>Not Used</td>
</tr>
<tr>
<td>951</td>
<td>Railroad Right Of Way</td>
<td>Not Used</td>
</tr>
<tr>
<td>960</td>
<td>Street, Other</td>
<td>Not Used</td>
</tr>
<tr>
<td>961</td>
<td>Divided Highway, Highway</td>
<td>Not Used</td>
</tr>
<tr>
<td>962</td>
<td>Paved Public Street, Residential</td>
<td>Not Used</td>
</tr>
<tr>
<td>963</td>
<td>Paved Private Street, Commercial</td>
<td>Not Used</td>
</tr>
<tr>
<td>965</td>
<td>Uncovered Parking Area</td>
<td>Not Used</td>
</tr>
<tr>
<td>981</td>
<td>Construction Site</td>
<td>Not Used</td>
</tr>
<tr>
<td>982</td>
<td>Oil, Gas Field</td>
<td>Not Used</td>
</tr>
<tr>
<td>983</td>
<td>Pipeline, Power Line Right Of Way</td>
<td>Not Used</td>
</tr>
<tr>
<td>984</td>
<td>Industrial Plant Yard</td>
<td>Industrial/Warehouse</td>
</tr>
<tr>
<td>Nnn</td>
<td>None</td>
<td>Not Used</td>
</tr>
<tr>
<td>Uuu</td>
<td>Undetermined</td>
<td>Not Used</td>
</tr>
</tbody>
</table>
APPENDIX B

ESTIMATED FIRE RESCUE ASSESSMENT RATE SCHEDULE

SECTION B-1. DETERMINATION OF FIRE RESCUE ASSESSED COSTS.

The estimated fire rescue Assessed Costs to be assessed for the fiscal year commencing October 1, 2015, is $4,267,846. Additional fire rescue proceeds may be received and the fire rescue assessed costs to be assessed may be adjusted as a result of reclassification of Assessed Property or inclusion of parcels not included on the preliminary Assessment Roll.

SECTION B-2. ESTIMATED FIRE RESCUE ASSESSMENTS. The estimated fire rescue assessments to be assessed and apportioned among benefited parcels pursuant to the cost apportionment and parcel apportionment to generate the estimated fire rescue assessed cost for fiscal year commencing October 1, 2015, are hereby established as follows for the purpose of this Preliminary Rate Resolution:

<table>
<thead>
<tr>
<th>RESIDENTIAL PROPERTY USE CATEGORIES</th>
<th>Rate Per Dwelling Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>$178</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>$383</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NON-RESIDENTIAL PROPERTY USE CATEGORIES</th>
<th>Building Classification (in square foot ranges)</th>
<th>Commercial</th>
<th>Industrial/ Warehouse</th>
<th>Institutional</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>&lt; = 1,999</td>
<td>$554</td>
<td>$88</td>
<td>$1,108</td>
</tr>
<tr>
<td></td>
<td>2,000 - 3,499</td>
<td>$1,107</td>
<td>$175</td>
<td>$2,215</td>
</tr>
<tr>
<td></td>
<td>3,500 - 4,999</td>
<td>$1,938</td>
<td>$305</td>
<td>$3,875</td>
</tr>
<tr>
<td></td>
<td>5,000 - 9,999</td>
<td>$2,768</td>
<td>$436</td>
<td>$5,536</td>
</tr>
<tr>
<td></td>
<td>10,000 - 19,999</td>
<td>$5,535</td>
<td>$871</td>
<td>$11,072</td>
</tr>
<tr>
<td></td>
<td>20,000 - 29,999</td>
<td>$11,070</td>
<td>$1,742</td>
<td>$22,143</td>
</tr>
<tr>
<td></td>
<td>30,000 - 39,999</td>
<td>$16,605</td>
<td>$2,612</td>
<td>$33,241</td>
</tr>
<tr>
<td></td>
<td>40,000 - 49,999</td>
<td>$22,140</td>
<td>$3,483</td>
<td>$44,286</td>
</tr>
<tr>
<td></td>
<td>&gt; = 50,000</td>
<td>$27,675</td>
<td>$4,354</td>
<td>$55,357</td>
</tr>
</tbody>
</table>
APPENDIX C

PARCEL APPORTIONMENT METHODOLOGY

The Cost Apportionment to each Property Use Category and to Mixed Use Property shall be apportioned among the Tax Parcels within each Property Use Category and to Mixed Use Property Tax Parcels as follows:

SECTION C-1. RESIDENTIAL PROPERTY. For both Single-Family and Multi-Family Residential Properties, the Fire Rescue Assessment for each Tax Parcel of Residential Property shall be computed by multiplying the Demand Percentage attributable to Residential Property by the Fire Rescue Assessed Costs, dividing such product by the total number of Dwelling Units shown on the Tax Roll within the City, and then multiplying such quotient by the number of Dwelling Units located on such Tax Parcel. For Multi-Family residential properties the annual fire inspection is included in this assessment. This amount will be no greater than the amount set forth in Appendix “B.” This method will ensure that no residential property is assessed an amount greater than the special benefit received from the assessed services.

SECTION C-2. NON-RESIDENTIAL PROPERTY. The Fire Rescue Assessments for each Tax Parcel of Non-Residential Property shall be computed as follows:

(A) Respectively, multiply the Fire Rescue Assessed Costs by the Demand Percentage attributable to each of the non-residential Property Use Categories. The resulting dollar amounts reflect the portions of the City's Fire Rescue budget to be respectively funded from Fire Rescue Assessment revenue derived from each of the non-residential Property Use Categories. This method will ensure that no non-residential property will be assessed an amount greater than the special benefit received from the service.

(B) Separate each Tax Parcel in each of the non-residential Property Use Categories into one of the following square footage categories:
(1) Tax Parcels with a Building Area of equal to or less than 1,999 square feet;
(2) Tax Parcels with a Building Area between 2,000 square feet and 3,499 square feet;
(3) Tax Parcels with a Building Area between 3,500 square feet and 4,999 square feet;
(4) Tax Parcels with a Building Area between 5,000 square feet and 9,999 square feet;
(5) Tax Parcels with a Building Area between 10,000 square feet and 19,999 square feet;
(6) Tax Parcels with a Building Area between 20,000 square feet and 29,999 square feet;
(7) Tax Parcels with a Building Area between 30,000 square feet and 39,999 square feet;
(8) Tax Parcels with a Building Area between 40,000 square feet and 49,999 square feet;
(9) Tax Parcels with a Building Area equal to or greater than 50,000 square feet.

(C) As to each non-residential Property Use Category, multiply the number of Tax Parcels categorized in:

(1) Subsection (B)(1) of this Section by 1,000 square feet;
(2) Subsection (B)(2) of this Section by 2,000 square feet;
(3) Subsection (B)(3) of this Section by 3,500 square feet;
(4) Subsection (B)(4) of this Section by 5,000 square feet;
(5) Subsection (B)(5) of this Section by 10,000 square feet;
(6) Subsection (B)(6) of this Section by 20,000 square feet;

(7) Subsection (B)(7) of this Section by 30,000 square feet;

(8) Subsection (B)(8) of this Section by 40,000 square feet;

(9) Subsection (B)(9) of this Section by 50,000 square feet;

(D) For each non-residential Property Use Category, add the products of subsections (C)(1) through (C)(9) of this Section. The sum of these products reflects an aggregate square footage area for each non-residential Property Use Category to be used by the City in the computation of Fire Rescue Assessments.

(E) Divide the product of subsection (A) of this Section relative to each of the non-residential Property Use Categories by the sum of the products for each non-residential Property Use Category described in subsection (D) of this Section. The resulting quotient expresses a dollar amount adjusted or weighted per square foot of improved area to be used in computing Fire Rescue Assessments on each of the respective non-residential Property Use Categories.

(F) For each of the non-residential Property Use Categories, multiply the resulting quotients from subsection (A) of this Section by each of the respective products in subsections (C)(1) through (C)(9) of this Section. The resulting products for each non-residential Property Use Category expresses a series of gross dollar amounts expected to be funded by all Tax Parcels in the respective non-residential Property Use Categories in each of the square footage categories in subsection (B) of this Section.

(G) For each of the non-residential Property Use Categories, divide each of the respective products of subsection (F) of this Section by the number of Tax Parcels determined to be in each of the square footage categories identified in subsection (B) of this Section. The result expresses the respective dollar amounts of the Fire Rescue Assessments to be imposed upon each Tax Parcel in each of the non-residential Property Use Categories.
SECTION C-3  MIXED USE PROPERTY. The Fire Rescue Assessments for each Tax Parcel classified in two or more Property Use Categories shall be the sum of the Fire Rescue Assessments computed for each Property Use Category.
NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF FIRE RESCUE SPECIAL ASSESSMENTS

Notice is hereby given that the City Commission of the City of North Lauderdale will conduct a public hearing to consider imposing fire rescue special assessments for the provision of fire rescue services within the City of North Lauderdale.

The hearing will be held at 5:05 p.m., on September 11, 2015, in the City Commission Chambers, 701 Southwest 71st Avenue, North Lauderdale, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the City Commission within 20 days of this notice. If a person decides to appeal any decision made by the City Commission with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the City Clerk’s office at (954) 597-4706, at least seven days prior to the date of the hearing.

The assessment for each parcel of property will be based upon each parcel’s classification and the total number of billing units attributed to that parcel. The following table reflects the proposed fire rescue assessment schedule.
<table>
<thead>
<tr>
<th>RESIDENTIAL PROPERTY USE CATEGORIES</th>
<th>Rate Per Dwelling Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>$178</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>$383</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NON-RESIDENTIAL PROPERTY USE CATEGORIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Classification (in square foot ranges)</td>
</tr>
<tr>
<td>----------------------------------------------</td>
</tr>
<tr>
<td>&lt; 1,999</td>
</tr>
<tr>
<td>2,000 - 3,499</td>
</tr>
<tr>
<td>3,500 - 4,999</td>
</tr>
<tr>
<td>5,000 - 9,999</td>
</tr>
<tr>
<td>10,000 - 19,999</td>
</tr>
<tr>
<td>20,000 - 29,999</td>
</tr>
<tr>
<td>30,000 - 39,999</td>
</tr>
<tr>
<td>40,000 - 49,999</td>
</tr>
<tr>
<td>&gt;= 50,000</td>
</tr>
</tbody>
</table>

Copies of the Fire Rescue Assessment Ordinance (Ordinance No. 96-6-901), the Preliminary Rate Resolution initiating the annual process of updating the Assessment Roll and imposing the fire rescue assessments, and the Preliminary Assessment Roll for the upcoming fiscal year, are available for inspection at the City Clerk’s office, City Hall, located at 701 Southwest 71st Avenue, North Lauderdale, Florida.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2015, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property, which may result in a loss of title.

If you have any questions, please contact the Finance Department at (954) 597-4714, Monday through Friday between 8:00 a.m. and 5:00 p.m.

CITY CLERK, CITY OF NORTH LAUDERDALE
FINANCE DEPARTMENT
MEMORANDUM

TO: Honorable Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: René D. Gonzalez, Finance Director
DATE: June 30, 2015
SUBJECT: Preliminary Solid Waste Assessment Rate

The City Commission instituted an assessment for solid waste collection and disposal. The program has been a great success and has helped to streamline the payment process for the waste hauler as well as expedite the payment of revenue to the City. The collection of the residential solid waste assessment for FY 2016 will follow the same uniform collection rules as it did in FY 2015. The assessment will be collected by the county and remitted to the City. Under the assessment, the residential property owner will pay a lump sum annual fee of $216.02 with their property tax bill, which is the same as in FY 2015. The assessment will be for the fiscal year beginning October 1, 2015.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached Preliminary Solid Waste Rate Resolution reflecting an annual unit cost for residential solid waste collection of $216.02. The resolution also schedules our City’s public hearing on the solid waste assessment rate for Friday, September 11, 2015, at 5:05 p.m.
CITY OF NORTH LAUDERDALE

RESOLUTION NO. ______________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES AND FACILITIES AND PROGRAMS IN THE CITY OF NORTH LAUDERDALE, FLORIDA; PROVIDING FOR PURPOSE AND DEFINITIONS; PROVIDING FOR LEGISLATIVE DETERMINATIONS; ESTABLISHING THE ESTIMATED RATE FOR THE RESIDENTIAL SOLID WASTE COLLECTION SERVICES ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015; DIRECTING THE PREPARATION OF A RESIDENTIAL SOLID WASTE COLLECTION SERVICES SPECIAL ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City of North Lauderdale Ordinance No. 11-05-1250, adopted on May 31, 2011, provides for the home rule authority of the City “to impose Residential Solid Waste Collection Services Special Assessments against Residential property located within the City”, and provides findings of special benefit to real property as a result of such services; and,

WHEREAS, the City has in place a Franchise Agreement with Waste Pro of Florida, Inc. (hereinafter “Waste Pro”), pursuant to which the City provides Residential Solid Waste Collection Services to, among others, all residential properties that receive Residential Solid Waste Collection Services within the City; and,

WHEREAS, the City believes it is in the best interests of the residents and residential properties owners to collect funds for the costs of the City’s Residential Solid Waste Collection Services to all residential units that receive Residential Solid Waste Collection Services from the City, through its Franchise Agreement, through the levy and collection of a special assessment, as such will eliminate direct quarterly or monthly billing and charges to residents, permit the payment for the services on an annual basis along with properties taxes and other special assessments, reduce the administrative costs of the Residential Solid Waste Collection Program to the City, and ensure that all properties that receive Residential Solid Waste Collection Services from the City through the Franchise Agreement pay for such so that no property is overcharged by virtue of the failure of other properties to pay for such; and,

WHEREAS, Residential Solid Waste Collection Services provided by the City through its Franchise Agreement as defined hereinafter provide the requisite special benefit to Assessed Property such that they may be funded through a special assessment; and,

WHEREAS, City staff has reviewed the budget for Residential Solid Waste Collection Services, for residential units that receive Residential Solid Waste Collection Services from the City through the Franchise Agreement to ensure that the Residential Solid Waste Collection
Services Special Assessment meets the legal requirements for special benefit and fair apportionment; and,

WHEREAS, the City Commission determines that it is fair and equitable to levy and collect a non-ad valorem special assessment to fund the Residential Solid Waste Collection Services provided by the City through its Franchise Agreement, consistent with the methodology and allocation as provided hereinafter.

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

SECTION 1. RECITALS. The foregoing "WHEREAS" clauses are hereby ratified and confirmed by the City Commission and incorporated herein by this reference.

SECTION 2. AUTHORITY. This Resolution is adopted pursuant to the provisions of Ordinance No. 11-05-1250 (the “Ordinance”), Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 3. PURPOSE. This Resolution constitutes the Preliminary Assessment Resolution as defined in the Ordinance which initiates the process for developing the Residential Solid Waste Collection Services Special Assessment Roll and directs the imposition of a Residential Solid Waste Collection Services Assessment as described hereinafter, for the Fiscal Year beginning October 1, 2015. Its purpose is to provide procedures and standards for the imposition of a Residential Solid Waste Collection Services Assessment for all Residential units that receive Residential Solid Waste Collection Services under the general home rule powers of a municipality to impose special assessments, and to authorize a procedure for the funding of Residential Solid Waste Collection Services for these residential properties, facilities, or programs providing special benefits to Assessed Properties within the City.

SECTION 4. DEFINITIONS. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance and Resolution 12-06-5872 (the “Initial Assessment Resolution”). Unless the context indicates otherwise, words imparting
the singular number, include the plural number, and vice versa. As used in this Resolution, the following terms shall have the following meanings unless the context hereof otherwise requires:

"Assessment Coordinator" means the person designated by the City to administer the City’s Residential Solid Waste Collection Services, facility, or program, or such person’s designee.

"Cost Apportionment" means the apportionment of the Residential Solid Waste Collection Services Assessed Cost among all Residential units that receive Residential Solid Waste Collection Services pursuant to the apportionment methodology described in Section 8 of this Preliminary Assessment Resolution.

"Estimated Residential Solid Waste Collection Services Assessment Rate Schedule" means that rate schedule attached hereto as Appendix “A” and hereby incorporated herein by reference, specifying the Residential Solid Waste Collection Services Assessed Costs determined in Section 9 of this Preliminary Assessment Resolution and the estimated Residential Solid Waste Collection Services Assessments established in Section 9 of this Preliminary Assessment Resolution.

“Franchise Agreement” means that certain Franchise Agreement for Solid Waste and Recycling Collection and Disposal by and between the City and Waste Pro of Florida, Inc., dated November 15, 2011, as may be amended from time to time.

“Improvement Codes” mean the building use codes (also known as DOR codes) assigned by the Property Appraiser to Tax Parcels within the City.

"Residential Property" means those Tax Parcels with a Code Description designated as Single-Family "Residential" within the Improvement Codes and those otherwise designated as “Residential” within the Improvement Codes that receive residential Solid Waste Collection
Services by—from the City through the Franchise Agreement; provided that multi-family residential properties with more than four (4) units are not included in the definition of “Residential Property” for purposes of the Residential Solid Waste Collection Special Assessment.

“Residential Solid Waste Collection Services Cost" is as defined in the Ordinance. “Costs associated with levying the special assessment” includes all costs associated with the structure, implementation, collection, and enforcement of the Residential Solid Waste Collection Services Assessment, including any service charges of the Tax Collector, or Property Appraiser, and amounts necessary to off-set discounts received for early payment of the Residential Solid Waste Collection Services Assessments pursuant to the Uniform Assessment Collection Act.

"Tax Parcel" means a parcel of property located within the City to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

SECTION 5. PROVISION AND FUNDING OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES.

(A) Upon the imposition of the Residential Solid Waste Collection Services Assessment for Residential Solid Waste Collection Services for residential properties, facilities, or programs upon Assessed Property located within the City, the City shall provide Residential Solid Waste Collection Services to such Assessed Property through the Franchise Agreement. The cost to provide such Residential Solid Waste Collection Services, facilities, or programs to residential properties, as described herein, shall be funded from the proceeds of the Residential Solid Waste Collection Services Assessments.

(B) It is hereby ascertained, determined, and declared that each parcel of Assessed Property located within the City will be benefited by the City's provision of Residential Solid Waste
Collection Services for properties, facilities, and programs in an amount not less than the Residential Solid Waste Collection Services Assessment imposed against such parcel, computed in the manner set forth in this Preliminary Assessment Resolution.

**SECTION 6. IMPOSITION AND COMPUTATION OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES ASSESSMENTS.** Residential Solid Waste Collection Services Assessments shall be imposed against all Residential units that receive Residential Solid Waste Collection Services, as provided herein. The Cost Apportionment described herein is approved and adopted as the methodology to impose and compute the Residential Solid Waste Collection Services Assessment.

**SECTION 7. LEGISLATIVE DETERMINATIONS OF AUTHORITY, SPECIAL BENEFIT AND FAIR APPORTIONMENT.** The City Commission adopts the following legislative findings relating to the Residential Solid Waste Collection Services special assessment:

**AUTHORITY**

7.1 Pursuant to Article VIII, Section 2(b) of the Florida Constitution, and Sections 166.021 and 166.041, Florida Statutes, the City Commission has all powers of local self-government to perform municipal functions and render municipal services except when prohibited by law and such power may be exercised by the enactment of City ordinances or resolutions.

7.2 The City Commission may exercise any governmental, corporate, or proprietary power for a municipal purpose except when expressly prohibited by law, and the City Commission may legislate on any subject matter on which the Florida Legislature may act, except those subjects described in (a), (b), (c), and (d) of Section 166.021(3), Florida Statutes. The subject matter of paragraphs (a), (b), (c), and (d) of Section 166.021(3), Florida Statutes, are
not relevant to the imposition of assessments related to Residential Solid Waste Collection Services, facilities or programs.

7.3 Section 403.706(1), Florida Statutes, provides that the City is responsible to collect and transport solid waste from within its boundaries to a solid waste disposal facility.

7.4 To fulfill its obligations, the City entered into a Franchise Agreement with Waste Pro for the collection and transport of solid waste from, among others, single-family residential properties, and certain multi-family residential properties that receive Residential Solid Waste Collection services, within the City.

SPECIAL BENEFIT

7.5 The City provides Residential Solid Waste Collection Services to the Assessed Properties through its Franchise Agreement. All Assessed Properties receive Residential Solid Waste Collection Services, and therefore are required to receive the City’s Residential Solid Waste Collection Services through the City’s Franchise Agreement.

7.6 The special benefit provided to the Assessed Properties as a result of the provision of Residential Solid Waste Collection Services by the City through its Franchise Agreement, and as a result of the Residential Solid Waste Collection Services Assessment include by way of example and not limitation, the availability and use of Residential Solid Waste Collection Services by the owners and occupants of the Assessed Properties, the enhancement of environmentally responsible use and enjoyment of developed residential properties in the City, the protection of public health and safety, ensuring sanitary collection and disposal of solid waste from residential units in the City, a potential increase in value to property, and better service to landowners and tenants.
7.7 The City’s provision of Residential Solid Waste Collection Services through its Franchise Agreement possesses a logical relationship to the use and enjoyment of the Assessed Properties by:

7.7.1 protecting and potentially increasing the value of the residential units by providing solid waste collection services;

7.7.2 enhancing the environmentally responsible use of residential land in the City;

7.7.3 protecting the health of intended occupants in the use and enjoyment of residential units by ensuring the proper collection and disposal of solid waste from the Assessed Properties;

7.8 Commercial properties, and multi-family residential properties in the City with more than four (4) units, are not specially benefited by the City’s Residential Solid Waste Collection Services funded by the Residential Solid Waste Collection Special Assessment in that those properties receive volume-based Solid Waste Collection services. Moreover, given the fact that commercial properties, and residential properties with more than four (4) units receive Solid Waste Collection Services on a volume basis, it is not possible to determine the exact annual costs that can be apportioned to each property; therefore, it is not possible to ensure that an assessment levied upon these properties can be fairly apportioned. As a result, it is fair and reasonable not to levy a special assessment for the funding of residential Solid Waste Collection services upon those properties, and the costs of such services shall be collected by the City by other means.

IMPOSITION AND COLLECTION

7.10 The Residential Solid Waste Collection Services Assessments to be imposed
pursuant to this Preliminary Assessment Resolution shall constitute non-ad valorem assessments within the meaning and intent of the Uniform Assessment Collection Act.

7.11 The Residential Solid Waste Collection Services Assessment imposed pursuant to this Preliminary Assessment Resolution is imposed by the City Commission of the City of North Lauderdale, not the Broward County Board of County Commissioners, Property Appraiser or Tax Collector. Any activity of the Property Appraiser or Tax Collector under the provisions of this Preliminary Assessment Resolution, and pursuant to the City’s agreements with such entities, shall be construed as ministerial.

7.12 So long as the Residential Solid Waste Collection Special Assessment is levied, the Assessed Properties will no longer be billed directly by the City for the Residential Solid Waste Collection Services they receive from the City through the Franchise Agreement.

APPORTIONMENT

7.13 The size or the value of the Residential Property does not determine the scope of the required solid waste services. The potential demand for Residential Solid Waste Collection Services is driven by the existence of a Residential unit.

7.14 Apportioning the Residential Solid Waste Assessed Costs for Residential Solid Waste Collection Services attributable to Residential Property on a per Residential unit basis is required to avoid cost inefficiency and unnecessary administration, and is a fair and reasonable method.

7.15 Because commercial properties, and multi-family residential properties with more than four (4) units do not benefit from the provision of Residential Solid Waste Collection Services by the City through the Franchise Agreement, the Residential Solid Waste Collection Services Assessied Costs are not apportioned to those properties.

7.16 Unoccupied Residential units in the City may not receive residential Solid Waste
Collection Services during such time as the Residential unit is unoccupied. The City cannot know which Residential units are unoccupied at the time the assessments are levied. Therefore, it is fair and reasonable to impose the special assessment on all Residential units designated on the Improvement Codes and which are expected to or actually receive Residential Solid Waste Collection Services. Upon payment of the special assessment, should an owner of an Assessed Property provide documentation deemed acceptable to the City verifying that its Residential unit was unoccupied for a portion of the Fiscal Year commencing on October 1, 2015, the City will refund a pro-rated amount of the paid assessment. “Unoccupied” shall mean a minimum continuous period of three (3) months. It is fair and reasonable to impose this minimum period of time in order to balance the City’s administrative costs associated with a review of documentation and potential refunding with the fairness to owners of Assessed Residential units, and unoccupied Residential units derive some benefit from the provision of Residential Solid Waste Collection Services to neighboring Residential units, which avoids blight and health and safety issues associated with the accumulation of solid waste in the surrounding areas and neighborhood.

SECTION 8. COST APPORTIONMENT METHODOLOGY. The Franchise Agreement provides for an annual charge to the Assessed Properties for the Residential Solid Waste Collection Services provided by the City through its Franchise Agreement. The Residential Solid Waste Collection Services Assessed Costs include other costs associated with the Residential Solid Waste Collection Special Assessment, which are then allocated to the Assessed Properties in addition to the annual charge in the Franchise Agreement to determine the Assessment Amount. The Assessment Amount is then multiplied by the number of Residential units on such Tax Parcel. For the Fiscal Year commencing October 1, 2015, the annual charge per Residential Unit in the City is $216.02.
SECTION 9. DETERMINATION OF RESIDENTIAL SOLID WASTE COLLECTION ASSESSED COSTS; ESTABLISHMENT OF ANNUAL RESIDENTIAL SOLID WASTE COLLECTION ASSESSMENT RATES.

(A) The Residential Solid Waste Collection Service Assessed Costs to be assessed and apportioned among Assessed Properties pursuant to the Cost Apportionment for the Fiscal Year commencing October 1, 2015, is the amount determined in the manner described in Section 8 above, and in the Estimated Residential Solid Waste Collection Services Assessment Rate Schedule, attached hereto as Appendix A. The approval of the Estimated Residential Solid Waste Collection Services Assessment Rate Schedule by the adoption of this Preliminary Assessment Resolution determines the amount of the Residential Solid Waste Collection Services Assessed Costs.

(B) The estimated Residential Solid Waste Collection Services Assessments specified in the Estimated Residential Solid Waste Collection Services Assessment Rate Schedule are hereby established to fund the specified Residential Solid Waste Collection Services Assessed Costs determined to be assessed in the Fiscal Year commencing October 1, 2015.

(C) The estimated Residential Solid Waste Collection Services Assessments established in this Preliminary Assessment Resolution shall be the estimated assessment rates applied by the Assessment Coordinator in the preparation of the updated Residential Solid Waste Collection Services Special Assessment Roll for the Fiscal Year commencing October 1, 2015, as provided in Section 10 of this Preliminary Assessment Resolution.

SECTION 10. ANNUAL RESIDENTIAL SOLID WASTE COLLECTION SERVICES SPECIAL ASSESSMENT ROLL.

(A) The Assessment Coordinator is hereby directed to prepare, or cause to be prepared, a
Residential Solid Waste Collection Services Special Assessment Roll for the Fiscal Year commencing October 1, 2015, in the manner provided in this Preliminary Assessment Resolution. The Assessment Coordinator shall apportion the estimated Residential Solid Waste Collection Service Assessed Cost to be recovered through Residential Solid Waste Collection Services Assessments in the manner set forth in this Preliminary Assessment Resolution. A copy of this Preliminary Assessment Resolution, the Ordinance, and the Residential Solid Waste Collection Services Special Assessment Roll shall be maintained on file in the office of the City Clerk and open to public inspection. The foregoing shall not be construed to require that the Residential Solid Waste Collection Services Special Assessment Roll proposed for the Fiscal Year commencing October 1, 2015 be in printed form if the amount of the Residential Solid Waste Collection Services Assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

(B) It is hereby ascertained, determined, and declared that the method of determining the Residential Solid Waste Collection Services Assessments for the City’s Residential Solid Waste Collection Services as set forth in this Preliminary Assessment Resolution is a fair and reasonable method of apportioning the Residential Solid Waste Collection Services Assessed Cost among parcels of Assessed Property located within the City, as the methodology and apportionment assures that no property is assessed an amount greater than the benefit which it receives from the Residential Solid Waste Collection Services provided by the City through its Franchise Agreement.

SECTION 11. AUTHORIZATION OF PUBLIC HEARING. There is hereby established a public hearing to be held at 5:05 p.m., on September 11, 2015, in City Commission Chambers of North Lauderdale City Hall, 701 Southwest 71st Avenue, City of North Lauderdale, Florida, at which time the City Commission will receive and consider any comments on the
Residential Solid Waste Collection Services Assessment from the public and affected property owners and consider imposing the Residential Solid Waste Collection Services Assessment and collecting such assessments on the same bill as ad valorem taxes.

SECTION 12. NOTICE BY PUBLICATION. The City Manager, or her designee, shall publish notice of the public hearing authorized by Section 11 hereof, in the manner and time provided within the Ordinance. The notice shall be published no later than August 22, 2015, in substantially the form attached hereto as Appendix C.

SECTION 13. NOTICE BY MAIL. The City Manager, or her designee, shall also ensure timely notice by use of the TRIM notice forwarded annually by the Property Appraiser's Office to the Owner of each parcel of Assessed Property within the City, at least twenty (20) days prior to the public hearing, as required by the Ordinance, and the Uniform Assessment Collection Act.

SECTION 14. PROOF OF NOTICE. The City Manager, or her designee, may provide proof of such notice by affidavit, if any is required pursuant to the Ordinance or Resolution.

SECTION 15. APPLICATION OF ASSESSMENT PROCEEDS. Proceeds derived by the City from the Residential Solid Waste Collection Services Assessments will be utilized for the provision of Residential Solid Waste Collection Services, facilities, and programs by the City, through its Franchise Agreement, as described herein.

SECTION 16. CONFLICT. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 17. 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 18. EFFECTIVE DATE.** This Preliminary Assessment Resolution shall take effect immediately upon its passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, THIS 30th DAY OF JUNE, 2015.**

__________________________________
MAYOR JACK BRADY

ATTEST: __________________________
VICE MAYOR JERRY GRAZIOSE

___________________________________
PATRICIA VANCHERI, City Clerk

APPROVED AS TO LEGAL FORM
BY CITY ATTORNEY:

___________________________________
SAMUEL S. GOREN, ESQUIRE

SSG:MDC
APPENDIX A

ESTIMATED RESIDENTIAL SOLID WASTE COLLECTION SERVICES ASSESSMENT RATE SCHEDULE

SECTION A-1 DETERMINATION OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES ASSESSED COSTS. The estimated Residential Solid Waste Collection Services Assessed Costs to be assessed for the Fiscal Year commencing October 1, 2015, is $1,818,240.

SECTION A-2 ESTIMATED RESIDENTIAL SOLID WASTE COLLECTION SERVICES ASSESSMENTS. The estimated Residential Solid Waste Collection Services Assessments to be assessed and apportioned among benefitted parcels pursuant to the Cost Apportionment Methodology to generate the estimated Residential Solid Waste Collection Services Assessed Cost for the Fiscal Year commencing October 1, 2015, are hereby established as follows for the purpose of this Preliminary Assessment Resolution:

RESIDENTIAL UNITS: $216.02 PER UNIT
APPENDIX B

FORM OF NOTICE TO BE PUBLISHED

To be published no later than August 22, 2015

NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES SPECIAL ASSESSMENTS

Notice is hereby given that the City Commission of the City of North Lauderdale will conduct a public hearing to consider imposing Residential Solid Waste Collection Services Special Assessments upon Residential Units that receive Residential Solid Waste Collection Services, for the provision by the City of Residential Solid Waste Collection Services to such properties within the City of North Lauderdale.

The hearing will be held at 5:05 p.m., on September 11, 2015, in City Commission Chambers of North Lauderdale City Hall, 701 Southwest 71st Avenue, City of North Lauderdale, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the City Commission within 20 days of this notice. If a person decides to appeal any decision made by
the City Commission with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Clerk of the City at (954) 597-4706, at least seven days prior to the date of the hearing.

The assessment for each parcel of residential property that receives Residential Solid Waste Collection Services from the City will be based upon the total number of Residential units attributed to that parcel, at the amount of $216.02 per unit.

Copies of the Assessment Ordinance, the Preliminary Assessment Resolution and the Preliminary Residential Solid Waste Collection Services Special Assessment Roll are available for inspection at the City Clerk's Office, North Lauderdale City Hall, 701 Southwest 71st Avenue, North Lauderdale, Florida.

The assessments will be collected by the Tax Collector on the ad valorem tax bill to be mailed in November 2015, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property, which may result in a loss of title.

If you have any questions, please contact the Finance Director of the City of North Lauderdale, at (954) 597-4714, Monday through Friday between 8:00 a.m. and 5:00 p.m.

CITY CLERK
CITY OF NORTH LAUDERDALE.
 Tonight we are presenting an ordinance for second reading and adoption to revise Section 78-55 “Providing for the Removal of Members” related to the Planning and Zoning Board. The attached Ordinance changes the language from three absences in a 12-month period to three “unexcused” absences within a 12-month period. The Ordinance was approved on first reading at the June 9, 2015 Commission meeting.

**Background:**
As you may recall, in 2012, the Commission amended Section 78-55 of the Code of Ordinances to address concerns related to excessive absences and lack of communication of absences to the staff and the Planning and zoning Board members. These absences often resulted in the lack of a quorum rendering the board ineffective and, because they were often not reported in advance, inconvenienced residents and applicants. At times additional costs were incurred by the City for re-advertising and by the applicant for out of town travel and attorney fees. The Ordinance did not differentiate between excused and unexcused absences having the same impact on the applicants if it resulted in no quorum. It was agreed that each month the board members would be given the attendance record for the previous twelve months and members who had missed three meetings, whether excused or unexcused, would be considered for removal.

The P&Z Board members recently requested that staff revisit the Ordinance, specifically as it related to excused vs. unexcused absences. Based on the Board’s concern and the City Commission’s direction during the May 24th meeting, staff revised the language regarding absences to differentiate between excused and unexcused absences. The proposed language will read “If any member of the planning and zoning board fails to attend three scheduled meetings within a twelve-month period due to an unexcused absence, the Planning and Zoning board shall declare the member's office vacant, and the governing body shall promptly fill such vacancy. Board members shall notify the Staff Liaison to the Board a minimum of 24 hours in advance of any expected absences for it to be considered an excused absence.”
RECOMMENDATION:

The City Administration recommends City Commission’s consideration of the attached ordinance on second reading amending Section 78-55 “Providing for the Removal of Members” to clarify that three “unexcused” absences within a 12 month period results in the removal of the board member.
ORDINANCE NO. ___________________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 78, ARTICLE III- PLANNING AND ZONING BOARD, SECTION 78-55 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH LAUDERDALE TO AMEND LANGUAGE PERTAINING TO THE REMOVAL OF MEMBERS PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Community Development Department serves as staff liaison to the Planning & Zoning Board for the City; and

WHEREAS, the board consists of volunteers appointed by the City Commission to serve the residents of the City; and

WHEREAS, effective leadership and attendance by the board members is crucial in order to fulfill the responsibilities that have been divested to the boards; and

WHEREAS, amendments to the Code to address attendance and term of office will enable the boards to operate more effectively; and

WHEREAS, the City Commission of the City of North Lauderdale finds that the adoption of this Ordinance is in the best interest of the citizens and residents within the City of North Lauderdale.

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

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct, and are hereby incorporated herein and made a part hereof.

Section 2. Chapter 78, Article III- Planning and Zoning Board, Section 78-55 of the City of North Lauderdale’s Code of Ordinances is hereby amended to read, as follows:

Sec. 78-55. – Providing for the removal of members.
If any member of the planning and zoning board fails to attend three scheduled meetings within a twelve-month period due to an unexcused absence, the Planning and Zoning board shall declare the member's office vacant, and the governing body shall promptly fill such vacancy. Board members shall notify the Staff Liaison to the Board a minimum of 24 hours in advance of any expected absences for it to be considered an excused absence.

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

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

**Section 5.** This Ordinance shall become effective immediately upon its passage and adoption.


PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE SECOND AND FINAL READING, THIS _____ DAY OF ________________, 2015.

APPROVED AS TO FORM:

__________________________________  __________________________________
CITY ATTORNEY SAMUEL GOREN                MAYOR JACK BRADY

__________________________________  __________________________________
ATTEST:                                  VICE MAYOR JERRY GRAZIOSE

__________________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPOINTING DONNA LUZADDER AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY VICE MAYOR JERRY GRAZIOSE); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, Vice Mayor Jerry Graziose recommends the appointment of Donna Luzadder to fill said vacancy with a regular member from his district; 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 Donna Luzadder be and the same is hereby appointed as a regular member of the North Lauderdale Code Enforcement Board.

Section 2: That she shall serve in said capacity until May 31, 2018 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 30th day of June, 2015.

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR JACK BRADY

______________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

______________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA APPOINTING ORTIS M. PYRONNEAU (SPONSORED BY COMMISSIONER WOOD) AS A REGULAR MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, A vacancy exists on the Planning and Zoning Board; and

WHEREAS, Ortis M. Pyronneau, who resides in Commissioner Lorenzo Wood’s district desires to fill said vacancy; and

WHEREAS, Commissioner Wood has recommended the appointment of Ortis M. Pyronneau to the Planning and Zoning Board; and

WHEREAS, the City Commission desires to ratify said appointment.

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

Section 1. That Ortis M. Pyronneau be and the same is hereby appointed as a regular member of the North Lauderdale Planning & Zoning Board to serve in said position until May 31, 2018 or until resignation, whichever comes first.

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 30th day of June, 2015.

APPROVED AS TO FORM:

________________________________
CITY ATTORNEY SAMUEL GOREN

________________________________
MAYOR JACK BRADY

________________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

________________________________
CITY CLERK PATRICIA VANCHERI
TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Ivelsa Guzman, Purchasing & Contracts Manager

DATE: June 30, 2015

SUBJECT: BIDER A Auction Services

The Public Works Department manages the disposal of the City’s surplus vehicles and equipment in accordance with the City’s Charter, Section 2-36. In the past, traditional in-house public auctions as well as online Auction websites such as GovDeals.com have been used to sell and dispose of the City’s surplus assets. With the evolution of technology more online auction vendors have come on the market. Online Auctions was a recent topic of discussion at a Southeast Florida Governmental Co-Operative group meeting. Numerous municipalities offered positive feedback regarding a local Miami area vendor by the name of BIDER A LLC., which has been widely used by neighboring municipalities. Recently, BIDER A made a presentation to the City’s procurement staff along with Public Works staff members. After the presentation it was determined that BIDER A would be a good option to use to dispose off the City’s surplus assets.

BIDER A LLC currently conducts such auctions for more than seventeen municipalities in Miami-Dade and Broward Counties, all sold in accordance with Chapter 274 of the Florida Statutes. BIDER A LLC offers on-line as well as traditional live auction events and also provides for a more favorable return on sale of surplus assets. The City would collect the full price from all sales of surplus as there are no fees or charges to the City for these services. All associated fees are collected by BIDER A LLC from the auction participants. Please be advised that the agreement with BIDER A LLC will be a non-exclusive agreement, which means that the City will still have the freedom to use other means of disposal.

In addition to the auction sales, BIDER A will also perform the title transfers, collect the sales tax, and provide a detailed report following the auction. The staff is proposing to enter into a 1 year non-exclusive agreement with BIDER A with two (2) additional two (2) year extensions by mutual consent of the parties.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached resolution authorizing the City Manager or designee to enter into a non-exclusive agreement with BIDER A LLC for auction services and disposal of City’s surplus vehicles and equipment.
RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO A NON-EXCLUSIVE AGREEMENT WITH BIDERA LLC FOR AUCTION SERVICES AND DISPOSAL OF CITY’S SURPLUS VEHICLES AND EQUIPMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Lauderdale has surplus and obsolete property; and

WHEREAS, BIDERA, LLC (“BIDERA”) is a company in the business of conducting online and live auctions sales of vehicles and currently conducts such auctions for more than seventeen (17) municipalities in Miami-Dade and Broward Counties, all sold in accordance with Chapter 274 of the Florida Statutes; and

WHEREAS, the City desires to enter into a pilot program with BIDERA to conduct such an auction; and

WHEREAS, staff has negotiated a non-exclusive one (1) year agreement with BIDERA to conduct an auction to dispose of such surplus.

WHEREAS, in addition to the auction sales, BIDERA also performs the title transfers, collects the sales tax, and provides a detailed report following the auction (collectively, the “Auction Services”); and

WHEREAS, BIDERA LLC does not charge municipalities for its Auction Services; and

WHEREAS, upon staff’s inquiry, BIDERA is willing and able to provide the City with Auction Services at no charge to the City, agreeing to provide the pay all of the final sale proceeds to the City within seven (7) days of the sale of the Vehicles and equipment; and

WHEREAS, the City Administration has recommended that it is in the best interest of the City for the City Commission to approve the attached agreement with BIDERA for the provision of the auction services. BIDERA will provide auction services to the City at no costs.
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA AS FOLLOWS:

Section 1: The foregoing recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2: The City and BIDERA may exercise two (2) additional two (2) year extensions of this agreement by mutual consent of the parties.

Section 3: The agreement with BIDERA, in substantially provided in Exhibit “A”, which is attached hereto and incorporated herein and made a part hereof by this reference (the “Agreement”), is hereby approved.

Section 4: Authorization. The City Manager is hereby authorized to enter into the Agreement, upon approval by the City Attorney as to form and legal sufficiency, for the sale of the vehicles and equipment in accordance with the terms approved herein.

Section 5: Implementation. The City Manager and City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of this Resolution.

Section 6: Effective Date. This Resolution shall take effect immediately upon adoption.


APPROVED AS TO LEGAL FORM:

____________________________
CITY ATTORNEY SAMUEL S. GOREN

____________________________
MAYOR JACK BRADY

____________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

____________________________
PATRICIA VANCHERI, CITY CLERK
AGREEMENT BETWEEN THE CITY OF NORTH LAUDERDALE AND BIDERA LLC
FOR SURPLUS PROPERTY SALE

THIS NON-EXCLUSIVE AGREEMENT (the “Agreement”) by and between the City of North Lauderdale (hereinafter referred to as “City”) and BIDERA LLC (hereinafter referred to as “BIDERA”), is entered into this ____ day of _____________________, 2015.

WHEREAS, the City wishes to utilize the services of BIDERA for the sale of City surplus properties, including not limited to vehicles (the “Surplus Property”); and

WHEREAS, BIDERA wishes to provide this service to City.

NOW, THEREFORE, the parties do mutually agree to the following term and conditions:

1. Term. This pilot one (1) year Agreement shall commence once adopted, subject to the right of either party to terminate at any time within 30 days written notice.

   The City and BIDERA may exercise two (2) additional two (2) year extensions of this agreement by mutual consent of the parties.

2. Services. BIDERA agrees to provide the following services to the City regarding the sale of their Surplus Property:

   a) BIDERA will advertise and conduct the administrative functions related to the sale of Surplus Property in accordance with Chapter 274 of the Florida Statutes.

   b) The sale of the Surplus Property will be conducted following City’s written request to auction Surplus Property.

   c) Successful bidders will be notified of their award by BIDERA and instructed to pay for their purchase at BIDERA’s facilities located at 4995 NW 72nd Ave., Suite 405, Miami, FL 33166. The City will be paid the full sale price and all proceeds will be made payable to the City within 7 days after the auction.

   d) Upon receipt of payment in full BIDERA will provide the buyer with a “Paid in Full” receipt and a “Notice of Award”.

   e) BIDERA shall conduct itself at all times in a professional manner and assume the duties and responsibilities of a State of Florida licensed organization authorized to perform under the terms of this Agreement.

3. City’s Responsibilities: The City will be responsible for the following functions of the sale:

   a) Notification to BIDERA of vehicles for sale including the following information:
Make, Model, Year, Color, Vehicle Identification Number, Statement as to road operability (running or non-running), and identification of use as a police/fire emergency response unit.

b) Vehicles must be fully prepared for sale at the time the bid solicitation commences. Preparation of vehicles for sale requires the removal of license plates, removal of emergency or radio equipment, and the removal of any identifying decals or logos.

c) The following forms must be completed for each vehicle (copies attached) Buyers Guide (completed and affixed to window of vehicle) (please check box for AS-IS NO WARRANTY), and a Certification of Pollution Control Devices or Systems form.

d) With regards to the City’s Surplus Property other than vehicles, the City will identify the properties and provide a list of items to be sold by BIDER.

e) The City will identify: the address/location where the items may be inspected by prospective bidders; the name and telephone number of a contact person who will be available to show items to prospective bidders; and the hours and days when prospective bidders may make appointments to inspect the items, e.g. 8:00 A.M. to 3:00 P.M., Monday through Friday.

f) The City will retain custody of the vehicle(s) and Certificates) of Title, until such time as the City receives the “Paid in Full” receipt issued by BIDER from the awarded bidder at which time the City shall release custody of the vehicle and effect the transfer of the Certificate of title to the awarded bidder.

1. **Payment for Services.** Compensation for BIDER’s services shall be paid by the successful bidder and in addition to the “Paid in Full” amount. BIDER’s additional charges to successful bidders shall be as follows: 13% for credit card payment. 10% for cash payment.

2. **Indemnification.** The City shall indemnify and hold harmless BIDER and its officers, employees, agents, and instrumentalities from any and all liability, losses or damages, including attorneys’ fees and costs of defense, which BIDER or its officers, agents, and instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceeding of any kind arising out of, relating to or resulting from the advertising and sale of City’s Surplus Property. The City shall pay all claim and losses in connection therewith and shall investigate and defend all claims, suits or actions of any kind or nature in the name of BIDER, where applicable, which may issue thereon, except if such claims, demands, losses, suits, causes of action or proceedings of any kind arise from the gross negligence or intentional acts of BIDER, its officers, agents and employees. Provided, however, this indemnification shall only be to the extent and within the limitations of Section 762.28 Florida Statutes, subject to the provisions of that Statute whereby the government entity shall not be held liable to pay personal injury or property damage claims or judgments or portions thereof, which when totaled with all other claims or judgments paid by the government entity arising out of the same incident or
occurrence, exceed the sum of $10,000 from any and all personal injury or property damage claims, liabilities, losses or causes of action which may arise as a result of the negligence of the government entity.

This Agreement contains the entire understanding between the parties and it may be amended by joint agreement in writing by both parties.

In the event of any legal action between the parties, the parties agree to waive rights to a jury trial; venue for any litigation in Broward County, Florida and the prevailing party shall be entitled to legal fees and court costs.

BIDERA LLC

By: _________________________
Print Name
Title: _________________________

CITY OF NORTH LAUDERDALE

By: __________________________
Print Name
Title: _________________________
To: Mayor and City Commission

From: Ambreen Bhatti, City Manager

By: Ivelsa Guzman, Purchasing & Contracts Manager

Date: June 30, 2015

Subject: Amendment #3 - Contract with the Staffing Connection for School Crossing Guard Services

As you may recall, in September of 2013, the City entered into a contract with the Staffing Connection for the school crossing guard services within the City limits. This agreement was a result of a joint Co-Op Request for Proposal (RFP) prepared by the City of Tamarac as the lead agency and partnering with various cities such as: Sunrise, Coral Springs and North Lauderdale. The term of the current contract will expire August 31, 2015. However, the agreement allows for a two year contract renewal based upon satisfactory performance and mutual agreement of both parties. The staff would like to recommend a two year extension of the contract through August 31, 2017. All terms and conditions shall remain the same for the renewal period. The City of Tamarac, as the lead agency, has gathered the necessary approvals and signatures to execute the renewal. A copy of Amendment #3 from the City of Tamarac is attached.

Recommendation:

The City Administration recommends City Commission’s consideration and approval of the attached resolution authorizing the City Manager to execute amendment #3 to the original contract with Staffing Connection to renew the contract for two years through August 31, 2017 for school crossing guard services.
RESOLUTION NO. ______________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT #3 TO THE ORIGINAL AGREEMENT FOR CROSSING GUARD SERVICES WITH STAFFING CONNECTION TO RENEW THE ORIGINAL CONTRACT FOR 2 YEARS THROUGH AUGUST 31, 2017; 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 Commission of the City of North Lauderdale, Florida, authorizes the City Manager to enter into an amended agreement with Staffing Connection for crossing guard services for an additional two years, ending on August 31, 2017.

Section 2: That the funding for this service is budgeted in the General Fund under account number 0012101-534110.

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 30th day of June, 2015.

APPROVED AS TO LEGAL FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR JACK BRADY

______________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

______________________________
PATRICIA VANCHERI, CITY CLERK
AGREEMENT AMENDMENT # 3
BETWEEN THE CITY OF TAMARAC
AND ACTION LABOR OF FLORIDA LLC
a/k/a STAFFING CONNECTION

The CITY OF TAMARAC (City) and Action Labor of Florida LLC, a/k/a Staffing Connection (Contractor), a Florida limited liability corporation, with principal offices located at 6555 N. Powerline Road, #306 Fort Lauderdale, FL 33309, agree to amend the original Agreement which was effective September 1, 2013 as follows:

1. Amend Section 4 “Contract Term” to reflect the exercising of the first renewal option through August 31, 2017 as follows:

4) Contract Term

The term of this Agreement shall be for an initial a period beginning on September 1, 2013 through August 31, 2015 2017 with two one (2) (1) additional two (2) year renewal terms based upon satisfactory performance and mutual agreement of both parties. All terms and conditions shall remain firm for the initial period of the contract and for any renewal period. Any price adjustment shall be reviewed and approved per Section 5.2 of this Agreement.

* * * *

All other provisions of the original agreement remain in effect as written.

Remainder of Page Intentionally Blank
IN WITNESS WHEREOF, the parties hereby have made and executed this Amendment to Agreement on the respective dates under each signature, the City of Tamarac signing through its City Manager, and Action Labor of Florida LLC, a/k/a Staffing Connection, signing by and through its President/CEO, duly authorized to execute same.

CITY OF TAMARAC
Michael C. Cernech, City Manager
8/20/16
Date

Patricia A. Teufel, CMC
City Clerk
6/15
Date

Approved as to form and legal sufficiency:
Samuel S. Goren, City Attorney
5/28/15
Date

ATTEST:

Action Labor of Florida LLC, aka
Staffing Connection
Company Name

Signature of Manager

Karen Hoover
Type/Print Name of Manager
5/15/2015
Date

(Corporate Secretary)

(korporate Secy.)

(CORPORATE SEAL)
CORPORATE ACKNOWLEDGEMENT

STATE OF FLORIDA    :SS
COUNTY OF Palm Beach:

I HEREBY CERTIFY that on this day, before me, an Officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Karen Hoover, Manager of Action Labor of Florida LLC, a/k/a Staffing Connection, a limited liability Corporation, to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged before me that he/she executed the same.

WITNESS my hand and official seal this 15 day of May, 2015.

Signature of Notary Public
Print, Type or Stamp
Name of Notary Public

Personally known to me or
Produced Identification

Type of I.D. Produced

☐ DID take an oath, or
☐ DID NOT take an oath.
TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Mike Shields, Public Works/Utilities Director
    George Krawczyk, Assistant Public Works/Utilities Director
DATE: June 30, 2015
SUBJECT: Surplus of Public Works/Utilities Equipment

Earlier this month, one of the Public Works truck- a 2003 Ford F150 Supercab (Vin# 1FTRX17213NB39142) was involved in an accident and our insurance carrier has declared the vehicle a total loss. Therefore, the Public Works/Utilities Department is requesting that the City Commission declare the damaged vehicle surplus and dispose of the vehicle to the City’s insurance carrier. The City will receive $7,760.90 from our carrier (Florida League of Cities).

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached resolution to declare the 2003 Ford F150 Supercab (Vin# 1FTRX17213NB39142) surplus and allow for the proper City official to sign the title of the vehicle to the Florida League of Cities, our insurance carrier in lieu of $7,760.90.
RESOLUTION NO. _________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, DECLARING A 2003 FORD F150 SUPERCAB (VIN# 1FTRX17213NB39142) SURPLUS AND ALLOW FOR THE PROPER CITY OFFICIAL TO SIGN THE TITLE OF THE VEHICLE TO THE FLORIDA LEAGUE OF CITIES, OUR INSURANCE CARRIER, IN LIEU OF $7,760.90; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of North Lauderdale, Florida, desires to declare certain property as surplus to the needs of the City as recommended by the City Manager due to the condition of said property.

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

Section 1: That a 2003 Ford F150 Supercab (Vin# 1FTRX17213NB39142) was totaled in a car accident on June 10, 2015 and needs to be declared surplus and proper City official shall be allowed to sign the title of the vehicle to the Florida League of Cities, our insurance carrier, in lieu of $7,760.90.

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 30th day of June, 2015.

APPROVED AS TO LEGAL FORM:

CITY ATTORNEY SAMUEL S. GOREN

MAYOR JACK BRADY

VICE MAYOR JERRY GRAZIOSE

ATTEST:

PATRICIA VANCHERI, CITY CLERK
TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Tammy Reed-Holguin, Community Development Director

DATE: June 30, 2015

SUBJECT: VAR- 15-01 Dana Lifshitz
1314 SW 74th Ave

Requesting a 3.5 foot variance to permit a 16.5 foot rear setback whereas a 20 foot rear setback is required per Section 106-304 (e) (1) of the City of North Lauderdale Code of Ordinances within a Residential Medium Density (RM-10) zoning district.

APPLICANT: Dana Lifshitz

BACKGROUND

The applicant, Dana Lifshitz, recently purchased the property at 1314 SW 74th Ave which had an existing 273 square feet addition built without a permit by the previous owner. Upon receiving a citation from the Code division, the applicant submitted a permit for this addition. During the plan review process, it was determined that the addition is encroaching in the required 20 feet rear setbacks by 3.5 feet. Therefore, the applicant is requesting a variance of 3.5 feet to allow the existing 16.5 foot rear setback whereas a 20 foot setback is required to accommodate this addition. The request is outlined in the table below:

<table>
<thead>
<tr>
<th>TYPE OF VARIANCE</th>
<th>CODE REQUIREMENTS</th>
<th>PROPOSED</th>
<th>VARIANCE REQUESTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 106-304 (e)(1) Setbacks</td>
<td>20 ft rear property setback</td>
<td>16.5ft rear property setback</td>
<td>3.5ft encroachment into rear setback</td>
</tr>
</tbody>
</table>

During the May 5th, 2015 Planning and Zoning Board meeting, this item was heard and tabled by the Board due to lack of sufficient evidence of the hardship needed for the variance. Staff was asked to research other variances of this kind that had been previously approved and present to the Board as follow up.
Staff has reviewed available variance cases for previous years and identified one similar case where a variance was granted. Ordinance No. 99-6-978 of the City of North Lauderdale, Florida approved a variance for the property located at 8121 S.W 6th Court for a rear addition that was built prior to being permitted and infringed on the rear setback.

On June 2nd the item was brought back to the Planning and Zoning Board for consideration with the above information regarding previously approved variances. The item was approved by the Planning and Zoning Board with a vote of 6 - 1.

**ANALYSIS AND FINDINGS**

Residential Medium Density Section 106-304 (e) (1) of the City Code requires a 20 foot wide rear setback between the property line and the residence. The applicant purchased the property with the existing addition and was subsequently notified that the addition was built without permits. Upon submitting building plans and permit applications to bring the property into compliance, it was identified that the addition is 3.5 feet into the rear setback, leaving 16.5 feet from the rear property line. Please bear in mind that there is a canal in the rear of the house, so the rear property line does not abut a neighboring property. Also, should the variance for a 16.5 rear setback be granted, the 15 foot canal maintenance easement is preserved.

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 addition and once notified of the violation, took the necessary steps to bring the property into compliance by submitting plans and permit applications.
- The property is located on a canal so there are no adjacent structures affected by the reduced rear setback.
• The property is subject to a 15 foot canal maintenance easement which will be maintained should the variance be granted as a 16.5 rear setback will remain.
• 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.

This variance application is being brought to the City Commission for review, discussion and approval. If the Commission concurs with this request, a motion is in order that the proposed variance be granted. This approval is subject to the following conditions:

1. That all applicable approvals by the City, County, State and other regulatory agencies be provided to the City of North Lauderdale prior to the issuance of permits.

2. That in the event the structure is to be rebuilt from scratch, or the size modified in any way to be larger the existing variance no longer applies to the property.

If the City Commission concurs with this request, the following motion is in order:

**RECOMMENDATION:**

The City Administration recommends City Commission’s consideration and approval of the first reading of the attached ordinance to grant a 3.5 foot variance to permit an existing 16.5 foot rear setback whereas a 20 foot rear setback is required per Section 106-304 (e) (1) of the City of North Lauderdale Code of Ordinances within a Residential Medium Density (RM-10) zoning district.
ORDINANCE NO. __________________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING VARIANCES FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-304 (E) (1) TO PERMIT 16.5 FEET SETBACK FROM A PROPERTY LINE, AS OPPOSED TO THE 20 FEET REQUIRED BY THE CODE; 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 106-304 (E) (1) of the City Code requires a minimum 20 feet rear setback from the rear property line; and

WHEREAS, Dana Lifshitz has applied for a variance to allow 17.5 feet rear setback from the rear property line; and

WHEREAS, the Planning and Zoning Board recommended approval of said variance request; 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 106-304 (E) (1) of the North Lauderdale Code, variances are and the same are hereby granted from the requirements for the project located at 1314 SW 74th Ave, North Lauderdale, Florida.

Section 4: 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 5: 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 6: 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 7: 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 8: 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 ______ day of June, 2015.

PASSED on second reading by the City Commission of the City of North Lauderdale, Florida, this ______ day of July, 2015.

APPROVED AS TO FORM:

___________________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR JACK BRADY

______________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

______________________________
PATRICIA VANCHERI, CITY CLERK
April 2, 2015

City of North Lauderdale Community Development Department
North Lauderdale, Florida 33068

PROPERTY: 1314 SW 74th Avenue, North Lauderdale, Florida 33068
OUR FILE NO.: 15-116
OUR CLIENT NO.: 002418

Ladies and Gentlemen:

The undersigned has been retained to represent the interest of Mrs. Dana Lifshitz for the limited purpose of requesting a zoning variance pertaining to the above-referenced Property, the abbreviated legal description of which is NORTH LAUDERDALE VILLAGE SEC 6 98-40 B LOT 14 S/2 BLK 5. This letter serves as an attachment to—and explanation of—the Variance Application filed by Mrs. Lifshitz. Mrs. Lifshitz purchased the referenced property on November 14, 2014, and was thereafter made aware that a prior unpermitted addition to the Property encroached upon the required setback from the property boundary.

Pursuant to § 106-304(e)(1) of the City of North Lauderdale Code of Ordinances, “[e]very plot whose principal use is residential shall have a rear yard not less than 20 feet in depth . . . .” Subsequent to purchasing the property from Fannie Mae out of foreclosure Mrs. Lifshitz while seeking to permit the unpermitted addition to the rear of the property learned that the property had was not in compliance with § 106-304(e)(1). A survey reveals that there is approximately three feet of encroachment.

City of North Lauderdale Code § 106-79(a) provides that under certain limited circumstances the City is willing to grant a variance to its Code. This section lays out five distinct principals that must be met in order to receive a variance. In response to each distinct determination required for approval of the variance under § 106-79(a), Mrs. Lifshitz offers the following:

(1) That special conditions and circumstances exist affecting the land, structure or building involved preventing the reasonable use of such land, structure or building.

As previously stated, Mrs. Lifshitz purchased the Property without notice of the unpermitted addition encroaching upon the required setback. The 13’ x 21’, 273 square foot addition constitutes 19.5% of the

[00124632.DOCX: 1]
structure's 1,397 square footage. A failure to grant the variance would require a modification to the existing addition, including the demolition and removal of some four (4) feet at the west side of the addition.

(2) That the circumstances which cause the hardship are peculiar to the property or to such a small number of properties that they clearly constitute marked exceptions to other properties in the district.

The fact that the unpermitted addition encroached within the required setback and that Mrs. Lifshitz took title to the property without notice of the condition is peculiar to such a small number of properties that such properties would clearly constitute the required "marked exception to other properties in the district."

(3) That the literal interpretation of the provisions of this chapter would deprive the applicant of a substantial property right that is enjoyed by other property owners in the district. It is of no importance whatever that the denial of the variance might deny to the property use in a more profitable way, or to sell it at a greater profit than is possible under the terms of this chapter.

The literal interpretation of the setback requirement would deprive the applicant of a substantial property right enjoyed by other property owners within the district by requiring that the applicant modify the existing addition, including the demolition and removal of some four (4) feet at the west side of the addition thereby reducing the living space by nearly 20%. Additionally, since acquiring the property Mrs. Lifshitz has undertaken numerous improvements to the property to rehaul what was otherwise a dilapidated property within the City of North Lauderdale.

(4) That the hardship is not self-created or the result of mere disregard for, or ignorance of, the provisions of this chapter.

Mrs. Lifshitz purchased the Property without notice of the referenced deficiency, and was in no way responsible for the unpermitted addition or the resulting encroachment. Additionally, Mrs. Lifshitz's search of the property records included an examination of Broward County Plat Book 98, Page 40, which depicts only a fifteen foot (15') Lake Management Easement between the structure and waterfront, but there is no reference to the twenty foot setback required by the code. Hence, the hardship was not self-created, nor the result of a disregard for, or ignorance of, the provisions of this chapter.

(5) That the variance is the minimum variance that will make possible the reasonable use of the property, and that the variance will be in harmony with the general purposes and intent of this chapter and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

The requested variance is for a single instance of allowing Mrs. Lifshitz to retain the addition which, along its twenty-one foot dimension, encroaches into the twenty foot setback requirement by an average of three feet and six inches. Additionally, the requested variance is concealed from visibility from SW 74th Avenue to the immediate east, and abuts a lake to the immediate west. Therefore, the requested variance is undetectable to all except code enforcement. As such, the variance is the minimum possible to allow her reasonable use of the property. Additionally, the variance is in no way injurious to the neighborhood or detrimental to the public welfare.
In closing, Mrs. Lifshitz respectfully requests that the Community Development Department grant the requested variance in light of the extenuating facts and circumstances as outlined herein. Should you have any additional questions or concerns regarding this request, please advise this office and we will respond to such requests immediately.

Very truly yours,

BENSON, Mucci & Weiss PL

[Signature]
Brian M. Abelow, Esq.
For the Firm

BMA/nf
TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Tammy Reed-Holguin, Community Development Director
DATE: June 30, 2015
SUBJECT: First Reading:
Proposed Fee Schedule Revision (Appendix F)
Basic Permit Label Fee for Installation of Wireless Alarm Systems

During the most recent legislative session, the permit fee to install wireless alarm systems was decreased again, this time from $55.00 to $40.00. Tonight we are presenting an ordinance for first reading to amend the City’s Fee Schedule to be consistent with the fee mandated by the Florida legislature.

As you may recall, in February 2014 the City amended its building permit fee schedule based on a study performed by Calvin, Giordano and Associates. The fees were increased slightly to cover the rising cost of performing plan reviews and inspections. A new fee was added to cover the installation of wireless alarm systems that was a relatively new type of alarm system replacing hard-wired systems. Consistent with the fee schedule, the base fee was $106 for the permit. The State Legislature mandated that effective January 1, 2015 permits would no longer be required for wireless alarm systems and only a uniform basic permit label would be issued by the local enforcement agency. The cost state-wide was $55.00 and the City amended its fee schedule effective January 1 decreasing the cost of the permit to be consistent with the State. The City adopted an ordinance reflecting this change per F.S. 553.793.

During the most recent legislative session, the term “wireless alarm system” was defined to include wireless burglar alarms and smoke detectors that are not hard-wired. The fee for a uniform basic permit label was once again decreased to $40.00 effective July 1, 2015.

We are presenting the attached Ordinance to include this fee change for first reading this evening. Approval will bring the City’s fee schedule into compliance with F.S. 553.793.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the first reading of the proposed Ordinance to amend “Appendix F” of the City’s Code of Ordinances adjusting the building permit fee schedule for wireless alarm systems.
ORDINANCE NO. ________________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING APPENDIX F, OF THE CITY OF NORTH LAUDERDALE CODE OF ORDINANCES, ENTITLED "FEES", BY AMENDING ARTICLE I, SECTION 3 ENTITLED "BUILDING PERMIT AND RELATED FEES" (19) “ELECTRICAL PERMITS” TO PROVIDE FOR REVISIONS TO THE FEE FOR WIRELESS ALARM SYSTEMS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature revised Florida Statute 553.793 reducing the fee for a basic permit label for a wireless alarm system to Forty Dollars and 00/100 Cents ($40.00); and

WHEREAS, the City Commission of the City of North Lauderdale (the "City") wishes to amend Appendix F, Article I, Section 3 of the Code of Ordinances to remain consistent with the maximum allowable fee per Florida Statute 553.793; and

WHEREAS, the City Commission of the City of North Lauderdale finds that such revision to the building permit fee to reflect recently approved changes by the Florida Legislature are in the best interest of the health, safety, and welfare of the citizens and residents of the City of North Lauderdale.

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

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. The City Commission hereby accepts and adopts the changes approved by the Florida Legislature to F.S. 553.793 and authorizes revisions to the City’s Building Fee Schedule for consistency with said Statute.

Section 3. Appendix F of the Code of Ordinances, entitled "Fees", Article I, entitled, "Community Development Fee Schedule", Article 1 entitled “Generally”, Section 3 entitled “Building Permit and Related Fees”, (19) “Electrical Permits” of the Code of Ordinances of the City of North Lauderdale, be and the same is hereby amended as provided in Exhibit "A" to this Ordinance, which is attached hereto and incorporated herein by reference.

Section 4. Codification. It is the intention of the City Commission of the City of North Lauderdale that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Lauderdale, Florida.
Section 5. Severability. If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

Section 6. Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be, and the same are hereby repealed to the extent of such conflict.

Section 7. Effective Date. This Ordinance shall become effective immediately upon adoption.


PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE SECOND AND FINAL READING, THIS _____ DAY OF _____________________, 2015.

____________________________________
MAYOR JACK BRADY

ATTEST: VICE MAYOR JERRY GRAZIOSE

____________________________________
PATRICIA VANCHERI, CITY CLERK

APPROVED AS TO FORM:

____________________________________
SAMUEL S. GOREN
CITY ATTORNEY
Sec. 3. Building permit and related fees.

(19) Electrical permits:

c. Permits needed for electrical work include, but are not limited to,

5. Low voltage-alarm system installation—minimum fee . . . $106 plus 1.95 percent of the value of the work.
   i. Residential: Basic permit label: Wireless alarm systems . . . $106.00$40.00
   ii. Beginning January 1, 2015 a basic permit label system will be administered per F.S.553.793, per label per project per unit . . . $55.00
   iii. Commercial: minimum fee . . . $106 plus 1.95 percent of the value of the work.
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Tammy Reed-Holguin, Community Development Director
DATE: June 30, 2015
SUBJECT: First Reading: Proposed Fee Schedule Revision (Appendix F)
Sec. 54- “Lien Information, Recording and Satisfaction Fees”

The City provides a lien search and lien settlement service to parties who own or are interested in purchasing property within North Lauderdale. The current cost of a lien search is $40 and a lien satisfaction letter is $50. We are proposing to increase each fee by $5 because these processes have become very time-consuming as the number of liens has increased and the number of properties owned by commercial entities such as banks generates more attaching liens. Tonight we are presenting an ordinance for first reading to amend the City’s Fee Schedule to cover the increased cost of providing these services.

On average, staff receives over 130 requests each month for lien searches. Not all of the requests continue to lien settlements, however, for those that do, the process entails additional research regarding compliance of the violation, determination of the status of the lien, i.e. whether it has been foreclosed, calculation of the settlement amount, identification of all attaching liens and calculation of the administrative and incurred cost of those liens, review and verification by a supervisor, and preparation of the lien settlement letter. The number that proceeds to settlement appears to have more than doubled from last year. There are numerous employees and management personnel involved part-time in the process in addition to their primary function with the City. This additional revenue will be used to compensate staff involved in the initial steps in both processes, thereby, improving the efficiency. The increased fee will be effective upon adoption of this ordinance.

We are presenting the attached Ordinance amendment for first reading this evening to amend “Appendix F” to increase the cost for lien searches and preparation and recording of liens and satisfactions.

RECOMMENDATION:
The City Administration recommends Commission’s consideration and approval of the first reading of the proposed Ordinance to amend “Appendix F” of the City’s Code of Ordinances increasing the cost for lien searches and preparation and recording of liens and satisfactions.
ORDINANCE NO. __________________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING APPENDIX F, OF THE CITY OF NORTH LAUDERDALE CODE OF ORDINANCES, ENTITLED "FEES", BY AMENDING ARTICLE II, ENTITLED, "OTHER FEES AND CHARGES", SECTION 54 ENTITLED “LIEN INFORMATION, RECORDING AND SATISFACTION FEES” TO PROVIDE FOR REVISIONS TO THE FEE FOR LIEN SEARCHES AND PREPARATION AND RECORDING OF LIENS AND LIEN SATISFACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City continues to experience a high volume of requests for lien searches and lien settlements; and

WHEREAS, as the number of liens on properties and the various entities who own properties has become more complex, the lien search and settlement processes have become more time-consuming; and

WHEREAS, the fee for lien-related services has not been increased since 2007 while the cost of providing the services has risen; and

WHEREAS, the City Commission of the City of North Lauderdale finds that such revision to the other charges and fees to accommodate the additional cost of providing the service are in the best interest of the health, safety, and welfare of the citizens and residents of the City of North Lauderdale.

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

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Appendix F of the Code of Ordinances, entitled "Fees", Article II, entitled, "Other Fees and Charges", Section 54 entitled “Lien Information, Recording and Satisfaction Fees.”, of the Code of Ordinances of the City of North Lauderdale, be and the same is hereby amended as provided in Exhibit "A" to this Ordinance, which is attached hereto and incorporated herein by reference.

Section 3. Codification. It is the intention of the City Commission of the City of North Lauderdale that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Lauderdale, Florida.
Section 4. Severability. If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

Section 5. Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be, and the same are hereby repealed to the extent of such conflict.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption.


PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE SECOND AND FINAL READING, THIS _____ DAY OF _____________________, 2015.

____________________________________
MAYOR JACK BRADY

ATTEST:

____________________________________
VICE MAYOR JERRY GRAZIOSE

____________________________________
PATRICIA VANCHERI, CITY CLERK

APPROVED AS TO FORM:

____________________________________
SAMUEL S. GOREN
CITY ATTORNEY
Appendix F – Fees

***

ARTICLE II. - OTHER FEES AND CHARGES

***

Sec. 54. - Lien information, recording and satisfaction fees.

   The minimum fee referenced in section 2-223(a) is $40.00 $45.00. The minimum fee referenced in section 2-223(b) is $50.00 $55.00.
Tonight we are requesting your approval of the attached Resolution authorizing submittal of an application to the Florida Division of Emergency Management for a Residential Construction Mitigation Program (RCMP) grant in the maximum amount of $194,000. If approved, this grant will allow the Community Development Department to continue retrofitting the homes of residents in order to make those homes more resistant to wind storms. The application deadline is August 3, 2015.

Background
In FY 09-10, the City successfully expended $1.9 million in Disaster Recovery Initiative (DRI) Rehabilitation Programs, funded by the Department of Community Affairs (DCA) through Broward County Community Development Department. We assisted a total of 54 homeowners with hurricane mitigation retrofits to prevent losses, reduce the cost of disasters and reduce the cost of rebuilding after a disaster. Between 2011 and 2015, the City has won three Residential Construction Mitigation Program (RCMP) grants that allowed us to assist 42 additional homeowners. Others received help from a Community Development Block Grant (CDBG), but there continue to be homeowners in need of hazard mitigation retrofits. The Residential Construction Mitigation Program funding would serve to assist these individuals who did not meet the income qualifications or were put on waiting list for funding.

The proposed Residential Construction Mitigation Program will assist with the preservation of existing housing stock by facilitating the systemic mitigation of properties with retrofits that are needed to tie together all aspects of wind mitigation to the maximum degree possible. Example activities include the replacement of roof sheathing, replacement of roof covering, installation of window and door opening protection.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and adoption of the attached resolution enabling the City Manager to take necessary steps to apply for RCMP funding in the amount of $194,000 and implement the approved programs when funding becomes available.
RESOLUTION NO. ____________

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 RESIDENTIAL CONSTRUCTION MITIGATION PROGRAM COMPETITIVE GRANT PROGRAM FOR THE MAXIMUM GRANT AMOUNT OF $194,000 FROM THE 2015-2016 FLORIDA LEGISLATURE APPROPRIATION FROM THE FLORIDA HURRICANE CATASTROPHE FUND TO INCLUDE THE RESIDENTIAL CONSTRUCTION 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.

WHEREAS, the City Commission of the City of North Lauderdale ("City") desires to provide funding to help residents protect their homes against windstorms; and,

WHEREAS, in order to assist in the funding, the City Commission desires to submit an application to the Residential Construction Mitigation Program; and,

WHEREAS, the City Commission finds that the receipt of the grant funds from the Florida Division of Emergency Management will be in the best interest of the health, safety and welfare of the citizens and residents of the City of North Lauderdale,

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

Section 1: That the City Manager of the City of North Lauderdale, Florida or her designee is hereby authorized and directed to apply for and to file such documents as may be reasonably required for available Residential Retrofit Program Grant funds in the maximum amount of $194,000 and to
take appropriate actions 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 approved programs with regard to the Residential Construction Mitigation Program.

Section 2: That 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 Florida Division of Emergency Management Grant Funds for the funding of the City’s programs listed in Section 1.

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 30th day of June, 2015.

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR JACK BRADY

______________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

______________________________
CITY CLERK PATRICIA VANCHERI
TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Tammy L. Reed-Holguin, Community Development Director
DATE: June 30, 2015
SUBJECT: Interlocal Agreement with the Broward County Environmental Licensing and Building Permitting Division to Contract:
Emergency/Non-Guaranteed Supplemental Support Services

The City currently has an interlocal agreement with Broward County Permitting, Licensing and Consumer Protection Division to provide building inspection and plans review services. Tonight we are presenting a separate contract for the provision of these services over and above the normal level of service in the event of an emergency, including a natural disaster.

Through the attached contract, the County would prioritize emergency services to the City in the event of a natural disaster or other type of emergency. Having this contract in place prior to an event will enable the City to initiate the assessment and recovery process much quicker. Through this agreement, the County will send additional personnel to assist the City with inspections, permitting and plans review. The hourly rates are consistent with the rates in the current agreement effective October 1, 2015. Overtime, if needed, would be charged at the rate of 1½ times the normal hourly rate. The hourly rates may be adjusted up to 5% annually through an agreement between the City and County. The City will be notified by May of each year of any increase. The initial contract is for a 5 year term, effective upon execution of the agreement by all parties.

We are presenting the agreement tonight for the City Commission’s consideration. Should the Commission approve and transmit this agreement, it will become effective upon execution by the County. The agreement has been discussed and previously reviewed by the City Attorney’s office and they are satisfied with the contents.

Recommendation:
The City Administration recommends Commission’s consideration and approval of the attached Resolution authorizing and directing the City Manager to enter into the attached agreement between the Broward County Permitting, Licensing and Consumer Protection Division and the City of North Lauderdale, to contract for emergency / non guaranteed supplemental support services.
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 EMERGENCY/ NON GUARANTEED SUPPLEMENTAL SUPPORT SERVICES TO BE PERFORMED BY THE BROWARD COUNTY ENVIRONMENTAL LICENSING AND BUILDING PERMITTING 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 Emergency/Non Guaranteed Supplemental Support Services to be performed by the Broward County Environmental Licensing and Building Permitting Division, of the Environmental and Growth Management Department, effective upon execution by the County.

Section 2: That this initial contract is for a 5 year term, effective upon execution of the agreement by all parties.

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 ____________ day of ____________________.

APPROVED AS TO FORM:

___________________________
CITY ATTORNEY SAMUEL GOREN

___________________________
MAYOR JACK BRADY

___________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

___________________________
PATRICIA VANCHERI, CITY CLERK
INTERLOCAL AGREEMENT FOR
EMERGENCY/NON GUARANTEED SUPPLEMENTAL SUPPORT
BUILDING CODE SERVICES TO BE PERFORMED BY THE BROWARD COUNTY ENVIRONMENTAL LICENSING AND BUILDING PERMITTING DIVISION OF THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

This is an Interlocal Agreement ("Agreement"), made and entered into by and between:
BROWARD COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY," AND

THE CITY OF NORTH LAUDERDALE, FLORIDA, a municipal corporation existing under the laws of the State of Florida, hereinafter referred to as "CITY."

WHEREAS, this Agreement is entered into pursuant to Section 163.01, Florida Statutes, as amended, also known as the "Florida Interlocal Cooperation Act of 1969"; and

WHEREAS, COUNTY maintains an Environmental Protection and Growth Management Department which includes an Environmental Licensing and Building Permitting Division ("ELBPD") that conducts building official, plan review, permit inspections, code enforcement, and other services relating to buildings; and

WHEREAS, CITY is desirous of procuring from COUNTY Emergency/Non Guaranteed Supplemental Support for Building Code Services ("Services") on the properties of CITY; and

WHEREAS, COUNTY, through ELBPD, is willing to provide and perform such Services pursuant to the terms and conditions hereafter set forth;

NOW, THEREFORE, IN CONSIDERATION of the mutual terms, conditions, promises, covenants, and payments hereinafter set forth, COUNTY and CITY agree as follows:

ARTICLE 1 - SCOPE OF SERVICES

1.1. CITY desires to procure from COUNTY, and COUNTY is willing to provide and perform, the Services in accordance with the terms herein.

1.2. The Services provided and performed by COUNTY and available to CITY under this Agreement include building official, building inspector, plan review, inspection and code enforcement, and other services related to buildings. The attached Exhibit "A" outlines the qualifications of COUNTY employees performing the Services pursuant to this Agreement.
1.2.1 Building Official Services shall only be provided by COUNTY when specifically requested in writing by CITY; otherwise, code enforcement authority shall remain with CITY’s chief building official.

1.2.2 COUNTY employees providing Services pursuant to this Agreement shall: (a) hold proper, valid certificates issued in accordance with the provisions of Chapter 468, Florida Statutes, and (b) shall have successfully completed The Florida Department of Education, Office of Educational Facilities’ Continuing Education (CE) course in the State Requirements for Educational Facilities (SREF) and the Florida Building Code (FBC) Section 423.

1.3 COUNTY shall perform the Services through its ELBPD, or any successor division as may be designated by its County Administrator.

1.4 CITY issues permits and retains fees. COUNTY charges hourly rates for providing Emergency Supplemental Staffing for the year to CITY. ELBPD will maintain a finite group of resources to provide peak load relief or emergency services on a first come first serve basis.

**ARTICLE 2 - FUNCTIONS AND DUTIES NOT TRANSFERRED TO COUNTY**

2.1 It is specifically understood and agreed that all rights and powers as may be vested in CITY pursuant to Chapter 166, Florida Statutes, or any other law or ordinance not specifically addressed by this Agreement, shall be retained by CITY. It is further understood and agreed that this Agreement is not intended to address any of the functions listed below:

- Engineering
- Water Management
- Drainage Districts
- Traffic Engineering
- Natural Resource Protection
- Health Department
- Fire Protection

2.2 In the event CITY desires to have COUNTY provide any of the above functions, a separate agreement shall be required between CITY and COUNTY.

**ARTICLE 3 - COMPENSATION**

3.1 COUNTY shall provide the Services set forth above at the rate of Ninety-nine and 80/100 Dollars ($99.80) per hour for Building Official Services, Eighty-nine and 30/100 Dollars ($89.30) per hour for a Chief Building Inspector, Eighty-six and 70/100 Dollars ($86.70) per hour for Plan Review Services, Seventy-five and 40/100 Dollars ($75.40) per hour for Inspection/Code Enforcement Services, and Thirty-four and 20/100 Dollars ($34.20) per hour for Clerical Services. Overtime, when pre-approved in writing by CITY, shall be at one and one half (1½) times the normal hourly rate. All hourly charges shall be billed in increments of thirty (30) minutes.

3.2 All costs shall be properly documented in writing and said written documentation shall be provided to CITY with the once-monthly invoices. COUNTY shall invoice CITY on a monthly basis for the services requested by CITY for the preceding month. CITY shall reimburse COUNTY within thirty (30) days of the date of the invoice. Excluding overpayments, any sums paid to COUNTY are non-refundable to CITY. COUNTY shall reimburse overpayments to CITY within thirty (30) days of the date of written notice of such overpayment. Overpayments shall be limited to erroneous payments or payments made for Services provided by COUNTY employees that do not meet the requirements of Subsection 1.2.2 herein above.
The amounts set forth above may be adjusted annually by agreement between CITY and COUNTY by an amount not to exceed five percent (5%) to address increases or decreases in operating and labor costs. Notwithstanding the foregoing, COUNTY and CITY may also adjust the amounts set forth above by amounts exceeding five percent (5%) in order to address natural disasters and other unforeseen events and circumstances. No later than May 1st of each year, COUNTY shall provide CITY with written notice of anticipated increases or decreases, if any. Any increases or decreases shall take effect on October 1st, following the May 1st written notification and CITY’s written approval of the increase after consideration and approval by CITY at a regular CITY commission meeting.

ARTICLE 4 - TERM OF AGREEMENT

4.1 This Agreement shall be deemed to have commenced upon execution by COUNTY, and shall continue in full force and effect for a period of five (5) years.

4.2 This Agreement shall expire on the fifth (5th) anniversary of COUNTY’s execution of this Agreement, unless written notice of termination by COUNTY or CITY is provided to the other party pursuant to Article 7, TERMINATION, and Article 8, NOTICES.

ARTICLE 5 - GOVERNMENTAL IMMUNITY

CITY is a state agency as defined in Chapter 768.28, Florida Statutes, and COUNTY is a political subdivision of the State of Florida. Each agrees to be fully responsible for acts and omissions of their agents or employees to the extent permitted by law. Nothing herein is intended to serve as a waiver of sovereign immunity by any party to which sovereign immunity may be applicable. Nothing herein shall be construed as consent by a state agency or political subdivision of the State of Florida to be sued by third parties in any matter arising out of this Agreement or any other contract.

ARTICLE 6 - INSURANCE

COUNTY is self-insured in accordance with provisions set forth within Section 768.28, Florida Statutes.

ARTICLE 7 - TERMINATION

This Agreement may be terminated by either party upon ninety (90) days written notice to the other party of such termination pursuant to Article 8, NOTICES, herein.

ARTICLE 8 - NOTICES

Any and all notices given or required under this Agreement shall be in writing and may be delivered in person or by United States mail, postage prepaid, first class and certified, return receipt requested, addressed as follows:

TO COUNTY:

Director, Broward County Environmental Licensing and Building Permitting Division
1 North University Drive, Bldg. B, #302
Plantation, Florida 33324

With copy to:

County Administrator
115 South Andrews Avenue, Suite 409
Fort Lauderdale, Florida 33301
TO CITY:

Community Development Director  
701 SW 71st Avenue  
North Lauderdale, Florida 33068  

With copy to:  

City Manager  
701 SW 71st Avenue  
North Lauderdale, Florida 33068

ARTICLE 9 - MISCELLANEOUS PROVISIONS

9.1 AUDIT RIGHTS: COUNTY and CITY shall each have the right to audit the books, records, and accounts of the other party, which are related to this Agreement. COUNTY and CITY shall keep such books, records, and accounts as may be necessary in order to record complete and correct entries related to this Agreement. All books, records, and accounts of COUNTY and CITY related to this Agreement shall be kept in written form, or in a form capable of conversion into written form within a reasonable time, and upon request to do so, COUNTY and CITY shall make same available at no cost to the other party in written form.

9.2 ASSIGNMENT: COUNTY shall perform the selected Services provided for in this Agreement exclusively and solely for CITY which is a party to this Agreement. Neither party may assign this Agreement nor their respective rights or obligations pursuant hereto.

9.3 WAIVER: The waiver by either party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement shall not be construed as a waiver of any future or continuing similar or dissimilar failure.

9.4 SEVERABILITY: The invalidity of any provision of this Agreement shall in no way affect the validity of any other provision.

9.5 ENTIRE AGREEMENT: It is understood and agreed that this Agreement incorporates and includes all prior negotiations, agreements, or understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written.

9.6 INDEPENDENT CONTRACTOR: COUNTY is an independent contractor under this Agreement. Services provided by COUNTY pursuant to this Agreement shall be subject to the supervision of COUNTY. In providing such Services, neither COUNTY nor its agents shall act as officers, employees, or agents of CITY. This Agreement shall not constitute or make the parties a partnership or joint venture.

9.7 AMENDMENT; MODIFICATION: It is further agreed that no modifications, amendments, or alterations in the terms or conditions contained in this Agreement shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith by COUNTY and CITY. Amendments extending the term of this Agreement pursuant to Section 4.1 or adding or deleting services to the Scope of Services under Article 1 may be approved and executed by the Broward County Administrator on behalf of COUNTY.

9.8 DISPUTE RESOLUTION; CHOICE OF LAW; WAIVER OF JURY TRIAL: COUNTY and CITY agree to use the procedures outlined in Chapter 164, Florida Statutes, “Florida Governmental Conflict Resolution Act,” to resolve any conflicts that may occur between the parties and which arise from this Agreement. Any controversies or legal problems arising out of this Agreement and any action involving
the enforcement or interpretation of any rights hereunder shall be submitted to the jurisdiction of the state courts of the Seventeenth Judicial Circuit of Broward County, Florida, the venue situs, and shall be governed by the laws of the State of Florida. To encourage prompt and equitable resolution of any litigation that may arise hereunder, each party hereby waives any rights it may have to a trial by jury of any such litigation.

9.9 DRAFTING: This Agreement has been negotiated and drafted by all parties hereto and shall not be more strictly construed against any party because of such party's preparation of this Agreement.

9.10 RECORDING: This Agreement shall be recorded in the Public Records of Broward County, in accordance with the Florida Interlocal Cooperation Act of 1969.

9.11 CITY PHOTO IDENTIFICATION BADGE: Any required CITY photo identification for COUNTY employees, subcontractors, or agents shall be provided to the COUNTY at no cost.

9.12 REPRESENTATION OF AUTHORITY: Each individual executing this Agreement on behalf of a party hereto hereby represents and warrants that he or she is, on the date he or she signs this Agreement, duly authorized by all necessary and appropriate action to execute this Agreement on behalf of such party and does so with full legal authority.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]
IN WITNESS WHEREOF, the parties hereto have made and executed this Interlocal Agreement between COUNTY and CITY for Emergency/Non Guaranteed Supplemental Support Building Code Services to be provided and performed by the Broward County Environmental Licensing and Building Permitting Division of the Environmental Protection and Growth Management Department on the respective dates under each signature: COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action on the _____ day of __________________, 2015, the CITY, signing by and through its duly authorized representatives.

COUNTY

ATTEST:  

BROWARD COUNTY, by and through its Board of County Commissioners

____________________________
County Administrator and Ex-Officio
Clerk of the Board of County
Commissioners of Broward
County, Florida

By________________________________, Mayor

Approved as to form by
Office of County Attorney
Joni Armstrong Coffey, County Attorney
for Broward County, Florida
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-6968

By________________________________
Assistant County Attorney

INTERLOCAL AGREEMENT FOR EMERGENCY/NON GUARANTEED SUPPLEMENTAL SUPPORT BUILDING CODE SERVICES TO BE PROVIDED PERFORMED BY THE BROWARD COUNTY ENVIRONMENTAL LICENSING AND BUILDING PERMITTING DIVISION OF THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

CITY

CITY OF NORTH LAUDERDALE

Attest:

By________________________________
BUILDING CODE INSPECTOR

NATURE OF WORK

This is advanced technical work in the enforcement of the Florida Building Code and related regulations.

Work involves the performance of inspections in building construction, electrical, plumbing or mechanical installations. Specific area of responsibility depends upon certification and trade experience. Employees inspect buildings and ensure compliance with building plans. Work is performed with considerable independence within established codes, regulations, and technical guidelines, and is reviewed by administrative superiors through conferences and reports.

ILLUSTRATIVE TASKS

Conducts inspections for compliance with codes and regulations governing building construction, alteration and repair, electrical, plumbing or mechanical installations; observes progress during stages in construction for possible defects and violations that must be corrected.

Reviews code standards and departmental regulations recommending changes when needed; reviews and checks blueprints, plans, and sketches associated with a permit in relation to the actual construction, alteration, or repair.

Conferences with contractors, engineers, property owners, and other interested parties; explains building codes and regulations.

Prepares and maintains necessary records and reports.

Attends meetings and conferences concerned with building code enforcement.

Issues citations of violations according to provisions of the Florida Building Code.

Performs related work as required.

KNOWLEDGE, ABILITIES AND SKILLS
Considerable knowledge of the materials, methods, and practices used in building construction, electrical, plumbing, or mechanical installation depending on area of responsibility.

Considerable knowledge of possible defects and flaws in building construction, electrical, plumbing, or mechanical installation, and of effective corrective measures.

Considerable knowledge of the codes and regulations governing building construction, electrical, plumbing, or mechanical installations, alteration, and repair, and environmental protection.

Ability to read and interpret construction plans, specifications, and blueprints, and to recognize deviations from such plans in the construction process.

Ability to explain and enforce codes and regulations firmly, tactfully, and impartially.

Ability to present ideas effectively, orally and in writing.

Ability to serve the public and fellow employees with honesty and integrity in full accord with the letter and spirit of Broward County’s Ethics and Conflict of Interest policies.

Ability to establish and maintain effective working relationships with the general public, co-workers, elected and appointed officials and members of diverse cultural and linguistic backgrounds, regardless of race, color, religion, gender, national origin, age, marital status, political affiliation, familial status, disability, sexual orientation, pregnancy, or gender identity and expression.

REQUIRED EXPERIENCE AND TRAINING

Four (4) years experience in a wide variety of skilled residential and commercial construction which includes building inspection work in the electrical, plumbing, mechanical or building fields depending on area of assignment.

NECESSARY SPECIAL REQUIREMENT

Attain and maintain certification as a Building Code Inspector by the State of Florida, or eligible for certification by the Broward County Board of Rules and Appeals and the Florida Department of Business and Professional Regulation as a Building Code Inspector, pursuant to the requirements of the Florida Building Code.

Must possess and maintain a valid Florida Driver’s License for duration of appointment.

GENERAL INFORMATION

Bargaining Unit: Blue Collar
FLSA Status: Non-exempt
Code of Ethics Certification: No
Class Spec. Estab./Revised: E 10/176 R 4/15
BUILDING OFFICIAL

NATURE OF WORK

This is technical and administrative work in the enforcement of the Florida Building Code and related regulations.

Work involves directing and supervising the County building inspection and code enforcement programs. Work includes responsibility for the development and maintenance of policies and procedures related to the enforcement of all applicable laws, ordinances, and regulations. The employee attends meetings of Examining Boards and Board of Rules and Appeals. Work is reviewed through conferences, reports, and observation of program effectiveness.

ILLUSTRATIVE TASKS

Supervises and coordinates through subordinates the enforcement of the Florida Building Code; confers with staff members on work problems; occasionally accompanies staff in the field to review unusual problems and to give general assistance.

Supervises approval of applications for building permits; confers or corresponds with architects, building owners, and contractors concerning questions involved in the enforcement process.

Coordinates activities of the County inspection section with municipal and state agencies as needed.

Attends and participates in the activities of various boards and commissions dealing with matters relating to the Florida Building Code; makes recommendations for changes in ordinances and regulations relative to construction.

Supervises the formulation of written procedures for the building inspection section.

Performs related work as required.

KNOWLEDGE, ABILITIES AND SKILLS
Thorough knowledge of engineering principles as applied to the design and construction of a broad range of building structures and facilities.

Thorough knowledge of current literature, trends, and developments in the field of county building inspection, plan review and code enforcement.

Thorough knowledge of the Florida Building Code.

Thorough knowledge of the principles of supervision, organization, and administration.

Ability to plan, direct, and coordinate the work of subordinates.

Ability to express ideas effectively orally and in writing.

Ability to serve the public and fellow employees with honesty and integrity in full accord with the letter and spirit of Broward County’s Ethics and Conflict of Interest policies.

Ability to establish and maintain effective working relationships with the general public, co-workers, elected and appointed officials and members of diverse cultural and linguistic backgrounds regardless of race, color, religion, age, gender, ethnicity, disability, sexual orientation, marital status or political affiliation.

REQUIRED EXPERIENCE AND TRAINING

Graduation from an accredited four-year college or university with major course work in civil engineering, architecture or related field; six (6) years experience in building trades or inspectional work including four (4) years experience in the supervisory aspects of the work, or any equivalent combination of relevant training and experience.

NECESSARY SPECIAL REQUIREMENTS

Certified as a Building Official by the Broward County Board of Rules and Appeals pursuant to the requirements of the Florida Building Code.

Possession of a valid Florida Driver’s License.

GENERAL INFORMATION

Bargaining Unit: Government Supervisors Association - (Professional Unit)

FLSA Status: Exempt

Code of Ethics Certification: No

Work Location: Building Code Services

Class Spec. Estab./Revised: E10/1976 R 01/2005
CHIEF BUILDING CODE INSPECTOR

NATURE OF WORK

This is responsible supervisory and administrative work in planning, organizing, and directing inspections and code enforcement work of the Florida Building Code and related regulations.

Work involves the responsibility for administering various programs for the inspection of buildings and their appurtenances, structural, electrical, plumbing and mechanical installations to ensure adherence to the Florida Building Code, and applicable standards of construction, maintenance, safety, and environmental protection. Supervision is exercised over a staff of technical employees. Work is performed under administrative direction, and is reviewed through conferences and reports.

DISTINGUISHING CHARACTERISTICS

This classification is distinguished from a Building Code Inspector by the supervisory responsibilities over a staff of technical employees, and by the responsibility for independent operating decisions based on experience and knowledge of operations.

ILLUSTRATIVE TASKS

Plans, organizes, and supervises structural, electrical, plumbing, or mechanical inspectional programs and activities.

Directs the work of subordinates engaged in the following activities: structural, electrical, plumbing, or mechanical and related building construction inspections or code enforcement modifications; confers with inspectors on work problems; occasionally accompanies inspectors to review unusual problems and to provide assistance.

Supervises and participates in the checking of building plans and engineering calculations; interprets policies, governing codes, and regulations to employees.
Confers or corresponds with architects, building owners, the general public, and contractors concerning questions about structural, electrical, plumbing and mechanical codes and regulations; recommends changes in codes and regulations.

Prepares or directs the preparation of complaints for legal action against violators of building codes and related regulations.

Supervises the preparation and maintenance of necessary records and reports.

Attends meetings and conferences concerned with code enforcement.

Performs related work as required.

**KNOWLEDGE, ABILITIES AND SKILLS**

Thorough knowledge of national and local structural, electrical, plumbing, or mechanical codes and regulations as requested by assignment.

Thorough knowledge of the major types of building construction, materials, and equipment, and of the stages in construction when possible defects in the structural, electrical, plumbing, or mechanical installations may be most easily observed and corrected.

Considerable knowledge of modern developments, current literature, and sources of information in the field of construction, inspection, and code enforcement.

Ability to understand and interpret plans, diagrams, blueprints, and specifications.

Ability to coordinate and supervise the work of a group of technical and clerical personnel in a manner conducive to full performance and high morale.

Ability to present ideas clearly, orally and in writing.

Ability to enforce codes and regulations firmly, tactfully, and impartially.

Ability to serve the public and fellow employees with honesty and integrity in full accord with the letter and spirit of Broward County’s Ethics and Conflict of Interest policies.

Ability to establish and maintain effective working relationships with the general public, co-workers, elected and appointed officials and members of diverse cultural and linguistic backgrounds, regardless of race, color, religion, gender, national origin, age, marital status, political affiliation, familial status, disability, sexual orientation, pregnancy, or gender identity and expression.

**REQUIRED EXPERIENCE AND TRAINING**
Two (2) years experience as a Certified Building Code Inspector under the jurisdiction of the Florida Building Code, and one (1) year experience as a Certified Plans Examiner under the jurisdiction of the Florida Building Code.

**NECESSARY SPECIAL REQUIREMENT**

Attest and maintain certification as a Building Code Inspector by the State of Florida, or eligible for certification by the Broward County Board of Rules and Appeals and the Florida Department of Business and Professional Regulation as a Building Code Inspector, pursuant to the requirements of the Florida Building Code.

Must possess and maintain a valid Florida Driver’s License for duration of appointment.

**GENERAL INFORMATION**

Bargaining Unit: Government Supervisors Association (GSA)

FLSA Status: Exempt

Code of Ethics Certification: No

Class Spec. Estab./Revised: E1076-R 4/15
PLANS EXAMINER

NATURE OF WORK

This is advanced technical work in the enforcement of the Florida Building Code, Florida Statutes, Florida Administrative Code, Broward County Ordinances and all other regulations relating to buildings, structures and their appurtenances.

Work involves the application of these regulations as applied to the review of building construction documents. Work is performed with considerable independence within established codes, regulations, and technical guidelines, and is reviewed by administrative superiors through conferences and reports.

ILLUSTRATIVE TASKS

Conducts examination of building permit applications, including blueprints, specifications, surveys, product approvals and shop drawings and all other required documents for compliance with the Florida Building Code and other regulations relating to building construction.

Provides clear and concise commentary on all code violations found in building permit application documents giving all required code sections.

Approves, with signature, all building permit applications found to be in compliance with all relative codes and regulations.

Meets with design professionals, contractors and other interested parties to discuss technical code issues which arise during the plan review process.
Prepares and maintains all required records and reports.

Inspects buildings and other facilities for compliance with the Florida Building Code and all other related regulations as required by the supervisor.

Performs related work as required.

KNOWLEDGE, ABILITIES AND SKILLS

Considerable knowledge of materials, methods and practices used in building construction.

Ability to read and interpret construction plans, surveys and other documents for compliance with the Florida Building Code and other regulations.

Ability to explain, interpret, and enforce codes and regulations fairly, tactfully and impartially.

Ability to present ideas effectively, both orally and in writing.

Ability to serve the public and fellow employees with honesty and integrity in full accord with the letter and spirit of Broward County’s Ethics and Conflict of Interest policies.

Ability to establish and maintain effective working relationships with the general public, co-workers, elected and appointed officials and members of diverse cultural and linguistic backgrounds regardless of race, color, religion, age, gender, ethnicity, disability, sexual orientation, marital status or political affiliation.

Skill in the use of personal computers, and the use of software contiguous to producing reports, spreadsheets, graphs and other required documents.

REQUIRED EXPERIENCE AND TRAINING

Graduation from high school; two (2) years experience as a Certified Building Code Inspector under the jurisdiction of the Florida Building Code.
NECESSARY SPECIAL REQUIREMENT

Must be able to attain and maintain certifications to perform plan review and inspections from the State of Florida Building Code Administrators and Inspectors Board and the Broward County Board of Rules and Appeals. Must meet all requirements as specified in the Florida Building Code as amended by Broward County.

GENERAL INFORMATION

Bargaining Unit: Blue Collar
FLSA Status: Non-Exempt
Code of Ethics Certification: No
Work Locations: Building Code Services

Class Spec. Estab./Revised: E1/91 R 01/2005
Tonight we are requesting authorization for the City Attorney’s office to initiate a foreclosure action against the property located at 1500 SW 68 Way.

**Background:**
The property located at 1500 SW 68 Way has been vacant since 2005 when the owner passed away. The property fell into an estate and has been sporadically maintained over the last ten years. The single family home suffered further damage after Hurricane Wilma and has been repeatedly boarded up by the City to secure it from vandals. The City has a total of seventeen (17) valid liens against the property, totaling well over $1 million dollars. The City is burdened with the expense and labor of maintaining the property.

Additionally, we are in receipt of a request from the Broadview/Pompano Park Homeowner’s Association to take all appropriate action to have the owners correct the code and safety issues at the property or to have it demolished. Most recently, Wells Fargo issued a satisfaction of their mortgage on the property, which would allow the City to obtain clear title to the property if it forecloses. Mr. DiNardo, the estate’s representative, lives in Philadelphia and has not taken any action to maintain the property or remedy the violations.

Due to these circumstances, the City Attorney’s office presented this case on behalf of the City, to the Special Magistrate on May 20, 2015. During the hearing, it was established that the City’s liens are properly recorded, remain unpaid and more than three (3) months have elapsed since they were recorded in the public record, and that the property is not homesteaded. Based on this evidence, the Special Magistrate determined that the statutory requirements of Chapter 162 and code requirements to authorize foreclosure proceedings had been met. The attached order was issued authorizing the foreclosure action. Therefore, the staff is presenting this information tonight for Commission’s consideration to authorize the City Attorney’s office to move forward with the foreclosure action against the property.

**RECOMMENDATION:**
The City Administration requests City commission’s motion to authorize the City attorney’s office to move forward with the foreclosure action against the property located at 1500 SW 68th way.
BEFORE THE SPECIAL MAGISTRATE
IN AND FOR THE CITY OF NORTH LAUDERDALE
BROWARD COUNTY, FLORIDA
ENFORCEMENT ORDER

CITY OF NORTH LAUDERDALE

VS.

IRENE K. BLOOMQUIST ESTAT., THOMAS DI NARDO
5516 PULASKI AVENUE
PHILADELPHIA, PA 19144

LOCATION: 1500 SW 68th Way, North Lauderdale, Florida

ORDER AUTHORIZING FORECLOSURE

The Special Magistrate appointed by the City Commission to hear code compliance cases for the City of North Lauderdale ("City") in accordance with Chapter 162, Florida Statutes, and the City’s Code of Ordinances heard testimony at a Code Compliance Hearing held on May 20, 2015, and hereby makes the following findings of fact, conclusions of law, and authorizes the City to initiate foreclosure proceedings as follows:

FINDINGS OF FACT

1. The City presented evidence and testimony to support that there are recorded liens against the subject property.

2. The City presented evidence and testimony to support that the subject liens have not been paid and remain due and owing to the City.

3. The City presented testimony and evidence that the property is not homestead under Section 4 Article X of the Florida Constitution.

CONCLUSIONS OF LAW

The liens in Case No. C09-02-CEB-44512; C09-08-CEB-47768; C10-10-57788; 11-03 CEB 61081; C11-0104-64304 SMH; C12-02-66704 SMH; C12-05-67833 SMH; C12-10-70610 SMH; C13-02-72626 SMH; C13-06-77549 SMH; C13-08-75090 SMH; C13-08-CEB-76676; C13-1107663 SMH; C14-01-777299 SMH; C14-02-77223 SMH; C14-06-75092 SMH; C14-05-78343 SMH were duly recorded in the public records, remain unpaid, and more than three (3) months have elapsed since the City recorded its liens in the public records. Therefore, the statutory and code requirements to authorize foreclosure proceedings have been met.

ORDER—FORECLOSURE AUTHORIZATION

It is the Order of the Code Compliance Special Magistrate that the City of North Lauderdale is hereby authorized to foreclose on the following liens:

JULY 20, 2015

[Signature]
1. Case No. C09-02-CEB-44512 recorded in ORB 46326, Page 1467
2. Case No. C09-08-CEB-47768 recorded in ORB 46821, Page 744
3. Case No. C10-10-57788 recorded in ORB 47545, Page 783
4. Case No. 11-03 CEB 60861 recorded in ORB 47908, Page 1589
5. Case No. C11-010-64304 SMH recorded in ORB 48333, Page 1049
6. Case No. C12-02-66704 SMH recorded in ORB 48617, Page 268
7. Case No. C12-05-67833 SMH recorded in ORB 48861, Page 290
8. Case No. C12-10-70810 SMH recorded in ORB 49252, Page 252
9. Case No. C13-02-72626 SMH recorded in ORB 49647, Page 1597
11. Case No. C13-08-75090 SMH recorded in ORB 50222, Page 1787
12. Case No. C13-08-CEB-76676 recorded in ORB 50410, Page 1750
13. Case No. C13-11076632 SMH recorded in ORB 50435, Page 1604
14. Case No. C14-01-77129 SMH recorded in ORB 50581, Page 294
15. Case No. C14-02-77221 SMH recorded in ORB 50645, Page 284
16. Case No. C14-06-78929 SMH recorded in ORB 50966, Page 516
17. Case No. C14-05-78343 SMH recorded in ORB 50966, Page 536

On the property described below:

LOCATION OF VIOLATION: 1500 SW 68th Way, North Lauderdale, Florida

LEGAL DESCRIPTION: Broadview Country Club Estates 2nd Add 47-22 B Lot 1 Blk 21

PARCEL ID: 4941-12-04-0170

DONE AND ORDERED on May 20, 2015.

Attest: ___________________________ By: ___________________________
SPECIAL MAGISTRATE CLERK SPECIAL MAGISTRATE

STATE OF FLORIDA )
COUNTY OF BROWARD )

I HEREBY VERIFY THAT ON THIS DAY, BEFORE ME, AN OFFICER DULY QUALIFIED TO TAKE ACKNOWLEDGEMENTS, PERSONALLY APPEARED THE SPECIAL MAGISTRATE AND THE SPECIAL MAGISTRATE CLERK, RESPECTIVELY OF THE CITY OF NORTH LAUDERDALE, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENTS AND ACKNOWLEDGED BEFORE ME THAT THEY EXECUTED SAME, WITNESS BY HAND AND OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID ON MAY 20, 2015.

(Handwritten Signature)
The Federal Emergency Management Administration (FEMA) recommends municipalities establish emergency debris management contracts to be activated in the event of a declared emergency, such as a hurricane, tornados, etc. This contract provides for the collection, processing, and disposal of large quantities of debris generated by natural and/or unplanned events. This contract is needed to conduct specialized emergency debris management work and to ensure compliance with FEMA guidelines for successful monetary reimbursement.

The City’s current Disaster and Debris Management Services contract earlier expired this year. Therefore, RFP #15-05-348 was advertised in Sun-Sentinel and the City’s website to establish a pre-need, pre-event contract with a qualified and experienced emergency and debris management firm to provide services to the City during disaster or emergency events.

A pre-bid meeting was held on May 27, 2015 and was attended by four prospective bidders. The City received two sealed proposals, which were opened on June 16, 2015. The respondents are as follows:

- DRC Emergency Services, LLC.
- Ceres Environmental Services, Inc.

The City convened an evaluation committee tasked with publicly reviewing and ranking the proposals based on the criteria listed below and selecting a vendor to be recommended to the City Commission for award.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Maximum</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experience and Ability</td>
<td>20%</td>
<td></td>
</tr>
<tr>
<td>Operational Plan</td>
<td>25%</td>
<td></td>
</tr>
<tr>
<td>Previous Experience</td>
<td>20%</td>
<td></td>
</tr>
<tr>
<td>Financial Capability</td>
<td>5%</td>
<td></td>
</tr>
<tr>
<td>Project Cost</td>
<td>30%</td>
<td></td>
</tr>
</tbody>
</table>
On June 18, 2015 the evaluation committee met, which comprised of the following members:

- Ivelsa Guzman, City of North Lauderdale, Purchasing & Contracts Manager
- George Krawczyk, City of North Lauderdale, Assistant Public Work Director
- Tanya Davis-Hernandez, City of North Lauderdale, Community Development Manager
- Spencer Shambray, City of Margate, Purchasing Supervisor

Based upon the criteria listed above, the evaluating committee ranked the vendors in the order shown below.

1. Ceres Environmental Services, Inc.
2. DRC Emergency Services, LLC.

The City has opted to select a primary vendor and a secondary vendor to make sure that the City has enough resources in case of a large scale disaster. Since there were only two bidders who submitted the bids and both are qualified to handle Disaster and Debris Management Services, the staff is recommending selecting Ceres Environmental Services, Inc. as the primary vendor and DRC Emergency Services, LLC as the secondary vendor. If the primary vendor is unable to fulfill the obligation for any unforeseen reason, the secondary vendor will be called in to complete the project.

The initial contract term shall commence upon date of award by the City and shall expire five (5) years from that date. The City reserves the right to extend the contract for one (1), additional five-year terms, providing all terms conditions and specifications remain the same, both parties agree to the extension, and such extension is approved by the City in writing.

**RECOMMENDATION:**

The City Administration recommends Commission’s consideration and approval of the attached resolution accepting the ranking of the Evaluation committee for RFP#15-05-348 Disaster and Debris Management Services and award the contract to Ceres Environmental Services, Inc. as the primary vendor and DRC Emergency Services LLC. as the secondary vendor.
RESOLUTION NO. 15-________


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

SECTION 1: That the City Commission authorizes the City Manager or her designee to enter into an amendment agreement approving the award of RFP 15-05-348, Disaster and Debris Management Services to Ceres Environmental Services Inc. as the primary vendor and DRC Emergency Services as a secondary vendor.

SECTION 2: That the City Manager is hereby authorized and directed to execute a contract for the above.

SECTION 3: The initial contract term shall commence upon date of award by the City and shall expire five (5) years from that date. The City reserves the right to extend the contract for one (1), additional five-year terms, providing all terms conditions and specifications remain the same, both parties agree to the extension, and such extension is approved by the City in writing.

SECTION 4: That this Resolution shall become effective immediately upon its passage.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 30th day of June, 2015.

APPROVED AS TO LEGAL FORM:

CITY ATTORNEY SAMUEL S. GOREN

MAYOR JACK BRADY

VICE MAYOR JERRY GRAZIOSE

ATTEST:

PATRICIA VANCHERI, CITY CLERK
City of North Lauderdale  
Bid # 15-05-348  

REQUEST FOR BIDS FOR DISASTER/DEBRIS MANAGEMENT SERVICES

Evaluation Committee Meeting: June 18, 2015

Committee Members:

George Krawczyk, City of North Lauderdale, Assistant Public Works Director  
Evie Guzman, City of North Lauderdale Purchasing & Contracts Manager  
Tanya Davis-Hernandez, City of North Lauderdale Community Dev. Manager  
Spencer Shambray, City of Margate Purchasing Supervisor

EVALUATION CRITERIA FOR AWARD OF CONTRACT

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experience and Ability</td>
<td>0-20pts</td>
</tr>
<tr>
<td>Operational Plan</td>
<td>0-25 pts</td>
</tr>
<tr>
<td>Previous Experience</td>
<td>0-20 pts</td>
</tr>
<tr>
<td>Financial Capability</td>
<td>0-5 pts</td>
</tr>
<tr>
<td>Project Cost</td>
<td>0-30 pts</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>0-100 pts</strong></td>
</tr>
</tbody>
</table>

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### Summary of All Scores

**Evaluation Committee Score Sheet**

**Wednesday, June 18, 2019**

<table>
<thead>
<tr>
<th>Evaluator/Vendor</th>
<th>1 Ceres Environmental</th>
<th>2 DRC Emergency Services, Inc.</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>George Krawczyk</td>
<td>95</td>
<td>90</td>
<td>384</td>
</tr>
<tr>
<td>Tanya Davis</td>
<td>96</td>
<td>90</td>
<td>361</td>
</tr>
<tr>
<td>Norberto Serrano</td>
<td>96</td>
<td>90</td>
<td>361</td>
</tr>
</tbody>
</table>

**Rank**

1. 384
2. 361
City of North Lauderdale  
Bid # 15-05-348  
DISASTER/DEBRIS MANAGEMENT SERVICES  
evaluation criteria for award of contract

<table>
<thead>
<tr>
<th>Category</th>
<th>CERES</th>
<th>DRC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experience and Ability</td>
<td>0-20 PTS</td>
<td>19</td>
</tr>
<tr>
<td>Operational Plan</td>
<td>0-25 PTS</td>
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<tr>
<td>Previous Experience</td>
<td>0-20 PTS</td>
<td>20</td>
</tr>
<tr>
<td>Financial Capability</td>
<td>0-5 PTS</td>
<td>5</td>
</tr>
<tr>
<td>Project Cost</td>
<td>0-30 PTS</td>
<td>27</td>
</tr>
<tr>
<td>Totals</td>
<td>0-100 PTS</td>
<td>95</td>
</tr>
</tbody>
</table>

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City of North Lauderdale
Bid # 15-05-348
DISASTER/DEBRIS MANAGEMENT SERVICES
EVALUATION CRITERIA FOR AWARD OF CONTRACT

<table>
<thead>
<tr>
<th>Category</th>
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<th>DRC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experience and Ability</td>
<td>20</td>
<td>18</td>
</tr>
<tr>
<td>Operational Plan</td>
<td>25</td>
<td>20</td>
</tr>
<tr>
<td>Previous Experience</td>
<td>20</td>
<td>15</td>
</tr>
<tr>
<td>Financial Capability</td>
<td>0.5</td>
<td>0.5</td>
</tr>
<tr>
<td>Project Cost</td>
<td>27</td>
<td>30</td>
</tr>
<tr>
<td>Totals</td>
<td>97</td>
<td>88</td>
</tr>
</tbody>
</table>

Name: ________________  Date: June 18, 2015

\[\text{X}\] Hernandez

p://public works/projects & bids/strom debris monitoring and financial/evaluation committee meeting criteria-2.docx
City of North Lauderdale  
Bid # 15-05-348  
DISASTER/DEBRIS MANAGEMENT SERVICES  
EVALUATION CRITERIA FOR AWARD OF CONTRACT

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<td>0-20 PTS</td>
<td>20</td>
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<tr>
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<td>0-25 PTS</td>
<td>25</td>
</tr>
<tr>
<td>Previous Experience</td>
<td>0-20 PTS</td>
<td>18</td>
</tr>
<tr>
<td>Financial Capability</td>
<td>0-5 PTS</td>
<td>5</td>
</tr>
<tr>
<td>Project Cost</td>
<td>0-30 PTS</td>
<td>29</td>
</tr>
</tbody>
</table>

| Totals                        | 0-100 PTS | 95 | 90 |

Name: George Krawczyk  
Date: June 18, 2015
<table>
<thead>
<tr>
<th>Category</th>
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<tbody>
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<tr>
<td>Project Cost</td>
<td>07</td>
<td>30</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>97</strong></td>
<td><strong>91</strong></td>
</tr>
</tbody>
</table>

The document appears to be an evaluation criteria for awarding a contract to CERES and DRC, with criteria such as experience, operational plan, previous experience, financial capability, and project cost. The totals indicate CERES scored 97 points and DRC scored 91 points. The signature at the bottom suggests approval or endorsement of the evaluation.
The Federal Emergency Management Administration (FEMA) recommends that municipalities establish emergency debris management contracts that provides for the monitoring and financial recovery assistance in the event of a declared emergency, such as a hurricane, tornados, etc. This purpose of this contract is to ensure compliance with FEMA guidelines for successful monetary reimbursement. In the past, the City has used our Engineering firm, Calvin Giordano and Associates to provide this service on as needed basis. However, in order to get the best vendor for this service, the staff determined that placing a Request For Proposal (RFP) on the street was the best course of action.

Therefore, RFP #15-05-349 for Disaster/Debris Monitoring Services and Financial Recovery Assistance was advertised in sun-Sentinel and the City’s Website to establish a pre-need, pre-event contract with a qualified and experienced monitoring and financial recovery assistance management firm to provide services to the City during disaster or emergency events.

At the pre-bid meeting, only one vendor showed up in response to the advertisement of RFP #15-05-349 and the City also received only one sealed proposal by the same vendor (listed below), which was opened on June 16th, 2015.

➢ Witt O’Brien’s

The City convened an evaluation committee tasked with publicly reviewing the proposal based on the criteria listed below and to recommend a vendor to the City Commission for award.

<table>
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<td>Project Cost</td>
<td>30%</td>
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</table>
On June 18 the evaluation committee met. The committee was comprised of the following members:

- Ivelsa Guzman, City of North Lauderdale, Purchasing & Contracts Manager
- George Krawczyk, City of North Lauderdale, Assistant Public Work Director
- Tanya Davis-Hernandez, City of North Lauderdale, Community Development Manager
- Spencer Shambray, City of Margate, Purchasing Supervisor

Since there was only one vendor to evaluate, the Committee compared pricing from other local bids submitted to other cities to ensure that this vendor is providing fair pricing to the City. After conducting the review based upon the criteria listed above, the evaluating committee agreed that Witt O’Brien’s has the professional expertise to carry out the functions as stated in RFP #15-05-349.

The initial contract term shall commence upon date of award by the City and shall expire five (5) years from that date. The City reserves the right to extend the contract for one (1), additional five-year terms, providing all terms conditions and specifications remain the same, both parties agree to the extension, and such extension is approved by the City in writing.

**RECOMMENDATION:**

The City Administration recommends Commission’s consideration and approval of the attached resolution authorizing the City Manager or designee to enter into a contract with Witt O’ Brien pursuant to RFP#-05-349 for Disaster/Debris Monitoring Services and Financial Recovery Assistance.
RESOLUTION NO. ______________________

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO A CONTRACT WITH WITT O’BRIEN PERSUANT TO RFP# 05-349 FOR DISASTER/DEBRIS MONITORING SERVICES AND FINANCIAL RECOVERY ASSISTANCE, IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE AGREEMENTS AND RFP# 15-05-349 DISASTER AND DEBRIS MANAGEMENT SERVICES, PRICING SCHEDULES AND ALL ATTACHMENTS AND AMENDMENTS; 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 Commission authorizes the City Manager or her designee to enter into an agreement approving the award of RFP 15-05-349, Disaster/Debris Monitoring Services and Financial Recovery Assistance to Witt O’Brien’s.

SECTION 2: That the City Manager is hereby authorized and directed to execute a contract for the above.

SECTION 3: The initial contract term shall commence upon date of award by the City and shall expire five (5) years from that date. The City reserves the right to extend the contract for one (1), additional five-year terms, providing all terms conditions and specifications remain the same, both parties agree to the extension, and such extension is approved by the City in writing.

SECTION 4: That this Resolution shall become effective immediately upon its passage.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 30th day of June, 2015.

APPROVED AS TO LEGAL FORM:

CITY ATTORNEY SAMUEL S. GOREN

MAYOR JACK BRADY

VICE MAYOR JERRY GRAZIOSE

ATTEST:
City of North Lauderdale
Bid # 15-05-349

REQUEST FOR BIDS FOR DISASTER/DEBRIS MONITORING SERVICES
AND FINANCIAL RECOVERY ASSISTANCE

Evaluation Committee Meeting: **June 18, 2015**

Committee Members:

George Krawczyk, City of North Lauderdale, Assistant Public Works Director
Evie Guzman, City of North Lauderdale Purchasing & Contracts Manager
Tanya Davis-Hernandez, City of North Lauderdale Community Dev. Manager
Spencer Shambray, City of Margate Purchasing Supervisor

**EVALUATION CRITERIA FOR AWARD OF CONTRACT**

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<tr>
<td>Financial Capability</td>
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<tr>
<td>Project Cost</td>
<td>0-30 pts</td>
</tr>
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Certifier of Score

Please Print Name

Signature

Date
City of North Lauderdale  
Bid # 15-05-349
DISASTER/DEBRIS MONITORING SERVICES AND FINANCIAL RECOVERY ASSISTANCE  
EVALUATION CRITERIA FOR AWARD OF CONTRACT

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City of North Lauderdale  
Bid # 15-05-349  
DISASTER/DEBRIS MONITORING SERVICES AND FINANCIAL RECOVERY ASSISTANCE  
EVALUATION CRITERIA FOR AWARD OF CONTRACT

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Name: **Spencer Shambay**  
Date:  **June 18, 2015**
City of North Lauderdale  
Bid # 15-05-349  
DISASTER/DEBRIS MONITORING SERVICES AND FINANCIAL RECOVERY ASSISTANCE  
EVALUATION CRITERIA FOR AWARD OF CONTRACT

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TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Michael Sargis, Assistant City Manager/Parks and Recreation Director
     Rene Gonzales, Finance Director
     Mitch Williams, IT Manager
DATE: June 30, 2015

SUBJECT: Registration – Computer Software System

As you may recall, in 2000, the City implemented the conversion of software operating systems from H.T.E to the current MUNIS System. As the MUNIS did not have a professional software for registrations for Recreational programs, staff was forced to use “WORD” and “EXCEL” programs to complete a registration. This process consists of 6 internal steps and is very time consuming for both staff and the customer.

Recently, MUNIS did develop a Parks and Recreation Modular; however this modular did not meet our needs. Upon research and review of other software systems, staff found a system known as Rec Trac, that is not only compatible with MUNIS but is also a leader in the Recreation Registration Field. This program will make the registration process quicker and more accurate because of all the capabilities of the system. In addition, since the financial capabilities of this system are can be integrated with MUNIS, the cash handling process becomes much easier and accurate.

RecTrac is the leader in the field and is the most widely used Recreation Software program in the area. A recent survey conducted by another Parks and Recreation Department in the County revealed that over 90% of the Cities in the County are using Rec Trac.

The total start-up costs of all software/hardware and training is $22,013.00 of which $13,550.00 is for support services and hands on training. Along with the one-time start-up costs, the annual maintenance fee is $4,032.00- making the first year total expenditure of $26,138.00. After the initial start-up costs, the annual cost is only $4,032.00. Funding for this purchase is available in the Parks and Recreation Department’s 2014/15 Fiscal Year Budget.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached resolution authorizing the City Manager to enter into an agreement with Vermont Systems for the RecTrac Recreation Software Program in an amount not to exceed $26,138.00 for year one and also authorizing the annual maintenance fee of $4,032.00 for future years.
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 A MAINTENANCE AND LICENSE AGREEMENT WITH VERMONT SYSTEMS FOR A RECREATION PROGRAM REGISTRATION SOFTWARE SYSTEM; DIRECTING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE INTENT OF THIS RESOLUTION; 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 or her designee is hereby authorized and directed to take all steps necessary to negotiate and execute a software maintenance agreement by and between the City and Vermont Systems for a Recreation Program Registration Software System.

Section 2: That the total initial year cost of this agreement shall not exceed $26,138.00 which funds are available and budgeted within the City’s approved FY 014-15 Parks and Recreation budget.

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 30th day of June, 2015.

APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________________
MAYOR JACK BRADY

__________________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

__________________________________
CITY CLERK PATRICIA VANCHERI
FINANCE DEPARTMENT
MEMORANDUM

To: Honorable Mayor and City Commission

From: Ambreen Bhatty, City Manager

By: René D. Gonzalez, Finance Director

Date: June 30, 2015

Re: First Reading: Privilege Fee

As you know, the City maintains and operates a water and sewer system that utilizes publicly owned property. As part of this operation, the City incurs maintenance costs to assure the safe use of its streets, rights-of-way, and publicly owned properties utilized in furnishing water and sewer services to customers. Therefore, Staff is proposing to implement a “Privilege Fee” that could be transferred from the Water and Sewer Utility fund to the General fund to off-set this cost.

The Staff has determined that City’s Water and Sewer fund shall, as a reasonable compensation for its use of the publicly owned properties, pay the City’s General fund a privilege fee in the amount equal to ten (10%) percent of billed revenue computed based upon the water and sewer billed sales and availability fees. The fee will not be based upon other revenues, such as connection fees, penalties and other miscellaneous revenues. This privilege fee is not a payment in lieu of any other tax, fee, or assessment.

Please be advised that this fee is not an additional fee imposed on the residents or business customers as it does not increase the utility rates. This amount is paid from the water and sewer revenues already in place.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached Ordinance on first reading amending Chapter 70, entitled “Utilities” of the City’s Code of Ordinances to create Section 70-8 to be entitled “Privilege Fee” to provide for the imposition of a fee for the use of publicly owned property by the Water and Sewer Utility fund.

CODING: Words in struck-through type are deletion from existing law; words in underlined type are additions.
ORDINANCE NO. ____________________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 70, ENTITLED “UTILITIES” OF THE CODE OF ORDINANCES OF THE CITY OF NORTH LAUDERDALE TO CREATE SECTION 70-8 TO BE ENTITLED “PRIVILEGE FEE” TO PROVIDE FOR THE IMPOSITION OF A FEE FOR THE USE OF PUBLICLY OWNED PROPERTY BY THE WATER AND SEWER UTILITY FUND; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the water and sewer utility fund servicing the residents of the City of North Lauderdale utilizes publicly owned property, including easements and rights-of-way, in order to deliver sewer services throughout the City; and

WHEREAS, the water and sewer utility fund utilize publicly owned property for a multitude of purposes, including water and sewer lines, pump stations, water treatment plants, meters, manholes, maintenance, and repair; and

WHEREAS, the City of North Lauderdale incurs maintenance costs to assure the safe use of its streets, rights-of-way, and publicly owned properties, utilized by the water and sewer utility fund in furnishing services to customers; and

WHEREAS, the City Commission of the City of North Lauderdale has determined that a privilege fee of ten (10%) percent should be imposed on the water and sewer service (including availability fees), as reasonable compensation for the actual use of publicly owned property; and

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

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.
SECTION 2. Chapter 70, Article 1, Section 70-8 entitled “Privilege Fee”, is hereby created as follows:

Sec. 70-8. – Privilege Fee.

The City’s water and sewer utility fund shall, as compensation for its use of the public rights-of-way, pay the City a privilege fee in the amount equal to ten (10%) percent of billed revenue, which shall be computed based upon the water and sewer billed sales plus billed base availability fees, or in the amount as thereafter amended by resolution of the City Commission. For purposes of this section, the term revenue shall exclude other miscellaneous revenues, such as connection fees, penalties and other miscellaneous revenues collected by the City’s water and sewer utility fund. The water and sewer utility fund shall pay the privilege fee to the City on a monthly basis, with each payment being made not later than thirty (30) calendar days after the end of the subject month. This privilege fee is not a payment in lieu of any other tax, fee, or assessment.

SECTION 3. It is the intention of the City Commission of the City of North Lauderdale that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Lauderdale, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word “Ordinance” may be changed to “Section,” “Article”, or such other word or phrase in order to accomplish such intention.

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

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

SECTION 6. This Ordinance shall become effective immediately upon its passage and adoption.
PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE FIRST READING, THIS _____f DAY OF __________________, 2015.

PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE SECOND AND FINAL READING, THIS ___ DAY OF __________________, 2015.

________________________________________________________________________________________
APPROVED AS TO FORM: __________________________
MAYOR JACK BRADY

________________________________________________________________________________________
SAMUEL S. GOREN __________________________
CITY ATTORNEY

________________________________________________________________________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

________________________________________________________________________________________
PATRICIA VANCHERI __________________________
CITY CLERK
CITY OF NORTH LAUDERDALE
CITY CLERK’S OFFICE

TO: Mayor and City Commission

FROM: Ambreen Bhatt, City Manager

BY: Patricia Vancheri, City Clerk

DATE: June 30, 2015

SUBJECT: **First Reading – Amending Sec. 2-32 “Meetings”**
Establishing Commission Meeting Times

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**Background:**

At the City Commission meeting on October 28, 2014, the Commission voted unanimously to implement a six (6) month trial period changing the meeting time of the two Commission meetings, from 5:30 p.m. on the first monthly meeting and 7:00 p.m. on the second monthly meeting to 6:00 p.m. for both meetings, to see if the time of the meetings made a difference in attendance by the residents and community. The trial period ended in June of 2015.

Since there has been no correspondence or complaints from the community to date, regarding the change of time, at the City Commission meeting on June 9, 2015, the Commission voted unanimously to continue to schedule both Commission meetings at 6:00 p.m. on a permanent basis.

The City Commission also authorized the City Attorney to draft the attached proposed Ordinance amending the City’s Code of Ordinances, Sec. 2-32 entitled “Meetings” which establishes meeting times.

**RECOMMENDATION:**

Commission’s consideration and approval on first reading of the attached ordinance amending Sec. 2-32 – “Meetings” – to establish new City Commission meeting times.
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 2, ENTITLED “ADMINISTRATION”, ARTICLE II, ENTITLED “GOVERNING BODY”, DIVISION 1, SECTION 2-32 ENTITLED “MEETINGS”, TO ESTABLISH THAT REGULAR MEETINGS OF THE CITY COMMISSION SHALL BEGIN AT 6:00 P.M.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Administration has reviewed the City’s current Code of Ordinances; and

WHEREAS, pursuant to the Code of Ordinances, City Commission meetings are to begin at 7:00 p.m.; and

WHEREAS, the City implemented a six month pilot program during which it altered the start time of the City Commission meetings to 6:00 p.m. to gauge if the time change would impact attendance or public participation; and

WHEREAS, the City Commission finds it in the best interest of the City to amend the City’s Code of Ordinances to provide that City Commission meetings shall begin at 6:00 p.m. rather than 7:00 p.m.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AS FOLLOWS:
SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. Chapter 2, Article II, Division 1, Section 2-32 entitled “Meetings”, is hereby amended as follows:

Sec. 2-32. - Meetings.

(a) Regular. There shall be at least two regular meetings of the governing body each month. The regular meeting of the governing body shall be conducted at the Petta Building, City of North Lauderdale Municipal Complex, located at 701 SW 71st Avenue, North Lauderdale, Florida, 33068. The regular meetings shall be held on the second and last Tuesday of each month at 7:00 p.m.; however, the governing body by appropriate motion may change or cancel the date and time of the holding of the regular meetings of the governing body. If such a change is made, a notice of the holding of the meeting at a time or date different than 7:00 p.m. on the second or last Monday of each month shall be posted both inside and outside city hall and such other places as notices are regularly posted at least 24 hours prior to the holding of the meeting.

(b) Special; workshop. Special meetings or workshop meetings of the governing body may be called from time to time by the mayor or by a majority of the members of the governing body. A notice stating the date, time and place of such workshop meetings or special meetings of the governing body shall be posted at city hall at least 24 hours prior to the holding of such a meeting.

(c) To be public. Except as authorized by law, all meetings, regular, workshop or special, of the governing body shall be open to the public and all persons are hereby placed on notice for the terms of this section that all meetings, regular, workshop or special, of the city are public meetings and any person may attend at such meeting.

SECTION 3. It is the intention of the City Commission of the City of North Lauderdale that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Lauderdale, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word “Ordinance” may be changed to “Section,” “Article”, or such other word or phrase in order to accomplish such intention.
SECTION 4. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the remaining portions or applications remaining in full force and effect.

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

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

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE FIRST READING, THIS ___ DAY OF __________, 2015.

PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE SECOND AND FINAL READING, THIS ___ DAY OF __________, 2015.

APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL S. GOREN

____________________________
MAYOR JACK BRADY

____________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

__________________________________
CITY CLERK PATRICIA VANCHERI
1. CALL TO ORDER – Chairman Moyle

2. ROLL CALL
   Chairman Moyle
   Secretary Brady
   Supervisor Hilton
   Supervisor Graziose
   Supervisor Wood
   Administrator Shields
   City Manager Bhatty
   City Attorney Goren
   City Clerk Vancheri

3. APPROVAL OF MINUTES
   a. June 9, 2015

4. RESOLUTION - Preliminary Water Control District Rate
   - Motion, second and vote to read
   - Attorney reads title
   - Staff presentation
   - Motion and second to adopt
   - Discussion
   - Vote

A RESOLUTION OF THE NORTH LAUDERDALE WATER CONTROL DISTRICT, RELATING TO THE PROVISION OF WATER CONTROL AND DRAINAGE SERVICES, FACILITIES AND PROGRAMS (THE “WATER MANAGEMENT SYSTEM”) WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE DISTRICT; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR WATER MANAGEMENT SYSTEM ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

5. ADJOURNMENT
The North Lauderdale Water Control District met at the Municipal Complex on Tuesday, June 9, 2015.

1. **CALL TO ORDER** – Chairman Moyle called the meeting to order at 7:20 p.m.

2. **ROLL CALL** – All present
   - Chairman Rich Moyle
   - Secretary Jack Brady
   - Supervisor David Hilton
   - Supervisor Jerry Graziose
   - Supervisor Lorenzo Wood
   - Administrator Michael Shields
   - City Manager Ambreen Bhaty
   - City Attorney Samuel S. Goren
   - City Clerk Patricia Vancheri

3. **APPROVAL OF MINUTES**

   a. **March 31, 2015** – Secretary Brady moved to approve the Minutes as submitted. Seconded by Supervisor Hilton. *Minutes approved unanimously by voice vote.*

4. **ELECTION OF CHAIRMAN & SECRETARY**

   Supervisor Hilton made a motion to leave the slate of officers as is. Seconded by Supervisor Wood. All in favor by voice vote. Motion passes unanimously.

5. **GENERAL DISCUSSION**

   Chair Moyle asked Administrator Shields about if we are still using divers to check all the culverts to see what’s in there. Mr. Shields responded that it hasn’t been done in several years. He said in the past we had employees who were certified and we did it in house for a while but the culvert inspections were done to make sure there were no blockages, but we haven’t had any water flow issues there. Mr. Shields reported that as part of the capital work for the future, some of those culverts may need to be inspected to see if they need to be lined or need any structural repairs. Mr. Shields stated that at this time he does not believe we need the expense of professional divers at this time.
Mr. Shields also reported that they have gotten quotes from contractors regarding an eroding bank and they are ready to go on that but are awaiting receipt of the signed documents for the easements back from the company that owns the property. The item may come back at some future meeting for an expenditure.

6. ADJOURNMENT – there being no further business the meeting adjourned at 7:26 p.m.

Respectfully submitted,

Patricia Vancheri, City Clerk
INTERDEPARTMENTAL
MEMORANDUM

To: Chairman and Board of Supervisors
North Lauderdale Water Control District

From: Ambreen Bhatti, City Manager

By: Mike Shields, District Administrator
René D. Gonzalez, Finance Director

Date: June 30, 2015

Subject: Preliminary Water Control District (WCD) Rate Resolution

Attached for your consideration is the Administration’s proposed Preliminary Rate Resolution for the North Lauderdale Water Control District (District).

Background: Chapter 2005-316, Laws of Florida, amended, reenacted, repealed and codified all previous Chapters relating to the District. Chapter 2005-316, Laws of Florida, also revised the District’s boundaries to be the same as the City’s, confirmed the District’s authority to levy non ad-valorem special assessments and provided for several other administrative matters.

Current Operations: The District plans to persist in eliminating evasive species of aquatic growth in the canals and lakes and maintain water flows. The District will continue to work closely with Code Enforcement to address violations of illegal dumping of debris that may have impeded the flow of water without the involvement of the City. The District will also continue to attempt to find a cost effective means to identify canal bank erosion issues.

Rate Analysis: The Administration supports maintaining the prior year assessment rate of $55.15 per Unit to provide the necessary funding for the District’s operational costs. This will be the tenth year in a row with no increase in the WCD assessment rate.

Recommendation:

The Administration recommends the Board of Supervisors’ consideration and approval of the attached preliminary rate resolution relating to the provision of Water Control and Drainage Services, Facilities and Programs (the “Water Management System”) within the geographical boundaries of the District; establishing the estimated assessment rate for Water Management System Assessments for the fiscal year beginning October 1, 2015; directing the preparation of an assessment roll; authorizing a public hearing and directing the provision of notice thereof.
RESOLUTION NO. ________________

A RESOLUTION OF THE NORTH LAUDERDALE WATER CONTROL DISTRICT, RELATING TO THE PROVISION OF WATER CONTROL AND DRAINAGE SERVICES, FACILITIES AND PROGRAMS (THE “WATER MANAGEMENT SYSTEM”) WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE DISTRICT; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR WATER MANAGEMENT SYSTEM ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature enacted Chapter 63-661, Laws of Florida, as amended, which created the North Lauderdale Water Control District (“DISTRICT”) and authorized the imposition of a Water Management System Assessment to fund water control and drainage services, facilities, and programs within the DISTRICT;

WHEREAS, in 1997, the Florida Legislature enacted House Bill 1875 which amended Chapter 63-661, Laws of Florida, as amended, converting the DISTRICT into a “dependant district” as defined in section 189.4041, Florida Statutes; and

WHEREAS, Chapter 2005-316, Laws of Florida, which codified House Bill 1043, amended, reenacted, repealed and codified all previous Chapters relating to the DISTRICT, revised the boundaries and authority of the DISTRICT, confirmed the authority of the DISTRICT to levy non ad valorem special assessments, and provided for several other administrative matters; and,

WHEREAS, as a result of Chapter 2005-316, Laws of Florida, the boundaries of the DISTRICT now includes all property that benefit from the Water Management System operated by the DISTRICT, and therefore can be assessed for the benefits those properties receive from the Water Management System; and,
WHEREAS, the DISTRICT is authorized to impose non-ad valorem special assessments pursuant to section 189.4065, Florida Statutes, and the Special Acts; and

WHEREAS, the Board of Supervisors of the DISTRICT finds that the cost of operation for the Water Management System in the DISTRICT during fiscal year 2015-2016 will be $680,127; and

WHEREAS, it is fair and reasonable to impose a non-ad valorem special assessment upon specially benefited property within the DISTRICT to fund a portion of the costs of the Water Management System (Water Management Assessment Costs) in the DISTRICT; and,

WHEREAS, the Board of Supervisors determines that such operations, repairs and maintenance of the Water Management System are uniformly required within all Units of the DISTRICT, as each is connected and receive equal benefit through the operations and maintenance of the DISTRICT’S Water Management System; and

WHEREAS, the Board of Supervisors for the DISTRICT finds that there are 11,637 Assessable Units within the DISTRICT.

NOW, THEREFORE, BE IT RESOLVED BY THE DISTRICT:

SECTION 1. RECITALS. The aforementioned WHEREAS clauses are hereby ratified and confirmed as true and correct, and incorporated herein.

SECTION 2. AUTHORITY. This Resolution is adopted pursuant to the provisions of Chapter 63-661, as amended by Chapter 82-273, Laws of Florida, Chapter 94-428, Laws of Florida, House Bill 1875 (adopted in 1997), Chapter 2005-316, Laws of Florida, (collectively, the “Special Acts”), Chapters 189 and 298, Florida Statutes, and other applicable provisions of law.
SECTION 3. PURPOSE AND DEFINITIONS. This Resolution constitutes the Preliminary Rate Resolution which initiates the annual process for imposing the annual special assessments, as authorized in the SPECIAL ACTS and Chapter 189, Florida Statutes, updates the Assessment Roll and directs the re-imposition of Water Management System Assessments for the Fiscal Year beginning October 1, 2015. All capitalized words and terms not otherwise defined herein shall have the meetings set forth in the SPECIAL ACTS, and Chapters 189 and 197, Florida Statutes. Unless the context indicates otherwise, words imparting the singular number include the plural number, and vice versa.

SECTION 4. PROVISION AND FUNDING OF THE DISTRICT'S WATER MANAGEMENT SYSTEM.

(A) Upon the imposition of Water Management System Assessments for water control and drainage services, facilities, and programs against Assessed Property located within the DISTRICT, the DISTRICT shall provide a Water Management System as provided in the SPECIAL ACTS to such Assessed Property. The Assessed Costs for the Water Management System include a portion of any and all costs associated with providing such Water Management System within the DISTRICT, as described in the SPECIAL ACTS.

(B) It is hereby ascertained, determined and declared that each assessable unit located within the DISTRICT will be benefited by the DISTRICT’S provision of a Water Management System in an amount not less than the Water Management System Assessment imposed against such unit, computed in the manner set forth herein, and in the SPECIAL ACTS and Chapters 189 and 286, Florida Statutes.

SECTION 5. IMPOSITION AND COMPUTATION OF WATER MANAGEMENT SYSTEM ASSESSMENTS. Water Management System Assessments shall be imposed upon all
assessable units within the District. Water Management System Assessments shall be computed in the manner set forth in the SPECIAL ACT.

SECTION 6. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT, FAIR APPORTIONMENT, AND PARCEL APPORTIONMENT METHODOLOGIES.

(A) Special Benefit: The findings set forth in the SPECIAL ACT, regarding the necessity for the DISTRICT’S Water Management System, are incorporated herein, and provide the requisite special benefit and logical relationship between the Water Management System and real property so as to permit the Water Management System to be funded by non-ad valorem special assessment.

(B) Fair and Reasonable Apportionment: It is fair and reasonable to equally apportion the Assessed Costs of the Water Management System upon the assessed units, as each assessed unit receives equal benefits from the DISTRICT’S Water Management System, and the amount of the assessment on each of the assessed units does not exceed the benefits received by each assessed unit from the DISTRICT’S Water Management System.

(C) Units: Assessable Units shall be calculated on a per acre basis. Each tract or parcel of land within the DISTRICT that is less than one acre shall be assessed as one full acre (one unit). Each tract or parcel of land of more than one (1) acre, which contains a fraction of an acre, shall be assessed at the nearest whole number of acres, a fraction of one-half (1/2) acre or more shall be assessed as a full acre.

SECTION 7. DETERMINATION OF WATER MANAGEMENT SYSTEM ASSESSED COSTS; ESTABLISHMENT OF ANNUAL WATER MANAGEMENT SYSTEM ASSESSMENT RATES.
(A) The Water Management System Assessed Costs to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment for the Fiscal Year commencing October 1, 2015, is $636,266. The Assessable Unit Apportionment for the Fiscal Year commencing October 1, 2015, is $55.15 per Unit. The approval of the Estimated Water Management System Rate Schedule by the adoption of this Preliminary Rate Resolution determines the amount of the Water Management System Assessed Costs. The remainder of such Fiscal Year budget for water control and drainage services, facilities, and programs shall be funded from available DISTRICT revenue other than Water Management System Assessment proceeds.

(B) The estimated Water Management System Assessments specified herein are hereby established to fund the costs of the Water Management System to be assessed in the Fiscal Year commencing October 1, 2015.

(C) The estimated Water Management System Assessments established in this Preliminary Rate Resolution shall be the estimated assessment rates applied by the Broward County Property Appraiser in the preparation of the updated Assessment Roll for the Fiscal Year commencing October 1, 2015 as provided in this Preliminary Rate Resolution.

SECTION 8. ANNUAL ASSESSMENT ROLL.

(A) The Broward County Property Appraiser is hereby directed to prepare, or cause to be prepared, an updated Assessment Roll for the Fiscal Year commencing October 1, 2015, in the manner provided herein and Section 197.3632, Florida Statutes. The updated Assessment Roll shall include all units within the DISTRICT. The Broward County Property Appraiser shall apportion the estimated Water Management System Costs to be recovered through Water Management System Assessments in the manner set forth in this Preliminary Rate Resolution. A
copy of this Preliminary Rate Resolution, the SPECIAL ACT, and the updated Assessment Roll shall be maintained on file in the office of the Agency Clerk of the DISTRICT and open to public inspection. The foregoing shall not be construed to require that the updated Assessment Roll proposed for the Fiscal Year beginning October 1, 2015, be in printed form if the amount of the Water Management System Assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

(B) It is hereby ascertained, determined, and declared that the method of determining the Water Management System Assessments for water control and drainage services as set forth in the SPECIAL ACTS and this Preliminary Rate Resolution is a fair and reasonable method of apportioning the Water Management System Assessed Cost among units of Assessed Property located within the DISTRICT.

SECTION 9. AUTHORIZATION OF PUBLIC HEARING. There is hereby established a public hearing to be held at 5:05 p.m. on September 11, 2015, in City Commission Chambers of North Lauderdale City Hall, 701 Southwest 71st Avenue, North Lauderdale, Florida, at which time the Board of Supervisors of the DISTRICT will receive and consider any comments on Water Management System Assessments from the public and affected property owners and consider imposing Water Management System Assessments for the Fiscal Year beginning October 1, 2015 and conducting the assessments on the same bill as non ad valorem taxes.

SECTION 10. NOTICE BY PUBLICATION. The Clerk of the Board of Supervisors shall publish notice of the public hearing authorized by Section 9 of this Preliminary Rate Resolution in the manner and time provided in section 197.3632(4)(b), Florida Statutes. The
notice shall be published no later than August 22, 2015, in substantially the form attached hereto as Appendix A.

SECTION 11. NOTICE BY MAIL. The Broward County Property Appraiser shall ensure that proper and timely notice is provided to the Owners of Assessed Property through the use of the TRIM notices forwarded by the Property Appraiser’s Office to Property Owners within the DISTRICT in a manner consistent with the requirements of section 197.3635, Florida Statutes.

SECTION 12. APPLICATION OF ASSESSMENT PROCEEDS. Proceeds derived by the DISTRICT from the Water Management System Assessments will be utilized for the provision of water control and drainage services, facilities, and programs as authorized in the SPECIAL ACT. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund water control and drainage services, facilities, and programs.
SECTION 13. EFFECTIVE DATE.

This Preliminary Rate Resolution shall take effect immediately upon its passage and adoption.

PASSED, ADOPTED, AND APPROVED THIS 30th DAY OF JUNE, 2015

__________________________________
DISTRICT CHAIRPERSON

APPROVED AS TO FORM:

__________________________________
DISTRICT SECRETARY

SAMUEL S. GOREN
DISTRICT ATTORNEY

ATTEST:

__________________________________
CLERK TO THE BOARD
OF SUPERVISORS
FORM OF NOTICE TO BE PUBLISHED

To
Published No Later than August 22, 2015

NORTH LAUDERDALE WATER CONTROL DISTRICT

NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF WATER MANAGEMENT SYSTEM ASSESSMENTS

Notice is hereby given that the Board of Supervisors for the North Lauderdale Water Control District will conduct a public hearing to consider re-imposing a Water Management Special Assessment for the operation, management and maintenance of the District’s Water Management System within the geographical boundaries of the North Lauderdale Water Control District.

The hearing will be held at 5:05 p.m., on September 11, 2015, in the City Commission Chambers, 701 Southwest 71st Avenue, North Lauderdale, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the Board of Supervisors of the North Lauderdale Water Control District within 20 days of this notice. If
a person decides to appeal any decision made by the Board of Supervisors with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Office of the Clerk of the Board of Supervisors, through the North Lauderdale City Clerk’s Office at (954) 597-4706, at least seven days prior to the date of the hearing.

The assessment for each parcel or tract of property will be based upon the total number of assessable units attributed to that parcel or tract, at the amount of $55.15 per assessable Unit. Each parcel or tract of less than one acre will be assessed as a full acre, and any parcel or tract of more than one acre, which contains a fraction of an acre, shall be assessed at the nearest whole number of acres, a fraction of one-half (1/2) acre or more to be assessed as a full acre.

Copies of The Special Acts related to the North Lauderdale Water Control District, the Preliminary Rate Resolution initiating the annual process of updating the Assessment Roll and re-imposing the Water Management System Assessments, and the preliminary Assessment Roll for the upcoming fiscal year are available for inspection at the Office of the Clerk of the Board of Supervisors of the North Lauderdale Water Control District, through the Office of the North Lauderdale City Clerk’s Office, City Hall, located at 701 Southwest 71st Avenue, North Lauderdale, Florida.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2015, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the Finance Director of the North Lauderdale Water Control District, through the Office of the City of North Lauderdale Finance Department at (954) 597-4714, Monday through Friday between 8:00 a.m. and 5:00 p.m.

CLERK OF THE BOARD OF SUPERVISORS OF THE NORTH LAUDERDALE WATER CONTROL DISTRICT