CITY OF NORTH LAUDERDALE
COMMISSION MEETING
TUESDAY, APRIL 25, 2017
REGULAR MEETING – 6:00 p.m.

NORTH LAUDERDALE RECREATION FOUNDATION
(Immediately following regular meeting)

AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Borgelin

2. ROLL CALL

Mayor Jack Brady
Vice Mayor Lorenzo Wood
Commissioner Rich Moyle
Commissioner Jerry Graziose
Commissioner Samson Borgelin
City Manager Ambreen Bhatay
City Attorney Samuel S. Goren
City Clerk Patricia Vancheri

3. APPROVAL OF MINUTES
   a. April 11, 2017

4. PRESENTATIONS
   a. Fire Department Scholarship Presentation to Fire Explorer Jevann Videau
   b. Veterans Group Presentation to Mayor Brady

5. PROCLAMATIONS
   a. National Day of Prayer – May 4
   b. Municipal Clerks Week – May 7-13
   c. National Economic Development Week – May 8-13
6. PUBLIC DISCUSSION

7. QUASI-JUDICIAL ITEMS

a. **ORDINANCE – First Reading – VAR 17-02 RaceTrac Renovation**

   7350 W. McNab Rd.

   APPLICANT - Kristin Novack, Thomas Engineering Group

   - All interested parties wishing to speak on this item are sworn in
   - Staff presentation (Tammy Reed-Holguin)
   - Public Hearing opened
   - Public comments
   - Public Hearing closed
   - Commission discussion
   - Commission motion and vote

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 102-63 (C) REGARDING THE PLACEMENT OF A 10 FOOT WIDE LANDSCAPE STRIP AS REQUIRED; 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. **SUBJECT – SITE PLAN - SPR 17-02**

   RaceTrac Renovation

   350 W. McNab Rd.

   Preliminary Site Plan approval to allow for an expansion to the existing RaceTrac to include an outdoor seating area in accordance with Section 98 “Land Improvement Regulations” of the City Code of Ordinances in a General Business (B-2) zoning district.

   APPLICANT: Kristin Novack, Thomas Engineering Group

   - All interested parties wishing to speak on this item are sworn in
   - Staff presentation (Tammy Reed-Holguin)
   - Public Hearing opened
   - Public comments
   - Public Hearing closed
   - Commission discussion
   - Commission motion and vote
MOTION: To approve preliminary Site Plan - SPR 17-02 – subject to the fifteen (15) conditions outlined in staff memorandum.

c. SUBJECT - SEU 17-03
Harvest Time Deliverance & Fellowship Center, Inc.
Commercial Pointe Plaza, 3601 W. Commercial Blvd Suite # 25

Special Exception Use Permit in accordance with City Code Section 106-467 (14), (19) and Section 106-468 to allow a Community Facility (CF) Use to operate in Commercial Pointe at 3601 W. Commercial Blvd. Suite # 25 within a General Business (B-3) Zoning District.

APPLICANT: Dr. Kenneth Smith - Harvest Time Deliverance & Fellowship Center, Inc.

- All interested parties wishing to speak on this item are sworn in
- Staff presentation (Tammy Reed-Holguin)
- Public Hearing opened
- Public comments
- Public Hearing closed
- Commission discussion
- Commission motion and vote

MOTION: To approve Special Exception Use Permit – SEU 17-03 – subject to the seven (7) conditions outlined in staff memorandum.

8. ORDINANCES SECOND READING

a. ORDINANCE – To Amend Chapter 106 “Zoning” Sections 106-467 “Supplemental Regulations” pertaining to Gas and Oil Filling Stations, Auto Service Stations, Auto Repair and Service Stations, Garage including Mechanical Service, and Convenience Store

- 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 COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 106 “ZONING” SECTIONS 106-467 “SUPPLEMENTAL REGULATIONS” PERTAINING TO GAS AND OIL FILLING STATIONS, AUTO SERVICE STATIONS, AUTO REPAIR AND SERVICE STATIONS, GARAGE INCLUDING MECHANICAL SERVICE, AND CONVENIENCE STORES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE.

b. ORDINANCE – Extending Moratorium on the Issuance of any new Licenses or Permits for Uses that Involve the Cultivation, Processing and Dispensing of Medical Marijuana/ Cannibas

- 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 COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, EXTENDING THE MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS FOR USES THAT INVOLVE THE CULTIVATION, PROCESSING AND DISPENSING OF MEDICAL MARIJUANA/CANNABIS WITHIN THE CITY FOR UP TO AN ADDITIONAL SIX MONTHS, WHICH WAS IMPOSED PURSUANT TO ORDINANCE NO. 16-04-1327, ADOPTED ON APRIL 26, 2016 AND WHICH WAS EXTENDED FOR AN ADDITIONAL SIX MONTHS (UNTIL NOVEMBER 1, 2017) PURSUANT TO ORDINANCE NO. 16-10-1343, ADOPTED ON OCTOBER 11, 2016 BUT IN NO EVENT LONGER THAN THE TIME NEEDED FOR THE CITY ADMINISTRATION TO COMPLETE A COMPREHENSIVE ANALYSIS OF THE ISSUES RELATED TO THE REGULATION MEDICAL MARIJUANA USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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 SECTION 106-3 ENTITLED “DEFINITIONS” AND SECTION 106-438 ENTITLED “LIMITATIONS ON USES” AND SECTION 106-467 ENTITLED “SUPPLEMENTAL REGULATIONS” AND SECTION 106-468 ENTITLED “MASTER BUSINESS LIST” OF THE NORTH LAUDERDALE CODE OF ORDINANCES, PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING FOR DEFINITIONS PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING 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 – Renewal Agreement with City College to permit Paramedic and Emergency Medical Technician Students to Participate in Educational and Training Programs with North Lauderdale Fire Rescue Department]

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

b. [RESOLUTION – 2017 Amendment to Interlocal Agreement between Broward County and City of North Lauderdale providing for Division and Distribution of the proceeds of the Local Option Gas Tax Imposed by the Broward County Local Option Gas Tax Ordinance – (Six-Cent)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING AND OTHERWISE AUTHORIZING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON BEHALF OF SAID CITY, TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED YEAR 2017 (SIX CENT) AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN NORTH LAUDERDALE AND BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL OPTION GAS TAX ORDINANCE; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

c. RESOLUTION – 2017 Amendment to Interlocal Agreement between Broward County and City of North Lauderdale providing for Division and Distribution of the Proceeds from the Broward County Fifth Cent Additional Local Option Gas Tax on Motor Fuel for Transit

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING AND OTHERWISE AUTHORIZING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON BEHALF OF SAID CITY, TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED YEAR 2017 (FIFTH CENT) AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN NORTH LAUDERDALE AND BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND, PROVIDING AN EFFECTIVE DATE.

d. RESOLUTION - 2017 Amendment to Interlocal Agreement between Broward County and City of North Lauderdale providing for Division and Distribution of the Proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance – (Three-Cent)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING AND OTHERWISE AUTHORIZING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON BEHALF OF SAID CITY, TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED YEAR 2017 (THREE CENT) AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN NORTH LAUDERDALE AND BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND, PROVIDING AN EFFECTIVE DATE.
e. **RESOLUTION – Re-appointing Joyce Clyde to Code Enforcement Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING JOYCE CLYDE WHO RESIDES AT 6201 SW 18 COURT, AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY COMMISSIONER JERRY GRAZIOSE); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

f. **RESOLUTION - Re-appointing Diana Farrar to Code Enforcement Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING DIANA FARRAR WHO RESIDES AT 8304 SW 20 STREET, AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY COMMISSIONER BORGELIN); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

g. **RESOLUTION - Re-appointing George Tayar to Code Enforcement Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING GEORGE TAYAR WHO RESIDES AT 1349 W. GLEN OAK ROAD, AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY VICE MAYOR WOOD); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

h. **RESOLUTION – Re-appointing Genevieve Barnett-Burke to Housing Authority Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING GENEVIEVE BARNETT-BURKE AS A REGULAR MEMBER OF THE HOUSING AUTHORITY BOARD; PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

i. **RESOLUTION – Re-appointing Larry Milligan to Housing Authority Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING LARRY MILLIGAN AS A REGULAR MEMBER OF THE HOUSING AUTHORITY BOARD; PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.
10. OTHER BUSINESS

a. **RESOLUTIONS – Repair of Sludge Thickener Unit at the Water Plant**

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

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ACCEPT THE PROPOSAL FROM REBUILD-IT SERVICES GROUP, FOR THE AMOUNT NOT TO EXCEED $53,434 FOR THE REPAIR OF THE EIMCO SLUDGE THICKENER UNIT AND $5,000 IN CONTINGENCY FUNDS; AND PROVIDING AN EFFECTIVE DATE.

b. **RESOLUTIONS - Items Tabled to Time Certain of April 25, 2017**

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

   i. **RESOLUTION – Re-appointing Barbara Thomas to Planning & Zoning Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING BARBARA THOMAS WHO RESIDES AT 7921 SOUTHGATE BOULEVARD, (SPONSORED BY COMMISSIONER MOYLE) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

   ii. **RESOLUTION – Re-appointing Aletrice Darcel Mann to Planning & Zoning Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING ALETRICE DARCEL MANN WHO RESIDES AT 812 E. PALM RUN DRIVE (SPONSORED BY VICE MAYOR WOOD) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.
iii. **RESOLUTION – Re-appointing Alex Ortiz to Planning & Zoning Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING ALEX ORTIZ WHO RESIDES AT 8230 SW 8 COURT (SPONSORED BY COMMISSIONER MOYLE) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

iv. **RESOLUTION – Re-appointing William Albright to Planning & Zoning Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING WILLIAM ALBRIGHT WHO RESIDES AT 6810 OAKHILL (SPONSORED BY MAYOR BRADY) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

v. **RESOLUTION – Re-appointing Brandon Wright to Planning & Zoning Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING BRANDON WRIGHT WHO RESIDES AT 2044 SW 81 AVENUE, (SPONSORED BY COMMISSIONER GRAZIOSE) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

vi. **RESOLUTION - Re-appointing Enjoli Paul to Planning & Zoning Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING ENJOLI PAUL WHO RESIDES AT 7701 SW 7 COURT, (SPONSORED BY COMMISSIONER MOYLE) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

11. **REPORTS**

   a. **Update on Federal Forfeiture Funds** (Susan Nabors)

12. **COMMISSION COMMENTS**

   a. Discussion and possible motion to purchase a table of ten in the amount of $450 for the ADRC 34th Annual Dr. Nan S. Hutchison Broward Senior Hall of Fame Breakfast on Friday, May 19, 2017 at 9:00 a.m. at Renaissance Hotel (Mayor Brady)
b. Discussion and possible motion to authorize a quarter page advertisement in the amount of $250 for the Quality Cities Conference issue and authorizing attendance at the 91st Annual Florida League of Cities Conference August 17-19 at the World Center Marriott in Orlando, FL (City Clerk)

13. CITY MANAGER COMMENTS

a. **SUBJECT - Proclamations to support National causes or events**

MOTION – The City Administration recommends Commission consideration and approval of a motion setting these events as Proclamations on the respective months as outlined in staff memorandum.

14. CITY ATTORNEY COMMENTS

a. **RESOLUTION – Establishing a 2017 Charter Review Commission**

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA ESTABLISHING THE 2017 CHARTER REVIEW COMMISSION PURSUANT TO SECTION 9.9(b) OF THE CITY CHARTER; PROVIDING FOR APPOINTMENT OF MEMBERS TO THE CHARTER REVIEW BOARD PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

b. **Discussion and possible motion to add a Resolution Opposing House Bill (HB) 81 and Senate Bill (SB) 106 to the Agenda for consideration and adoption**

LEAGUE OF CITIES AND ANY OTHER INTERESTED PARTIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

15. ADJOURNMENT

CONVENE TO NORTH LAUDERDALE RECREATION FOUNDATION
The City Commission of the City of North Lauderdale met at the Municipal Complex on Tuesday, April 11, 2017. The meeting convened at 6:00 p.m.

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

2. **ROLL CALL** – All present.

   Mayor Jack Brady  
   Vice Mayor Lorenzo Wood  
   Commissioner Rich Moyle  
   Commissioner Jerry Graziose (*Present by teleconference*)  
   Commissioner Samson Borgelin  
   City Manager Ambreen Bhatti  
   City Attorney Samuel S. Goren  
   City Clerk Patricia Vancheri

3. **APPROVAL OF MINUTES**

   a. **March 28, 2017** – Commissioner Moyle moved to approve the Minutes as submitted. Seconded by Vice Mayor Wood. Minutes approved unanimously.

4. **PRESENTATIONS**

5. **PROCLAMATIONS** - Clerk read the following proclamations into the record:

   b. Public Service Recognition Week
6. PUBLIC DISCUSSION

**Diana Valle** – 8111 SW 8 Street – Ms. Valle commented she moved into North Lauderdale in 1992 and commented on two issues: 1) She stated that the City has gotten a lot busier now on the corridor that runs from Southgate Blvd to McNab on 81st Avenue and stated there is only one stop light on Kimberly Blvd. along there; it is a speed race and she has seen several accidents there and also along Tam O’Shanter. Ms. Valle believes it would benefit everyone if there were speed bumps or lights to impede the flow of traffic. She also commented on the long lines of cars trying to get out onto 81st going either left or right every morning. 2) Commented that also, heading west from the new Ross and Arena Shops it is dangerous to make a left turn and she sees a future of many accidents there and would like to know what can be done. She said perhaps a light can be put there which would be a big help. Ms. Valle also commented that there are houses that are renting rooms illegally near her and also, from the speeding cars, her mailbox was torn down for the third time. Mayor Brady advised her to speak to BSO Chief about the traffic issues. Commissioner Moyle commented that it is not an easy task to get traffic signals from Traffic Engineering. Commissioner Moyle commented that McNab is the second busiest corridor in the county and he understands that the speeding needs to get straightened out. City Manager Bhatty stated that the Public Works Director will get in touch with Traffic Engineering to see what can be done.

**Eric Montes** – 4200 Inverrary Blvd. – Mr. Montes commented that his child goes to North Broward Academy of Excellence and he came to speak about the traffic pattern on SW 17th Street and 81st Avenue. He stated that between the times of 7:50 – 8:15 am the traffic starts to peak and people making the turns going left – northbound, and right – southbound and everything gets backed up and it is risking kids getting hit and there have been at least two accidents recently. He said it is a big concern. Mr. Montes said at the beginning of the year when there was a police officer, the traffic worked, but realistically there can’t be an officer there every day to make sure traffic runs smoothly. He has requested the City to apply a school zone there to minimize the speeding and potentially ease the traffic during the peak hours. He also commented on the residence near the school which has put up signs about not parking there for drop off and Publix has enforced the parking as well. Mayor Brady and City Manager Bhatty replied that will look into seeing what can be done.

**Frances Dalisma** – 8014 SW 5 St – Mr. Dalisma came to speak about two issues: 1) the speeding traffic on 5th street between 81st Avenue and Forest Blvd. and 2) about code enforcement issues with regard to his neighbor’s property. He alleged that the code officers open gates in his community to take pictures of properties and he would like to have help with that.

**Melanie Solliday** – 736 Holly Street – Ms. Solliday commented on the speeding and revving of engines on the Boulevard of Champions and said it is becoming scary at all times whether day or night. Mayor Brady said they will get together with the BSO Chief and see what can be done.

**Micheline Lima** – 8010 SW 5 St – Ms. Lima spoke about a current code violation on her home for a gazebo that was there when she bought the house. She received funds from the City to assist in her home purchase about 9 years ago. Ms. Lima expressed her concerns about the lien placed on her home for the violation, which needs either demolished or permitted. She had ninety days to comply with the code violation, but she said she wrote a letter stating she was not ready yet. Ms. Lima is disputing that
the lien is fair to lien the house for the violation and asked for further assistance from the City to resolve her issue.

**Vice Mayor Wood** - Commented that we have heard some resounding issues affecting our homeowners and even a resident of a neighboring City that attends one of our schools. He said if we cannot control the speed limits in our town then we are bordering on having anarchy in our streets; speed is an issue throughout the County and also here in North Lauderdale. He commented that at Saturday’s workshop this issue was also addressed indicating a need to crack down on speeders. Vice Mayor Wood said he was told if there were a sting on speeders there would be backlash from the constituents, but we see accidents and fatalities upon the streets each and every day. He applauded BSO for the job that they do but said the streets on the dangerous, including the Blvd. of Champions on certain times of the day and night. As an elected official, Vice Mayor Wood implored BSO to give guidance and help come up with a plan to help us curb the speeding, as he too heard the revving of engines throughout the night last night, starting at midnight until 2:35 a.m. and is afraid that someone is eventually going to get hurt. Vice Mayor Wood also commented that we need to take care of our 5 square miles and agreed with Commissioner Moyle about the left coming out of the Ross Plaza (Old Walmart site) to make a left onto McNab Road. He requested the City Manager to work with Broward County Traffic Control and the County Commission to force them to put lights where it is too dangerous to make turns and for our pedestrians to cross. He also commented that at a workshop yesterday, which was attended by himself, Mayor Brady and Commissioner Borgelin, Lauderhill Mayor Kaplan gave a presentation about the danger of pedestrians walking on the streets in Broward County and stating that the State of Florida leads in pedestrian deaths. Vice Mayor Wood asked staff to look into that study presented by FDOT. He said our residents are asking us to put safety foremost and he is asking staff to assist the Commission in making that happen. Commissioner Borgelin echoed the comments regarding speed issues that his district residents are also requesting. He also asked what can be done to help [Ms. Lima] the resident, who spoke earlier with regard to her issue. City Manager Bhaty commented that she did not have all the facts regarding the history of Ms. Lima’s code violation and the grant that was awarded for the purchase of her home, but she will work with staff to get the information and share it with the Commission. City Attorney Goren interjected that this is a Florida Building Code legal issue and in Florida, when you buy property, it is purchased as “buyer beware” and a title search is required to be done; this is a common issue and he will work with staff in this regard to help provide an answer.

7. **ORDINANCES SECOND READING**

   a. **Ordinance – Second Reading - Extending Moratorium on Wireless Communication Facilities**

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

   **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ORDINANCE 16-09-1341; EXTENDING THE MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS OR DEVELOPMENT ORDERS FOR THE INSTALLATION OF OR SITING OF WIRELESS COMMUNICATION FACILITIES WITHIN THE CITY UNTIL SUCH TIME AS REGULATIONS PERTAINING TO WIRELESS COMMUNICATION FACILITIES HAVE BEEN ADOPTED BUT NO LATER THAN MAY 31,**
Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum, and presented for consideration and adoption on second reading. Commission approved the first reading on March 28, 2017. There is a draft ordinance that was prepared by staff which was presented to the Planning and Zoning Board on April 4. Administration will be working with some representatives of the industry to refine that ordinance. There is also legislation going through the state that is being closely watched to make sure this ordinance coincides with it. Ms. Reed-Holguin stated that we also have very strict advertising requirements to abide by, since this is a telecommunications industry, before the ordinance is brought to Commission for first reading. For those reasons, staff is recommending that the moratorium be extended until May 31, 2017 or until such time as the ordinance can be presented for consideration and adoption. Public hearing opened. No one spoke. Commissioner Moyle moved to adopt. Seconded by Vice Mayor Wood.

Commissioner Moyle asked City Attorney to elaborate on the bill in the legislature that is going to possibly preclude cities from having wireless on their own buildings. Attorney Goren replied that this City has a telecommunications ordinance on the books, but the proposal that we are working on is a more refined version of what is happening in the digital world and it has been shared with Verizon, T-Mobile and others in the industry. He said there are several bills pending in Tallahassee; one of which regulates the size, type and kind of the box that the industry is looking to establish in the cities without Commission’s approval. The bills may pre-empt by State Statute what the cities do. Attorney Goren stated the City has taken all steps necessary to look at all the issues and preserve a bookmark to preserve the City’s rights to regulate the industry while waiting to see what happens in Tallahassee. He urged the Commission to pass this ordinance to extend the moratorium in the meantime. Clerk called roll. All yes.

ORDINANCE NO. 17-04-1348 PASSED AND APPROVED UNANIMOUSLY

8. CONSENT AGENDA

Commissioner Borgelin requested that Item 8(b) through Item 8(g) be removed from consent. Commissioner Moyle moved to read Item 8(a) of the consent agenda. Seconded by Vice Mayor Wood. Attorney read:

a. RESOLUTION – Broward County’s Broward Cities Literacy Partnership

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, SUPPORTING BROWARD COUNTY’S BROWARD CITIES LITERACY PARTNERSHIP TO BOOST LITERACY THROUGH READING; AND PROVIDING AN EFFECTIVE DATE.

Vice Mayor Wood moved to adopt Item 8(a) on consent agenda. Commissioner Moyle seconded the motion. All in favor by voice vote.

RESOLUTION NO. 17-04-6390 PASSED AND APPROVED UNANIMOUSLY
Commissioner Moyle made a motion to read items 8(b) through 8(g) separately. Seconded by Vice Mayor Wood.

Commissioner Moyle moved to read the title for Item 8(b). Seconded by Vice Mayor Wood. All yes. Attorney read:

b. RESOLUTION – Re-Appointing Aletrice Mann to Planning and Zoning Board

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING ALETRICE DARCEL MANN WHO RESIDES AT 812 E. PALM RUN DRIVE (SPONSORED BY VICE MAYOR WOOD) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

Commissioner Moyle moved to approve. Seconded by Vice Mayor Wood. Commissioner Borgelin commented that he would accept item 8(b) through 8(g) but he does not see an opportunity to appoint anyone; he would agree with the Commission as one, but should have an appointment himself. Commissioner Borgelin suggested considering one at a time, or all six of them. Commissioner Moyle stated that these are re-appointments of people who are already on the board and generally what happens is when there is a vacancy on a board in a particular district that Commissioner gets to appoint or re-appoint. Commissioner Moyle stated that these are people who are being re-appointed who have served on the boards, but it just so happens that they need to be re-appointed at this point. Attorney Goren stated for the record that he had a conversation with Commissioner Borgelin last evening and he has done the homework as best as he could through this evening to give the best answer to this question that he has asked. He explained that the Ordinance that governs this discussion is Sec. 78-53 which was last revised in 2012 because there was difficulty appointing members from every district and there needed to be some flexibility to be able to fill the seats on the Planning and Zoning Board. Subsection (a) of the Code states: The planning and zoning board shall consist of seven members and two alternate members appointed for terms of three years. The appointments now run from June 1 forward for a three year period. Subsection (b) states: Each member of the governing body shall nominate one member who is a resident of their district for appointment to the planning and zoning board, subject to the approval by a majority vote of the governing body. Should a commissioner be unable to identify an appointment from his/her district, the mayor may make a nomination from any other district. Attorney Goren stated that this was changed in 2012 because at the time, it was a challenge to find board members from every district and appointments were needed to maintain a quorum. The current roster of the Planning and Zoning Board have members who are not from Commissioner Borgelin’s district and are from other districts. The challenge is that the terms of these members, except for one, Chair McKay who was just reappointed in May of 2016 for a three year term through May 31st of 2019; she lives in District “C”- Commissioner Moyle’s district, but appointed by Mayor Brady. Attorney Goren stated that the rest of the member’s terms are due to expire on May 31, 2017, and if the Commission did nothing, they would keep their position under the law until the Commission decides whom will fill the seat or a decision has been made to replace them. This evening, the challenge is that Commissioner Borgelin does not have an appointment and the people sitting on the Planning & Zoning Board have been on this board for a long time because they are the people who have stepped up to the plate when there were no others to serve. Attorney Goren indicated that the Commission has choices to make and how that choice is effectuated is up to the Commission. There is an alternate still available as the
requirement is 7 members and 2 alternates. Attorney Goren stated that if Commissioner Borgelin wanted to nominate someone to fill a seat, he has the legal prerogative to do that; but, by doing so, he will bump someone from this list because at this point not any of them has a term beyond June 1\textsuperscript{st}. He said he doesn’t know how the Commission wants to treat this, as it is an oddity that has not happened before in this City and there has not been a new Commissioner who has wanted to make new appointments and the end result is that these people have been serving diligently and in good faith for a long time, filling gaps when no one else would. Under Florida law, you need to have a Planning and Zoning Board to help the City do its public business in approving special exceptions, variances, plats and other land use matters. As the roster of members stands now, there is no member living in District “D” and the roster, except for Chair McKay, are up for re-appointments as of May for terms expiring as of June 1\textsuperscript{st}. Mayor Brady commented that in his capacity to appoint an alternate, he offered to give that appointment to Commissioner Borgelin. Commissioner Borgelin said he understands that the alternate would be if there is no one stepping in, but he has a dual responsibility to make sure that his district is well represented by people who live there who has the best interests for that district, and he has a responsibility to report to them as to what he is doing for them. Commissioner Borgelin said if the people on the Planning and Zoning Board are from other districts, then he feels like he is not doing anything and he wants to make sure that his district is represented by people who live there who has the best interests for that district, and he has a responsibility to report to them as to what he is doing for them.

Commissioner Borgelin said he has read the section of the Code that was changed in 2012 to accommodate the fact that a membership is needed to be available and if Commissioner Borgelin is insistent about making an appointment, which the Section of the Code does permit him the right to do, he would then have the ability to essentially bump somebody on this list. Commissioner Moyle interjected why not have the City Clerk call these people and ask them if they would like to step down? City Clerk responded that she already did ask the members and they are all willing to continue to serve and on this particular board, they have been serving for quite some time. Commissioner Moyle said another issue is that new appointees are going to learn the ropes from the people who have been there for some time and this is a particularly important board; it is good that new people come in, but slowly, to give them the opportunity to learn how everything works on that board. He said he is okay, but honestly doesn’t want to bump some people who have been serving that are good people that do a great job. Commissioner Moyle said Ali Mann for instance, who is not his appointee, is invaluable as she knows a lot about building and other things and is a project manager at Home Depot, and has tried to help the City with the County plan for putting repairs on the tax bill and is very aware of all that kind of stuff; he would have a difficult time getting rid of her right now. Commissioner Borgelin said he does not disagree with his colleague at all and he would love to make sure that everybody is re-appointed. However, in his case, he is looking at his district and some areas have been totally neglected for the longest and if someone coming from that area who is going to totally defend or help people in his district that would be fine with him, but that is not the case and he would like to make sure that someone from his district is represented on the board, and everybody has to learn somehow. Commissioner Moyle stated that this board is for the entire City and not a specific district; the board members come from certain districts, but what they do is for the entire City. Commissioner Borgelin said he understands Commissioner Moyle and that is correct, but otherwise, why would we have someone from each district if everyone from a district would defend the people in their districts? Vice
Mayor Wood commented that having served on the Code Enforcement Board for 14 consecutive years, as well as several others, sometimes it is very hard to get the commitment for that long a period of time and he was hoping that the City would find someone else who was willing to do that job which was a very important job at the time and is still an important job. He said he attended the Planning and Zoning Board this past Tuesday, and that board is a well functioning board and he did not realize until he looked at the agenda over the weekend, that the appointees were already made; and these were made at various times with a commitment from these people. Vice Mayor Wood commented that he knows that at times these boards could not meet because there was not the designated quorum that was needed. He said he too would be remiss to bump these people if they were willing to serve, but he also would like to say that the Commissioner is right and we do need to acknowledge that the system is not perfect. But, Vice Mayor Wood said, these residents, even though they are from different districts, are looking at the planning and zoning for the entire City; the things that they looked at last Tuesday night were very important items in that we don’t have much re-development in our City, but what we do have the folks on this board have a lot of expertise in. One board member, the Chair, works as a landscape architect and knows a lot about what questions to ask relating to landscaping and building. Also Ms. Mann knows a lot about building and Mr. Wright is a young man from District “B” who brings a lot to the table and if they are willing to serve we need to try to hold them to that and try to fill the alternate spot or see if one of the members wants to take the alternate spot and open the appointment. Vice Mayor Wood said this was not done by design, this has how it has happened and these appointments were already made even before he got on the Commission; so publicly he wants to let Commissioner Borgelin know that these appointments were already in the seat working to help with the planning and zoning and there are other boards that still need people to sit on them and maybe if that’s the case we can all stand down and yield to his colleague to let him make the appointment to another board. Vice Mayor Wood said he knows the City Clerk goes through a litany of names to try to get people to serve and people sometimes just don’t have the time looking at all the vacancies coming forth. Commissioner Moyle suggested to Commissioner Borgelin that he have people come to City Hall, get the application for boards that they would like to serve on and the City Clerk can keep those on file and if an appointment decides they want to resign from a board, then Commissioner Borgelin can go through the applications and find one to select for his district, because we have a lot of boards. Commissioner Borgelin said he understands and he did speak with the City Clerk today and obtained a list of all the boards; he said he did not have enough time to do the research over the weekend but he has people wanting to serve and what does he tell those who want to be a part of a board. He said he would like to have someone on each board, especially this one. Mayor Brady said it is up to Commissioner Borgelin if he wants to take someone off the board and replace them. Commissioner Borgelin asked if we have to vote this tonight.

Attorney Goren interjected that the Planning and Zoning Board is not just appointing a friend; the people must meet some qualifications as required under the Code:

1. The applicant shall have been a fulltime resident of the city for not less than a period of six months.

2. The applicant should be well-versed in environmental, planning and zoning matters, have the ability to interpret architectural drawings, zoning regulations, city land use plan, comprehensive plan and should be sympathetic to municipal development consonant with the health, safety and welfare of its residents.

3. At least five members of the board should have one of the following qualifications as evidence of their ability to work on the board:
a. Employed in a site planning, engineering, building inspector or similar profession.
b. Employed by a private or public company in a long or short range planning capacity in a position that demonstrates the member's ability to do constructive planning.
c. General contractor's license.
d. Member of the bar association.
e. Certified public accountant or bachelor's degree in accounting.
f. Registered architect's license.
g. Professional engineer's license.
h. Engineering intern or engineer-in-training certificate.
i. Real estate broker.
j. Employed in a profession not previously mentioned that, in the opinion of a majority of the governing body, demonstrates the competence of the applicant and thereby qualifies that person for membership to the board.
k. No board member shall hold any elective public office of the city, or be employed by the city in any capacity.

Attorney Goren reiterated that those are the qualifications of the P & Z Board and going back to the beginning of the discussion, if the Commission did nothing tonight but table these Resolutions, no one loses their seat; in fact if no decision is made, they stay in those seats until after May 31st and until they are filled by somebody else. Under Sec. 78-53(b): Each member of the governing body shall nominate one member who is a resident of their district for appointment to the planning and zoning board, subject to the approval by a majority vote of the governing body. Should a commissioner be unable to identify an appointment from his/her district, the mayor may make a nomination from any other district. So, Attorney Goren stated, each Commissioner gets an appointment, the problem is that there are more people than there are appointment opportunities, and he cannot resolve the controversy, but perhaps if the item is tabled this evening, maybe Commissioner Borgelin can look at this list of applicants; confer with the City Clerk and City Manager and bring back at the next meeting a recommendation and perhaps the Clerk can either reconnect with the current members or those that get appointments on the Commission can consult with them as well. Attorney Goren stated that the sad part is that they are all highly qualified, competent and nice people that he has also worked with and he has great empathy for each of the members that he knows personally. He said they are hardworking diligent people who show up to meetings, even sick, just because they knew that they had to make a quorum. Attorney Goren commented that this does not solve problem, but creates more of a challenge; if action is taken to defer, there will not be a risk because the board is still in place and not just for Commissioner Borgelin’s sake, but for each of the Commission, they get an appointment, as the law reads, unless the law in the City gets changed. Commissioner Moyle commented that in the past we have had a tough time filling board membership and the City Clerk has tried to get all of these appointees from each district, so at some point that is going to happen again. Commissioner Borgelin stated that there is a change of the guard in his district now and he cannot account for what happened in the past and the only thing he can do is make an effort. Commissioner Borgelin stated he would like to make a motion to postpone this to the next meeting to give him time to check with his residents because he knows he has very qualified people, unless they don’t want to; but people have been approaching him.
Commissioner Borgelin made a motion to table Items 8(b) through 8(g) to a time certain to the next regular meeting of the City Commission on April 25th. Seconded by Commissioner Moyle. Vice Mayor Wood commented that with Commissioner Borgelin’s concern, which they all agree is a concern, he wanted to make clear that this was not done by design, but to try to invoke to keep the board in tact with the folks that are already there who are willing to serve as the Clerk had already polled them to serve and she will explain to them that we have a new Commissioner and he wants to make an appointment. Vice Mayor Wood addressed Commissioner Borgelin and said if you find that there is someone in your community that decides this is too much of a commitment and they don’t want to serve in the full capacity but would accept an alternate seat so they can learn the job and move into it when eventually someone is going to want to come off the board. Vice Mayor Wood said to be very honest, it is very lopsided, and he only has one appointment, but when you are trying to fill boards and positions he takes the position that if someone in District A can’t serve, and someone is brought to him and they qualify to meet the guidelines, then he will sponsor that person in a willingness to work with his colleagues, which is probably what happened as years went by. Commissioner Borgelin said he does understand the process and procedures; it is just that he wants to have an opportunity to appoint, and if he cannot find someone willing to do it who understands what it takes, then that’s okay. All in favor by voice vote. Motion passed unanimously.

c. RESOLUTION – Re-Appointing Barbara Thomas to Planning and Zoning Board

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING BARBARA THOMAS WHO RESIDES AT 7921 SOUTHGATE BOULEVARD, (SPONSORED BY COMMISSIONER MOYLE) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

(Item tabled to 4-25-17)

d. RESOLUTION - Re-Appointing Alex Ortiz to Planning and Zoning Board

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING ALEX ORTIZ WHO RESIDES AT 8230 SW 8 COURT (SPONSORED BY COMMISSIONER MOYLE) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

(Item tabled to 4-25-17)

e. RESOLUTION - Re-Appointing William Albright to Planning and Zoning Board

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING WILLIAM ALBRIGHT WHO RESIDES AT 6810 OAKHILL (SPONSORED BY MAYOR BRADY) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

(Item tabled to 4-25-17)
f. RESOLUTION - Re-Appointing Brandon Wright to Planning and Zoning Board

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING BRANDON WRIGHT WHO RESIDES AT 2044 SW 81 AVENUE, (SPONSORED BY COMMISSIONER GRAZIOSE) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.  

(Item tabled to 4-25-17)

g. RESOLUTION - Re-Appointing Enjoli Paul to Planning and Zoning Board

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING ENJOLI PAUL WHO RESIDES AT 7701 SW 7 COURT, (SPONSORED BY COMMISSIONER MOYLE) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.  

(Item tabled to 4-25-17)

9. OTHER BUSINESS

a. ORDINANCE – First Reading – To Amend Chapter 106 “Zoning” Sections 106-467 “Supplemental Regulations” pertaining to Gas and Oil Filling Stations, Auto Service Stations, Auto Repair and Service Stations, Garage including Mechanical Service, and Convenience Store

Commissioner Moyle moved to read. Vice Mayor Wood seconded.

Attorney read:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 106 “ZONING” SECTIONS 106-467 “SUPPLEMENTAL REGULATIONS” PERTAINING TO GAS AND OIL FILLING STATIONS, AUTO SERVICE STATIONS, AUTO REPAIR AND SERVICE STATIONS, GARAGE INCLUDING MECHANICAL SERVICE, AND CONVENIENCE STORES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE.

Attorney Goren commented that the City is the Applicant for this ordinance which seeks to change the City’s Code citywide. Therefore City Clerk, staff and any member of the public present to speak on the item were duly sworn; no public rose. Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. She stated that the Commission previously adopted Resolution No. 16-04-1326 on April 26, 2016 implementing a moratorium on the issuance of building permits and local business tax receipts for gas and oil filling stations, auto repair and service stations, garage including mechanical service and convenience store uses throughout the City. Staff has worked with legal counsel and City Administration to draft amendments to the regulations pertaining to these types of facilities. Tonight the ordinance with amendments to the City Code is being presented for
consideration on first reading. These items were also presented to the Planning and Zoning Board on April 4th and the board voted unanimously to recommend to the City Commission for consideration and approval. Ms. Reed-Holguin commented that the first change recommended to the Code clearly separates the gas station and convenience store uses from service stations that repair vehicles but do not dispense fuel. Previously the Code had these together and the regulations pertained to both, but in going through it, Ms. Reed-Holguin stated that they observed that some of these pertained more to service stations where they are repairing cars than to gas stations. Some of the ones that they want to propose for the gas stations that do not repair cars, or convenience stores, really do not apply to the ones that do repair cars. Ms. Reed-Holguin stated they want to clearly separate those uses rather than combine them in the Code like they were. She said the next thing they looked at was the intensity of development because when the moratorium was first put into place the Commission was concerned about the number of gas stations and convenience stores that were in the City or being proposed to come into the City because we have limited commercial space and they wanted a diversity of uses for residents and wanted to provide different types of services and jobs. Ms. Reed-Holguin stated that in keeping that in mind they looked at changes in the Code that would control the intensity of this type of development. The proposed changes are minimum lot sizes for these types of uses; citing them only on corner lots and having no more than two such uses at an intersection and on opposite sides of the street. They also looked at aesthetics limiting the number of pumping stations to 6; vehicle maintenance stations per establishment to 2; and requiring additional landscaping around the pumps and encourage that the location of the pumps and canopy be away from main corridors if the lot will accommodate it. The last thing that they looked at was job creation; they are recommending a component in the Code that would allow additional square footage to an establishment that has a restaurant or food service component because they will create more jobs. Commissioner Borgelin asked for clarification of Item (g) in the Ordinance pertaining to owners/occupants. Ms. Reed-Holguin stated that section (g) was already in the Code and is not a change, that the changes are underlined. Basically it says that they will not use torches for body work. Commissioner Borgelin said that it states it may be used in the normal course of business and who dictates whether it is normal course or unpermitted use. Ms. Reed-Holguin said she is not a mechanic, but her understanding of the Code is that the torches can’t be used for major auto body work, but if they need it to weld a part for something under the hood that is minor, they could do that. Vice Mayor Wood commented that we passed this moratorium because currently we have 14 gas stations and 9 of them have stand alone convenience stores, so with these changes, it is what we want to do, but on the horizon we have the Circle K coming in which is a gas station/convenience store and does it meet the criteria. Ms. Reed-Holguin replied that their site plan was already approved. Vice Mayor Wood said right across from the Circle K there is an existing gas station and convenience store on the same side with a roadway that separates them, so going forward, we won’t see that anywhere else in the City? Ms. Reed-Holguin replied that going forward the next one would have to be at a four way intersection on a corner, on opposite sides of the street. Public hearing opened. No one spoke. Commissioner Moyle moved to approve the ordinance on first reading. Seconded by Vice Mayor Wood. Clerk called roll. All yes by voice vote.

ORDINANCE PASSED UNANIMOUSLY ON FIRST READING

b. ORDINANCE – First Reading - Extending Moratorium on the Issuance of any new Licenses or Permits for Uses that Involve the Cultivation, Processing and Dispensing of Medical Marijuana/Cannibas
Vice Mayor Wood moved to read. Seconded by Commissioner Borgelin. Attorney read:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, EXTENDING THE MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS FOR USES THAT INVOLVE THE CULTIVATION, PROCESSING AND DISPENSING OF MEDICAL MARIJUANA/CANNABIS WITHIN THE CITY FOR UP TO AN ADDITIONAL SIX MONTHS, WHICH WAS IMPOSED PURSUANT TO ORDINANCE NO. 16-04-1327, ADOPTED ON APRIL 26, 2016 AND WHICH WAS EXTENDED FOR AN ADDITIONAL SIX MONTHS (UNTIL NOVEMBER 1, 2017) PURSUANT TO ORDINANCE NO. 16-10-1343, ADOPTED ON OCTOBER 11, 2016 BUT IN NO EVENT LONGER THAN THE TIME NEEDED FOR THE CITY ADMINISTRATION TO COMPLETE A COMPREHENSIVE ANALYSIS OF THE ISSUES RELATED TO THE REGULATION MEDICAL MARIJUANA USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. This ordinance is being presented on first reading to once again extend the moratorium for an additional six months from the current expiration date of May 1, 2017. Ms. Reed-Holguin commented that there are many Bills being proposed in legislation and we are continuing to monitor them, and they have begun drafting an ordinance for the City and it will be brought forward once completed, but additional time is needed to monitor what is going on at the State level. Public hearing opened. No one spoke. Commissioner Borgelin moved to approve. Commissioner Moyle seconded. Clerk called roll. All yes.

ORDINANCE PASSED UNANIMOUSLY ON FIRST READING

Attorney Goren added for the record that in the past couple of days there was a media report that a physician group is opening up a medical marijuana store in the City of Wilton Manors. They have had their own ordinance in place for about a year and they have a different perspective on how to approach this and have bookmarked their own regulation by having that ordinance in place now; it is unknown if the State will preempt their ordinance. Attorney Goren stated we are not ready to do that here. City Manager Bhatty interjected that the medical marijuana store will not be dispensing it, but just writing the prescription.

c. ORDINANCE – First Reading - To amend Sections 106-438, 106-467, and 106-468 of the City Code of Ordinances by adding regulations regarding “Self-service Electronics Trade-in Kiosks” in B-2 and B-3 business districts; and Section 106-3 to include a definition for “Self-service Electronics Trade-in Kiosks”

Commissioner Moyle moved to read. Seconded by Vice Mayor Moyle. Attorney read:

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING SECTION 106-3 ENTITLED “DEFINITIONS” AND SECTION 106-438 ENTITLED
“LIMITATIONS ON USES” AND SECTION 106-467 ENTITLED “SUPPLEMENTAL REGULATIONS” AND SECTION 106-468 ENTITLED “MASTER BUSINESS LIST” OF THE NORTH LAUDERDALE CODE OF ORDINANCES, PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING FOR DEFINITIONS PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING AN EFFECTIVE DATE.

Attorney Goren commented that this relates to self-service electronics trade-in kiosks and the Applicant is the City. All staff and public present to speak on the item were duly sworn. Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum and presented on first reading to amend sections of the Code by adding regulations regarding these kiosks in B-2 and B-3 business districts. Ms. Reed-Holguin stated that several months ago this proposal was brought to the Commission by an applicant who was inquiring if they could install a kiosk in Walmart. If a person who had an old cell phone took it to this kiosk, their picture would be taken; their device would be put into the kiosk with the serial number on it and someone on the other side would give an estimate for what they would pay to buy the item from them; the person’s photograph would be recorded and the serial number would be recorded. If agreed the kiosk would dispense money or if not, the device would be given back. The devices are regulated by the State under second hand dealer regulations. When brought to the Commission prior, they were asking to have additional homework done on this, so staff looked at what other municipalities are doing and no one locally had these devices, but were up in the Panhandle and Central Florida where they were treating the devices as ATM or vending machines only. Ms. Reed-Holguin stated that we were more concerned about the safety factor of the devices, so they met with the Broward Sheriff’s Office who said that these devices actually help them because it records the identity of the person trying to sell the device and it is regulated under the second hand dealers just like a pawn shop. She said based on that they have drafted some regulations that they would be permitted within our City as an accessory use with a special exception use permit within every retail establishment. So if they wanted to place one of these devices in Walmart, Walmart would have to apply for a special exception use permit to have the kiosk within their store. There would be a limit of one kiosk per store; they would have to abide by the second hand dealer statutes; they could only operate during approved store hours; they could not have signage on the outside of the store advertising the device (everything would have to be in the store) and if it’s a separate entity that wants to apply for the device, they have to have permission from the store where they are placing it. Also, the placement of the device cannot interfere with pedestrian traffic for ingress or egress. Public hearing opened. No one spoke. Vice Mayor Wood moved to approve. Seconded by Commissioner Moyle. Commissioner Borgelin commented that if there is cash involved, what is the safety for the people doing the transaction; how long is the transaction and if there are any studies done on robberies or prevention for that? Ms. Reed-Holguin commented that with regard to safety, it operates much like an ATM. She said they can work with BSO to look at where they will locate the device to make sure it will be in a place that is safe; it will be inside, not outside. City Manager Bhatty said that is a benefit that it is inside the store, as many ATM’s are outside and open 24/7. Commissioner Borgelin said what about if it is stolen, say from one’s own house, will you know the person doing the transaction. BSO Captain Brian Faer replied that one of the hold ups for the State is that second hand dealers have to physically verify through license identification that it is identifying it as that person’s stuff, and the State of Florida requires a face-to-face transaction. So this company has a way of using video to verify and once you trade in your device, it reads the electronic serial number, etc. and the live person at their station looks at
you through a camera and looks at your ID and verifies that it is you. As far as giving cash out, there is always a legitimate concern that any time cash is dispensed, somebody could watch that; it is the same thing if you go to Walmart and return merchandise and you get money back, or at an ATM or any other way cash is given back. Captain Faer said you have to use universal precaution. Another thing, Ms. Reed-Holguin commented on was that the device is held for 30 days so if someone comes forward it can be checked, just like BSO checks the pawn track and matches it up against stolen information. Vice Mayor Wood asked who is requesting that these kiosks be placed in our City and is Walmart willing to have such a kiosk in the store? Ms. Reed-Holguin replied that we have not spoken to Walmart directly because we do not have a formal application; we just had an inquiry from a company. Vice Mayor Wood commented that he sees the northern and central cites mentioned in the backup memorandum, and appreciates all the work to get us ahead of the curve ball here, but unless there is an applicant out there that wants to put the kiosk in our City, he really doesn’t see the need for it. Ms. Reed-Holguin replied that there is a company that approached the City again two weeks ago to see where we were at because they do want to come into the City. Vice Mayor Wood said he sees no other City in Broward County so what attacks them to North Lauderdale and why do we need a kiosk; if he wanted to get rid of an old cell phone, he would give it to the vendor or anywhere. Ms. Reed-Holguin said they would also take I-pads and laptops. Vice Mayor Wood asked if we had any knowledge of them approaching any other City in Broward, Dade or Palm Beach. Mayor Brady commented that we are a small city leader and this wouldn’t be the only time we were first on anything. Commissioner Moyle stated he does not see the profit in what they are doing; he prefers to donate his to BSO who refurbishes them and gives them to senior citizens and Women in Distress. Clerk called roll. Commissioner Graziose – YES; Commissioner Moyle – YES; Vice Mayor Wood – NO; Commissioner Borgelin – NO and Mayor Brady – YES. Motion passes 3-2 vote. Vice Mayor Wood and Commissioner Borgelin dissenting.

City Manager Bhatti commented that we could do a little more research before the second reading to see if they have approached Walmart. She said the only reason we are presenting this is we are trying to be proactive because currently we do not have any type of regulations for this type of use.

ORDINANCE PASSED ON FIRST READING WITH A 3-2- VOTE

d. SUBJECT - Awarding Contract for the Demolition and Disposal of 133-134-135-136 San Remo Boulevard – Bid #17-03-369

i. RESOLUTION – Accepting Evaluation of Bids

Commissioner Moyle moved to read. Seconded by Vice Mayor Wood. Attorney read both Item 9(d)(i) and 9(d)(ii) into the record concurrently:

Tammy Reed-Holguin, Community Development Department, presented these items based on backup memorandum. She stated that this quad-plex on San Remo Blvd has been declared unsafe by the Broward County Unsafe Structures Board, as well as the City’s Code Enforcement Board and an Order has been given for the demolition of the structures and to remove all debris. Ms. Reed-Holguin is presenting bids from the contractors regarding Bid #17-03-369 with a recommendation to award the contract to Paragon Construction. This item was previously heard by the Commission on January 31, but there was a recommendation to reject all bids as unresponsive. Therefore another invitation to bid was put out and a pre-bid meeting was held on March 21, 2017; four bidders were present and ultimately, three vendors submitted bids which were opened on March 31, 2017. The backup memorandum shows the table listing the vendors and the bids. There were two options; Option A – keeping the concrete slab and Option B – removing the concrete slab and putting back sod to comply with the zoning requirements. Ms. Reed-Holguin also commented that there is an alternate to find asbestos and the cost of removal if it were to be found. Based on the bids, Paragon Construction is the lowest and most responsible, responsive bidder for either option. Staff recommends proceeding with Option B which includes the removal of the concrete slab and restoring the lot with fill and ground cover per requirements. Vice Mayor Wood commented that we are spending this money because the property is unsafe, and asked how we recoup anything back for this. Attorney Goren replied that there is a lien recorded against the property, so the property owner would be responsible. The Broward County Unsafe Structures Board deemed this as unsafe and uninhabitable; title work was done and at some point the lien would be addressed. Vice Mayor Wood reiterated that the owner neglected to maintain the property to standard and now public money is being spent to demolish and make it safe for everyone around them and if they come back to claim the property there will be a lien. Commissioner Borgelin thanked staff for showing the table and asked if the costs for the demolition are itemized. Tammy Reed-Holguin replied yes, that is why some bidders are declared unresponsive because they did not itemize the bid. Commissioner Moyle moved to approve. Seconded by Vice Mayor Wood. Clerk called roll. All yes.

RESOLUTION NO. 17-04-6397 PASSED AND APPROVED UNANIMOUSLY

ii. RESOLUTION – Authorizing Agreement with Paragon Construction

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH PARAGON CONSTRUCTION FOR THE DEMOLITION AND DISPOSAL OF 133-134-135-136 SAN REMO BOULEVARD; AND PROVIDING AN EFFECTIVE DATE.

Vice Mayor Wood moved to approve. Seconded by Commissioner Moyle. Clerk called roll. All yes.

RESOLUTION NO. 17-04-6398 PASSED AND APPROVED UNANIMOUSLY

10. REPORTS - None
11. COMMISSION COMMENTS

Mayor Brady – Thanked Staff and Administration that attended the Strategic Planning Workshop last Saturday and thanked the Commission for their participation and said it was a great job.

Vice Mayor Wood – Echoed Mayor Brady’s words and also thanked City Attorney Sam Goren for attending the Workshop. He said it was a long day, but we accomplished a lot. He commented on the storm water fees assessment and stated that he has property in Miami Gardens who aligned with North Lauderdale right at $6 and said they sent out a detailed notice and asked if we did the same. City Manager Bhatty and Susan Nabors, Finance Director, replied that the notice went on the utility bill in February and there may be something on our website as well; other areas that are serviced by Broward County and Tamarac can also notice their customers.

Commissioner Moyle – Stated that this was one of the best planning workshops ever and City Manager and Staff did a thorough, comprehensive and succinct job in giving each department an opportunity to present and he is proud of the department heads and the City Manager for putting it all together. He reiterated that this is the Commission’s workshop for visioning and it was excellent.

Commissioner Borgelin – Appreciated the opportunity to participate in his first strategic planning workshop and was impressed because the night before, he discussed a lot of things with 12 people and found that 95% of what they discussed was covered. He asked for a copy of the PowerPoint presentation. Also, he thanked BSO and City Manager for advising of a shooting incident occurring in the neighborhood. He also mentioned that he is working with a group on having a Haitian cultural celebration coming up next month.

Commissioner Graziose – Thanked City Manager for the workshop and also thanked the Fire Department for hosting the open house for the naming of the Community room; the event was well received and the family was grateful. He also commented that Broadview also pays the same waste water fees quarterly, but they have not received any word from the County yet, so the newsletter notice may be the best option.

12. CITY MANAGER COMMENTS

a. Reminder of City Events

- North Lauderdale Days – Friday, April 14 and Saturday, April 15 – All events are free with the exception of the food vendors
- Pool Party Friday Night – 6:30-9:30 pm and Circus on Front Lawn of City Hall
- Saturday Event starts at 3:00-9:15 pm. Carnival rides; games; business expo and other activities from 3:00 pm until Main Event band at 7:00 pm and Fireworks at 9:00

City Manager Bhatty also commented that Fire Chief Turpel was approached by the City of Margate, whom we have a mutual aid agreement with, and they stated they are having an award ceremony for their fire department and have invited the City of North Lauderdale as well to recognize the City as a partner. The Commission is invited to attend on April 20th at 7:00 p.m. at Abundant Life Church on Royal Palm Blvd. in Margate.
13. CITY ATTORNEY COMMENTS

City Attorney Goren – Advised that the legislative session is in a holiday week coming up so he will be prepared to give an update on April 25th.

14. ADJOURNMENT – There being no further discussion, the meeting adjourned at 8:15 pm.

Respectfully submitted,

Patricia Vancheri, CMC
PROCLAMATION

NATIONAL DAY OF PRAYER

Hear Us…Forgive us…Heal us! For the Glory of Your Great Name

WHEREAS, the 66th observance of the National Day of Prayer will be held on Thursday, May 4, 2017, with the theme “Hear Us…Forgive us…Heal us! For the Glory of Your Great Name” Taken from Daniel 9:19, which says, “O Lord, Listen! O Lord, Forgive! O Lord, Hear and Act! For Your Sake, O My God...”.

WHEREAS, on the National Day of Prayer, thousands of individuals, churches, and communities will be working to rally millions of Christians to once again heed this call!

WHEREAS, a National Day of Prayer has been part of our country’s heritage since it was declared by the First Continental Congress in 1775 and the United States Congress in 1952 approved a Joint Resolution setting aside a day each year to pray in our nation; and

WHEREAS, the United States Congress, by Public Law 100-307, as amended, affirms that it is essential for us as a nation to pray and directs the President of the United States to set aside and proclaim the first Thursday of May annually as a National Day of Prayer; and

WHEREAS, at this crucial time for our nation, we can do nothing more important than pray. National Day of Prayer calls on all people of different faiths in the United States to pray for the nation and its leaders; and

WHEREAS, prayer brings communities together and can be a wellspring of strength and support and all of us have the freedom to pray and exercise our faiths openly as our laws protect these God-given liberties; and

WHEREAS, on May 4, 2017, the National Day of Prayer, houses of worship, community gatherings, in our homes, and in neighborhoods all across our country prayers will be offered in recognizing and giving thanks for the freedom to practice our faith as we see fit, whether individually or in fellowship.

NOW, THEREFORE, We, the City Commission of the City of North Lauderdale, Florida hereby proclaim May 4, 2017 as the

NATIONAL DAY OF PRAYER

and urge all of the residents of our City to honor this observance.

Dated this 25th day of April, 2017. ______________________________________ MAYOR JACK BRADY
Proclamation

Municipal Clerks Week
May 7 - 13, 2017

Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

Whereas, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

Now, Therefore, the Mayor and Commission of the City of North Lauderdale recognizes the week of May 7 through May 13, 2017, as

MUNICIPAL CLERKS WEEK

and further extends appreciation to Municipal Clerk Patricia Vancheri and Deputy Clerk Elizabeth Garcia-Beckford and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 25th day of April, 2017

_____________________________
MAYOR JACK BRADY
WHEREAS, the International Economic Development Council is the largest professional economic development organization dedicated to serving economic developers; and

WHEREAS, the International Economic Development Council provides leadership and excellence in economic development for communities, members, and partners through conferences, training courses, advisory services and research, in-depth publications, public policy advocacy, and initiatives such as the Accredited Economic Development Organization program and the Certified Economic Developer designation; and

WHEREAS, economic developers promote economic well-being and quality of life for their communities by creating, retaining, and expanding jobs that facilitate growth, enhance wealth, and provide a stable tax base; and

WHEREAS, economic developers stimulate and incubate entrepreneurism in order to help establish the next generation of new businesses, which is the hallmark of the American economy; and

WHEREAS, economic developers are engaged in a wide variety of settings including rural and urban, local, state, provincial, and federal governments, public-private partnerships, chambers of commerce, universities, and a variety of other institutions; and

WHEREAS, economic developers attract and retain high-quality jobs, develop vibrant communities, and improve the quality of life in their regions; and

WHEREAS, economic developers work in the City of North Lauderdale within the State of Florida.

NOW THEREFORE, the Mayor and Commission of the City of North Lauderdale, hereby recognizes May 8 - 13, 2017 as

“Economic Development Week”

in the City of North Lauderdale and reminds individuals of the importance of this community celebration which supports expanding career opportunities and improving quality of life.

Dated this 25th day of April, 2017

____________________________
MAYOR JACK BRADY
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission

FROM: Ambreen Bhattty, City Manager

BY: Tammy Reed-Holguin, Community Development Director

DATE: April 25, 2017

SUBJECT: VAR 17-02 RaceTrac Renovation
7350 W. McNab Rd.

Variance request to allow the omission of a landscape strip between the parking lot and a portion of the building, whereas section 102-63(c) requires a 10 foot landscape strip within a General Business (B-2) Zoning District.

APPLICANT: Kristin Novack, Thomas Engineering Group

BACKGROUND

Tonight we are presenting a request for a landscape variance for first reading for the RaceTrac located at 7350 W. McNab. The site plan to renovate the store will also be heard tonight. The proposed renovation includes an outdoor seating area, expansion to the building and restriping of the parking lot. The proposed physical modification of the building will require additional landscape requirements including a landscape strip of 10 feet in width between the parking area and the building. The applicant has sited that the proposed site plan will not be able to accommodate a 10 feet separation between the parking area and building. In lieu of the landscape strip, the applicant has provided 35 additional shrubs and 1 Green Buttonwood tree to mitigate for the lack of vegetation between the building and parking area. The variance being requested is to omit the required 10 foot landscape strip between the building and parking area as required in Section 102-63(c). The specific extent of project is provided in the attachment A.

ANALYSIS AND FINDINGS

The applicant is proposing to renovate the existing building which includes expanding the building and adding an outdoor seating area. The 10 foot landscape strip would need to be added at the east end of the front of the building shown in attachment A. As the proposed plan will not be able to accommodate this buffer, the applicant has requested to omit this landscape strip and instead add landscaping in other areas on site. This request will require a variance from the required 10 foot wide landscape strip per Section 102- 63 (c) of the City Code.

Per the guidelines and criteria contained in Section 106-79 of the City Code, a variance shall not be granted unless the City’s governing body determines the following:
1. That special circumstances exist affecting the land involved preventing the reasonable use of such land.

2. That the circumstances, which cause the hardship, are peculiar to the property, such that they clearly constitute marked exceptions to other properties in the district.

3. That the hardship is not an economical hardship.

4. That the hardship is not self-created.

5. That the variance is the minimum variance that will make possible the reasonable use of the property and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Staff has reviewed the application in light of the guidelines and criterion listed above and determined that it reasonably meets the guidelines established for granting a variance, and will enable the reasonable use of this property. This determination is based upon the following facts:

- The existing property is commercial and the renovation to add the outdoor seating triggers the need for additional landscape requirements based on Section 102.
- The strip of land between the building and parking lot is not 10 feet in width and therefore will not accommodate the required landscape strip as noted in section 102-63(c).
- The request is for the minimal variance needed.
- The applicant has agreed to install 35 shrubs and 1 tree to provide the overall landscape needed for the total site in lieu of the required landscape strip between the building and parking lot.

Staff feels that the applicant has demonstrated that this is the minimal variance needed to accommodate the difference in landscape plant material that is lacking without the required landscape strip between the parking area and building. Staff has worked with an outside landscape consultant and internally to ensure that this variance request is reasonable.

The Planning and Zoning Board met on April 4th, 2017 and recommended the approval of the requested variance to the City Commission.

RECOMMENDATION:
Should the Commission concur with the applicant’s request and Staff’s analysis, a motion is in order to approve the variance on first reading 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. In the event that any problems arise, as a result of the operation of this establishment, such as noise, parking, traffic, and/or other nuisances, the applicant shall make all improvements required to mitigate these nuisances so as not to negatively impact adjacent commercial/residential areas.
3. The applicant shall comply with all provisions contained in Chapter 102 “Vegetation” of the City Code and shall submit a final landscaping plan for review prior to City Commission approval.
ORDINANCE NO. ______________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 102-63 (C) REGARDING THE PLACEMENT OF A 10 FOOT WIDE LANDSCAPE STRIP AS REQUIRED; 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 102-63 (c) of the City Code requires a minimum 10 feet wide landscape strip between the parking area and the building; and

WHEREAS, Thomas Engineering Inc., on behalf of RaceTrac, has applied for a variance to allow for the omission of the landscape buffer; and

WHEREAS, the Planning and Zoning Board recommended approval of said variance request on April 4, 2017; and

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

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

Section 1: That pursuant to an application properly filed for a variance from the requirement of, Section 102-63 (c) of the North Lauderdale Code, variance is and the same are hereby granted from the requirement for the project located at 7350 West McNab Road, North Lauderdale, Florida.

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

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

Section 4: That all applicable approvals by the City, County, State and other regulatory agencies are provided to the City of North Lauderdale prior to the issuance of permits and that the applicant meets all conditions set forth by said regulatory agencies, including but not limited to the City engineer and Broward County Traffic Engineering Department.
Section 5: That all Ordinances, or parts of Ordinances, Resolutions or parts of Resolutions, in conflict herewith be and the same are repealed to the extent of such conflict.

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

PASSED on first reading by the City Commission of the City of North Lauderdale, Florida, this ________ day of April, 2017.

PASSED on second reading by the City Commission of the City of North Lauderdale, Florida, this ________ day of __________, 2017.

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR JACK BRADY

______________________________
VICE MAYOR LORENZO WOOD

ATTEST:

______________________________
PATRICIA VANCHERI, CITY CLERK
Letter of Authorization

I, Brian Thornton, as VP of Real Estate and Engineering of RaceTrac Petroleum, Inc., being first duly sworn, depose and say that RaceTrac Petroleum, Inc., is the owner of the property described as:

Address: 7350 W. McNab Road, North Lauderdale, FL 33068

Parcel ID #: 494111180013

The property described herein is the subject of an application for zoning or development. We hereby designate Thomas Engineering Group as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site.

Name of Owner:

RaceTrac Petroleum, Inc.

By [Signature]

Brian Thornton, VP of Real Estate and Engineering
Printed or Typed Name and Title

Sworn to and subscribed before me this 14th day of December, 2016, by

Brian Thornton, who is personally known to me

or who has produced [identification document] as identification. He/she has acknowledged to me and before me that he/she executed this instrument for the purposes herein expressed.

Notary Public

My commission expires: 2-3-19

Print Name
Variance Narrative

RaceTrac- 7350 W. McNab Rd.

A variance is being requested for relief from Code Section 102-63 (c) for the requirement to provide a 10 foot wide landscape buffer between the building and the parking on the north side of the building. The existing site was previously approved without a buffer between the existing building and the parking. Due to the existing condition, there is not ample space to provide the required buffer between the existing parking and the proposed building addition & outdoor seating area.

To make up for the landscape material required in this buffer, an additional hedge and a tree has been added to the site. The total length of the building addition and outdoor seating area is 22.87 linear feet. The required landscape for this area is 1 tree/ 30 linear feet and 1 shrub/ 2 linear feet. This equates to one additional tree and 12 additional shrubs. We are proposing one additional Green Buttonwood tree and 35 shrubs.

Details of Hardship:

1. The land or structure configuration restricts the reasonable use thereof.
   Response: The existing site was previously approved without a buffer between the existing building and the parking.
2. The circumstances are unique to the area.
   Response: The existing site was previously approved without a buffer between the existing building and the parking.
3. The literal interpretation of the law creates a hardship for the reasonable use.
   Response: Due to the existing condition, there is not ample space to provide the required buffer.
4. The hardship is not self-created.
   Response: The existing site was previously approved without a buffer between the existing building and the parking.
5. The variance applied for provides for the minimum relief from the established hardship.
   Response: The variance is only required along the minimum length of the addition and outdoor seating area.

Should you have any comments or need additional information, please do not hesitate to contact me at (954) 202-7000.

Sincerely,

Krystin Novack
Design Engineer
TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

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

DATE: April 25, 2017

SUBJECT: Site Plan SPR 17-02
RaceTrac Renovation
350 W. McNab Rd.

Preliminary Site Plan approval to allow for an expansion to the existing RaceTrac to include an outdoor seating area in accordance with Section 98 “Land Improvement Regulations” of the City Code of Ordinances in a General Business (B-2) zoning district.

APPLICANT: Kristin Novack, Thomas Engineering Group

RaceTrac is proposing to add 667 square feet of additional store space, an outdoor dining space, and interior renovation to offer more services to customers and to add a slab in the back of the building for new equipment on this currently existing operating site. Due to significant changes/additions to the building, a new site plan approval including all landscape requirements is required. Approval of this site plan is contingent upon Variance 17-02 also being considered tonight on first reading for landscaping.

The renovation plan will include the addition of parking spaces, updated signage, and a new soft serve ice cream machine inside the existing floor plan. The façade has incorporated design features and colors from the Ross building next door in the Arena Shops to provide consistency as well as visual interest. The site meets all City Code parking requirements by providing 26 spaces including 1 ADA space, which was required due to the addition of the outdoor seating area, increasing the customer service area of the building. All required building setbacks are met and the site provides the required 24 foot ingress and egress from McNab Road. The other access point is planned from the Arena Shops, which will be presented for approval at a later date. Due to the addition, the site plan does not meet the current landscaping requirements therefore the applicant has requested a variance which is also being considered tonight for the first reading. An increase in the traffic is anticipated due to the additional dining space but the site is being updated to accommodate this increase by additional parking and restriping of the parking lot.

In an effort to build a project consistent with the City’s plan for the McNab Road Redevelopment Overlay District; the applicant has included several features to enhance the look of the elevation of the building such as staggering the façade height, working with the light pastel color pallet recommended by the City and keeping the brick look along McNab road within the City.
The specific extent of the anticipated use is explained in Attachment A, and made a part of this report.

The Development Review Committee met on February 1, 2017, and after considerable review and discussion, the committee recommended approval of the site plan to the Planning and Zoning Board. It should be noted that the recommendation of approval of the site plan was contingent upon approval of the requested variance.

A day before the Planning and Zoning Board hearing held on April 4, 2017, additional comments were received from the City’s landscape consultant stating that the site was short 32 required trees. The City provided a compromise, permitted under the code, to add a total of twelve, 12 foot high trees on the site at appropriate locations. This option was discussed at the Planning and Zoning Board hearing. The applicant however requested more time to review the location of these proposed trees. After considerable discussion, the Board recommended the approval of the proposed site plan to the Commission subject to the addition of a 14th condition pertaining to the location of the 12 new trees. This recommendation of approval is also subject to the approval of the landscape variance as requested.

Since the Planning and Zoning Board meeting, the applicant has reviewed the revised landscape plan with the proposed locations for the 12 trees and concurs with the recommendation of the City’s landscape consultant.

If the City Commission concurs with this request and the Planning and Zoning Board’s recommendation, the Administration recommends a motion for the approval of the preliminary site plan subject to the following conditions:

1. The applicant shall comply with applicable City Codes and Florida Building Codes.
2. All terms, conditions and provisions imposed by the Planning and Zoning Board, City Commission, DRC and Staff including all life, health and safety Codes pertaining to this development shall be met prior to the issuance of building permits.
3. The DRC, Planning and Zoning Board and City Commission reserve the right to impose any additional requirements deemed necessary during subsequent approval reviews.
4. Copies of all applicable permits and approvals by other regulatory agencies shall be provided to the City prior to issuance of building permits.
5. All conditions required by Code and/or set forth by the City engineer shall be met.
6. In the event that any problems arise, as a result of the operation of this establishment, such as noise, parking, traffic, and/or other nuisances, the applicant shall make all improvements required to mitigate these nuisances so as not to negatively impact adjacent areas.
7. Photometric Plan approval by staff is required.
8. The applicant shall comply with all provisions contained in Chapter 102 “Vegetation” of the City Code and shall submit detailed landscaping plans for landscaping permit.
9. Applicant to follow NFPA 1 5th addition and meet all Fire/ life safety related requirements.
10. Approval of site plan is contingent on approval of Variance 17-02 regarding the required 10 foot wide landscape buffer from parking areas.

11. Prior to the issuance of building permits, the applicant shall provide a written verification that all County impact fees associated with this project have been paid.

12. Prior to the issuance of the Certificate of Occupancy by the City Building Department, the applicant shall pay all applicable assessment and impact fees to the City.

13. If necessary, proper easements will be dedicated to the City of North Lauderdale.

14. Provide additional twelve trees at the required 12’ height per the agreed upon location in lieu of the 32 additional trees required by Code.

15. Approval of this site plan does not include the cross access to the Arena Shops as shown; this will be a separate site plan approval to be considered at a later date.
Letter of Authorization

I. Brian Thornton, as VP of Real Estate and Engineering of RaceTrac Petroleum, Inc., being first duly sworn, depose and say that RaceTrac Petroleum, Inc. is the owner of the property described as:

Address: 7350 W. McNab Road, North Lauderdale, FL 33068

Parcel ID #: 494111180013

The property described herein is the subject of an application for zoning or development. We hereby designate Thomas Engineering Group as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site.

Name of Owner:

RaceTrac Petroleum, Inc.

By, Brian Thornton, VP of Real Estate and Engineering

Signature

Sworn to and subscribed before me this 16th day of December, 2016, by

Brian Thornton, who is personally known to me

or who has produced _______________ as identification. He/she has acknowledged to me and before me that he/she executed this instrument for the purposes therein expressed.

My commission expires: 2-3-19

Notary Public

Print Name
RaceTrac Remodel
7350 W. McNab Rd.
North Lauderdale, FL

It is proposed to renovate the existing RaceTrac service station located at 7350 W. McNab Rd. RaceTrac’s intent is to create a more inviting, customer friendly atmosphere.

The existing 3,113 SF convenience store will be expanded by adding 667 SF of building area. This additional building area will allow for expanded restrooms and a new freezer. The interior of the building will be remodeled to create a more inviting configuration. An outdoor seating area is also proposed on the east side of the building. Per the City of North Lauderdale Code requirements, this seating area will be enclosed with a brick knee wall and the access will be from inside the store. The façade will be updated as well to a more modern, clean look including brick and stone materials. This is part of an effort to have a more consistent look and offer across the entire fleet of RaceTrac stores.

There is an existing access easement agreement with the adjacent property owner to the east. Due to the recent change in ownership, RaceTrac will be working with the new property owner to update the agreement. A driveway connection is proposed within this easement to connect the RaceTrac property to the access road to the east. The necessary permits will be obtained to modify the existing retention area where the driveway is proposed.

Should you have any questions or concerns, please feel free to contact me at (954) 202-7000 or via email at knovack@thomaseg.com. Thank you for your time and consideration in this matter.

Sincerely,

Kristin Novack, E.I.
Design Engineer

THOMAS ENGINEERING GROUP, LLC
TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Tammy Reed-Holguin, Community Development Director

DATE: April 25, 2017

SUBJECT: SEU 17-03
Harvest Time Deliverance & Fellowship Center, Inc.
Commercial Pointe Plaza, 3601 W. Commercial Blvd Suite # 25

Special Exception Use Permit in accordance with City Code Section 106-467 (14), (19) and Section 106-468 to allow a Community Facility (CF) Use to operate in Commercial Pointe at 3601 W. Commercial Blvd. Suite # 25 within a General Business (B-3) Zoning District.

APPLICANT: Dr. Kenneth Smith - Harvest Time Deliverance & Fellowship Center, Inc.

The applicant, Harvest Time Deliverance & Fellowship Center, Inc. has been operating a place of worship without a license in the facility located at 3601 W. Commercial Blvd Suite # 25. Tonight, the applicant is requesting approval of a Special Exception Use permit to operate the church, a community facility use, within a General Business B-3 zoning district, in accordance with Section 106-467 (14), (19) and 106-468, of the Master Business List, a community facility use requires a special exception use permit when located in a Business District.

The applicant’s letter of intent states that their hours of operation are Sundays 10:00 A.M. till 1 P.M and Wednesdays from 7:30 P.M. till 8:30 P.M. The church will use the space for worship services, Bible study and prayer meetings. These anticipated operating hours may overlap on Sunday mornings as the church existing in the plaza, Truth and Light Ministries operates on Sunday mornings from 8:30 A.M. until 11 A.M., additional hours for Truth and Light are from 7 P.M. to 9:30 P.M. Sunday, Tuesday, Friday, and Saturday. Staff would like to point out that the only overlap based on what was submitted is Sunday morning. Additionally only Harvest Time Deliverance Center will be operating Wednesday evening and only Truth and Light operates on Tuesday, Friday and Saturday evenings. Please see the attached letter of intent for details. The specific extent of the anticipated use is explained in Attachment A, and made a part of this report.

Background
As you may recall, the City Commission approved modifications to the regulations for Community Facility (CF) uses in non-CF zoning districts. These modifications set forth specific
requirements for such uses. One of the primary requirements for any CF use in a non-CF zoning
district is that such uses may not exceed 20% of the total commercial area and only 2 such uses
in the plaza are allowed by code.

The total square footage of this building is 35,520 square feet and the amount that could be used
for Community Facility uses is 7,104 square feet. The applicant is requesting the SEU for 1,500
square feet. This along with the existing Truth and Light Ministry which received an SEU in 2012
and continues to occupy 2,400 square feet this would bring the Community Facility use to
3,900 square feet or 9.2% of the plaza. Approval of this SEU will constitute the second and
maximum number of CF uses allowed within a commercial plaza.

There are currently 3 operating CF uses in this business zoned plaza (2 without SEU’s or local
business tax receipt) violating the 2 non business use limit in any plaza. Both CF uses were
issued Courtesy Warning Notices for operating without a license and Harvest Time submitted
their application for an SEU first. Approval of this SEU will legalize the second, and maximum,
SEU in the plaza. The third CF use has already been noticed that their application cannot be
processed if this SEU is approved.

The proposed use does not create any additional impact upon the capacity of utilities, or public
services, and conforms to the goals, objectives, policies and land uses established by the City’s
code of ordinances.

The Planning and Zoning Board met on April 4, 2017 and recommend that the special exception
use permit be transmitted to the City Commission for consideration of approval.

**Economic Analysis**
Properties owned by non-profit organizations, such as churches, are exempt from paying
property taxes. However in this instance, the church does not own the property and will be
operating through a lease. The owner of the center, being a non-tax exempt entity, would be
required to pay all applicable property taxes and assessment fees.

The church being a non-profit organization would be exempt from paying for a Local Business
Tax Receipt. However, the church would be required to pay all applicable processing, inspection
and permitting fees.

It should be noted that the limited hours and number of visitors of CF-use tenants tend to provide
fewer potential customers on a less frequent basis to the other retail establishments in the
shopping center and the surrounding area than a commercial use may generate. They also
typically generate fewer job opportunities.

**Traffic/Parking Analysis**
The applicant is proposing to use suite #25 to conduct church services with approximately 1,500
square feet of sanctuary space. Based on the attached information provided by the applicant,
1,200 square feet of space will be used for assembly/meeting purposes only which a parking
criteria of 1 space per 35 square foot for a total of 35 spaces. The rest of the parking requirement
for this use includes 200 feet of office space which requires 1 parking space square foot per 200
square feet generating 1 spaces and the remaining 100 square foot as general use generating 1 parking space for 250 square feet for a total of 1 spaces, so according to the Code the parking required is 37 spaces. The church currently located there requires 46 spaces. It should be noted that the only time the operating hours for the churches overlap is on Sunday morning when some of the retailers may not be open. The plaza currently has 260 parking spaces.

While the plaza is currently occupied by businesses that require minimal parking, the efforts of management to maximize the 20% community facility use will significantly reduce the parking for other business opportunities that require a lot of parking for example restaurants. Therefore, staff has outlined some recommendations to address parking issues if and when the need arise.

The Fire Department has conducted a preliminary inspection of the facility and found it to be in good condition with the Fire and Life Safety code. It should be noted that the church has an occupancy capacity sign of 60 posted which corresponds to the number of seats and classifies them as an assembly occupancy.

**Recommendation**

Should the Commission concur with the recommendation of the Planning and Zoning Board, Administration recommends that a motion to approve of the SEU permit be subject to the following conditions:

1. That the applicant complies with all applicable codes of the City regarding the development and operation of a church and any ancillary approved uses.
2. That all terms, conditions, and provisions imposed by the City Commission, Planning and Zoning Board, and staff, including all building, fire, health, and safety Codes pertaining to this facility are met prior to commencing, and during operation.
3. The applicant is aware that any proposed changes to the floor plan, use of space or service hours that would impact the parking needs must come to the City for prior consideration and approval.
4. Acknowledgement that other uses may be permitted in close proximity that may be objectionable to the church.
5. In the event that any problems arise as a result of the operation of this establishment, such as noise, parking, traffic and/or other nuisances, the applicant makes all improvements required to mitigate these nuisances so as not to negatively impact adjacent commercial and residential area.
6. Applicant shall obtain proper approvals such as a Certificate of Occupancy if necessary and a Local Business Tax receipt from the City.
7. That no more than two non-business uses exist in this plaza per Section 106-467 of the City Code of Ordinances.
Date: March 15, 2017

To: City of North Lauderdale

From: TMT Properties, Inc

Subject: Letter of Intent and Acknowledgment of Church in Plaza – Suite #25

Dear City of North Lauderdale,

This letter is to inform you that TMT Properties, Inc., the landlord and property manager at Commercial Point (3601 W Commercial Blvd), acknowledges that Harvest Time DFC, Inc. will be conducting church activities on site at Suite #25. This tenant is permitted by property management to use the said premises for this purpose. Harvest Time DFC, Inc. operates Sunday 10a-1pm & Wednesday 7:30pm-8:30pm. As the surrounding businesses are closed during these hours, they have available to them a total of 200 parking spaces, with no less than 40 specifically for their church. Their sanctuary area is approx. 1200 sq. ft.

Should you have any question, feel free to contact me directly at (954) 618-7353.

Sincerely,

Joseph Maas, P.A.
TMT Properties
Sr. Property Manager
LETTER OF INTENT

March 15, 2017

To Whom It May Concern:

Our intentions in this area is to have our worship services and serve the surrounding community by giving words of encouragement, counselling and/or whatever area of ministry needed at the time. We are so inspired to continue praying for all of our officials in position. As the Word of God instructs us that men ought to always pray and not faint. We are firm believers that prayer and teaching people to live right and be good citizens will help change our communities.

Our service times will be held every Sunday Morning @ 10am-1pm and every Wednesday Evening @ 7:30pm – 8:30pm.

Our space for our worship service is 1400 sq ft.

If you need any further information please feel free to contact me at 954-731-1261 or 954-347-0746.

Sincerely,

Dr. Kenneth Smith, Apostle
TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Tammy L. Reed-Holguin, Community Development Director
DATE: April 25, 2017
SUBJECT: Second Reading and Adoption:

Ordinance to Amend Chapter 106 “Zoning” Sections 106-467 “Supplemental Regulations” pertaining to Gas and Oil Filling Stations, Auto Service Stations, Auto Repair and Service Stations, Garage including Mechanical Service, and Convenience Store

As you may recall, the City Commission adopted Ordinance No. 16-04-1326 on April 26, 2016 implementing a moratorium on the issuance of building permits and local business tax receipts for oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service, and convenience stores uses throughout the City. Staff has since worked with legal counsel and City administration to draft amendments to the regulations pertaining to these facilities. The City Commission approved the attached Ordinance with amendments to the City Code for your consideration on first reading on April 11, 2017. Tonight we are presenting the ordinance for a second and final reading.

BACKGROUND:

Six months ago, the City Commission implemented a moratorium on the new oil filling stations, gas stations, convenience store, auto service and repair stations in response to the concerns expressed regarding the increased influx in the number of gas stations and convenience stores. It was documented that North Lauderdale currently has 14 gas stations within its 5.2 square miles of City limits. There are another 9 stand-alone convenience stores. With limited commercial space left, diversity in uses would be more beneficial for the residents and the economic vitality of the City. Commercial development that provides job opportunities and additional services to our residents will be encouraged.

A review of commercial uses in relation to the goals of redevelopment in the City’s Comprehensive Plan identified needed amendments to the zoning code to support these goals. Tonight we are presenting an ordinance to amend the regulations concerning new oil filling stations, gas stations, convenience store, auto service and repair stations.

The first change clearly separates the gas station and convenience store uses from service
stations that repair vehicles but do not dispense fuel. The regulations more closely pertain to these individual uses. Development standards were added to Section (8) that pertains to the gas stations and convenience stores which the study showed were the predominance of uses in the City. These amendments include:

- **Intensity of Development:** minimum lot size requirements to support the size of structure, location requirements including citing on corner lots and no more than two such uses per intersection and opposite sides of the street.
- **Aesthetics:** limit the number of pumping stations and vehicle maintenance stations (i.e. air pumps, vacuums), encourage the location of the canopy and pumps away from main corridors and require additional landscaping around the pumps.
- **Job creation:** uses that include a restaurant component will be allowed additional square footage to support this use that will also create more jobs than the typical gas station/convenience store use.

Finally, Section 106-468, “Master Business List” is amended for consistency to refer users to the appropriate sections of the Code identifying these additional requirements.

These amendments have been reviewed in relation to the City’s Comprehensive Land Use Plan and found to be consistent with the Goals, Objectives and Policies contained in the Plan. Administration recommends adoption of regulations to protect the interests of its residents.

The Planning and Zoning Board met on April 4, 2017 and after a presentation by the Staff and input from the Board and members of the community, they voted unanimously finding the proposed ordinance consistent with the North Lauderdale Comprehensive Land Use Plan and to recommending the proposed ordinance for consideration and approval by the City Commission.

The City Commission approved the Ordinance on first reading on April 11, 2017.

**RECOMMENDATION:**

The City Administration recommends Commission’s approval on second and final reading of the attached ordinance amending Chapter 106 “Zoning” Sections 106-467 “Supplemental Regulations” of the City of North Lauderdale Code of Ordinances pertaining to gas and oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service, and convenience stores.
ORDINANCE NO. ______________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 106 “ZONING” SECTIONS 106-467 “SUPPLEMENTAL REGULATIONS” PERTAINING TO GAS AND OIL FILLING STATIONS, AUTO SERVICE STATIONS, AUTO REPAIR AND SERVICE STATIONS, GARAGE INCLUDING MECHANICAL SERVICE, AND CONVENIENCE STORES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 26, 2016 the City Commission adopted Ordinance No. 16-04-1326 implementing a moratorium on the issuance of building permits and local business tax receipts for oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service, and convenience stores uses throughout the City; and

WHEREAS, the City’s professional staff has reviewed these commercial uses in relation to the goals of redevelopment in the City’s Comprehensive Plan; and

WHEREAS, through this review, the professional staff has identified needed amendments to the zoning code to support these goals; and

WHEREAS, the City's professional staff recommends that Chapter 106 Sections 106-467 of the City Code be amended to clearly define the criteria for the development of gas and oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service and convenience stores in compliance with the City’s Comprehensive Plan and Land Development Code; and

WHEREAS, the City Commission accepts the recommendations of the City's professional staff and finds that the revisions to Chapter 106 Sections 106-467 of the Code of Ordinances of the City of North Lauderdale, Florida, are in the best interests of all the citizens and residents of the City of North Lauderdale; and
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF
THE CITY OF NORTH LAUDERDALE, FLORIDA:

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

**Section 2.** That Chapter 106, entitled “Zoning” Sections 106-467 entitled
“Supplemental Regulations” of the Code of Ordinances of the City of North Lauderdale,
Florida, is hereby amended to read as follows:

- **Sec. 106-467. - Supplemental regulations.**

  The following are the supplemental regulations to the master business list which are
designated by number on the list:

  - (8)
    
    Service stations (with fuel dispensing), gasoline and oil filling stations with or
    without a service area and food take out (convenience stores) subject to the following
    limitations and requirements:
    
    a. A plot to be occupied by a service station shall be not less than 200 feet in
    width and 200 feet in depth.

  *Intensity standards.* Development shall be in accordance with the following standards:

<table>
<thead>
<tr>
<th>Minimum Gross Lot Area</th>
<th>No. of Pumps</th>
<th>Maximum Convenience Store Size (gross sq. ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0 acres—1.499 acres</td>
<td>6</td>
<td>2,500</td>
</tr>
<tr>
<td>1.5 acres—1.999 acres</td>
<td>6</td>
<td>3,500</td>
</tr>
<tr>
<td>Minimum Gross Lot Area</td>
<td>No. of Pumps</td>
<td>Maximum Convenience Store Size (gross sq. ft.)</td>
</tr>
<tr>
<td>------------------------</td>
<td>-------------</td>
<td>---------------------------------------------</td>
</tr>
<tr>
<td>2.0 acres and greater</td>
<td>6</td>
<td>6,000*</td>
</tr>
</tbody>
</table>

*Additional 1,000 square feet allowed for restaurant and/or seating area.

b. **Reserved.** Service stations must be located on a corner lot to facilitate ingress and egress onto at least two trafficways.

c. No more than two service stations may be located per intersection and they must be located on opposite sides of the street to provide access to traffic traveling in both directions.

d. Service stations will be encouraged to place the canopy and fuel pumps on the side of the building to position the façade as the focal point, especially along the City’s major corridors including Rock Island Road, McNab Road, Southgate Boulevard, Commercial Boulevard and State Road 7.

e.e. The total capacity of tanks and storage facilities for flammable liquids incidental to the operation of a service station shall not exceed 40,000 gallons.

d.f. Owners/occupants of service stations within the city shall not engage in engine overhauls requiring the removal of engines from the frame of motor vehicles and/or the use of blocks on the exterior portion of the service station property for a period in excess of 24 hours.

e.g. Owners/occupants of service stations shall not engage in body and fender work requiring the use of acetylene torches or similar equipment within the city; however, acetylene torches or similar equipment may be used in the normal course of business operations and solely as an incident to automotive servicing.

h. **Hours of operation.** Where the use is located 500 feet or closer to a residential property (property line to property line), the hours of operation shall be limited to 7:00 am to 11:00 pm.

i. **Parcel access from the right-of-way.** The following provisions are intended to minimize potential traffic access and circulation conflicts and to facilitate the
efficient coordination of traffic flows between the fuel service use, adjacent roads, and adjacent/nearby developments. All access drives must comply with the driveway separation standards of this Code.

1. Service stations that are located on outparcels of a shopping center will first look to utilize the main shopping center drive as their access point.

2. Shared access drive with adjacent outparcel will be the second alternative. Where the site is adjacent to more than one other outparcel which has its own access point, they must share that access point instead of creating their own access off the main traffic way. These shared internal access drives between the outparcel and other outparcels are encouraged.

2. Other locations. A maximum of one full access drive (all turning movements) is permitted. Corner properties shall provide a second access drive whenever feasible, provided it is limited to right turns only and is located on the street not containing the full access drive.

j. Gasoline vent stacks. Vent stacks are to be placed either in the rear half of the property or away from the street and enclosed within a decorative structure or painted an inconspicuous color.

k. No more than two automotive maintenance stations are permitted, limited to the following items: air hose, water hose, vacuum. These stations shall be physically separated from other uses on the site and a minimum of one parking space provided for each station in addition to that required for the other uses.

l. Service stations are encouraged to provide a minimum of one charging station for electric vehicles.

15) Auto repair and auto body/paint shops, and auto service station (no fuel dispensing) are permitted in B-2 and B-3 zoning districts subject to the following conditions:

a. Conformance to and all county, city, department of natural resource and protection, and fire safety, and Florida Building Codes.

b. No outside storage of vehicles shall be allowed.

c. All auto repair and body/paint work shall be conducted in a completely enclosed soundproof, properly ventilated building.

d. Owners/occupants of service stations within the city shall not engage in engine overhauls requiring the removal of engines from the frame of motor vehicles.
and/or the use of blocks on the exterior portion of the service station property for a period in excess of 24 hours.

e. Owners/occupants of service stations shall not engage in body and fender work requiring the use of acetylene torches or similar equipment within the city; however, acetylene torches or similar equipment may be used in the normal course of business operations and solely as an incident to automotive servicing.

d-f. Conformity to and with all environmental/safety regulations regarding this type of business.

- (17) If a business license is denied for any reason other than applicable regulations 1-16 in section 106-467 the applicant can apply for a special exception use permit.

- Sec. 106-468. - Master business list.

The master business list is as follows:

<table>
<thead>
<tr>
<th>***Business listings</th>
<th>Prohibited</th>
<th>B-1 Neighborhood</th>
<th>B-2 Commercial</th>
<th>B-3 Commercial</th>
<th>B-4 Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auto repair and service</td>
<td></td>
<td></td>
<td></td>
<td><em>8</em> 15, 17</td>
<td><em>8</em> 15, 17</td>
</tr>
<tr>
<td>Auto service station (no fuel dispensing)</td>
<td></td>
<td></td>
<td></td>
<td><em>8</em> 15, 17</td>
<td><em>8</em> 15, 17</td>
</tr>
<tr>
<td>Food take-out, retail (convenience stores)</td>
<td></td>
<td></td>
<td><em>8</em> 17</td>
<td><em>8</em> 17</td>
<td></td>
</tr>
<tr>
<td>Gasoline and oil filling stations</td>
<td></td>
<td></td>
<td>*8, 17</td>
<td>*8, 17</td>
<td></td>
</tr>
</tbody>
</table>

Section 3. Repeal of Conflicting Ordinances.
All prior ordinances or resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Severability.
If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court or competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.
Section 5. Inclusion in Code.
It is the intention of the City Commission of the City of North Lauderdale, Florida, that the provisions of this Ordinance shall become and be made a part of the City of North Lauderdale Code of Ordinances; and that the sections of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions. Moreover, the terminology shall be revised as per Section 3 of this Ordinance.

Section 6. Effective Date.
This Ordinance shall become effective upon the approval of the City Commission.

PASSED FIRST READING THE 11th DAY OF April, 2017.


_____________________________
MAYOR JACK BRADY

_____________________________
VICE MAYOR LORENZO WOOD

ATTEST:

_____________________________
PATRICIA VANCHERI
CITY CLERK

APPROVED AS TO FORM:

_____________________________
SAMUEL S. GOREN
CITY ATTORNEY
TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Tammy L. Reed-Holguin, Community Development Director
DATE: April 25, 2017
SUBJECT: Second Reading: Ordinance Extending Moratorium on the Issuance of any new Licenses or Permits for Uses that Involve the Cultivation, Processing and Dispensing of Medical Marijuana/Cannibas

Tonight, staff is presenting an Ordinance on second and final reading for your consideration that will extend the moratorium a second time on the issuance of any new licenses or permits for uses that involve the cultivation, processing and dispensing of medical marijuana/cannibas for an additional six months (until November 1, 2017) from the current expiration date of May 1, 2017.

BACKGROUND:
On April 26, 2016, the City Commission approved Ordinance No. 16-04-1327 instituting the moratorium in response to the approval of House Bill 1313 regarding the medical use of Cannabis for terminally ill patients. The moratorium was extended for six months, until May 1, 2017, by Ordinance No. 16-10-1343 on October 11, 2016. The regulations pertaining to the medical marijuana industry are still in flux at this time. There are currently six plans to regulate medical marijuana being considered by the Florida Legislature. One of the six was moved forward by the House on March 25, 2017. None of the five being proposed by the Senate have had a hearing yet. There is still much uncertainty regarding how Amendment 2, the medical marijuana constitutional amendment, will be implemented. The City’s professional planning staff continues to monitor these initiatives and track legislation adopted by neighboring communities.

RECOMMENDATION:
The City Administration recommends City Commission’s consideration of the attached Ordinance on second and final reading extending the moratorium for an additional six months to November 1, 2017, on the issuance of building permits and local business tax receipts for uses that involve the cultivating, processing, and dispensing of medical marijuana/cannabis throughout the City.
ORDINANCE NO. ________________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, EXTENDING THE MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS FOR USES THAT INVOLVE THE CULTIVATION, PROCESSING AND DISPENSING OF MEDICAL MARIJUANA/CANNABIS WITHIN THE CITY FOR UP TO AN ADDITIONAL SIX MONTHS, WHICH WAS IMPOSED PURSUANT TO ORDINANCE NO. 16-04-1327, ADOPTED ON APRIL 26, 2016 AND WHICH WAS EXTENDED FOR AN ADDITIONAL SIX MONTHS (UNTIL NOVEMBER 1, 2017) PURSUANT TO ORDINANCE NO. 16-10-1343, ADOPTED ON OCTOBER 11, 2016 BUT IN NO EVENT LONGER THAN THE TIME NEEDED FOR THE CITY ADMINISTRATION TO COMPLETE A COMPREHENSIVE ANALYSIS OF THE ISSUES RELATED TO THE REGULATION MEDICAL MARIJUANA USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 26, 2016, the City Commission adopted Ordinance No. 16-04-1327 (the “Ordinance”), thereby approving a moratorium on the approval or issuance of local business tax receipts and building permits for uses that involve the cultivation, processing, and dispensing of medical marijuana/cannabis within the City of North Lauderdale (the “City”); and

WHEREAS, specifically, on October 11, 2016 the City Commission adopted Ordinance 16-10-1343 effectively extending the moratorium on the approval or issuance local business tax receipts and building permits for uses that involve the cultivation, processing, and dispensing of medical marijuana/cannabis for an additional six-months until November 1, 2017; and

WHEREAS, the Florida Legislature has continued to consider a number of initiatives related to the usage of medical marijuana; and

WHEREAS, the City Manager and the City’s professional planning staff is continuing to review and monitor appropriate regulations related to the medical marijuana industry and has
recommended an additional six month extension to the City’s moratorium in an effort to continue with these efforts; and

WHEREAS, the City Commission finds that extending the moratorium on the approval or issuance local business tax receipts and building permits for uses that involve the cultivation, processing, and dispensing of medical marijuana/cannabis within the City is in the best interests of the citizens and residents of the City.

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

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance. These clauses represent the legislative findings of the City Commission. It is the purpose and intent of this Ordinance to promote the health, safety and welfare of the residents of North Lauderdale.

SECTION 2. The temporary moratorium on the approval or issuance local business tax receipts and building permits for uses that involve the cultivation, processing, and dispensing of medical marijuana/cannabis within the City is hereby extended for a period of an additional 6 months (November 1, 2017) from the expiration date of Ordinance No. 16-10-1343 to research the measures taken by the State of Florida regulating the cultivation, processing, and dispensing of medical marijuana/cannabis. Ordinance Nos. 16-04-1327 and 16-10-1343, adopted on April 26, 2016 and October 11, 2016 respectively, are hereby incorporated herein by reference, and shall remain in full force and effect for the duration of this moratorium.

SECTION 3. 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 4. Notwithstanding the time limit on the moratorium herein established, in the event the City Commission finds that additional time is needed for staff to conclude its review of regulations related to the cultivation, processing, and dispensing of medical marijuana/cannabis, within the City and the drafting of regulations of those businesses then the term of this agreement may be extended for an additional one hundred and eighty (180) days.

SECTION 5. All ordinances or parts of ordinances, resolutions or part of resolutions in conflict herewith are to the extent of such conflicts hereby repealed.

SECTION 6. This ordinance shall take effect immediately upon its passage.


CITY OF NORTH LAUDERDALE, FLORIDA

APPROVED AS TO FORM: ________________________________  MAYOR JACK BRADY

SAMUEL S. GOREN, CITY ATTORNEY  VICE MAYOR LORENZO WOOD

ATTEST:

PATRICIA VANCHERI, CITY CLERK
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission

FROM: Tammy Reed-Holguin, Community Development Director

BY: Osny Jean, Community Development Specialist

DATE: April 25, 2017


The item before you tonight is an Ordinance for consideration on second reading for consideration of adoption to amend Sections 106-438, 106-467, and 106-468 of the City Code of Ordinances by adding regulations regarding “Self-service Electronics Trade-in Kiosks” in B-2 and B-3 business districts; and Section 106-3 to include a definition for “Self-service Electronics Trade-in Kiosks” as outlined in Exhibit A.

Background:
Recently, the Community Development Department received an application from EcoATM for Self-service Electronics Trade-in Kiosks to be located inside stores. We presented the concept to the City Commission at their October 25, 2016 meeting and were directed to find out more about it.

The kiosks are used to purchase secondhand electronic devices such as cellular phones, tablets or IPADS. The seller inserts the device into the kiosk and communicates with the operator (the buyer) through a video call. The machine inspects the device being offered by the seller and records the serial number and photograph and ID of the seller before making an offer. If the seller accepts the offer in exchange for the device, the cash is dispensed from the machine. Our department then held a meeting with Broward Sheriff Detectives who informed us on the capability of the machines and whether they pose any threat to public safety. We learned the kiosks allow law enforcement agencies to have photo and location records of whoever uses them whether or not they complete a trade. This use would be useful not only to citizens looking to trade in their used electronic devices, it will also be helpful to law enforcement agencies by helping them keep track of stolen devices and/or providing location information on individuals who are being pursued by law enforcement.

Based on this research, staff drafted definitions and regulations to permit these kiosks within certain criteria. To provide for a definition for this new use, Code Section 106-3 will be amended. Section 106-438 will be amended to include limitations on secondhand or used merchandise sales. Section 106-467 will be amended to include subsection twenty three (23) providing permitting regulations for the kiosks. Finally, the Code section pertaining to Self-
The City Commission approved this item on first reading at their meeting on April 11, 2017 and made some inquiries regarding the use.

Since the last Commission meeting, staff has updated research in response to the questions posed by the Commission. All types of electronic devices including cell phones, tablets, readers, Ipads and other personal devices may be traded in at these kiosks. The entire transaction takes approximately 3-5 minutes according to information on the website for the “EcoATM” company. Three locations have opened within Broward County including at the Pembroke Lakes Mall, Walmart in Fort Lauderdale and Walmart in Pompano Beach.

The City’s current Code does not address these types of devices. The proposal is to allow them with clearly defined criteria regarding the number, where they can be placed and permitting.

**RECOMMENDATION:**

The City Administration recommends Commission’s consideration on second and final reading of the attached Ordinance amending Sections 106-3, 106-438, 106-467, and 106-468 of the City Code of Ordinances to add regulations to define and permit Self-service Electronics Trade-in Kiosks in the City of North Lauderdale’s Business districts.
AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING SECTION 106-3 ENTITLED “DEFINITIONS” AND SECTION 106-438 ENTITLED “LIMITATIONS ON USES” AND SECTION 106-467 ENTITLED “SUPPLEMENTAL REGULATIONS” AND SECTION 106-468 ENTITLED “MASTER BUSINESS LIST” OF THE NORTH LAUDERDALE CODE OF ORDINANCES, PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING FOR DEFINITIONS PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Manager and the City’s professional planning staff continuously monitor and review the City’s Land Use Regulations and Comprehensive Land Use Plan to ensure appropriate development in the City, and from time to time recognizes the need to study and amend aspects of such; and,

WHEREAS, for clarification purposes it is recommended that a new definition for Self-service Electronics Trade-in Kiosks is to be added to Section 106-3; and

WHEREAS, based on the nature of the use, it is recommended that Self-service Electronics Trade-in Kiosks is to be added to Section 106-438 “Limitations on uses”; and

WHEREAS, to provide permitting regulations for the new use, the City reviewed Supplemental Regulations pursuant to Section 106-467 of the City’s Code of Ordinances; and

WHEREAS, based on the review of business tax receipt applications received for Self-service Electronics Trade-in Kiosks, it is recommended that amendments be made to the Code to specify minimum conditions to be met for Self-service Electronics Trade-in Kiosks, and

WHEREAS, due to the nature of the use, Self-service Electronics Trade-in Kiosks shall be permitted in B-2 and B-3 zoning districts and only as an accessory special exception use, subject to approval by the City Commission; and
WHEREAS, for consistency and durability additional regulations for the permitting of new or the displacement of existing Self-service Electronics Trade-in Kiosks are recommended; and

WHEREAS, the proposed regulations pertaining to the requirements to be met for permitting a new or the displacement of an existing for Self-service Electronics Trade-in Kiosks on a business district are found to be in the best interest of the health, safety and welfare of the residents.

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

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: Section 106-3 entitled “Definitions” and Section 106-438 entitled “Limitations on Uses” and Section 106-467 entitled “Supplemental Regulations”, and Section 106-468 entitled “Master Business List” of the City of North Lauderdale’s Code of Ordinances, be amended as provided in Exhibit “A” to this Ordinance, which is attached hereto and incorporated herein by reference.

Section 3: It is the intention of the City Commission of the City of North Lauderdale, Florida that the provisions of this ordinance shall become and be made a part of the City of North Lauderdale Code of Ordinances. The sections of this ordinance may be re-numbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.
Section 4. 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 5. 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 6. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED on first reading by the City Commission of the City of North Lauderdale, Florida, this ______ day of ____________, 2017.

PASSED and ADOPTED on second reading by the City Commission of the City of North Lauderdale, Florida, this _____ day of ____________, 2017.

APPROVED AS TO FORM:

___________________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________________
MAYOR JACK BRADY

__________________________________
VICE MAYOR LORENZO WOOD

ATTEST:

__________________________________
PATRICIA VANCHERI, CITY CLERK
**Sec. 106-3.** Definitions.

***

*Self-service Electronics Trade-in Kiosk* - An unmanned kiosk used for the trade of consumer electronics.

***

**Sec. 106-438.** Limitations on uses.

***

• **b)**

No secondhand or used merchandise shall be offered for sale, displayed or stored including in conjunction with a self-service electronics trade-in kiosk except in an antique store or as incidental to the sale of new merchandise.

***

**Sec. 106-467.** Supplemental Regulations.

***

7) Special exception uses under this section shall comply with the requirements of article IV of this chapter.

23) **Self-service Electronics Trade-in Kiosks.** Self-service electronic trade-in kiosks shall be permitted in B-2 and B-3 zoning districts as an accessory special exception use, subject to approval by the City Commission, subject to the following conditions:

   a) **General Standards.** The standards and guidelines to be applied by the administration, the planning and zoning board and by the governing body in considering applications for a self-service electronics exchange machine are as follow:

      (1) Permitting of kiosk is limited to one (1) per site and applicant must provide floor plan showing placement and size specifications of the trading kiosk to be installed.

      (2) The Florida State statute requirements (F.S. Ch. 538 Secondhand Dealers) pertaining to such use must be met prior to Community Development approval.

      (3) Use of kiosk is to be restricted to operation only during approved store hours.
(4) If owned by a separate entity, owner of principal use must provide written approval of kiosk placement within the business.

(5) Placement of kiosk must not interfere with pedestrian traffic or ingress/egress points on site.

(6) Placement of signage relating to kiosk outside of the building is prohibited.

***

**Sec. 106-468. Master Business List**

***

<table>
<thead>
<tr>
<th>Business listings</th>
<th>Prohibited</th>
<th>B-1 Neighborhood</th>
<th>B-2 Commercial</th>
<th>B-3 Commercial</th>
<th>B-4 Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sale, display and storage of secondhand or pre-owned merchandise</td>
<td></td>
<td></td>
<td>*7, *23</td>
<td>*7, *23</td>
<td></td>
</tr>
</tbody>
</table>
CITY OF NORTH LAUDERDALE
FIRE RESCUE DEPARTMENT

TO: Honorable Mayor and City Commissioners
FROM: Ambreen Bhatty City Manager
BY: Rodney Turpel, Fire Chief
DATE: April 25, 2017

SUBJECT: Renewal Agreement with City College to permit Paramedic and Emergency Medical Technician Students to Participate in Educational and Training Programs with North Lauderdale Fire Rescue Department

This is a renewal agreement between North Lauderdale Fire Rescue Department and City College to be able to take advantage of an opportunity to have emergency medical technician and paramedic student riders from City College participate in our daily operations. This opportunity not only enables these students to learn from our staff to enhance their career, but it also allows our firefighter/paramedics an opportunity to learn and train with the latest techniques and information that is provided to these students through these institutions. Therefore, the staff is requesting Commission’s consideration to authorize entering into a renewal agreement with City College to allow students to ride, learn and experience the day-to-day aspects of being a firefighter/paramedic with our department.

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

Our City Attorney has reviewed and made appropriate changes to the new contract. A copy of the contract is available for public review in the City Clerk’s office.

RECOMMENDATION:

The Administration recommends Commission’s consideration and approval of the attached Resolution authorizing the City Manager or her designee to enter into an acceptable renewal agreement with City College to allow EMT and paramedic students to ride with North Lauderdale Fire Rescue Department for educational and training purposes.
RESOLUTION NO. ____________________

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

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

Section 1: That the City Commission does hereby authorize the City Manager or her designee to enter into an acceptable renewal agreement with City College, permitting students to ride with the North Lauderdale Fire Rescue Department for educational and training purposes under the guidelines set forth in each agreement.

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

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 25th day of April, 2017.

APPROVED AS TO FORM:

________________________________________
CITY ATTORNEY SAMUEL S. GOREN

________________________________________
MAYOR JACK BRADY

________________________________________
VICE MAYOR LORENZO WOOD

ATTEST:

________________________________________
CITY CLERK PATRICIA VANCHERI
TO: Honorable Mayor and City Commission
FROM: Ambreen Bhatt, City Manager
BY: Susan Nabors, Finance Director
DATE: April 25, 2017
SUBJECT: 2017 Amendment to Interlocal Agreement between Broward County and City of North Lauderdale providing for Division and Distribution of the proceeds of the Local Option Gas Tax Imposed by the Broward County Local Option Gas Tax Ordinance – (Six-Cent)

The City receives its allocation of local option gas taxes through an interlocal agreement with Broward County. The proceeds must be used for transportation expenditures. The County revises this tax revenue allocation annually to reflect changes in the population of Broward municipalities.

The County’s revised gas tax allocation to municipalities, including that of the City’s, is reflected in the 2017 Amendment to Interlocal Agreement attached. The amendment covers allocation of the County’s original (six-cent) local option gas tax that provides for all Cities in Broward County to receive a total of 37.5% of the proceeds of six cents of gas tax. The City utilizes this revenue source for the maintenance and general improvements of the City’s roadways.

The City’s FY 2018 collection of local option gas taxes will be an allocation of 0.898164% based on the City’s population of 44,064, as stated in the most current edition of “Florida Estimates of Population,” published by the Bureau of Economics and Business Research, Population Division, University of Florida. FY 2016 revenue was $451,506 and the Administration anticipates approximately the same amount of revenue this year.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached resolution authorizing the City Manager to execute 2017 (six cent) Amendment to Interlocal Agreement between the City and the County and providing for division and distribution of the proceeds of the Local Option Gas Tax Imposed by the Broward County Local Option Gas Tax Ordinance.
RESOLUTION NO. ______________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING AND OTHERWISE AUTHORIZING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON BEHALF OF SAID CITY, TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED YEAR 2017 (SIX CENT) AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN NORTH LAUDERDALE AND BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL OPTION GAS TAX ORDINANCE; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS 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 Commission of the City of North Lauderdale, Florida, accepts and authorizes the City Manager of the City of North Lauderdale, Florida, on behalf of said City to execute and otherwise enter into the attached Year 2017 (six cent) Amendment to Interlocal Agreement between North Lauderdale and Broward County providing for the division and distribution of proceeds of the Local Option Gas Tax imposed by the Broward County Local Option Gas Tax Ordinance.

Section 2: That the City Manager of the City of North Lauderdale, Florida is hereby authorized to do all things necessary and expedient in order to effectuate the execution of the agreement described in Section 1 above, and to carry out the aims of this Resolution and said Agreement.

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 25th day of April, 2017.

APPROVED AS TO FORM:

___________________________________________________________________________________________
CITY ATTORNEY SAMUEL S. GOREN

___________________________________________________________________________________________
MAYOR JACK BRADY

___________________________________________________________________________________________
VICE MAYOR LORENZO WOOD

___________________________________________________________________________________________
ATTEST:

___________________________________________________________________________________________
CITY CLERK PATRICIA VANCHERI
This 2017 Amendment to Interlocal Agreement is entered into by and between Broward County, a political subdivision of the State of Florida (the “County”) and the municipalities executing a signature page bearing the above legend, each of which is a municipal corporation existing under the laws of the State of Florida (the “Municipalities”).

WHEREAS, Section 336.025(1)(a), Florida Statutes, authorizes the County to extend the levy of the six (6) cents local option gas tax upon every gallon of motor fuel and special fuel sold in Broward County for a period not to exceed thirty (30) years on a majority vote of the governing body of the County; and

WHEREAS, on June 14, 1988, the Board of County Commissioners enacted Ordinance No. 88-27, effective September 1, 1988, through August 31, 2018, pursuant to Section 336.025(1)(a), Florida Statutes, extending the levy of the six cent local option gas tax for thirty years and providing for a method of distribution of the proceeds of the tax; and

WHEREAS, pursuant to the ordinance, the method for distribution of the proceeds is the execution of an interlocal agreement with one or more of the municipalities representing a majority of the population of the incorporated area within the county which establishes the distribution formulas for dividing the proceeds of the tax among the County and all eligible municipalities within the County, as set forth in Section 336.025(3) (a) 1, Florida Statutes; and

WHEREAS, paragraph 4 of the Interlocal Agreement, as amended by the Addendum to the Interlocal Agreement and the prior amendments, requires annual adjustment of the population of the individual municipalities and unincorporated Broward County in accordance with the population figures set forth in the most current edition of "Florida Estimates of Population," published by the Bureau of Economics and Business Research, Population Division, University of Florida;

NOW, THEREFORE, for good and valuable consideration, the County and Municipalities agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as previously amended by the Addendum thereto and the prior amendments, is amended to read as follows:

2. Sixty-two and Five tenths percent (62.5%) of said Local Option Gas Tax proceeds shall be distributed to the County, and the remaining Thirty-seven and Five tenths percent (37.5%) shall be divided among and distributed to the eligible municipalities within the COUNTY as follows:
Population of Individual Municipality \[ \times \text{37.5\%} = \text{Total Incorporated Area Population} \]

<table>
<thead>
<tr>
<th>Recipient</th>
<th>FY18 Percent Share of Proceeds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coconut Creek</td>
<td>1.164205%</td>
</tr>
<tr>
<td>Cooper City</td>
<td>0.686321%</td>
</tr>
<tr>
<td>Coral Springs</td>
<td>2.573659%</td>
</tr>
<tr>
<td>Dania</td>
<td>0.633774%</td>
</tr>
<tr>
<td>Davie</td>
<td>2.027024%</td>
</tr>
<tr>
<td>Deerfield Beach</td>
<td>1.582936%</td>
</tr>
<tr>
<td>Fort Lauderdale</td>
<td>3.602662%</td>
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<tr>
<td>Hallandale</td>
<td>0.787218%</td>
</tr>
<tr>
<td>Hillsboro Beach</td>
<td>0.039013%</td>
</tr>
<tr>
<td>Hollywood</td>
<td>2.979101%</td>
</tr>
<tr>
<td>Lauderdale-by-the-Sea</td>
<td>0.125112%</td>
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<tr>
<td>Lauderdale Lakes</td>
<td>0.709945%</td>
</tr>
<tr>
<td>Lauderhill</td>
<td>1.440621%</td>
</tr>
<tr>
<td>Lazy Lake</td>
<td>0.000488%</td>
</tr>
<tr>
<td>Lighthouse Point</td>
<td>0.214145%</td>
</tr>
<tr>
<td>Margate</td>
<td>1.166447%</td>
</tr>
<tr>
<td>Miramar</td>
<td>2.732098%</td>
</tr>
<tr>
<td>North Lauderdale</td>
<td>0.898164%</td>
</tr>
<tr>
<td>Oakland Park</td>
<td>0.898857%</td>
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<tr>
<td>Parkland</td>
<td>0.603056%</td>
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<tr>
<td>Pembroke Park</td>
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<tr>
<td>Pembroke Pines</td>
<td>3.297975%</td>
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<tr>
<td>Plantation</td>
<td>1.800404%</td>
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<tr>
<td>Pompano Beach</td>
<td>2.189661%</td>
</tr>
<tr>
<td>Sea Ranch Lakes</td>
<td>0.013799%</td>
</tr>
<tr>
<td>Southwest Ranches</td>
<td>0.154341%</td>
</tr>
<tr>
<td>Sunrise</td>
<td>1.849038%</td>
</tr>
<tr>
<td>Tamarac</td>
<td>1.290437%</td>
</tr>
<tr>
<td>Weston</td>
<td>1.356010%</td>
</tr>
<tr>
<td>West Park</td>
<td>0.301019%</td>
</tr>
<tr>
<td>Wilton Manors</td>
<td>0.253689%</td>
</tr>
<tr>
<td><strong>Total Incorporated</strong></td>
<td><strong>37.500000%</strong></td>
</tr>
</tbody>
</table>

2. Paragraph 3 of the Interlocal Agreement, as previously amended by the Addendum thereto and the prior amendments, is amended to read as follows:
3. The population figures set forth herein are based on the most current edition of "Florida Estimates of Population," published by the Bureau of Economics and Business Research, Population Division, University of Florida. The population figures to be utilized in the formula described in Paragraph 2 of this Interlocal Agreement shall be adjusted annually based on the current "Florida Estimates of Population."

For the purpose of this Agreement, the following population figures are hereby agreed upon:

<table>
<thead>
<tr>
<th>Recipient</th>
<th>FY18 Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coconut Creek</td>
<td>57,116</td>
</tr>
<tr>
<td>Cooper City</td>
<td>33,671</td>
</tr>
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<td>Coral Springs</td>
<td>126,264</td>
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<td>Dania</td>
<td>31,093</td>
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<td>Davie</td>
<td>99,446</td>
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<td>Deerfield Beach</td>
<td>77,659</td>
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<td>Fort Lauderdale</td>
<td>176,747</td>
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<td>Hallandale</td>
<td>38,621</td>
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<td>Hillsboro Beach</td>
<td>1,914</td>
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<td>Hollywood</td>
<td>146,155</td>
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<td>Lauderdale-by-the-Sea</td>
<td>6,138</td>
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<tr>
<td>Lauderdale Lakes</td>
<td>34,830</td>
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<tr>
<td>Lauderhill</td>
<td>70,677</td>
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<tr>
<td>Lazy Lake</td>
<td>24</td>
</tr>
<tr>
<td>Lighthouse Point</td>
<td>10,506</td>
</tr>
<tr>
<td>Margate</td>
<td>57,226</td>
</tr>
<tr>
<td>Miramar</td>
<td>134,037</td>
</tr>
<tr>
<td>North Lauderdale</td>
<td>44,064</td>
</tr>
<tr>
<td>Oakland Park</td>
<td>44,098</td>
</tr>
<tr>
<td>Parkland</td>
<td>29,586</td>
</tr>
<tr>
<td>Pembroke Park</td>
<td>6,318</td>
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<tr>
<td>Pembroke Pines</td>
<td>161,799</td>
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<tr>
<td>Plantation</td>
<td>88,328</td>
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<tr>
<td>Pompano Beach</td>
<td>107,425</td>
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<tr>
<td>Sea Ranch Lakes</td>
<td>677</td>
</tr>
<tr>
<td>Southwest Ranches</td>
<td>7,572</td>
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<td>Sunrise</td>
<td>90,714</td>
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<td>Tamarac</td>
<td>63,309</td>
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<tr>
<td>Weston</td>
<td>66,526</td>
</tr>
<tr>
<td>West Park</td>
<td>14,768</td>
</tr>
<tr>
<td>Wilton Manors</td>
<td>12,446</td>
</tr>
</tbody>
</table>
3. This 2017 Amendment to Interlocal Agreement shall be effective as of the date it is executed by the County after having previously been executed by eligible municipalities cumulatively representing a majority of the incorporated area population of the County; the amended population figures and share of proceeds shall take effect as provided by applicable law.

4. Except to the extent amended, the Interlocal Agreement shall remain in full force and effect. In the event of any conflict between the terms of this 2017 Amendment and the Interlocal Agreement, as previously amended, the parties hereby agree that this 2017 Amendment shall control.

5. This 2017 Amendment may be executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.

6. In the event any provision within this 2017 Amendment to Interlocal Agreement is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective unless the County or any executing Municipality necessary to maintain the cumulative majority referenced in the preceding paragraph elects to terminate this Agreement. The election to terminate pursuant to this provision must be made within seven (7) days after such court ruling; provided, however, that if a timely notice appealing the court ruling is filed, the election shall be held in abeyance until the appeal is determined or dismissed.

[THE REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]
IN WITNESS WHEREOF, the parties have made and executed this 2017 Amendment to the Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action on April 4th, 2017, and MUNICIPALITY, signing by and through its ________________, duly authorized to execute same.

ATTEST:
Broward County Administrator, as Ex-Officio Clerk of the Broward County Board of County Commissioners

BROWARD COUNTY, by and through its Board of County Commissioners

4th day of April, 2017

Approved as to form by:
Joni Armstrong Coffey
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By
Andrew J. Meyers
Chief Deputy County Attorney
Date: 3/14/17
2017 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL OPTION GAS TAX ORDINANCE

CITY OF NORTH LAUDERDALE

WITNESSES:

_________________________  CITY OF NORTH LAUDERDALE

By _____________________

_________________________  Jack Brady, Mayor

By _____________________

ATTEST:

By ______________________

Patricia Vancheri, City Clerk

Ambreen Bhatti, City Manager

____ day of ________________, 2017.

____ day of ________________, 2017

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _____________________________

Samuel S. Goren, City Attorney
TO: Honorable Mayor and City Commission
FROM: Ambreen Bhatt, City Manager
BY: Susan Nabors, Finance Director
DATE: April 25, 2017
SUBJECT: 2017 Amendment to Interlocal Agreement between Broward County and City of North Lauderdale providing for Division and Distribution of the Proceeds from the Broward County Fifth Cent Additional Local Option Gas Tax on Motor Fuel for Transit.

The City receives its allocation of Motor Fuel Tax Credit through an Interlocal agreement with Broward County. The amount that the City receives is based on sales of motor fuel as determined by a distribution formula. The County revises this tax revenue allocation annually to reflect changes in the population of Broward County municipalities.

The County’s revised Motor Tax Credit allocation to municipalities, including that of North Lauderdale, is reflected in the attached 2017 Amendment to Interlocal Agreement. The “transit gas tax” adopted in 2000 provides for the Cities to receive a total of 26% of the proceeds of the “fifth cent” of gas tax.

The City’s FY 2018 collection of the local option gas tax on Motor Fuel for Transit will be an allocation of 0.622727% based on the City’s population of 44,064 as stated in the most current edition of “Florida Estimates of Population,” published by the Bureau of Economics and Business Research, Population Division, University of Florida. FY 2016 revenue was $47,606 and the Administration anticipates approximately the same amount of revenue for this year,

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached Resolution authorizing the City Manager to execute 2017 (fifth cent) Amendment to Interlocal Agreement between the City and the County and providing for division and distribution of the proceeds from the Broward County Fifth Cent Additional Local Option Gas Tax On Motor Fuel for Transit.
RESOLUTION NO. ____________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING AND OTHERWISE AUTHORIZING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON BEHALF OF SAID CITY, TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED YEAR 2017 (FIFTH CENT) AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN NORTH LAUDERDALE AND BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS 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 Commission of the City of North Lauderdale, Florida, accepts and authorizes the City Manager of the City of North Lauderdale, Florida, on behalf of said City to execute and otherwise enter into the attached Year 2017 (fifth cent) Amendment to Interlocal Agreement between North Lauderdale and Broward County providing for the division and distribution of proceeds from the Broward County Fifth Cent Additional Local Option Gas Tax on Motor Fuel for Transit.

Section 2: That the City Manager of the City of North Lauderdale, Florida is hereby authorized to do all things necessary and expedient in order to effectuate the execution of the agreement described in Section 1 above, and to carry out the aims of this Resolution and said Agreement.

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 25th day of April, 2017.

APPROVED AS TO FORM:

___________________________________
CITY ATTORNEY SAMUEL S. GOREN

___________________________________
MAYOR JACK BRADY

___________________________________
VICE MAYOR LORENZO WOOD

ATTEST:

___________________________________
CITY CLERK PATRICIA VANCHERI
This 2017 Amendment to Interlocal Agreement is entered into by and between Broward County, a political subdivision of the State of Florida (the “County”) and the municipalities executing a signature page bearing the above legend, each of which is a municipal corporation existing under the laws of the State of Florida (the “Municipalities”).

WHEREAS, Section 336.025(1)(b), Florida Statutes, authorizes the counties to extend the levy of the additional local option gas tax upon every gallon of motor fuel sold in Broward County for a period not to exceed thirty (30) years on a majority vote of the governing body of the COUNTY; and

WHEREAS, on June 13, 2000, the Board of County Commissioners enacted Ordinance No. 2000-25, effective January 1, 2001, through December 31, 2031, pursuant to Section 336.025(1)(b), Florida Statutes, extending the levy of the fifth-cent local option gas tax for thirty years and providing for a method of distribution of the proceeds of the tax; and

WHEREAS, pursuant to said Ordinance, the method for distribution of the proceeds is the execution of an Interlocal Agreement with one or more of the municipalities representing a majority of the population of the incorporated area within the County which establishes the distribution formulas for dividing the proceeds of the tax among the County and all eligible municipalities within the County; and

WHEREAS, paragraph 4 of the Interlocal Agreement requires annual adjustment of the population of the individual municipalities and unincorporated Broward County in accordance with the population figures set forth in the most current edition of "Florida Estimates of Population," published by the Bureau of Economics and Business Research, Population Division, University of Florida;

NOW, THEREFORE, for good and valuable consideration, and pursuant to the authorization of paragraph (1) (b) of Section 336.025, Florida Statutes, the County and Municipalities agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as previously amended, including section 2.1.2, is hereby amended to read as follows:

2.1 Seventy-four percent (74%) of said proceeds shall be distributed to the County, from which amount the County will retain forty-eight percent (48%) of the total proceeds and will distribute twenty-six percent (26%) of the total proceeds to the municipalities through grant agreements for Community Shuttle Services. The remaining twenty-six percent (26%) shall be distributed to the eligible municipalities in the following manner:
## Population of Individual Municipality

**Total incorporated area Population** $\times$ **26.0000%**

<table>
<thead>
<tr>
<th>Recipient</th>
<th>FY18 Population</th>
<th>FY18 Percent Share of Proceeds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coconut Creek</td>
<td>57,116</td>
<td>0.807182%</td>
</tr>
<tr>
<td>Cooper City</td>
<td>33,671</td>
<td>0.475849%</td>
</tr>
<tr>
<td>Coral Springs</td>
<td>126,264</td>
<td>1.784404%</td>
</tr>
<tr>
<td>Dania</td>
<td>31,093</td>
<td>0.439416%</td>
</tr>
<tr>
<td>Davie</td>
<td>99,446</td>
<td>1.405403%</td>
</tr>
<tr>
<td>Deerfield Beach</td>
<td>77,659</td>
<td>1.097502%</td>
</tr>
<tr>
<td>Fort Lauderdale</td>
<td>176,747</td>
<td>2.497846%</td>
</tr>
<tr>
<td>Hallandale</td>
<td>38,621</td>
<td>0.545804%</td>
</tr>
<tr>
<td>Hillsboro Beach</td>
<td>1,914</td>
<td>0.027049%</td>
</tr>
<tr>
<td>Hollywood</td>
<td>146,155</td>
<td>2.065510%</td>
</tr>
<tr>
<td>Lauderdale-by-the-Sea</td>
<td>6,138</td>
<td>0.086744%</td>
</tr>
<tr>
<td>Lauderdale Lakes</td>
<td>34,830</td>
<td>0.492229%</td>
</tr>
<tr>
<td>Lauderhill</td>
<td>70,677</td>
<td>0.998830%</td>
</tr>
<tr>
<td>Lazy Lake</td>
<td>24</td>
<td>0.000341%</td>
</tr>
<tr>
<td>Lighthouse Point</td>
<td>10,506</td>
<td>0.148474%</td>
</tr>
<tr>
<td>Margate</td>
<td>57,226</td>
<td>0.808736%</td>
</tr>
<tr>
<td>Miramar</td>
<td>134,037</td>
<td>1.894254%</td>
</tr>
<tr>
<td>North Lauderdale</td>
<td>44,064</td>
<td>0.622727%</td>
</tr>
<tr>
<td>Oakland Park</td>
<td>44,098</td>
<td>0.623070%</td>
</tr>
<tr>
<td>Parkland</td>
<td>29,586</td>
<td>0.418119%</td>
</tr>
<tr>
<td>Pembroke Park</td>
<td>6,318</td>
<td>0.089288%</td>
</tr>
<tr>
<td>Pembroke Pines</td>
<td>161,799</td>
<td>2.286596%</td>
</tr>
<tr>
<td>Plantation</td>
<td>88,328</td>
<td>1.248280%</td>
</tr>
<tr>
<td>Pompano Beach</td>
<td>107,425</td>
<td>1.518165%</td>
</tr>
<tr>
<td>Sea Ranch Lakes</td>
<td>677</td>
<td>0.009568%</td>
</tr>
<tr>
<td>Southwest Ranches</td>
<td>7,572</td>
<td>0.107010%</td>
</tr>
<tr>
<td>Sunrise</td>
<td>90,714</td>
<td>1.282000%</td>
</tr>
<tr>
<td>Tamarac</td>
<td>63,309</td>
<td>0.894703%</td>
</tr>
<tr>
<td>Weston</td>
<td>66,526</td>
<td>0.940167%</td>
</tr>
<tr>
<td>West Park</td>
<td>14,768</td>
<td>0.208706%</td>
</tr>
<tr>
<td>Wilton Manors</td>
<td>12,446</td>
<td>0.175891%</td>
</tr>
</tbody>
</table>

**Total Incorporated** 1,839,754 26.000000%

**Unincorporated Area** 14,759

**Total County** 1,854,513
The population figures set forth above are based on the figures contained in the document referred to as the “Florida Estimates of Population,” published on an annual basis by the Bureau of Economic and Business Research, Population Division, of the University of Florida. The population figures to be utilized in the formula described in this section, for the distribution of the Fifth Cent, shall be adjusted annually based on the current Florida Estimates of Population.

2.1.2 As stated above, the other Twenty-six percent (26%) shall be distributed by the County to the Municipalities through grant agreements for Community Shuttle Services.

2. This 2017 Amendment to Interlocal Agreement shall be effective as of the date it is executed by the County after having previously been executed by eligible municipalities cumulatively representing a majority of the incorporated area population of the County; the amended population figures and share of proceeds shall take effect as provided by applicable law.

3. In the event any provision within this 2017 Amendment to Interlocal Agreement is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective unless the County or any executing Municipality necessary to maintain the cumulative majority referenced in the preceding paragraph elects to terminate this Agreement. The election to terminate pursuant to this provision must be made within seven (7) days after such court ruling; provided, however, that if a timely notice appealing the court ruling is filed, the election shall be held in abeyance until the appeal is determined or dismissed.

4. Except to the extent amended, the Interlocal Agreement shall remain in full force and effect. In the event of any conflict between the terms of this 2017 Amendment and the Interlocal Agreement, as previously amended, the parties hereby agree that this document shall control.

5. This 2017 Amendment to Interlocal Agreement may be executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.

[THE REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]
IN WITNESS WHEREOF, the parties have made and executed this 2017 Amendment to the Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action on April 4th, 2017, and each MUNICIPALITY, signing by and through its ________________________, duly authorized to execute same.
2017 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

CITY OF NORTH LAUDERDALE

WITNESSES:

______________________________

______________________________

______________________________

ATTEST:

______________________________

______________________________

Patricia Vancheri, City Clerk

(CORPORATE SEAL)

CITY OF NORTH LAUDERDALE

By _____________________________

Jack Brady, Mayor

____ day of ________________, 2017.

By _____________________________

Ambreen Bhatti, City Manager

____ day of ________________, 2017

APPROVED AS TO FORM:

By _____________________________

Samuel S. Goren, City Attorney
TO: Honorable Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Susan Nabors, Finance Director

DATE: April 25, 2017

SUBJECT: 2017 Amendment to Interlocal Agreement between Broward County and City of North Lauderdale providing for Division and Distribution of the Proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance – (Three-Cent)

The City receives its allocation of “additional” local option gas taxes through an interlocal agreement with Broward County. The County revises this tax revenue allocation annually to reflect changes in the population of Broward County municipalities.

The County’s revised gas tax allocation to municipalities, including that of the City’s, is reflected in the attached 2017 Amendment to Interlocal Agreement. The “additional” (three-cent) local option gas tax adopted in 1993 (amended in 2008) provided for Cities to receive a total of 51.27% of three cents of gas tax. The proceeds may be used for transportation expenditures needed to meet the requirements of the capital improvement elements of the City’s comprehensive plan.

The City’s FY 2018 collection of local option gas taxes will be an allocation of 1.227969% based on the City’s population of 44,064, as stated in the most current edition of “Florida Estimates of Population,” published by the Bureau of Economics and Business Research, Population Division, University of Florida. FY 2016 revenue was $275,828, and the Administration anticipates approximately the same amount this year.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached Resolution authorizing the City Manager to execute 2017 (three cent) Amendment to Interlocal Agreement between the City and the County and providing for division and distribution of the proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance.
RESOLUTION NO. ____________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING AND OTHERWISE AUTHORIZING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON BEHALF OF SAID CITY, TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED YEAR 2017 (THREE CENT) AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN NORTH LAUDERDALE AND BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS 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 Commission of the City of North Lauderdale, Florida, accepts and authorizes the City Manager of the City of North Lauderdale, Florida, on behalf of said City to execute and otherwise enter into the attached Year 2017 (three cent) Amendment to Interlocal Agreement between North Lauderdale and Broward County providing for the division and distribution of proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance.

Section 2: That the City Manager of the City of North Lauderdale, Florida is hereby authorized to do all things necessary and expedient in order to effectuate the execution of the agreement described in Section 1 above, and to carry out the aims of this Resolution and said Agreement.

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 25th day of April, 2017.

APPROVED AS TO FORM:

_________________________________
CITY ATTORNEY SAMUEL S. GOREN

_________________________________
MAYOR JACK BRADY

_________________________________
VICE MAYOR LORENZO WOOD

ATTEST:

_________________________________
CITY CLERK PATRICIA VANCHERI
This 2017 Amendment to Interlocal Agreement is entered into by and between Broward County, a political subdivision of the State of Florida (the “County”) and the municipalities executing a signature page bearing the above legend, each of which is a municipal corporation existing under the laws of the State of Florida (the “Municipalities”).

NOW, THEREFORE, for good and valuable consideration, and pursuant to the authorization of paragraph (1) (b) 2 of Section 336.025, Florida Statutes, the County and Municipalities agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as previously amended, is hereby amended to read:

2. Forty-eight and Seventy-three One-hundredths percent (48.73%) of the total proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance shall be distributed to the County and the remaining Fifty-one and Twenty-seven One-hundredths percent (51.27%) of the total proceeds shall be divided among and distributed to the eligible municipalities within the County as follows:

<table>
<thead>
<tr>
<th>Recipient</th>
<th>FY18 Percent Share of Proceeds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coconut Creek</td>
<td>1.591700%</td>
</tr>
<tr>
<td>Cooper City</td>
<td>0.938339%</td>
</tr>
<tr>
<td>Coral Springs</td>
<td>3.518707%</td>
</tr>
<tr>
<td>Dania</td>
<td>0.866495%</td>
</tr>
<tr>
<td>Davie</td>
<td>2.771347%</td>
</tr>
<tr>
<td>Deerfield Beach</td>
<td>2.164190%</td>
</tr>
<tr>
<td>Fort Lauderdale</td>
<td>4.925560%</td>
</tr>
<tr>
<td>Hallandale</td>
<td>1.076284%</td>
</tr>
<tr>
<td>Hillsboro Beach</td>
<td>0.053339%</td>
</tr>
<tr>
<td>Hollywood</td>
<td>4.073027%</td>
</tr>
<tr>
<td>Lauderdale-by-the-Sea</td>
<td>0.171053%</td>
</tr>
<tr>
<td>Lauderdale Lakes</td>
<td>0.970637%</td>
</tr>
<tr>
<td>Lauderhill</td>
<td>1.969616%</td>
</tr>
<tr>
<td>Lazy Lake</td>
<td>0.000670%</td>
</tr>
<tr>
<td>Lighthouse Point</td>
<td>0.292780%</td>
</tr>
<tr>
<td>Margate</td>
<td>1.594766%</td>
</tr>
<tr>
<td>Miramar</td>
<td>3.735324%</td>
</tr>
<tr>
<td>North Lauderdale</td>
<td>1.227969%</td>
</tr>
<tr>
<td>Oakland Park</td>
<td>1.228917%</td>
</tr>
<tr>
<td>Parkland</td>
<td>0.824498%</td>
</tr>
<tr>
<td>Pembroke Park</td>
<td>0.176069%</td>
</tr>
</tbody>
</table>
Paragraph 3 of the Interlocal Agreement, as previously amended, is hereby amended to read:

3. The population figures set out herein are based on the figures contained in the document referred to as the "Florida Estimates of Population," published on an annual basis by the Bureau of Economics and Business Research, Population Division, University of Florida. The population figures to be utilized in the formula described in Paragraph 2 of this Interlocal Agreement, for the division and distribution of the proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance, shall be adjusted annually based on the then-current "Florida Estimates of Population."

For the purpose of this Agreement, the following population figures are hereby agreed upon by the parties hereto:

<table>
<thead>
<tr>
<th>Recipient</th>
<th>FY18 Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coconut Creek</td>
<td>57,116</td>
</tr>
<tr>
<td>Cooper City</td>
<td>33,671</td>
</tr>
<tr>
<td>Coral Springs</td>
<td>126,264</td>
</tr>
<tr>
<td>Dania</td>
<td>31,093</td>
</tr>
<tr>
<td>Davie</td>
<td>99,446</td>
</tr>
<tr>
<td>Deerfield Beach</td>
<td>77,659</td>
</tr>
<tr>
<td>Fort Lauderdale</td>
<td>176,747</td>
</tr>
<tr>
<td>Hallandale</td>
<td>38,621</td>
</tr>
<tr>
<td>Hillsboro Beach</td>
<td>1,914</td>
</tr>
<tr>
<td>Hollywood</td>
<td>146,155</td>
</tr>
<tr>
<td>Lauderdale-by-the-Sea</td>
<td>6,138</td>
</tr>
<tr>
<td>Lauderdale Lakes</td>
<td>34,830</td>
</tr>
<tr>
<td>Lauderhill</td>
<td>70,677</td>
</tr>
<tr>
<td>Lazy Lake</td>
<td>24</td>
</tr>
<tr>
<td>Lighthouse Point</td>
<td>10,506</td>
</tr>
<tr>
<td>Margate</td>
<td>57,226</td>
</tr>
</tbody>
</table>

Total Incorporated: 51.270000%
<table>
<thead>
<tr>
<th>Town</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Miramar</td>
<td>134,037</td>
</tr>
<tr>
<td>North Lauderdale</td>
<td>44,064</td>
</tr>
<tr>
<td>Oakland Park</td>
<td>44,098</td>
</tr>
<tr>
<td>Parkland</td>
<td>29,586</td>
</tr>
<tr>
<td>Pembroke Park</td>
<td>6,318</td>
</tr>
<tr>
<td>Pembroke Pines</td>
<td>161,799</td>
</tr>
<tr>
<td>Plantation</td>
<td>88,328</td>
</tr>
<tr>
<td>Pompano Beach</td>
<td>107,425</td>
</tr>
<tr>
<td>Sea Ranch Lakes</td>
<td>677</td>
</tr>
<tr>
<td>Southwest Ranches</td>
<td>7,572</td>
</tr>
<tr>
<td>Sunrise</td>
<td>90,714</td>
</tr>
<tr>
<td>Tamarac</td>
<td>63,309</td>
</tr>
<tr>
<td>Weston</td>
<td>66,526</td>
</tr>
<tr>
<td>West Park</td>
<td>14,768</td>
</tr>
<tr>
<td>Wilton Manors</td>
<td>12,446</td>
</tr>
<tr>
<td><strong>Total Incorporated</strong></td>
<td><strong>1,839,754</strong></td>
</tr>
<tr>
<td><strong>Unincorporated Area</strong></td>
<td><strong>14,759</strong></td>
</tr>
<tr>
<td><strong>Total County</strong></td>
<td><strong>1,854,513</strong></td>
</tr>
</tbody>
</table>

3. This 2017 Amendment to Interlocal Agreement shall be effective as of the date it is executed by the County after having previously been executed by eligible municipalities cumulatively representing a majority of the incorporated area population of the County; the amended population figures and share of proceeds shall take effect as provided by applicable law.

4. In the event any provision within this 2017 Amendment to Interlocal Agreement is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective unless the County or any executing Municipality necessary to maintain the cumulative majority referenced in the preceding paragraph elects to terminate this Agreement. The election to terminate pursuant to this provision must be made within seven (7) days after such court ruling; provided, however, that if a timely notice appealing the court ruling is filed, the election shall be held in abeyance until the appeal is determined or dismissed.

5. Except to the extent amended, the Interlocal Agreement shall remain in full force and effect. In the event of any conflict between the terms of this 2017 Amendment and the Interlocal Agreement, as previously amended, the parties agree that this 2017 Amendment shall control.

6. This 2017 Amendment to Interlocal Agreement may be executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.

THE REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.
IN WITNESS WHEREOF, the parties have made and executed this 2017 Amendment to the Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action on April 4th, 2017, and each MUNICIPALITY, signing by and through its ________________, duly authorized to execute same.
2017 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE

CITY OF NORTH LAUDERDALE

WITNESSES:

______________________________

By _____________________________

Jack Brady, Mayor

______________________________

___ day of ________________, 2017.

ATTEST:

______________________________

By _____________________________

Patricia Vancheri, City Clerk

Ambreen Bhatti, City Manager

___ day of ________________, 2017

(CORPORATE SEAL)

APPROVED AS TO FORM:

______________________________

By _____________________________

Samuel S. Goren, City Attorney
RESOLUTION NO. ____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING JOYCE CLYDE WHO RESIDES AT 6201 SW 18 COURT, AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY COMMISSIONER JERRY GRAZIOSE); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, Joyce Clyde’s term of office will expire on May 31, 2017; and

WHEREAS, Commissioner Graziose recommends the re-appointment of Joyce Clyde; and

WHEREAS, Ms. Clyde wishes to continue to serve on the Code Enforcement Board; and

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

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

Section 1: That Joyce Clyde be and the same is hereby re-appointed to a three year term as a regular member of the North Lauderdale Code Enforcement Board.

Section 2: That Ms. Clyde shall serve in said capacity until May 31, 2020 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 25th day of April, 2017.

APPROVED AS TO FORM:

______________________________  ______________________________
CITY ATTORNEY SAMUEL S. GOREN        MAYOR JACK BRADY

______________________________  ______________________________
VICE MAYOR LORENZO WOOD

______________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. ______________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING DIANA FARRAR WHO RESIDES AT 8304 SW 20 STREET, AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY COMMISSIONER BORGELIN); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, Diana Farrar’s term of office will expire on May 31, 2017; and

WHEREAS, Commissioner Borgelin recommends the re-appointment of Diana Farrar; and

WHEREAS, Ms. Farrar wishes to continue to serve on the Code Enforcement Board; and

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

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

Section 1: That Diana Farrar be and the same is hereby re-appointed to a three year term as a regular member of the North Lauderdale Code Enforcement Board.

Section 2: That Ms. Farrar shall serve in said capacity until May 31, 2020 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 25th day of April, 2017.

APPROVED AS TO FORM:

______________________________  ________________________________
CITY ATTORNEY SAMUEL S. GOREN  MAYOR JACK BRADY

______________________________  ________________________________
VICE MAYOR LORENZO WOOD

______________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. ____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING GEORGE TAYAR WHO RESIDES AT 1349 W. GLEN OAK ROAD, AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY VICE MAYOR WOOD); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, George Tayar’s term of office will expire on May 31, 2017; and

WHEREAS, Vice Mayor Wood recommends the re-appointment of George Tayar; and

WHEREAS, Mr. Tayar wishes to continue to serve on the Code Enforcement Board; and

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

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

Section 1: That George Tayar be and the same is hereby re-appointed to a three year term as a regular member of the North Lauderdale Code Enforcement Board.

Section 2: That Mr. Taryar shall serve in said capacity until May 31, 2020 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 25th day of April, 2017.

APPROVED AS TO FORM:

__________________________________  ____________________________________
CITY ATTORNEY SAMUEL S. GOREN        MAYOR JACK BRADY

__________________________________  ____________________________________
VICE MAYOR LORENZO WOOD                CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. ________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING GENEVIEVE BARNETT-BURKE AS A REGULAR MEMBER OF THE HOUSING AUTHORITY BOARD; PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, Genevieve Barnett-Burke’s term of office is expiring on May 31, 2017;

WHEREAS, Genevieve Barnett-Burke is willing to continue to serve on the Housing Authority Board; and

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

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

Section 1: That Genevieve Barnett-Burke be and the same is hereby re-appointed as a regular member of the Housing Authority Board.

Section 2: That Ms. Barnett-Burke shall serve in said capacity for a term of four years, commencing 6-1-2017 through 5-31-2021 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 25th day of April, 2017.

APPROVED AS TO FORM:

CITY ATTORNEY SAMUEL S. GOREN

____________________________
MAYOR JACK BRADY

____________________________
VICE MAYOR LORENZO WOOD

ATTEST:

____________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. ________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING LARRY MILLIGAN AS A REGULAR MEMBER OF THE HOUSING AUTHORITY BOARD; PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, Larry Milligan’s term of office is expiring on May 31, 2017;

WHEREAS, Larry Milligan is willing to continue to serve on the Housing Authority Board; and

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

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

Section 1: That Larry Milligan be and the same is hereby re-appointed as a regular member of the Housing Authority Board.

Section 2: That Mr. Milligan shall serve in said capacity for a term of four years, commencing 6-1-2017 through 5-31-2021 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 25th day of April, 2017.

APPROVED AS TO FORM:

________________________________
CITY ATTORNEY SAMUEL S. GOREN

________________________________
MAYOR JACK BRADY

________________________________
VICE MAYOR LORENZO WOOD

ATTEST:

________________________________
CITY CLERK PATRICIA VANCHERI
At the City of North Lauderdale Water Plant, a large 40’ diameter machine (sludge thickener) prepares the by-product of sludge for transport to a landfill. This sludge thickener is an EIMCO unit which was placed in operation at the water plant in 1978. This unit has been re-habilitated over the years, however in the past year the drive unit component of this piece of equipment has been causing operational issues. The factory authorized representative for EIMCO has been evaluating our system for several months now and has recently prepared a proposal to repair this unit.

Re-build-it Services Group from Salt Lake City is the factory authorized vendor who specializes in repair of EIMCO throughout the Country. They have the proper equipment and expertise on this EIMCO unit.

The City staff has reviewed the proposal from Rebuild-it Services Group, and agrees to the terms of the proposal for this work. The total cost of the project is estimated to be $53,434. However, the staff would also like the approval of another $5,000 as contingency fund in case there are any unforeseen items that may come. After approval, this work shall commence in June of 2017.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached resolution authorizing the City Manager or designee to accept the proposal from Rebuild-it Services Group, for the amount not to exceed $53,434 for the repair of the EIMCO sludge thickener unit and $5,000 in contingency funds.
RESOLUTION NO. ______________

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ACCEPT THE PROPOSAL FROM REBUILD-IT SERVICES GROUP, FOR THE AMOUNT NOT TO EXCEED $53,434 FOR THE REPAIR OF THE EIMCO SLUDGE THICKENER UNIT AND $5,000 IN CONTINGENCY FUNDS; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. The City Commission accepts that Rebuild-it Services Group is an EIMCO factory authorized vendor with expertise in repair of EIMCO products.

Section 2. The City staff has chosen the option that Rebuild-it Services Group shall also provide and coordinate the crane services for the project and that cost is included in the project cost.

Section 3. The City Commission approves a contingency of $5,000 for any unforeseen items that may come up during the work of this project.

Section 4. This work shall be within the budget of the Water Plant Utility R&M account number 4013933 546700.

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


APPROVED AS TO FORM:

___________________________
CITY ATTORNEY SAMUEL S. GOREN

___________________________
MAYOR JACK BRADY

___________________________
VICE MAYOR LORENZO WOOD

ATTEST:

___________________________
CITY CLERK PATRICIA VANCHERI
Proposal Prepared For:
City of North Fort Lauderdale, FL
841 SW 71st Avenue
North Lauderdale, FL 33068
Attention: Rudy Perez
Email: rperez@uswatercorp.net
Phone: 954-724-7071

Scope of Work:
Parts and labor services to repair an existing EIMCO W36P/LDM drive unit for a 40’ dia. Thickener.  S/N EW01014

Prepared By:
Rebuild-it Services Group, LLC.
P.O. Box 651206
Salt Lake City, Utah 84165
Terry A. Reyburn
Phone: (385) 235-6924
Mobile: (801) 828-5369
treyburn@rebuild-it.com
PROJECT SUMMARY:

Rebuild-it Services Group, LLC. (RSG) is very pleased to offer you a proposal to supply the parts and labor services needed to repair the existing 40’ thickener with a W36P/LDM drive unit for the City of North Fort Lauderdale, FL.

This proposal is based on a drive disassembly and inspection performed on 6/28/16. The inspection did show that the drive unit did not have the correct actuating pin, therefore the drive control was not indicating any torque when torque was indeed present. This caused damaged to the worm gear and a few other smaller parts will need to be replaced. The correct actuating pin will also be replaced.

The scope of work for this project is as follows;

- Site mobilization and travel time to the job site.
- Rebuilding of drive unit on site
- Install new worm gear and bearings.
- Rake and drive leveling.
- Demobilization of personnel and equipment.
- Parts include:
  - Worm gear P/N 204062C4A, ($13,487.00)
  - Bearings and seals for worm bearing assembly. ($1,825.00)
  - We will have also replace fasteners as needed. ($280.00)
  - Actuating pin P/N 48806D ($54.00)
  - Total parts pricing $15,646.00
- Demobilization and clean up
- Freight for parts

This proposal excludes the following items;

- Permits, fees, and/or stamped engineering documents
- Provision of Full-Time Safety & QA/QC manager. A foreman will be onsite throughout duration of construction activities and provide field coordination.
- Overtime premiums or weekend work
- Crane and crane operator furnished by customer
- Temp facilities including porta-johns, hand wash, temp power, water, and disposal bins to be provided by others.
- Installation of electrical and/or instrumentation to be by others.
- Concrete demolition and/or repair, if required, can be provided at additional cost.
- Grouting of the tank or concrete work.
- Assumes reasonable access to basins.
- No coating on site- touch up paint only if applicable
- Hazardous material abatement, handling and/or disposal.
- Any work not specifically included.
- Draining and cleaning of the tank
- Depositing of old debris/parts.
- Lubrication for drive unit.
- Parts for lifting device or work done to the lift.
- Parts supplied are what is listed above, all other parts required will need to be added to the purchase order.
- Field service inspection or start-up.

PRICING:

Pricing to supply parts and services as described above............$43,834.00
We estimate 2-3 days on site to complete this work with 2 days travel time.

Adder Option:
Option for crane services for RSG to furnish the crane and crane operator.
Please add $9,600.00 for the crane services on this project.

Please be sure to reference this quotation number and date on your purchase order. Please make order to:

Rebuild-it Services Group, LLC.
P.O. Box 651206
Salt Lake City, Utah 84165
Attention: Candace King, cking@rebuild-it.com
**Pricing and Payment Terms:**

We appreciate the opportunity to offer our parts & services. Upon receipt of an order, we assure you of our continued interest and service. RSG will provide the best service possible to ensure we exceed your expectations.

This proposal, including all terms and conditions contained herein, shall become part of any resulting contract or purchase order. Changes to any terms and conditions, including but not limited to submittal and shipment days, payment terms, and escalation clause shall be negotiated at order placement, otherwise the proposal terms and conditions contained herein shall apply.

**Terms:** The terms for the parts and/or equipment are 100% due after shipment or service is completed. Net 30 days from shipment or after service is completed. The prices are good for 60 days.

**Sales Tax:** No sales taxes, use taxes, or duties have been included in our pricing. Unless you live in Utah, we are not registered to collect sales tax in your state. If you are not tax exempt, please remit taxes directly to the governing authorities.

**Freight:** Prices quoted are F.O.B. shipping point with freight prepaid and added to a readily accessible location nearest to jobsite, unless otherwise indicated. All claims for damage or loss in shipment shall be initiated by purchaser.

**Shipment:** Estimated shipment time is (see above) after purchase order is received in our office.

**Field Service:** Prices do not include field service unless noted in the rebuild scope of work description. Additional field service is available at $900.00 per day plus expenses.

**OEM Parts:** If applicable RSG will quote OEM factory parts furnished by FLSmidth USA, Inc. FLSmidth owns EIMCO® and Dorr-Oliver® registered trademarks. FLSmidth is the sole owner of EIMCO® and Dorr-Oliver® registered trademarks and brand names.

**Warranty & Terms and Conditions:**

Parts and/or Equipment manufactured or rebuilt and sold by Rebuild-it Services Group, once paid for in full, is backed by the following warranty:

For the benefit of the original user, RSG warrants all new parts and equipment sold or rebuilt RSG, LLC. to be free from defects in material and workmanship, and will replace or repair, F.O.B. its factories or other location designated by it, any part or parts returned to it which RSG’s examination shall show to have failed under normal use and service by the original user within one (1) year following initial start-up, or one (1) year and six (6) months from shipment to the purchaser, whichever occurs first.

Such repair or replacement shall be free of charge for all items except for those items such as resin, filter media and the like that are consumable and normally replaced during maintenance, with respect to which, repair or replacement shall be subject to a pro-rata charge based upon RSG’s estimate of the percentage of normal service life realized from the part. RSG’s obligation under this
warranty is conditioned upon its receiving prompt notice of claimed defects, which shall in no event be later than thirty (30) days following expiration of the warranty period, and is limited to repair or replacement as aforesaid.

This warranty is expressly made by RSG and accepted by purchaser in lieu of all other warranties, including warranties of merchantability and fitness for particular purpose, whether written, oral, express, implied, or statutory. RSG shall not be liable for normal wear and tear, corrosion, or any contingent, incidental, or consequential damage or expense due to partial or complete inoperability of its equipment for any reason whatsoever.

This warranty shall not apply to equipment or parts thereof which have been altered or repaired outside of a RSG factory, or damaged by improper installation, application, or maintenance, or subjected to misuse, abuse, neglect, accident, or incomplete adherence to all manufacturer's requirements, including, but not limited to, Operations & Maintenance Manual guidelines & procedures.

This warranty applies only to equipment made or sold by Rebuild-it Services Group, LLC (RSG).

RSG makes no warranty with respect to parts, accessories, or components purchased by the customer from others. The warranties which apply to such items are those offered by their respective manufacturers.

CONFIDENTIALITY:
All the information in this quotation is confidential and has been prepared for your use solely in considering services described. Transmission of all or any parts of this information to others or use by you for other purposes is unauthorized without our written consent.

TERMS AND CONDITIONS:
Terms and Conditions appearing in any order based on this proposal which are inconsistent herewith shall not be binding on Rebuild-it Services Group (RSG). The sale and purchase of equipment described herein shall be governed exclusively by the foregoing proposal and the following provisions:

1. SPECIFICATIONS: RSG is furnishing its standard equipment as outlined in the proposal and as will be covered by final approved drawings if applicable. The equipment will, however, meet the general intention of the mechanical specifications of these documents.

2. ITEMS INCLUDED: This proposal includes only the equipment specified herein and does not include erection, installation, accessories, nor associated materials such as controls, piping, etc., unless specifically listed.

3. PRICE AND DELIVERY: All selling prices quoted are subject to change without notice after 30 days from the date of this proposal unless specified otherwise. Unless otherwise stated, all prices are F.O.R. RSG or its supplier's shipping point. All claims for damage, delay or shortage arising from such equipment shall be made by Purchaser directly against the carrier. When shipments are quoted F.O.R. job site or other designation, Purchaser shall inspect the equipment shipped, notifying RSG of any damage or shortage within forty-eight hours of receipt, and failure to so notify RSG shall constitute acceptance by Purchaser, relieving RSG of any liability for shipping damages or shortages.

4. PAYMENTS: All invoices are net 30 days. Delinquencies are subject to a 1.5 percent service charge per month or the maximum permitted by law, whichever is less on all past due accounts. Pro rata payments are due as shipments are made, if shipments are delayed.
by the Purchaser, invoices shall be sent on the date when RSG is prepared to make shipment and payment shall become due under standard invoicing terms. If the work to be performed hereunder is delayed by the Purchaser, payments shall be based on the purchase price and percentage of completion. Products held for the Purchaser shall be at the risk and expense of the Purchaser. Unless specifically stated otherwise, prices quoted are for equipment only. These terms are independent of and not contingent upon the time and manner in which the Purchaser receives payment from the owner.

5. INSTALLATION SUPERVISION: Prices quoted for equipment do not include installation supervision, unless otherwise noted. RSG recommends and will, upon request, make available, RSG’s then current rate, an experienced installation supervisor to act as the Purchaser’s employee and agent to supervise installation of the equipment. Purchaser shall at its sole expense furnish all necessary labor, equipment, and materials needed for installation.

Responsibility for proper operation of equipment, if not installed by RSG or installed in accordance with RSG or original manufacture instructions, and inspected and accepted in writing by RSG or manufacture representing RSG.

RSG will supply the safety devices described in this proposal or shown in RSG’s or manufacture represented drawings furnished as part of this order but excepting these, RSG shall not be required to supply or install any safety devices whether required by law or otherwise. The Purchaser hereby agrees to indemnify and hold harmless RSG from any claims or losses arising due to alleged or actual insufficiency or inadequacy of the safety devices offered or supplied hereunder, whether specified by RSG or Purchaser, and from any damage resulting from the use of the equipment supplied hereunder.

6. ACCEPTANCE OF PRODUCTS: Products will be deemed accepted without any claim by Purchaser unless written notice of non-acceptance is received by RSG within 30 days of delivery, if shipped F.O.B. point of shipment, or 48 hours of delivery if shipped F.O.B. point of destination. Such written notice shall not be considered received by RSG unless it is accompanied by all freight bills for said shipment, with Purchaser’s notations as to damages, shortages and conditions of equipment, containers, and seals. Non-accepted products are subject to the return policy stated below.

7. TAXES: Any federal, state, or local sales, use or other taxes applicable to this transaction, unless specifically included in the price, shall be for Purchaser’s account.

8. INSURANCE: From date of shipment until the invoice is paid in full, Purchaser agrees to provide and maintain at its expense, but for RSG benefit, adequate insurance including, but not limited to, builders risk insurance on the equipment against any loss of any nature whatsoever.

9. SHIPMENTS: Any shipment of delivery dates recited represent RSG’s best estimate but no liability, direct or indirect, is assumed by RSG for failure to ship or deliver on such dates.

RSG shall have the right to make partial shipments; and invoices covering the same shall be due and payable by Purchaser in accordance with the payment terms thereof. If Purchaser defaults in any payment when due hereunder, RSG may, without incurring any liability therefore to Purchaser or Purchaser’s customers, declare all payments immediately due and payable with maximum interest thereon from due date of said payment, and at its option, stop all further work and shipments until all past due payments have been made, and/or require that any further deliveries be paid for prior to shipment.

If Purchaser requests postponements of shipments, the purchase price shall be due and payable upon notice from RSG that the equipment is ready for shipment; and thereafter any storage or other charge RSG incurs on account of the equipment shall be for the Purchaser’s account.

If delivery is specified at a point other than RSG or its supplier’s shipping points, and delivery is postponed or prevented by strike, accident, embargo, or other cause beyond RSG reasonable control and occurring at a location other than RSG or its supplier’s shipping points, RSG assumes no liability in delivery delay. If Purchaser refuses such delivery, RSG may store the equipment at Purchaser’s expense. For all purposes of this agreement such tender of delivery or storage shall constitute delivery.

10. SURFACE PREPARATION AND PAINTING: If furnished, shop primer paint is intended to serve only as minimal protective finish. RSG will not be responsible for the condition of primed or finish painted surfaces after equipment leaves its shops. Purchasers are invited to inspect paint in shops for proper preparation and application prior to shipment. RSG assumes no responsibility for field surface preparation or touch-up of shipping damage to paint. Painting of fasteners and other touch-up to painted surfaces will be by Purchaser’s painting contractor after mechanical installation.

11. RETURN OF PRODUCTS: No products may be returned to RSG without RSG’s prior written permission. Said permission may be withheld by RSG at its sole discretion.
12. **BACK CHARGES**: RSG will not approve or accept back charges for labor, materials, or other costs incurred by Purchaser or others in modification, adjustment, service, or repair of RSG furnished materials unless such back charge has been authorized in advance in writing by a RSG employee and a purchase order or work requisition signed by RSG.

13. **INDEMNIFICATION**: Purchaser agrees to indemnify RSG from all costs incurred, including but not limited to court costs and reasonable attorney fees, from enforcing any provisions of this contract, including but not limited to breach of contract or costs incurred in collecting monies owed on this contract.

14. **ENTIRE AGREEMENT**: This proposal expresses the entire agreement between the parties hereto superseding any prior understandings, and is not subject to modification except by a writing signed by an authorized officer of each party.

15. **EXTENDED STORAGE**: Extended storage instructions will be part of information provided to shipment. If equipment installation and start-up is delayed more than 30 days, the provisions of the storage instructions must be followed to keep WARRANTY in force.

16. **LIABILITY**: Professional liability insurance, including but not limited to, errors and omissions insurance, is not included. In any event, liability for errors and omissions shall be limited to the lesser of 25,000 USD or the value of the particular piece of equipment (not the value of the entire order) supplied by RSG against which a claim is sought.

17. **ARBITRATION NEGOTIATION**: Any controversy or claim arising out of or relating to the performance of any contract resulting from this proposal or contract issued, or the breach thereof, shall be settled by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered to any court having jurisdiction.

**ACCEPTED BY PURCHASER**

Customer Name: 

Customer Address: 

Contact Phone: 

Contact Name: 

Contact Email: 

Signature: 

Printed Name: 

Title: 

Date:
March 27, 2017

City of North Fort Lauderdale
841 SW 71st Avenue
North Fort Lauderdale, FL 33068
Attention: Rudy Perez

Subject: The Authorization and exclusivity of Rebuild-it Services Group, LLC (RSG) to sell and support EIMCO® and Dorr-Oliver® Parts and Services in the Municipal Market.

Dear Rudy Perez,

FLSmidth has given the exclusive rights to Rebuild-it Services Group, LLC. to sell OEM Parts and Services for the repair and the rebuilding of EIMCO® and Dorr-Oliver® equipment in the Municipal Market. FLSmidth is the sole owner of the EIMCO® and Dorr-Oliver® brand names and trademarks.

FLSmidth has not given the rights to any other company to support the EIMCO® and Dorr-Oliver® brand names in the Municipal Market with the exception of Dorr-Oliver® ODS Pump suppliers. Rebuild-it Services Group, LLC. is the sole provider of EIMCO® and Dorr-Oliver® parts and services in the Municipal Marketplace for FLSmidth. Rebuild-it Services Group, LLC. will receive full support from FLSmidth for the engineering, the execution of parts and the quality assurance related to the FLSmidth Company.

Sincerely,

Terry A. Reyburn
President
Rebuild-it Services Group, LLC
Salt Lake City, UT 84165
Office: 385-235-6924
Mobile: 801-828-5369
E-Mail: treyburn@rebuild-it.com
Website: rebuild-it.com

References:
- FLSmidth Company Authorization Letter

Rebuild-it Services Group, LLC
Salt Lake City, Utah
Rebuild-it.com
23 April 2015

To Whom It May Concern:

Subject: Distributor Agreement between FLSmidth Salt Lake City, Inc. and Rebuild-it Services Group (RSG).

Dear Sir/Madam,

FLSmidth has given the authorization to sell and support Eimco and Dorr-Oliver parts and equipment into the municipal market to Rebuild-it Services Group (RSG). FLSmidth is the exclusive owner of the company names: Eimco and Dorr-Oliver. Outside of our DO Pump Reps, FLS has not given authorization to any other manufacturer or manufacturer representative to use or reference these company names in the municipal industry.

Rebuild-it Services Group (RSG) is now an Authorized Distributor for FLSmidth and therefore any Eimco and/or Dorr-Oliver related request for quote for parts and rebuilds (excluding Field Service and DO Pumps) for said equipment in the municipal market will be supported by Rebuild-it Services Group (RSG) out of Salt Lake City, UT.

Sincerely,

[Signature]
Eileen G. Turnipseed
Customer Service Manager
Direct: 801-871-7360
Mobile: 801-608-4882
eileen.turnipseed@flsmidth.com
Installation, Operation and Maintenance Instructions

EIMCO SLUDGE THICKENER
TYPE BST
40' DIA.
Serial No. 22435-01-A

For
City of North Lauderdale
Water Treatment Plant

Intercounty Construction Corp.
Purchase Order No. 8061
Eimco Order No. 22435-01

[Signature]
Intercounty Construction Corporation
Checked 12/13/70
Checked as Noted
Not Approved
RESOLUTION NO. _________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING BARBARA THOMAS WHO RESIDES AT 7921 SOUTHGATE BOULEVARD, (SPONSORED BY COMMISSIONER MOYLE) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Barbara Thomas’s term of office will expire on May 31, 2017; and

WHEREAS, Ms. Thomas is willing to continue to serve on the Planning & Zoning Board; and

WHEREAS, Commissioner Moyle sponsors Ms. Thomas’s re-appointment; and

WHEREAS, the City Commission desires to ratify said recommendation.

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

Section 1. That Barbara Thomas is hereby re-appointed to a three year term as a regular member of the North Lauderdale Planning & Zoning Board to serve in said position until May 31, 2020 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 ___________day of April, 2017.

APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL GOREN

__________________________________
MAYOR JACK BRADY

__________________________________
VICE MAYOR LORENZO WOOD

ATTEST:

__________________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. _________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING ALETRICE DARCEL MANN WHO RESIDES AT 812 E. PALM RUN DRIVE (SPONSORED BY VICE MAYOR WOOD) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Aletrice Mann’s term of office will expire on May 31, 2017; and

WHEREAS, Ms. Mann is willing to continue to serve on the Planning & Zoning Board; and

WHEREAS, Vice Mayor Wood sponsors Ms. Mann’s re-appointment; and

WHEREAS, the City Commission desires to ratify said recommendation.

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

Section 1. That Aletrice Darcel Mann is hereby re-appointed to a three year term as a regular member of the North Lauderdale Planning & Zoning Board to serve in said position until May 31, 2020 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 _________________ day of April, 2017.

APPROVED AS TO FORM:

__________________________
CITY ATTORNEY SAMUEL GOREN

__________________________
MAYOR JACK BRADY

__________________________
VICE MAYOR LORENZO WOOD

ATTEST:

__________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. _________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING ALEX ORTIZ WHO RESIDES AT 8230 SW 8 COURT (SPONSORED BY COMMISSIONER MOYLE) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Alex Ortiz’s term of office will expire on May 31, 2017; and

WHEREAS, Mr. Ortiz is willing to continue to serve on the Planning & Zoning Board; and

WHEREAS, Commissioner Moyle sponsors Mr. Ortiz’s re-appointment; and

WHEREAS, the City Commission desires to ratify said recommendation.

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

Section 1. That Alex Ortiz is hereby re-appointed to a three year term as a regular member of the North Lauderdale Planning & Zoning Board to serve in said position until May 31, 2020 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 _____________ day of April, 2017.

APPROVED AS TO FORM:

__________________________
CITY ATTORNEY SAMUEL GOREN

__________________________
MAYOR JACK BRADY

__________________________
VICE MAYOR LORENZO WOOD

ATTEST:

__________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. _________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING WILLIAM ALBRIGHT WHO RESIDES AT 6810 OAKHILL (SPONSORED BY MAYOR BRADY) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, William Albright’s term of office will expire on May 31, 2017; and

WHEREAS, Mr. Albright is willing to continue to serve on the Planning & Zoning Board; and

WHEREAS, Mayor Brady sponsors Mr. Albright’s re-appointment; and

WHEREAS, the City Commission desires to ratify said recommendation.

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

Section 1. That William Albright is hereby re-appointed to a three year term as a regular member of the North Lauderdale Planning & Zoning Board to serve in said position until May 31, 2020 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_______________ day of April, 2017.

APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL GOREN

__________________________________
MAYOR JACK BRADY

__________________________________
VICE MAYOR LORENZO WOOD

ATTEST:

__________________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. _________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING BRANDON WRIGHT WHO RESIDES AT 2044 SW 81 AVENUE, (SPONSORED BY COMMISSIONER GRAZIOSE) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Brandon Wright’s term of office will expire on May 31, 2017; and

WHEREAS, Mr. Wright is willing to continue to serve on the Planning & Zoning Board; and

WHEREAS, Commissioner Graziose sponsors Mr. Wright’s re-appointment; and

WHEREAS, the City Commission desires to ratify said recommendation.

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

Section 1. That Brandon Wright is hereby re-appointed to a three year term as a regular member of the North Lauderdale Planning & Zoning Board to serve in said position until May 31, 2020 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 ____________ day of April, 2017.

APPROVED AS TO FORM:

_________________________________________________________
CITY ATTORNEY SAMUEL GOREN

_________________________________________________________
MAYOR JACK BRADY

_________________________________________________________
VICE MAYOR LORENZO WOOD

ATTEST:

_________________________________________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. _________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING ENJOLI PAUL WHO RESIDES AT 7701 SW 7 COURT, (SPONSORED BY COMMISSIONER MOYLE) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Enjoli Paul’s term of office will expire on May 31, 2017; and

WHEREAS, Ms. Paul is willing to continue to serve on the Planning & Zoning Board; and

WHEREAS, Commissioner Moyle sponsors Ms. Paul’s re-appointment; and

WHEREAS, the City Commission desires to ratify said recommendation.

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

Section 1. That Enjoli Paul is hereby re-appointed to a three year term as a regular member of the North Lauderdale Planning & Zoning Board to serve in said position until May 31, 2020 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 ________________ day of April, 2017.

APPROVED AS TO FORM:

__________________________
CITY ATTORNEY SAMUEL GOREN

__________________________
MAYOR JACK BRADY

__________________________
VICE MAYOR LORENZO WOOD

ATTEST:

__________________________
CITY CLERK PATRICIA VANCHERI
INTER-OFFICE MEMORANDUM
CITY CLERK’S DEPARTMENT

TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Patricia Vancheri, City Clerk

DATE: April 25, 2017

SUBJECT: Proclamations Issued in support of National Causes or Events

During the Strategic Planning Workshop held on April 8, 2017, staff discussed criteria for the issuance of ceremonial items with the Commission. At the Commission’s request, staff has researched the National, State or County Proclamations, which we typically support on an annual basis to commemorate a specific cause or event. The following is a list of some of the most common Proclamations issued in the past by the Commission listed by the month:

- **February** – American Heart Month and National Wear Red Day; Black History Month/National African American
- **March** – National Women’s History Month
- **April** – National Library Week; Child Abuse Prevention Month and Wear Blue Day
- **May** – Public Service Recognition Week; Municipal Clerks Week; National Day of Prayer; Emergency Medical Services Week
- **June** – National Safety Month
- **September** – Florida Preparedness Month (Hurricanes/Emergency Response)
- **October** – National Breast Cancer Awareness Month; Fire Prevention Week; National Save for Retirement Week; National Cybersecurity Awareness Month; Domestic Violence Awareness Month; Crime Prevention Month
- **November** – Great American Smokeout (American Cancer Society)

Other proclamations have been periodically requested through the Mayor, Commissioners or staff. Moving forward, all requests other than the ones listed above will be required to meet the criteria discussed at the Strategic Planning workshop held on April 8, 2017.

MOTION – The City Administration recommends Commission consideration and approval of a motion setting these events as Proclamations on the respective months as outlined above.
TO:         Mayor Jack Brady
           Members of the City Commission

CC:        Ambreen Bhatti, City Manager
           Patricia Vancheri, City Clerk

FROM:      Samuel S. Goren, City Attorney  SSG
           Jacob G. Horowitz, Assistant City Attorney  JGH

DATE:      April 25, 2017

RE:        City of North Lauderdale ("City") / 2017 Charter Review Commission

Section 9.9(b) of the City's Charter requires that the City Commission appoint a Charter Review Commission ("CRC") every five (5) years to review the Charter and recommend changes, if any, to the City Commission. If the City Commission subsequently approves the amendments recommended by the CRC, such proposed changes are then presented to the electorate for their further consideration at a referendum election.

The City’s last CRC was convened in 2012 and presented a number of recommendations to the City Commission for its consideration. You may recall that the last set of recommendations presented by the CRC included (i) Overview of Sec. 9.10 – Purchases; (ii) Sec. 4.7 - Vacancy in the City Manager’s Position; (iii) Sec. 3.6 – Vacancy; forfeiture of office; filling of vacancies; and (iv) Amending Sec. 8.8 – Extension of time for calling an election from 30 days to 45 days. Those questions went to the electors at the Referendum Election held on November 6, 2012, and passed.

The City Attorney’s Office (“CAO”) has prepared a resolution, attached hereto, for consideration by the City Commission which will formally create and appoint five (5) members to the City’s 2017 CRC. Once created, the CRC will meet monthly, as needed, for one (1) year. At the end of that one year term, any recommendations will be brought to the City Commission for consideration for referendum on the November, 2018 ballot.

Our office, as always, is prepared to staff the meetings of the CRC and to assist the CRC with all of its duties and responsibilities under the City Charter.

Please contact our office if there is any additional information that we can provide.
RESOLUTION NO. ______________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA ESTABLISHING THE 2017 CHARTER REVIEW COMMISSION PURSUANT TO SECTION 9.9(b) OF THE CITY CHARTER; PROVIDING FOR APPOINTMENT OF MEMBERS TO THE CHARTER REVIEW BOARD PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 9.9(b) of the Charter of the City of North Lauderdale requires the City Commission to establish a Charter Review Commission every five (5) years to review the existing Charter and recommend changes, if any, to the City Commission for consideration; and

WHEREAS, the last regular Charter Review Commission convened in 2010 and was subsequently delayed until 2011 when it reconvened, and provided a number of recommendations to the City Commission for consideration and subsequent presentation to the electorate through a referendum on the November 6, 2012; and

WHEREAS, the City Attorney, in accordance with Section 9.9(b) of the City Charter, has prepared the appropriate resolution authorizing the establishment of a 2017 Charter Review Commission; and

WHEREAS, the City Commission of the City of North Lauderdale has determined that it is in the best interest of the citizens and residents of the City of North Lauderdale to establish a Charter Review Commission and to appoint members to said Board.

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

Section 1. The foregoing “WHEREAS” clauses are hereby ratified as true and correct and incorporated herein by this reference.

Section 2. A Charter Review Commission is hereby established pursuant to Section 9.9(b) of the Charter of the City of North Lauderdale, said Board to be governed by the rules and regulations of the City Charter and as established by the Board.
Section 3. The following individuals are hereby appointed as Members of this Charter Review Commission in Section 3. This Charter Review Board shall sunset one year from the approval of this Resolution.

1. Nivia Roldan, Sponsored by Mayor Brady
2. Russell Neal, Sponsored by Vice Mayor Wood
3. Stancel Kinsley, Sponsored by Commissioner Moyle
4. Janet Lanni, Sponsored by Commissioner Graziose
5. Gracien Serge Champagne, Sponsored by Commissioner Borgelin

Section 4. That all Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 5. If any clause, section or other part of this Resolution 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 Resolution.

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

PASSED AND ADOPTED the 25th day of April, 2017.

APPROVED AS TO FORM:

_______________________________
CITY ATTORNEY SAMUEL S. GOREN

_______________________________
MAYOR JACK BRADY

_______________________________
VICE MAYOR LORENZO WOOD

ATTEST:

_______________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. ________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO OPPOSE HOUSE BILL (HB) 81 AND SENATE BILL (SB) 106 WHICH WILL ALLOW EMPLOYEES UNDER THE AGE OF 18 TO SELL LIQUOR; DIRECTING CITY ADMINISTRATION TO TRANSMIT A CERTIFIED COPY OF THIS RESOLUTION TO THE BROWARD LEAGUE OF CITIES, THE FLORIDA LEAGUE OF CITIES, THE BROWARD COUNTY LEGISLATIVE DELEGATION, THE PALM BEACH COUNTY LEAGUE OF CITIES, THE MIAMI DADE COUNTY LEAGUE OF CITIES AND ANY OTHER INTERESTED PARTIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, SB106 and HB 81 will allow employees under the age of eighteen to sell liquor in certain circumstances; and

WHEREAS, SB 106 and HB 81 will allow liquor to be sold in certain retail establishments in less controlled environments making it easier for minors to obtain liquor; and

WHEREAS, making liquor more easily accessible to minors may lead to increases in alcohol-related crimes, injuries, substance abuse and deaths.

WHEREAS, the City Commission believes the opposition of SB 106 and HB 81 would be in the best interests of the residents and businesses of the City of North Lauderdale and the State of Florida.

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

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are incorporated herein by this reference.

Section 2. The City Commission of the City of North Lauderdale urges all members of the Florida Legislature to oppose the adoption of SB 106 and HB 81.
Section 3. The City Commission further directs City Administration to transmit a certified copy of this Resolution to the Broward League of Cities, the Florida League of Cities, the Broward County Legislative Delegation, the Palm Beach County League of Cities, the Miami Dade County League of Cities and any other interested parties.

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

Section 5. If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

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


CITY OF NORTH LAUDERDALE, FLORIDA

_______________________________________
MAYOR JACK BRADY

_______________________________________
VICE MAYOR LORENZO WOOD

APPROVED AS TO FORM:

_______________________________________
CITY ATTORNEY SAMUEL S. GOREN

ATTEST:

_______________________________________
CITY CLERK PATRICIA VANCHERI
MEETING AGENDA

Tuesday, April 25 2017
Immediately Following North Lauderdale City Commission Meeting

1. ROLL CALL

President Jack Brady
Secretary Lorenzo Wood
Director Samson Borgelin
Foundation Attorney Samuel S. Goren
Treasurer Jerry Graziose
Director Rich Moyle
Executive Director Michael Sargis
Foundation Clerk Patricia Vancheri

2. APPROVAL OF MINUTES

a. March 14, 2017

3. OLD BUSINESS

a. Budget Report – Susan Nabors, Chief Financial Officer

4. NEW BUSINESS

a. Sponsorship Program

b. New Banging Services
   a. Approval of Signatories for Banking
      i. Treasurer Jerry Graziose
      ii. Executive Director Michael Sargis
      iii. Chief Financial Officer Susan Nabors
   b. Issuance of New Procurement Card for Executive Director
   c. Maintain $750 Purchase Limit for Executive Director without Prior Board Approval

5. BOARD COMMENTS

6. ADJOURNMENT
MINUTES

Tuesday, March 14, 2017

The North Lauderdale Recreation Foundation met at the Municipal Complex on Tuesday, March 14, 2017. The meeting convened at 8:30 pm.

1. ROLL CALL – All present:

   President Jack Brady
   Secretary Lorenzo Wood
   Director Samson Borgelin
   Foundation Attorney Samuel S. Goren

   Treasurer Jerry Graziose
   Director Rich Moyle
   Executive Director Michael Sargis
   Foundation Clerk Patricia Vancheri

2. APPROVAL OF MINUTES

   a. January 10, 2017 – Secretary Wood moved to approve the Minutes as submitted. Seconded by Director Moyle. All in favor. **Minutes approved unanimously.**

3. OLD BUSINESS

   a. **Budget Report** – Susan Nabor, Chief Financial Officer, presented the Profit & Loss statement and the Balance Sheet covering October 1, 2016 through March, 2017 and gave a brief highlight.

4. NEW BUSINESS

   a. **Commission Sponsor Program** – Ex. Director Michael Sargis mentioned that sponsor banners are going back up for the baseball and soccer seasons; banners for the fence along Rock Island Road is $200 if anyone wants to purchase a tax-deductible banner as a donation to the Foundation. Two Commissioners have banners already.

   b. **Sponsor Recognition** – Sponsor packets were presented to the members and Mr. Sargis stated that as highlighted by the budget report, they have collected a little over $10,000 in sponsorships this year and are actively soliciting sponsors. Sponsorships go from $400 up.

   c. **Sponsorship Recognition** – Mr. Sargis stated they would like to recognize current sponsors at an upcoming Foundation meeting, possibly at 5:30 prior to a regular City Commission meeting.
5. BOARD COMMENTS – Commissioner Borgelin asked how to purchase a banner and where the funding comes from. Mr. Sargis explained that it is a $200 donation payable to the NL Recreation Foundation, which is a 501 C (3) so the donation is a tax deduction. Mr. Sargis said if they would like to purchase a banner, and he would design it and send for approval and it may take a week or two and they would like them up before North Lauderdale Days. Secretary Wood asked if we had a list of current sponsors and Mr. Sargis said he will provide it to the Board tomorrow. Commissioner Borgelin asked what the function of the members of this Board is. Mr. Sargis replied that they are not affiliated with the City, and they sit as a Board Member of the North Lauderdale Foundation, not the City Commission. This Foundation was created as a registered State of Florida non-profit 501 C(3), with the mission to provide funding for youth programs offered by the City and for equipment for those programs. The donations help in lowering costs of these programs and for use in purchasing equipment such as the playground equipment outside of the Teen Center. Also, through a Sheriff’s donation, the cost of a bus purchase was lowered. So the main function of the Foundation is to raise money to be able to give back to the City’s Parks and Recreation Department to lower costs of programs, equipment or events. City Manager Bhati interjected that some businesses cannot give money to cities, but can give to non-profits. Commissioner Borgelin asked for clarification of his role. Attorney Goren advised that he is a City Official meeting in a public building and in connection with the Foundation which is a separate and distinct corporation in which City Commissioners serve as Board Members; it is not unethical, nor is it a violation of state or local law to sit on both boards. He explained that many cities have formed these foundations and their officials sit on these boards. He also advised that these meetings must be held in a public setting.

6. ADJOURNMENT – there being no further discussion the meeting adjourned at 8:41 p.m.

Respectfully submitted,

Patricia Vancheri
Foundation Clerk

Board of Directors
Michael Sargis, Executive Director  Jack Brady, President  Lorenzo Wood, Secretary  Jerry Grazioso, Treasurer
Board Members Rich Moye and Samson Borgelin, Samuel S. Goren, Board Attorney
North Lauderdale Recreation Foundation is a 501 3C Registered Not for Profit Corporation
# The City of North Lauderdale Recreation Foundation, Inc.
## Profit & Loss
### October 1, 2016 through March 14, 2017

<table>
<thead>
<tr>
<th>Ordinary Income/Expense</th>
<th>Oct 1, '16 - Mar 14, 17</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Income</strong></td>
<td></td>
</tr>
<tr>
<td>Direct Public Support</td>
<td></td>
</tr>
<tr>
<td>Corporate Contributions</td>
<td>10,200.00</td>
</tr>
<tr>
<td>Individ, Business Contributions</td>
<td>350.00</td>
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<tr>
<td>Total Direct Public Support</td>
<td>10,550.00</td>
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<tr>
<td>Investments</td>
<td></td>
</tr>
<tr>
<td>Interest-Savings, Short-term CD</td>
<td>3.52</td>
</tr>
<tr>
<td>Total Investments</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3.52</td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td>10,553.52</td>
</tr>
<tr>
<td><strong>Expense</strong></td>
<td></td>
</tr>
<tr>
<td>Business Expenses</td>
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<tr>
<td>Business Registration Fees</td>
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<tr>
<td>Total Business Expenses</td>
<td></td>
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<tr>
<td></td>
<td>145.00</td>
</tr>
<tr>
<td><strong>Total Expense</strong></td>
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</tr>
<tr>
<td><strong>Net Ordinary Income</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>10,408.52</td>
</tr>
<tr>
<td><strong>Net Income</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>10,408.52</td>
</tr>
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</table>
The City of North Lauderdale Recreation Foundation, Inc.
Balance Sheet
As of March 14, 2017

<table>
<thead>
<tr>
<th>ASSETS</th>
<th>Mar 14, 17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Assets</td>
<td></td>
</tr>
<tr>
<td>Checking/Savings</td>
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<tr>
<td>Suntrust Bank - Checking</td>
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<tr>
<td>Total Checking/Savings</td>
<td>37,053.68</td>
</tr>
<tr>
<td>Total Current Assets</td>
<td>37,053.68</td>
</tr>
<tr>
<td>TOTAL ASSETS</td>
<td>37,053.68</td>
</tr>
</tbody>
</table>

| LIABILITIES & EQUITY       |            |
| Equity                     |            |
| Retained Earnings          | 26,645.16  |
| Net Income                 | 10,408.52  |
| Total Equity               | 37,053.68  |
| TOTAL LIABILITIES & EQUITY | 37,053.68  |