

**CITY OF NORTH LAUDERDALE**

**COMMISSION MEETING**

**TUESDAY, MARCH 27, 2018**

**MINUTES**

The North Lauderdale City Commission met on Tuesday, March 27, 2018 at the Municipal Complex. The meeting convened at 6:00 p.m.

1. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Vice Mayor Rich Moyle gave the invocation and led the pledge.
2. **ROLL CALL – Clerk called roll. All present.**

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

3. **APPROVAL OF MINUTES**

a. **March 13, 2018 – Commissioner Graziose moved to approve the Minutes as submitted. Mayor Brady seconded the motion.** Commissioner Borgelin indicated that a resident brought it to his attention that under public discussion, the statement by Ian Sargent was not totally reflected and asked that the Minutes reflect the exact statement, particularly with regard to the question that came up about whether or not it is illegal to speak to the Commissioners. Commissioner Borgelin noted a minor typographical error in 4(a) needed to change the word “is” to “in” – “...*this is truly a team effort with participation in programs* ...”. Also, Commissioner Borgelin said that the date that ceremonial items were requested to be presented was not recorded and wants the date to be noted in the Minutes under 8(b) Commission comments. Clerk Vancheri commented that the Minutes will be amended and brought back to the next meeting for approval. **Commissioner Graziose amended his motion to approve the Minutes with the exception of the items identified by Commissioner Borgelin. Seconded Commissioner Borgelin. Clerk called roll. All in favor.**

## **4. PRESENTATIONS**

### **a. Representative Barrington Russell – Legislative Update**

State Representative Russell addressed the Commission and the audience and said it was his pleasure to bring this report. He stated that after an extended two days the 2018 legislative session ended on Sunday March 11, after passing a budget of \$88.7 billion dollar budget for FY 2018-2019. Although this represents a 4.4% increase in last year's funding, it does not address some key areas that remain unfunded. Included in the budget is an increase in K-12 per person spending by \$101,000.50 per student; however Florida ranks 44<sup>th</sup> in per student spending which does not bring us closer to the national average. It allocates \$400 million dollars for school safety; mental health and other programs in response to the event at Marjorie Stoneman Douglas. Higher education saw an increase of \$10.3 million overall to the Florida Financial Aid Program; the State University system received an increase of \$25.4 million dollars overall; and the Florida College system received an increase of \$13.2 million dollars. There was again another missed opportunity to expand Medicaid for thousands of low income Floridians and the opportunity to draw down billions more in Federal funding. Representative Russell reported that this year the Legislation had to grapple with more major issues, among them the opioid epidemic; hurricane related matters including nursing home safety and the horrific shooting at Marjorie Stoneman Douglas High School. He said this incident brought the members to a much overdue discussion on school safety and gun control. Representative Russell also expressed thanks for the opportunity to participate this past weekend in the "March for Our Lives" rally in support and solidarity for the students at Marjorie Stoneman Douglas and all around the nation who have been victims of gun violence. Rep. Russell said although the measures that passed addressed some of the issues, he voted against Senate Bill 7026, as in his opinion it did not go far enough; he could not in good conscience support a Bill that called for arming teachers. He said a teacher's job is to educate, mentor and nurture children. He said he hopes to revisit this issue next session with the hope in answering some meaningful common sense bi-partisan gun control legislation. Representative Russell said some worthy pieces of legislation were no different than in the past. The legislation continued their efforts to pre-empt local government and their authority to govern home rule and some of the legislation followed this session includes House Bill 17, a bill on community redevelopment agencies which failed. House Bill 697 on impact fees failed; House Bill 773 regarding vacation rentals failed; and House Bill 9 on requiring compliance with immigration and custom enforcement also failed. Following the devastating effect of the Hurricane Irma related tragedy of the nursing home in Hollywood, the Legislature passed measures that would require assisted living facilities and nursing homes to have backup power sources. This year's tax break includes a disaster preparedness sales tax holiday to the tune of \$67 million dollars tax exemption to purchase generators for nursing homes and a three day back to school tax holiday for Florida's working families. At this point he concluded his report and introduced his legislative assistant, Patricia Amiel-Young and said questions can be directed to his office. Commissioner Graziose commented that he is pleased with the result regarding the nursing homes and asked that Representative Russell take up the resolution which he worked on with regard to the backup generators at 47 special need shelters that do not have a backup generator for air conditioning systems; he hopes that the State will correct this. Representative Russell said he would be happy to continue to work with the City. Commissioner

Borgelin asked Representative Russell what were the major challenges in Tallahassee with regard that things he wanted to do and how can we assist him with support in some sessions. Representative Russell replied that the House of Representatives has 120 members; 79 Republicans and 41 Democrats. He said the majority party controls the committees in terms of appropriations and legislation and it is sometimes difficult to even get bills heard however important it might be. Rep. Russell said what we have to continue to do is remind our elected officials, whether Democrat, Republican or otherwise, that all of us were elected to serve all of the residents in the State of Florida irrespectively of party and it is important to have people like yourselves to lobby the State legislature and other entities, such as the County, so we can come together for the common good of our country and of our state. He said it is one thing to have the ability to do the appropriations or to have bills heard, but the minority party very often could have the best proposed legislation and don't get an opportunity to be heard. Representative Russell stated we have to find a way to continue to work with everybody to best represent the interest of our state and country. Commissioner Borgelin said would it help if as some sessions some of us are there. Representative Russell said absolutely; it's your House and you are free as a resident to write, call and keep in touch with him. He said at the end of the day, from local government to the State House we have to work together for the common good. Commissioner Borgelin advised Representative Russell that he emailed him regarding a Bill. City Manager Bhatti thanked Representative Russell for everything he does in Tallahassee and especially for opposing Bills that impact the Home Rule at the local level and for the support of Bills that benefit our City and region as a whole. She thanked Ms. Amiel-Young for keeping us up-to-date. Also, Ms. Bhatti said she emails support for certain Bills to assist Representative Russell's fight for our cause in Tallahassee. Representative Russell recommended not waiting until sessions start to communicate with them and to start way ahead of the curve, and recommends speaking to both sides for or against in situations that benefit your city and other cities.

#### **b. Women's History Month Awards**

- Requested by Commissioner Wood, and presented at Commissioner Wood's request by City Attorney Goren, Judge Mary Rudd-Robinson was recognized as being the first African American Woman to serve on a judicial bench in Broward County, and who is now retired after many years of dedicated service. Judge Rudd-Robinson thanked Commissioner Wood, the Commission and the people of North Lauderdale for the recognition and said it was an honor to serve as County Court Judge and in a quasi-judicial position for more than 30 years.

- Commissioner Borgelin recognized City Manager, City Clerk and Deputy City Clerk for Women's History month and the following women were recognized for their various contributions to the community:

- 1. Andrea Byer-Thomas, Pastor - United Methodist Church**
- 2. Angela Peguero**
- 3. Audrey Jones, Capt.**
- 4. Beverly V. Armstrong**
- 5. Santia Rivera, Co-Pastor – Centro Cristiano Latino Americano**
- 6. Danielle E. McGowan – Broadview Elementary**

7. **Darlene Milner, Asst. Principal – Pinewood Elementary**
8. **Denise Dalrymple, Minister – Bethel Worship Center**
9. **Fran Klauber, President - Democratic National Club**
10. **Hilary Kanwischer, NL Fire Rescue Paramedic**
11. **Karen Satchel-Simpson, Asst. Principal - North Broward Academy of Excellence**
12. **Mona Maxey – Pinewood Elementary**
13. **Nancy Fernandez Dixon – Open Fellowship Christian Church**
14. **Tori Williams – New Divine Apostolic Ministries**
15. **Vanessa Turton – NL Fire Rescue Paramedic**
16. **Zaida Rojas-Bello – NL Broward Sheriff’s Office**
17. **Zaymi Pinkney – NL Fire Rescue Paramedic**

Commissioner Borgelin stated that these women are very special, exceptional, inspiring women for what they do, each in their own way, behind the scenes to benefit the residents of North Lauderdale and it is an honor to have them recognized.

## 5. PROCLAMATIONS

**a. Child Abuse Prevention Month – April** – Clerk read Proclamation and Robert Holroyd, Government Affairs Manager for Children’s Services in Broward County, was present. He thanked the City for being the first in Broward to recognize April as Child Abuse Prevention month and said this is an opportunity for them to discuss, promote and work on efforts in the community as a whole to prevent child abuse, as well as promote safe sleep practices, drowning prevention through the “Water Smart Broward” program and a multitude of other programs. Mr. Holroyd also commented that on April 14 from 11:00-3:00 they will be culminating their “Broward Aware, Protecting our Children” campaign at Sam Delavoe Park and everyone was invited.

**b. National Boys and Girls Club Week – April 8-14** – Clerk read Proclamation and Derrik Brown, Health & P.E. Coordinator, from the Levine Slaughter/Leo Goodwin Unit was present.

**c. National Library Week – April 8-14** – Clerk read Proclamation and Katie Reusze, Community Library Manager, was present along Leona McAndrews, President of Friends of the Library, and Mary Roberts and Rose, Board members. Ms. Reusze thanked the Commission for the recognition.

## 6. PUBLIC DISCUSSION

**James Dowling** – 1303 Blvd. of Champions – Commented he lived in North Lauderdale for about 14 years and spoke on personal matters including the deaths of his three children; the loss of his livelihood; and his 20 years in the carpenters union. He spoke of a police involved event that occurred in 1987 which he said caused him some health related issues. Mr. Dowling commented that he would like to stop being stereotyped when he does nothing illegal. He

claimed that the reason he is speaking tonight is because of a minority female police officer that he is afraid of. He asked that officers not pass judgment. Vice Mayor Moyle expressed his sorrow for Mr. Dowling's trouble.

## 7. QUASI-JUDICIAL ITEMS

- a. **SUBJECT:**           **LAND USE AMENDMENT - LUA 18-01**  
                                  **Off Lease Only Addition**  
                                  **Folio # 4941 01 42 0011 Southwest corner of 827 S. SR 7**
- ORDINANCE:**   **First Reading - Land Use Amendment to the City of North**  
                                  **Lauderdale land use map to amend approximately 3.77 gross**  
                                  **acres of Residential Low Density-RLD (0 to 5 DU/a) to**  
                                  **Commercial (C)**
- APPLICANT:**    **Ejola Cook, Off Lease Only Inc.**

Commissioner Graziose moved to read. Seconded by Commissioner Borgelin. Attorney Goren commented that Agenda Item 7(a), 7(b) and 7(c) are interconnected and he would read all titles, all parties present to speak on the items would be duly sworn; staff would present; and the Commission can consider each item separately:

**AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING THE NORTH LAUDERDALE COMPREHENSIVE LAND USE PLAN IN ACCORDANCE WITH CHAPTER 163, SECTION 163.3184 OF THE FLORIDA STATUTES, TO PROVIDE THE CHANGE OF APPROXIMATELY 3.773 ACRES OF LAND LOCATED IN THE CITY OF NORTH LAUDERDALE, COUNTY OF BROWARD, STATE OF FLORIDA, TO-WIT: FIRST BAPTIST CHURCH OF NORTH LAUDERDALE 154-35 B POR OF PAR A DESC AS: COMM AT NE COR OF PAR A, S 370 ALG E/L PAR A TO POB, CONT S 509.55, W 325, N 501.68 ALG W/L PAR A, E 324.91 TO POB, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED IN ATTACHMENT A BE CHANGED FROM RESIDENTIAL LOW DENSITY-RLD (0-5 DU/A) TO COMMERCIAL (C) PROVIDING THAT THE OFFICIAL LAND USE MAP OF THE CITY OF NORTH LAUDERDALE SHALL BE AMENDED TO REFLECT SAID LAND USE CHANGE; DIRECTING STAFF TO TRANSMIT THE AMENDMENT TO THE LAND USE PLAN TO THE BROWARD COUNTY PLANNING COUNCIL WITH INSTRUCTIONS TO TRANSMIT CONCURRENTLY TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR SMALL SCALE REVIEW; PROVIDING FOR CONDITIONS; PROVIDING FOR CONFLICTS; AND, PROVIDING AN EFFECTIVE DATE.**

All parties present to speak on the items stood and were duly sworn. Tammy Reed-Holguin, Community Development Director, presented the three items based on backup memorandum and a PowerPoint Presentation which consolidated the overview of the project; a copy of which is available in the City Clerk's office. She indicated that the land use amendment; rezoning and

site plan are all in support of the expansion of the Off Lease development project which deals with the vacant lot to the west of their property. The property is currently zoned as community facility as it was previously owned by Calvary Chapel church. This rezoning request will change the property from a community facility district to a general business (B-3) zoning district, to accommodate the expansion of the inventory lot, which is a part of the existing Off Lease property. This will include a new parking lot; additional landscape features and the applicant has been cognizant of the neighbors to the west and the south of the property and will be installing the required six foot high concrete wall to provide a buffer between the commercial use and the residential uses. There will also be an onsite guardhouse which will provide security along with Broward Sheriff's Office off-duty security at night. Ms. Reed-Holguin stated that the land use process is a long process and tonight is the first reading of the land use amendment. If the Commission approves the amendment, which was discussed at the Review Committee and presented to the Planning and Zoning Board, it will then be transmitted to Broward County and the State Department of Economic Opportunity for their approval. Once it comes back from those two agencies, it will be brought back to City Commission for final approval and adoption of the new land use, amending it from residential low density to commercial. Ms. Reed-Holguin stated that it could be a month or two before it comes back. She indicated that the second reading of the re-zoning item will come back at the time the land use amendment comes back. Also, with regard to the site plan, Ms. Reed-Holguin commented that the first phase of the site plan had previously come before the Commission to build out the first inventory lot and rear paving. This second phase of the site plan is to incorporate the site into the existing operation to provide additional inventory for their business. Ms. Reed-Holguin requested Commission's consideration and approval of these three items. **Vice Mayor Moyle opened Public Discussion on all three items. No one spoke. Public hearing closed.** Ejola Cook, Chief Legal Officer for Applicant, previously sworn, addressed the Commission, stating that this is a continuation of their inventory lot and they do not intend to put any buildings on the [site]. Ms. Cook indicated that they are doing good at this location and they would like the opportunity to bring in more inventory and nothing will be changing with their method of operation; vehicles will be brought up to the front of the building and there will not be a lot of traffic in the back. She commented that neighbors, one of which is also an employee, have reported that since construction is complete, it is very quiet. Cars have lock boxes so no noise; the guard shack is in the front of the property and there is 24 hour camera surveillance with high tech cameras. **Commissioner Graziose made a motion to approve the proposed land use amendment subject to the five (5) the conditions set forth in staff memorandum. Seconded by Commissioner Wood.** Commissioner Borgelin asked how many residents of North Lauderdale do they have as employees in their work force. Ms. Cook replied that she does not know the final number, but reported that there are many local residents who are employed that walk to the property or ride their bikes, and reiterated that the one she mentioned before lives behind the property. She said there are employees from the immediate area as well. Commissioner Graziose interjected that they had a job fair. Commissioner Borgelin said, I understand, but is there any way he could have a number. Ms. Cook stated that before they opened in November they participated in a North Lauderdale Job Fair which is how they got the majority of their employees. Commissioner Borgelin said I know that a lot of people did apply and he wondered if there was a number, and could you work on that so we know how many residents we have working for you. Ms. Cook said she could certainly ask their HR rep. Vice Mayor Moyle asked how far the wall is going to be between the residences and the business; is it right on the property line. Jaime

Igua, from VHB, Civil Engineer for applicant, previously sworn, replied that the wall will be on the property line to divide the property for maintenance purposes. Vice Mayor Moyle inquired if they see a potential problem with noise levels in moving cars. Mr. Igua replied that the cars will be on the inventory lot and there will not be much activity except for the cars being staged there. Ms. Cook said the vehicles will be parked for display and will be moved to the front only for viewing; there is not a lot of back and forth. Vice Mayor Moyle also asked about running cars and fumes. Ms. Cook said no, other than moving a car out of a parking spot. She indicated on the site plan that the car would be brought to the front if a customer wanted a test drive and they drive from the front to State Road 7. **No further discussion; Clerk called roll. All YES; motion unanimously approved.** Attorney Goren stated that the item passes on first reading and will be sent to other agencies for review and will come back at a future date.

**b. SUBJECT: RE-ZONING AMENDMENT - ZLU 18-01  
Off Lease Only Addition  
Folio # 4941 01 42 0011 Southwest corner of 827 S. SR 7**

**ORDINANCE: First Reading - Request to amend the City's zoning map for the expansion of the existing car inventory lot from a Community Facility (CF) zoning district to a general business district (B-3) zoning district.**

**APPLICANT: Ejola Cook, Off Lease Only Inc.**

**AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, REZONING 3.77 GROSS ACRES MORE OR LESS OF LAND LOCATED IN THE CITY OF NORTH LAUDERDALE, COUNTY OF BROWARD, STATE OF FLORIDA, TO WIT: FIRST BAPTIST CHURCH OF NORTH LAUDERDALE 154-35 B POR OF PAR A DESC AS: COMM AT NE COR OF PAR A, S 370 ALG E/L PAR A TO POB, CONT S 509.55, W 325, N 501.68 ALG W/L PAR A, E 324.91 TO POB, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED IN SECTION 1 BELOW FROM ZONING CLASSIFICATION OF COMMUNITY FACILITY (CF) DISTRICT TO GENERAL BUSINESS (B-3); PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF NORTH LAUDERDALE SHALL BE AMENDED TO REFLECT SAID REZONING; PROVIDING FOR CONFLICTS: AND, PROVIDING AN EFFECTIVE DATE.**

Commissioner Graiose made a motion to approve the proposed rezoning amendment subject to the seven (7) the conditions set forth in staff memorandum. Seconded by Commissioner Wood. **No discussion; Clerk called roll. All YES; motion unanimously approved.** Attorney Goren advised that this item also will come back at a future date with the land use item.

**c. SUBJECT: Site Plan SPR 18-01 Off Lease Only Inc. Addition  
Folio # 4941 01 42 0011 Southwest corner of 827 S. SR 7**

**Preliminary Site plan approval to allow for the expansion of the existing car inventory lot within a future General Business (B-3) zoning district.**

**APPLICANT: Ejola, Cook, Off Lease Only Inc.**

**Commissioner Grazioplene made a motion to approve the preliminary Site Plan subject to the thirteen (13) conditions outlined in staff memorandum. Mayor Brady seconded the motion. No discussion; Clerk called roll. All YES; motion unanimously approved.** City Manager reiterated that this item will also come back with the land use and rezoning items.

**d. SUBJECT: SEU 18-02 Peter Piper, Inc.**

**Folio # 4941 11 28 0027 - McNab Road and Avon Lane**

Commissioner Grazioplene moved to read. Seconded by Commissioner Borgelin. Attorney Goren indicated that Item 7(d) and Item 7(e) are aligned and could be read consecutively. All parties present to speak were duly sworn, and Attorney read:

**Special Exception Use Permit to allow a restaurant with amusement and entertainment facilities in accordance with City Code Section 6-58 as accessory uses within a (B-3) General Business District.**

**APPLICANT: David Deck, Peter Piper Inc.**

Tammy Reed-Holguin, Community Development Director, presented the two items based on backup memorandum and a PowerPoint presentation, which is available in the City Clerk's office. Peter Piper is proposing to build a restaurant that is 7,540 square feet, on 1.21 acres of vacant land located on the East end of the new Walmart site on McNab Road, with an accessory use of family amusement and entertainment within the restaurant. Ms. Reed-Holguin stated this is a new use for the City and is anticipated to be frequented by many families within and near the City, and the core demographic is geared for children under the age of 13. Hours of operation will be Monday through Sunday, 11:00 am to 10:00 pm. The restaurant will contain 40 arcade games, and is anticipated to be a \$1.5 million dollar investment in the City for this new business, while hiring 8 full time employees and 25 part-time employees. Outside vendors will manage the game machines, IT services and other services needed by the restaurant. With regard to the site plan, there are 70 parking spaces on site, and the development has a cross access easement agreement with Walmart to provide another 47 spaces, for a total of 117 spaces, including 3 ADA spaces as required. Aesthetically, Peter Piper has matched the same colors as the rest of the Walmart development. Ms. Reed-Holguin outlined the floor plan and landscape plan of the restaurant. The special exception use permit is to allow a restaurant with amusement and entertainment facilities in accordance with the City's Code Section 6-58 as an accessory use within a B-3 General Business district. Amendments to the entertainment section of the Code was done previously to separate out adult versus family uses. Upon Staff's review of this application, it meets all the requirements that are outlined for a family entertainment center, such as the number of arcade games per square feet; hours of operation and all criteria necessary to

obtain the special exception use permit. The item went before the Planning and Zoning Board and they and Staff recommends approval of both the SEU and the site plan. Public hearing was opened; no one spoke. **Commissioner Graziose made a motion to approve the Special Exception Use Permit subject to the six (6) conditions outlined in staff memorandum. Commissioner Borgelin seconded the motion.** Attorney Dwayne Dickerson, of the law firm of Dunay, Miskel, Backman, representing the applicant, addressed the Commission and stated that they do agree with the proposed conditions set forth. Attorney Dickerson commented that there was a minor amendment to the hours of operation for the record; they worked well with staff to be consistent with the color palette and they believe they meet all the requirements of the City's Code. Attorney Dickerson stated that the hours of operation on Friday will be from 11:00 am to 11:00 pm and Saturday the hours will be 10:00 am to 11:00 pm. If the hours were to fluctuate depending on demand, Mr. Dickerson stated they will address that with staff. **Commissioner Graziose amended his motion to approve to include the hours of operation as noted. Commissioner Borgelin seconded the amended motion. No further discussion; Clerk called roll. All YES; motion unanimously approved.**

- e. **SUBJECT: Site Plan SPR 18-02 Peter Piper Pizza  
Folio # 4941 11 28 0027 - McNab Road and Avon Lane**

**Preliminary Site Plan approval to allow for a restaurant with amusement and entertainment facilities as accessory uses within a general business (B-3) zoning district.**

**APPLICANT: David Deck, Peter Piper Inc.**

**Commissioner Graziose made a motion to approve the preliminary Site Plan subject to the sixteen (16) conditions outlined in staff memorandum and also including the hours of operation as stated in the previous item. Mayor Brady seconded the motion. Attorney Dickerson stated that they agree with the sixteen (16) conditions. Commissioner Wood interjected that actually, the extended hours of operation for Friday and Saturday were already listed in the backup material. No further discussion; Clerk called roll. All YES; motion unanimously approved.**

- f. **SUBJECT: SEU 18-03 North Lauderdale Children's Academy  
1051 SW 80<sup>th</sup> Ave.**

**Special Exception Use permit to allow a child daycare facility within a (RM-10) Residential Medium Density zoning district.**

**APPLICANT: Monica Cruz, North Lauderdale Children's Academy**

Commissioner Graziose moved to read. Seconded by Commissioner Borgelin. Attorney read item and all parties present to speak on the item were duly sworn.

Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. She indicated that this request is made in accordance with Article IV, Special Exception Uses, Sec. 106-156 that allows uses not intended for a zoning district to be permitted as special exception uses if they are limited as to number, area, location, operational characteristics, or relation to the neighborhood or vicinity permitted uses, and would not adversely affect the public health, safety, comfort, appearance, morals and general welfare. The request is also consistent with respect to permitted uses in multifamily residential districts listed within the City's Comprehensive Plan. The property is currently vacant but was previously a childcare service. The approximate 3,120 square feet building is intended to be purchased by the applicant to provide childcare to children aged six weeks to 5 years old during the day, and afterschool care to children six years to twelve years old in the afternoon and evening. Applicant states the business will fill a need for extended weekday care for families who work later and weekend hours. Hours of operation will be 7:00 am to 10:00 pm, Monday through Friday, and 8:00 am to 6:00 pm on Saturday. The facility will be closed on Sunday. Based on provided information, the daycare use will create 15 jobs and 2 maintenance positions, as well as some housekeeping positions. Parking is sufficient with 10 parking spaces, one of which will be used for a passenger van to transport children. This item was reviewed by the Planning and Zoning Board on March 6<sup>th</sup> and recommended to the City Commission for approval. Staff recommends approval also, with the nine conditions set forth in the backup memorandum. Ms. Reed-Holguin stated that this would be a special use permit and this type of use is permitted in the residential area according to the City's Comprehensive Plan. Applicant, Monica Cruz, previously sworn, was present for any questions. Public discussion opened; no one spoke. Commissioner Graziose asked Applicant if she agreed with the conditions outlined by Staff. Ms. Cruz replied she does. **Commissioner Graziose moved to approve the Special Exception Use permit subject to the nine (9) conditions outlined in staff memorandum. Seconded by Mayor Brady. No further discussion; Clerk called roll. All YES; motion unanimously approved.**

## **8. OTHER BUSINESS**

### **a. 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**

Commissioner Graziose 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 DISPENSING OF MEDICAL MARIJUANA/CANNABIS WITHIN THE CITY OF NORTH LAUDERDALE UNTIL NOVEMBER 1, 2018, WHICH WAS ENACTED PURSUANT TO ORDINANCE NO. 16-04-1327 ORIGINALLY ADOPTED ON APRIL 26, 2016, AND WAS EXTENDED UNTIL MAY 1, 2017 PURSUANT TO ORDINANCE NO. 16-10-1343 ADOPTED ON OCTOBER 11, 2016, WHICH WAS EXTENDED UNTIL NOVEMBER 1, 2017, PURSUANT TO ORDINANCE NO. 17-04-1350 ADOPTED ON APRIL 25, 2017 WHICH WAS EXTENDED UNTIL APRIL 30, 2018, PURSUANT TO**

**ORDINANCE NO. 17-10-1363 ADOPTED ON OCTOBER 10, 2017 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. She indicated that this is a first reading of an ordinance to extend this moratorium that has been in place for approximately two years because of all the legislation going through the State and changes that were made. She said it appears that the legislation is set at this point and stated that Commission has an opportunity to decide how they would like to proceed and to give staff direction. Ms. Reed-Holguin stated that she and City Manager have been discussing the possibility of having a workshop to discuss the State's legislative outcome and the City's options with regard to the impact this would have. She reported that the Broward County Planning Directors have been monitoring this very closely and a spreadsheet has been updated to let us know what other cities are doing in terms of this legislation. Currently, there are thirteen municipalities who have banned these establishments and eight others who have adopted regulations to allow them, and of those eight, the majority, if not all of them will have to amend their ordinances to comply with the legislation that was last adopted. Also, ten cities still have temporary moratoriums in effect and North Lauderdale is one of those. **Commissioner Graziose made a motion to extend the moratorium until November 1, 2018 as requested by Staff. Commissioner Borgelin seconded the motion.** Vice Mayor Moyle asked if the Legislature allowed for THC content of the marijuana for people who are terminally ill. Tammy Reed-Holguin and Attorney Goren both replied that they did not think so. Vice Mayor Moyle said, then we need to get off the fence on this because Congress passed a law that says all 50 States can deal with CBD oil which is non-euphoric and used for pain management; pharmaceutical companies are trying to sue the manufacturers of CBD oil. He said research can be done on the multitude of uses for this product and that research has been stymied up to now. Vice Mayor Moyle said this is exploding and is not going to be like the pain clinics for opioids and that the pharmaceutical companies should be sued by every state of the union for what this has caused. He said people will not be hanging around these facilities trying to get high because this is not that kind of thing; as far as the cultivation of it, that might be a different thing, but we need to get off the fence with this and say one or the other. Vice Mayor Moyle said personally, he thinks it is a benefit to our residents and to all people and the more research that is done, the more things that are found beneficial by using this product. Commissioner Borgelin stated he senses that a lot of people do not understand and asked City Manager to explain how we are to approach this issue. City Manager replied that basically what the State is giving two options; either the City can ban it, or regulate it. She said whatever regulations cities adopt, may not stand because State regulations will supersede city regulations which are typically less restrictive. Tammy Reed-Holguin interjected that basically, State regulations say that you can't regulate it any more than you can regulate a pharmacy. She stated that City Attorney's office has put together a very good presentation that would help demonstrate exactly what you would and would not be able to do if we wanted to regulate. Ms. Reed-Holguin commented that they are not trying to stall, but want to give the Commission an opportunity to get all the information before making a decision. She hopes to get this addressed before Commission recess, but would like a six month cushion until November 1<sup>st</sup> just in case. Commissioner Graziose stated that the motion is just to extend the moratorium. City Manager said they will come back to the

Commission in a workshop setting to discuss this item in detail with all the options, seeking direction in order to prepare an ordinance pertaining to that direction. Attorney Goren stated that extending this moratorium one more time is rational and legally doable if the Commission wanted to adopt this in favor of Staff's recommendation. He said, in the absence of dispensaries, that does not mean that any resident of the City is being unconstitutionally affected by not being able to get medical marijuana. Delivery services are still permitted in the City as a matter of law and there is nothing by adoption of this ordinance that would preclude that from occurring; this simply is regulating the look-see into the future of the opening of facilities to actually provide a dispensary as opposed to a delivery service. Attorney Goren further stated that no one is being disadvantaged under the constitution in following the constitutional and statutory options that are available at the time. No further discussion; Clerk called roll. **All YES; motion unanimously approved.**

## **ORDINANCE PASSED UNANIMOUSLY ON FIRST READING**

### **b. RESOLUTION - Comprehensive Pay and Classification Plan Amendment - Fiscal Year 2018**

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING THE CITY OF NORTH LAUDERDALE COMPREHENSIVE PAY AND CLASSIFICATION PLAN FOR FISCAL YEAR 2017/18, AND HEREBY ESTABLISHING A REVISED PAY AND CLASSIFICATION PLAN FOR FISCAL YEAR 2017/18 COMMENCING ON MARCH 27, 2018; PROVIDING FOR THE ESTABLISHMENT OF A NEW CLASSIFICATION; PROVIDING FOR CONFLICTS; AND, PROVIDING AN EFFECTIVE DATE.**

Jennifer Yarmitzky, Human Resources Manager, presented the item based on backup memorandum. She indicated that at the time the Commission approved the Comprehensive Pay Plan on July 11, 2017, administration was not aware of some added accounting needs that would arise. Hurricane Matthew in 2016 and Hurricane Irma in 2017 caused damage in the City which created the necessity to start a FEMA reimbursement application process which involves a significant amount of accounting work, process management, documentation, discussions and monitoring. The Senior Accountant will assist with this work ensuring timely submission to FEMA for reimbursement and to maximize the reimbursement amount from FEMA to the City. Additional functions have been identified which require assistance including utility billing management workload has increased relating to posting of transactions, reconciliations, customer contact and banking matters. In addition to those primary functions, the employee will have knowledge of financial reporting, financial analysis, audits and internal controls and can provide assistance with year-end audit and comprehensive annual financial report. Staff believes that the addition of a Senior Accountant can take on that additional work. Ms. Yarmitzky stated if the Commission does approve the addition of this new position of Senior Accountant, a budget amendment will need to be done to appropriate the funds in the Finance Department budget for FY 2017/2018. **Commissioner Graziose made a motion to approve the addition of one**

**Senior Accountant position in the Finance Department. Commissioner Wood seconded the motion.** Commissioner Borgelin said he would like to tie this in to a question that he asked last time we met regarding a report and for this position of Senior Accountant, and looking at the residents that have been affected by FEMA, would it be possible to have someone who speaks two languages to be able to explain to the residents. City Manager Bhatti responded that the position is in the Finance Department and they have minimum or no contact with the public, and we do have people in City Hall who speak two languages. She said this position is being looked at as a promotion from within and we have an employee who is in a position to be promoted to that position and that person happens to be a minority and does speak Russian as a second language. Susan Nabors, Finance Director, stated that the job will be opened to internal candidates first and if we have a qualified candidate, then we would promote someone from within; if not then we would have to advertise externally. Commissioner Borgelin commented that he is not against promoting from within, but wants to make sure that we serve our residents much more efficiently, even though this person may not have direct contact with the residents, but they may have questions about FEMA also and wants to develop opportunity for them also. Ms. Nabors replied that the FEMA work that the Finance Department does isn't dealing with the residents to provide information. She said we are dealing with the reimbursement side of things and are working with internal staff on those items or with FEMA staff. Ms. Nabors reiterated that we do have other employees within the City that do speak other languages should a resident need to come in and have questions that would be of a nature that would benefit them personally, then that information could be shared. City Manager Bhatti commented that during the employment application process, if a position would require interaction with the citizens, then a line is included asking if the applicant is bi-lingual. She said it is a preferred requirement, but not a mandatory requirement for the job. Basically, Ms. Bhatti said we cannot discriminate anyone based on if they speak two languages or not; this falls under the Labor laws and there are certain questions that you can ask. Also, she said she does have a report that Commissioner Borgelin had asked for that has a breakdown of all the employees in the City, but we can only ask them about classifications that are set forth by the Federal government which are the same categories that apply to all job application forms. **No further discussion; clerk called roll. All YES.**

## **RESOLUTION NO. 18-03-6500 PASSED AND ADOPTED UNANIMOUSLY**

### **c. ORDINANCE – First Reading – Fiscal Year (FY) 2018 Budget Amendment**

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

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ORDINANCE NO. 17-09-1360 BY WHICH THE CITY COMMISSION DID ADOPT THE BUDGET OF THE CITY OF NORTH LAUDERDALE FOR THE 2017/2018 FISCAL YEAR, TO REVISE THE BUDGET AS DOCUMENTED IN "EXHIBIT A" ATTACHED; PROVIDING FOR CONFLICTS, SEVERABILITY, AND, PROVIDING FOR AN EFFECTIVE DATE.**

Susan Nabors, Finance Director, thanked the Commission for approving the addition of the Senior Accountant position in the Finance Department. Along with that she stated that approval of a budget amendment will be needed to fund that position and the benefits for half a year of FY 2018. The amount is \$50,000 and the funding would come from the general fund balance. Staff seeks approval on first reading of an ordinance amending Ordinance #17-09-1360 and to revise the budget as documented in Exhibit A. **Commissioner Graziose moved to adopt. Commissioner Borgelin seconded. No Commission discussion; Clerk called roll. All YES.**

## **ORDINANCE PASSED AND ADOPTED UNANIMOUSLY ON FIRST READING**

### **d. RESOLUTION – Urging Support of Concepts and Policies Relating to SROs**

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, URGING SUPPORT FOR VARIOUS CONCEPTS RELATED TO SCHOOL RESOURCE OFFICERS OR SCHOOL RESOURCE DEPUTIES AT SCHOOLS THROUGHOUT THE STATE OF FLORIDA; URGING THE FLORIDA LEGISLATURE AND OTHER RESPONSIBLE AGENCIES TO ADOPT RELEVANT STATUTES AND POLICIES RELATED TO THE USE OF SCHOOL RESOURCE OFFICERS; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE SCHOOL BOARD OF BROWARD COUNTY, THE FLORIDA STATE SENATE, THE FLORIDA HOUSE OF REPRESENTATIVES, THE FLORIDA DEPARTMENT OF EDUCATION, GOVERNOR RICK SCOTT, THE BROWARD COUNTY LEAGUE OF CITIES, THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS, AND THE BROWARD COUNTY SHERIFF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Attorney Goren commented that this resolution came from direction of the City Commission at the last meeting. **Commissioner Graziose moved to approve the resolution. Seconded by Commissioner Wood.** Commissioner Borgelin stated he has an issue with Item C in Section 2 of the Resolution and said “properly trained” is kind of vague as far as he is concerned because it does not state what type of training a retired officer should have regarding aspects of dealing with children. Commissioner Graziose explained that there is a School Resource training course that all officers have to take and pass to get certified or the School Board will not fund to the cities if they are not properly trained and accredited. Commissioner Graziose stated that currently, the Sheriff’s office does not hire retired police officers. He said some cities, like Coral Springs, do hire properly trained retired police officers or veterans; we would just like to expand as there is a crisis and we do not have enough School Resource Officers and it took a long time to get the two we had approved last October. City Manager Bhatti interjected that if she understands Commissioner Borgelin correctly, he wanted to make sure that the School Resource Officers are certified to be the security as well as other responsibilities that fall on SROs for the motivation of the kids and giving them support on anti-bullying type of issues. She said at the

last Principals meeting there was an SRO who made a presentation on the role of the SROs. She said all those things are included in the training program in order for them to serve as an SRO; they have to pass training and be certified to be hired. Commissioner Borgelin said what he wants to point out is that if they are properly trained as retired police officers and veterans, then by whom; can it be specified. Commissioner Graziose answered that it can be by anybody. Commissioner Borgelin said it cannot be just anybody. Commissioner Graziose said he is trying to answer the question. Vice Mayor Moyle called for order and asked for no cross talk; please speak one at a time. City Manager stated that whatever entity is providing the training for the SROs, whether it is the Sheriff's Office or a City-owned police department, will train them in all aspects for certification and they will not be hired without the certification. Commissioner Wood commented that the ordinance looks very good to him and his interpretation of "properly trained" is as Ms. Bhatti went over; they must attend training and be certified as an SRO throughout the jurisdictions, no matter whether it is Cooper City, Coral Springs, or North Lauderdale. He said at the Principal's meeting the SRO did a thorough job explaining her role and responsibilities with the students as she comes in contact with them each and every day. Commissioner Wood said the most senior resource officer in his school, who was once at Silver Lakes, has been doing it for quite some time and at their workshops bring forth the programs for anti-bullying; see something, say something; stranger danger, so he is pleased that this ordinance has been taken up and brought forth and that we are sending this to the School Board as well as to the State Legislature of Florida and the Governor, because other cities are joining in and we want to be in the forefront as well. Commissioner Graziose said if our city was allowed to hire a retired police officer, that was trained as an SRO, we could have SROs in all of our schools at a substantial savings. Graziose said he has seen what other cities have done, they would be assigned to the schools, and as a small city, this would make a serious impact on the budget where we could it for almost the costs of a full time positions that are paid under the Sheriff's funding proposal. Commissioner Borgelin said he wants to make it clear that he is all for it as we all have children and all he is asking to specify where the training source comes from. Vice Mayor Moyle said the point here is that they get certified which means they are qualified to be in that position. City Manager asked BSO Captain Brian Faer to comment. He said all SROs in Broward County can go to various training courses; the SROs are teachers who engage with the kids; they have to pass 40 hour course; and every year through the School Board and the Broward Sheriff's office, they have to go to yearly training in addition. Also, they can attend any courses on their own that talk about specific topics like gun safety or anti-bullying program updates. Captain Faer stated all their SROs are trained by the Florida Department of Law Enforcement who approves all law enforcement training for all police officers. **No further discussion; Clerk called roll. All YES.**

#### **RESOLUTION NO. 18-03-6501 PASSED AND ADOPTED UNANIMOUSLY**

- e. RESOLUTION - Lending City Stage and Portable Bleachers to Broward Sheriff's Office Southeast Police Motorcycle Rodeo Committee**

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RECOGNIZING A SPONSORSHIP OR CO-SPONSORSHIP RELATIONSHIP BETWEEN THE CITY OF NORTH LAUDERDALE AND THOSE CHARITIES AND ORGANIZATIONS LISTED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN, AS MAY BE AMENDED FROM TIME TO TIME, FOR THE EXPRESSED PURPOSE OF COMPLIANCE WITH SECTION 1-19(C)(5)(A)(4) OF THE BROWARD COUNTY CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

Mike Sargis, Parks and Recreation Director, presented the item based on backup memorandum. He said he was approached by a Deputy from the Southeast Police Motorcycle Rodeo Committee for the use of the stage and bleachers for their annual motorcycle skills event being held at the Pompano City Center on April 18<sup>th</sup> through April 21st. Mr. Sargis said we have done this previously for about five years. He said typically we don't lend out the stage, except to organizations who return the favor such as the Sheriff's office for our events. Staff will be provided to assist in set-up and breakdown and during the event. The costs to rent the stage is typically \$1,000 per day, totaling \$4,000 plus some staff costs. The Sheriff's Office has asked the Commission's consideration to waive the fees. Also, Commission's consideration and approval is sought to adopt the resolution for disclosure in compliance with the Broward County Code of Ethics. **Commissioner Graziose made a motion to approve the waiver of fees. Seconded by Mayor Brady. No discussion; Clerk called roll. All YES. Commissioner Graziose moved to adopt the resolution for disclosure purposes. Seconded by Commissioner Wood. No Commission discussion; Clerk called roll. All YES.**

**RESOLUTION NO. 18-03-6502 PASSED AND ADOPTED UNANIMOUSLY**

**9. REPORTS**

**a. Memorial Garden/Old Veterans Memorial**

Mike Sargis, Parks and Recreation Director, presented a PowerPoint showing an aerial rendering of a small city owned piece of property located in the 6100 block of Kimberly Boulevard. He expressed some plans to update the Old Veteran's Memorial site which include some ideas to create a memorial garden where some trees or benches could be purchased in remembrance of our veterans and also the persons affected by the recent Marjorie Stoneman Douglas tragedy. A neighborhood retired architect engineer came up with a design that has been altered by staff. It will have a concrete walkway; concrete benches; flagpoles and various landscaping. Mr. Sargis said it will be a nice entrance into Kimberly Blvd and the goal or plan is to do this in-house using Public Works and Parks staff. A contractor that the City has used in the past has offered to help by donating to the cause which will provide the residents with a place to remember loved ones and maybe a plaque can be placed that would indicate that this was also inspired by the events at Stoneman Douglas High School. If the Commission is in line with this, the goal is to remove the black olive trees from the site and then begin work so it can be done before the end of the school

year. Commissioner Wood thanked Mr. Sargis and Mr. Krawczyk for working with the resident who came up with the design and would like to recognize him later. He also asked if we could consider doing a brick design for remembrances and would also like to do a re-dedication of Bi-Centennial Park that looks pristine now and he thanked City Staff for making it so. City Manager Bhatti interjected that the connection we have with the Stoneman Douglas kids is that we have cemeteries in our City where the victims have been laid and there will be a place in North Lauderdale where those kids will be honored.

## 10. COMMISSION COMMENTS

### a. Request for Ceremonial Items

- **Recognizing Somerset Prep Boys and Girls Basketball Teams on April 10<sup>th</sup>** - Requested by City Staff and City Commission – Commission consensus was to proceed.
- **Recognizing Broadview Elementary School Participants at Broadview Bazaar on April 24<sup>th</sup>** - Requested by Commissioner Graziose – Commission consensus was to proceed.

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**Commissioner Borgelin** – Thanked Captain Faer for the Educational Committee meeting which was a good session and he learned a lot. Reported he followed up with the Deputy about a wall at Publix which was still a little too low. Recently he had a tour with City Manager and City Staff and expressed appreciation for that. Spoke about AT&T affecting the grass at a property. Spoke again about speeding and said he notices people being stopped pulled over at 81<sup>st</sup> and Kimberly.

For the record, Commissioner Borgelin said he would like to make sure that it is being recorded properly for him to the things he would really like to talk about. He stated “We are not there at election but this is an issue that I’ve been informed and it has been confirmed also that I’m a target for some people, their concern about election there. My name is being out there, people calling me names, and I never said I am going for an election at this point. I never said that for any election. People been referred to me as words that I cannot even mention up here and it is in the city; when I say City, the North Lauderdale. There is a camp of defamation there about my character, people calling me names. To me it’s like an assassination of character to me; I’m here as everybody else and I need to be recognized. I don’t mean to be accepted but I have got to be respected. I’ve done the job there by the grace of God, my family, the residents; constituents elected me to be here, I don’t think I am a threat to anybody else. I am here to do a job; if I can’t do the job I have to leave, I would let the residents know I can’t do it anymore. But please, I don’t want people to advertise me in the wrong way and I understand people are preparing to give false report on me. That’s fine they can bring it up because I can back it up with everything else. People are questioning my other things, degrees – go ahead, it’s public record – people are questioning other stuff there. I’m not thirsty for power. I’m just here to do a job for the residents that’s all. I want to be representing people, serve them wherever they are in the city okay. So I’m going to say clear – I am not a candidate; if they want me to be a candidate I will be one, that’s not the problem or issue there. But I say please, just like we mentioned last time, the ordinance that didn’t go through. Not even an election and people are mentioning my name

and for the record I am not going to say who it is, okay. I have been mistreated around here and I hope I am asking this is to stop and even up here on the dais. For so long people are reacting; when I say people anybody can know who they are. They will do it. I don't want to be on record putting anybody's name but I am saying that please I would appreciate that those things stop right now because if it's not stopped okay, if I don't get the respect I deserve to be here if I am doing anything illegal or anything that is not pleasing I got to be removed. But, if I'm here respecting everybody's right, I have the right to speak, to ask questions, to clarify for the residents, not just to those that are here in the audience but those also who are following or reading who are even though they are not here at the meetings, they have the rights to ask me questions, to represent that is all I am asking for. I am asking for my colleagues to please respect me, because if it's not done, I can go other ways to do that and that's all I want to go any further than that. Thank you much."

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**Vice Mayor Moyle** – Said no comments at this point.

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**Commissioner Graziose** – Thanked Mike Sargis for the two Easter Egg Hunts. Thanked BSO and Fire Depts. for the March. Thanked BSO for catching the person breaking in the houses in his area. Commented his medians are looking good.

## **11. CITY MANAGER COMMENTS**

Updated on tickets issued by BSO in one week along Kimberly Blvd; 50 vehicles were stopped for various reasons and 32 of those were for traffic citations and said there is a speed monitor there as well. Commented that she will share update on yesterday's tour by email. Thanked Commissioner Borgelin on behalf of all the women at City Hall for the Women's History recognition. Asked the Commission to read the information she provided prior to the workshop. Also, City Manager gave HOA President, Brenda Jacobson, who was in the audience an update on the Walmart issues relating to the plans and the permits and said she has been copied on the emails.

- a. First Strategic Planning/Visionary Workshop – Thursday, March 29 at 9:00 am**
- b. Second Strategic Planning/Visionary Workshop - TBD**

## **12. CITY ATTORNEY COMMENTS**

- a. Update on Section 790.33 F.S. Firearms Super Preemption**

Attorney Goren reminded the Commission that at the last meeting he read into the record the conditions set forth in 790.33 regarding guns and ammo and reiterated the three penalties that could be levied against public officials personally. He indicated that this is an ominous and draconian aspect of state law. He stated that the City is a member of a group called Everytown USA as are other cities in Broward. There are some cities that are joining together at the request of Everytown to consider litigation to challenge the State on portions of 790.33. Attorney Goren read the following resolution title into the record:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, EXPRESSING SUPPORT TO AMEND CHAPTER 38, ARTICLE III OF THE CITY CODE ENTITLED “OFFENSES INVOLVING PUBLIC SAFETY” BY CREATING SECTION 38.56, TO BE ENTITLED TO “FIREARM ACCESSORIES – LARGE CAPACITY MAGAZINES”; PROVIDING FOR PROVISIONS PROHIBITING THE SALE OR TRANSFER OF LARGE CAPACITY MAGAZINES; AND PROVIDING PENALTY FOR VIOLATION; PROVIDING FOR AN EFFECTIVE DATE.**

Attorney Goren said he prepared this resolution at the direction of the Commission to look into it. On the record, he gave the Commission his advice that he could not allow the Commission to approve this document. Mayor Brady said but for the Statute, he would approve this document, but cannot violate the Statute on the advice of the City Attorney. Attorney Goren said he will keep the Commission posted as things progress.

- 13. ADJOURNMENT** – There being no further discussion the meeting adjourned at 8:42 pm

Respectfully submitted,

Patricia Vancheri, City Clerk