CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, JANUARY 15, 2019

REGULAR MEETING – 6:00 p.m.

AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Bustamante

2. ROLL CALL

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

3. APPROVAL OF MINUTES
   a. October 30, 2018
   b. December 11, 2018

4. PRESENTATIONS

5. PROCLAMATIONS
   a. National Slavery and Human Trafficking Awareness and Prevention Month

6. PUBLIC DISCUSSION
7. QUASI-JUDICIAL ITEMS

a. **SUBJECT:** Final Site Plan – SPR 18-03 Rock Island Villas Townhomes
   7400 SW 10th Court

   Final site plan approval to allow construction 14 new townhome within a residential medium (RM-10) zoning district.

   **APPLICANT:** Ragnar Magnusson

   **MOTION:** To table the items to time certain - January 29, 2019. Item was not advertised due to a technical issue that affected the classified listings by Sun-Sentinel, (the letter of explanation from Sun-Sentinel is attached).

b. **ORDINANCE:** First Reading – VAR-19-02 First Haitian Baptist Church
   1350 S State Road 7

   To allow an 8 foot landscape buffer where 10 foot is required and to allow 74 parking spaces where 77 are required.

   **APPLICANT:** First Haitian Baptist Church

   - 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 VARIANCES FROM THE NORTH LAUDERDALE CODE OF ORDINANCES TO PERMIT A 8 FOOT WIDE LANDSCAPE BUFFER BETWEEN THE BUILDING AND VEHICULAR ACCESSWAYS OR PARKING, WHERE 10 FEET REQUIRED BY SECTION 102-59 “LANDSCAPE INTERIOR AREAS” OF THE CITY CODE OF ORDINANCES; AND TO ALLOW THE PROVISION OF 74 PARKING SPACES WHERE 77 PARKING SPACES ARE REQUIRED BY SECTION 106-223 (12) “PARKING REQUIREMENTS” OF THE CITY CODE OF ORDINANCES; 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.
c. **SUBJECT:** Site Plan SPR 18-02 Amending SPR 16-01  
1350 S State Road 7 (First Haitian Baptist Church)

Amending site plan (SPR 16-01) to construct a new church within a Community Facilities (CF) zoning district.

**APPLICANT:** First Haitian Baptist Church

- 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 the site plan amendment subject to the thirteen (13) conditions set forth in the staff memorandum.

d. **ORDINANCE – First Reading – VAR 19-01 Wawa Florida, Inc.  
7105 W. McNab Rd**

Variance request from City Code Section106-222 (e) regarding allowing bollards where bumper guards, wheel stops or continuous curbing are required within a Community Business (B-2) zoning district.

**APPLICANT:** Bohler Engineering Inc. on behalf of Wawa Florida, 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

**AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING A VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-222(e) REGARDING THE REQUIRED BUMPER GUARDS, WHEEL STOPS OR CONTINUOUS CURBING; 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.**
e. **ORDINANCE – First Reading – VAR 19-03 Wawa Florida, Inc.**

7105 W. McNab Rd.

Variance request from City Code Section 106-467 (11) to not completely enclose outdoor dining area and to allow access from outside the building within a General Business (B-2) zoning district.

**APPLICANT:** Bohler Engineering Inc., on behalf of Wawa Florida, 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

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING A VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-467 (11) REGARDING THE DELINEATION OF THE OUTDOOR SEATING AREA BY MEANS OF A BARRIER; 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.

f. **SUBJECT:** Site Plan SPR 19-01 Wawa Florida, Inc.

7105 W. McNab Rd.

Preliminary site plan review to allow a new auto filling station, convenience store and restaurant within a Community Business (B-2) zoning district.

**APPLICANT:** Wawa Florida, 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 the preliminary site plan subject to the seventeen (17) conditions set forth in staff memorandum.
8. OTHER BUSINESS

a. **RESOLUTION - Sign Waiver SWAV 18-03 - Dutch Pot Jamaican Restaurant**

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING A SIGN WAIVER REQUEST FOR ONE WALL SIGN FOR DUTCH POT JAMAICAN RESTAURANT, LOCATED AT FOLIO # 4941 01 06 2411 6029 KIMBERLY BOULEVARD NORTH LAUDERDALE, FLORIDA, 33068 THEREBY PERMITTING THE INSTALLATION AND MAINTENANCE OF ONE MAIN WALL SIGN WITH THE 27 INCH HIGH LETTERING “DUTCH POT” AND 10 INCH HIGH LETTERING “JAMAICAN RESTAURANT” WHEREAS SECTION 94-16(C)(2)(C) OF THE CITY CODE ALLOWS FOR 16 INCH MAXIMUM LETTER HEIGHT, AND 40 SQUARE FEET OF SIGN AREA WHEREAS SECTION 94-16(C)(2)(A) OF THE CITY CODE ALLOWS FOR 30 SQUARE FEET WITHIN A B-2 COMMUNITY BUSINESS DISTRICT.

b. **SUBJECT: Amendment to Broward Historic Preservation Ordinance**

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

**MOTION:** To endorse the proposed amendments by Broward County to the Historic Preservation Ordinance and authorization to forward the comments prepared by Staff.

c. **RESOLUTION – Florida Sports Foundation Dominoes Tournament Sponsorship**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Mike Sargis)
- Commission motion and second to adopt
- Commission discussion
- Commission vote
i. **MOTION** – To Motion to approve an expenditure of an amount not to exceed $400.00 for the Dominoes Tournament Food and Drinks, which will be held at the Tamarac Community Center on Saturday, February 2, 2019.

ii. **MOTION** - Motion to adopt the attached resolution for disclosure purposes per Broward Code of Ethics for elected municipal officials.

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.

d. **RESOLUTION** – Amendment to Contract with the Staffing Connection for Crossing Guard Services to provide for Florida Statutory Minimum Wage Increase

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDMENT TO THE ORIGINAL AGREEMENT FOR CROSSING GUARD SERVICES WITH STAFFING CONNECTION TO INCREASE THE HOURLY RATE BY $0.21 EFFECTIVE JANUARY 1, 2019 DUE TO A CHANGE IN THE FLORIDA STATUTORY MINIMUM WAGE; AND PROVIDING FOR AN EFFECTIVE DATE. BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

e. **RESOLUTION - Phase II – Field Light Project at Jack Brady Sports Complex – Cost Overrun**
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 OF NORTH LAUDERDALE AUTHORIZING THE EXPENDITURE OF $2,904.08 FOR A SPECIAL INSPECTION FOR THE JACK BRADY SPORTS COMPLEX MUSCO LIGHTING PROJECT BRINGING THE TOTAL COST OF THE PROJECT TO $932,904.08. FUNDING IS AVAILABLE IN THE PARKS AND RECREATION DEPARTMENT’S CAPITAL BUDGET 3117071-563100; AND PROVIDING FOR AN EFFECTIVE DATE.

9. REPORTS – None.

10. CITY MANAGER COMMENTS

a. Fitness Equipment Grant- Safe Parks and Land Preservation Bond Funds Dedication Ceremony as part of our Valentine’s Day 5K Walk at Hampton Pines Park – February 9, 2019

b. Upcoming Events
   - Friday, January 18 – 7:00 pm – Martin Luther King Jr. Day Ceremony
   - Saturday, January 19 – 10am -1 pm – Mayor’s Chess Challenge

11. COMMISSION COMMENTS


b. Letter in Support of Broward League of Cities request for naming two courthouse wings after former Mayor Skip Campbell and late Thomas J. Reddick Jr., (presented by Commissioner Wood).

12. CITY ATTORNEY COMMENTS

13. ADJOURNMENT
The North Lauderdale City Commission met on Tuesday, October 30, 2018 at the Municipal Complex. The meeting convened at 6:00 pm.

1. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Commissioner Wood 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
   Commissioner Samson Borgelin
   City Manager Ambreen Bhatty
   City Attorney Samuel S. Goren
   City Clerk Patricia Vancheri

**At this time Broward County Commissioner Michael Udine was introduced** - He reported that there is $29,000 in the Broward County Parks Bond Account which will be used in Hampton Pines Park to fund some projects that he is working on with our Parks and Recreation Director.

He also surprised City Manager Ambreen Bhatty by recognizing her 25 years of municipal service and presented her with a Proclamation proclaiming this date as Ambreen Bhatty Day in Broward County to signify her accomplishments and achievements in local government administration.

3. **APPROVAL OF MINUTES**

   a. **September 27, 2018** – Commissioner Graziose moved to approve the Minutes as submitted. Seconded by Commissioner Wood. Minutes were approved unanimously by voice vote.
4. PRESENTATIONS

a. Greater Fort Lauderdale Alliance Presentation
Gayle Bulfin, representing this public/private entity which is the County’s economic development partner, stated that their mission is to market Broward as a business destination and to manage projects. They represent all 31 Broward municipalities and strive to get businesses to land all over the County. There are 228 member organizations. There are about 16 full member cities whose representatives meet about once a month to discuss what is important to their cities. Tonight, Ms. Bulfin came to encourage North Lauderdale to join and make it 17 member cities who have a seat at the table to work on marketing targeted industries in the county. Commissioner Wood commented that the membership payment structure is something he believes the Commission can embrace to become a full-fledge member, which will help our Tamarac North Lauderdale Chamber of Commerce as well. Commissioner Graziose also fully supported membership with the Alliance, but mentioned that they need to work on getting North Lauderdale on the tourism map.

b. Presentation of ICMA Recognition Certificate - to the Mayor and Commission for North Lauderdale 37th Year as a Commission-Manager Form of Government
Lauderdale-By-The-Sea Assistant Town Manager and Vice Chair of the Professional Management Matters Committee of the Florida City County Management Association (FCCMA), Sharon P. Ragoonan, was joined by Alan Cohen, Assistant County Administrator; Ajibola Balogun, City Manager West Park; Richard Salamon, City Manager Sunrise and Phil Alleyne, City Manager Lauderdale Lakes, to support the efforts of the FCCMA in presenting the City and celebrating its Commission-Manager standard bearing form of government for 37 years, as recognized by the International City Manager Association (ICMA) in this milestone achievement. Words of congratulations were extended to the City and Ambreen Bhatti as Manager, and a certificate was presented.

c. Presentation of 30 Years of Service Award to Mayor Jack Brady from Florida League of Cities
Carol Westmoreland was present to read a Resolution from the Board of Directors of the Florida League of Cities and presented the John Land Years of Service Award to Mayor Brady for his unselfish commitment to municipal leadership in governance for 30 years. Mrs. Pat Brady accepted the award for Mayor Brady who was attending by teleconference.

d. Morgan Stanley Investment Presentation
Glen Scott, Investment Advisor for Morgan Stanley, from Boulder, Colorado, gave a brief update on the City’s portfolio of invested securities, managed by Morgan Stanley and the cash components of the City’s day to day operations. He indicated that interest rates have risen and is earning a little over 2% as a whole and there has been a significant improvement in the returns. Susan Nabors, Finance Director, reported that the City has earned about a million dollars in interest revenue for FY 2018 which is a significant increase from the past five years. A copy of the PowerPoint presentation is available in the City Clerk’s office.
e. Government Finance Officers Association – Certificate of Achievement to North Lauderdale’s Finance Department for Excellence in Financial Reporting for the 36th Year with regard to the Annual Comprehensive Financial Report (CAFR)

Susan Nabors, Finance Director, accepted this award on behalf of the City’s Finance Department. This award is judged by an impartial panel to meet the high standards of the program which includes demonstrating a constructive spirit of full disclosure and excellence in transparency of the City’s financial story and users and user groups are encouraged to read the CAFR which is available on the City’s website. Ms. Nabors mentioned that she works with Finance Department staff Sendie Rymer, Controller and Marina Hill, Accountant II, who play an important role in putting the annual CAFR together and thanked them as well. Commissioner Wood commented that this prestigious award for pristine reporting of the City’s finances needs to be highlighted on the website.

5. PROCLAMATIONS

a. American Cancer Society – Great American Smokeout – November 15 – Clerk read Proclamation into the record. Jennifer Yarmitzky, Human Resources Manager, received the Proclamation on behalf of the American Cancer Society and indicated that they will be hosting a “lunch and learn” on smoking cessation on November 15.

6. PUBLIC DISCUSSION

James Dowling – Blvd of Champions – commented that he has owned a home in North Lauderdale for 13 years that he fixed up and then was appointed by Mayor Brady to be on the City’s beautification committee and the Planning and Zoning Board. He came tonight to give accolades to Mayor Brady for having done a lot for the City. He also commented on the City’s noise ordinance.

Stanley Louis, President of North Lauderdale Panthers Football League – Thanked the Commission for the support and opportunity to run a successful program that had 98% of kids that reside in North Lauderdale in the program. He reported that over 150 kids signed up to play football and the 6 year olds made it to the Super Bowl this week.

Kevin Brown - SW 74th Terrace, echoed thanks for allowing the football and cheerleading program to come back and wants to work toward the program getting bigger and better to keep kids involved.

Nicole Nieves - SW 14th Street, also extended sincere gratitude and appreciation for allowing and supporting the program and reported that everything is under control and the first year went extremely well and they are traveling and representing the City very well.

Calvin Bennet – Commented that his son who just turned 8 is in the program and they have felt like one family and did not want the season to end as the experience was an amazing one overall. He thanked the League President; the coaches and the Team Moms that came together for this program and said they are also considering tutoring as well. Commissioner Wood gave the League kudos for running a clean and efficient program; likes the tutoring component and would like to see girl’s flag football.
7. QUASI-JUDICIAL ITEMS

a. SUBJECT: SEU 18-07 GOOD KARMA PET RESCUE
   Commercial Pointe at 3601 W. Commercial Blvd. - Bay # 19
   To allow a non-profit animal rescue operation as a primary use with
   veterinarian services and overnight boarding as ancillary uses.
   APPLICANT:  Stacey Tollackson

City Attorney Goren read the item into the record and all parties present to speak were duly sworn. Tammy Reed-Holguin, Community Development Director, presented the request based on the backup memorandum. She also presented a PowerPoint presentation overview of the proposed site and bay, a copy of which is available in the City Clerk’s office. Ms. Reed-Holguin explained that the primary use will be as a meeting place for pet adopters to view dogs and cats; veterinarian services through the Broward County “SNIP” program for spay and neutering will be provided, and overnight boarding on a limited basis if necessary for care of the animals before being adopted. The Planning and Zoning Board met on October 2nd and heard from the Manager of the Kozy Kamper and their legal counsel, James Brady. Amendments were proposed to the conditions as outlined in the memorandum and the board voted unanimously to recommend approval to the item for Commission’s consideration. Administration had no objection to the changes outlined in the thirteen (13) conditions recommended by the Planning and Zoning Board and sought approval of the special use permit. Public hearing opened. James Brady, Attorney for Kozy Kamper, adjacent to the subject property, provided pictures for a dimensional point of view stating that Bay 19 is about 15 feet from the property line. Attorney Brady stated concern that there would be boarding of dogs overnight and incessant barking. He wants to be sure that the decision reflects what will go on here; they do not question the mission of the rescue, but they want to make sure that there would be no overnight boarding on a fulltime basis. Mr. Brady suggested defeating the item or tabling the item to give an opportunity to work with staff to clarify standards. The Applicant, Stacy Tollackson, President of the Rescue, of NW 40th Street, Fort Lauderdale, gave history of the 501(c)(3) non-profit which is strictly to serve the community as a pet rescue that take strays from the streets and other shelters. They sterilize to avoid over population, and then get the animals out for adoption. She indicated that this site is used for offices; storage of supplies; a meeting place for dispersing animals to foster homes and they are not aspiring to use the space as a shelter. If a foster cannot be found, an animal is boarded at a vet’s office. Ms. Tollackson stated that they were in another location for 3 years in Oakland Park, and they took the leap to this new space in North Lauderdale, which will be funded by donations which are used wisely to serve the animals and the community. She further explained the proposed set up and uses including an admin area; supply area; a meet up space and a cat adoption lounge. Ms. Tollackson indicated that the landlord, who was unable to attend tonight, but spoke at the Planning and Zoning Board meeting is in favor of the business and approves it. She shared that they have a similar space in Wilton Manors which has done over 130 adoptions and that their business has been featured in local news magazines, the newspaper and a TV show. The rescue is visited by locals and tourists who donate and/or adopt and they will eventually become a “SNIP” provider as a spay/neuter clinic with a veterinarian on duty. Applicant explained they will contract with a company for medical bio-waste disposal, as there are medical providers already in the plaza. Ms. Tollackson reiterated that they do not plan to
have dogs overnight. Commissioner Graziose commented that he went out to the site as well to determine the distances between the business and the Kozy Kamper and stated that the distance is estimated to be about 100 feet and said the photographs provided by Mr. Brady are misleading. Graziose also commented that there is no area designated for animals to be walked to relieve themselves, with waste bags provided; however he would like to see that worked out and doesn’t see that Kozy Kamper would be affected as there is enough of a buffer. **Commissioner Graziose made a motion to approve the Special Exception Use Permit allowing a non-profit animal rescue office as primary use with veterinarian services and overnight boarding as ancillary uses within a (B-3) General Business District subject to the thirteen (13) conditions listed in staff’s memorandum. Seconded by Mayor Brady.** Commissioner Wood questioned why some of these concerns weren’t laid out to the Applicant prior to the item being presented. Tammy Reed-Holguin said there were many discussions about this not being a permitted use in the master list and that the only thing they could license at the time would be the administrative office component to go into the space. Knowing this the Applicant chose to go into the space with the knowledge that any other use would need a special exception use permit presented to Planning and Zoning Board and City Commission. Commissioner Wood also inquired about who regulates and monitors a pet rescue. Applicant replied that they did research the City requirements and found that non-profits did not require a license, but now they are trying to move forward by complying with Code and applying for approval from the City, and indicated that she is familiar with OSHA and other requirements. Commissioner Borgelin concurs with Attorney Brady that there are still some issues unresolved and suggested both sides sit down and resolve them before being approved. Ms. Tollackson stated that she believes that the issues have been resolved; that they want to be a good neighbor and Good Karma is a good rescue that will be appreciated by the community. Commissioner Wood asked for further clarification on the application for the business which Ms. Reed-Holguin provided with an explanation of the components that did and did not fit with the code and the reason why the SEU is required as well as a business license. Commissioner Borgelin asked if Attorney Brady was satisfied with the concerns addressed. Commissioner Graziose asked staff if the business fee was waived since it is a non-profit; Ms. Reed-Holguin stated that not all non-profits qualify and that it depends on the nature of the business. Vice Mayor Moyle commented that the veterinarian would be providing services for very little money and would be upset if conditions were not good and OSHA would also want employees to be taken care of and they would have to have MSD sheets, so concerns about the facility should be covered by those two things. Ms. Tollackson reiterated that the veterinarian would be paid competitive rates but would be protective of her license and would help out with keeping a controlled drug log and other aspects of the facility doing things the correct way. Attorney Brady suggested tabling the item and to discuss it further as he believes that these concerns could be figured out to everyone’s benefit to measure whether there is compliance and there could be limitations put on that all would agree on. Commissioner Graziose asked the Chair to call the question. Attorney Goren asked the Applicant if she agreed with the conditions outlined by staff. Ms. Tollackson replied that she agreed with the 13 conditions, including inspections by the City. No further discussion; Clerk called roll.

**MOTION PASSED ON a 3-2 VOTE; Commissioner Borgelin and Commissioner Wood dissenting.**
8. OTHER BUSINESS

a. RESOLUTION – 45th Year (2019-2020) Community Development Block Grant (CDBG) Application

Commissioner Wood moved to read. Seconded by Mayor Brady. Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, TO APPLY FOR AND TO FILE SUCH DOCUMENTS AS MAY BE REASONABLY REQUIRED FOR AVAILABLE 45th YEAR (FISCAL YEAR OCTOBER 1, 2019 – SEPTEMBER 30, 2020) COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE ESTIMATED AMOUNT OF $262,243 FOR THE PURCHASE ASSISTANCE PROGRAM PROVIDING THAT THE CITY MANAGER SHALL BE AUTHORIZED TO EXECUTE GRANT AWARD AGREEMENTS AND TO TAKE ALL NECESSARY ACTIONS, INCLUDING, BUT NOT LIMITED TO EXTENSIONS OF TIME, LINE-ITEM BUDGET AMENDMENTS, AND PROGRAM MODIFICATIONS TO IMPLEMENT SAID PROGRAMS IF AND WHEN FUNDING IS APPROVED; PROVIDING FOR FINDINGS AND CONCLUSIONS WITH REGARD TO THE BENEFITS TO BE DERIVED BY PROCESSING AND OBTAINING SUCH GRANT FUNDS; AND, PROVIDING AN EFFECTIVE DATE.

Katherine Randall, Assistant Community Development Director, presented the item based on backup memorandum. She indicated that the City’s application for the implementation of eligible projects for these funds must be submitted by March 2019. Ms. Randall stated that the non-entitlement cities within Broward County are designated a yearly allocation of Community Development Block Grant funds. North Lauderdale has received these funds in past years and the funds have been used for a residential hardening program and a purchase assistance program. Most recently, funds for the 44th year which began October 1, 2018 will be used to improve the Silver Lakes neighborhood’s drainage system. Based on the needs of the City, it is recommended that the 45th year funding be used for purchase assistance; from March to June the city has already received 215 inquiries for this program. The City was able to assist six households; there is a balance of $38,000 with a plan to assist two more households. Utilizing the $262,243, the City will be able to provide up to $30,000 in down payment and closing costs assistance to a minimum of seven first-time home buyers seeking residence in North Lauderdale. The City’s Housing Authority Board adopted a Resolution endorsing the Purchase Assistance Program. Administration recommends Commission’s consideration and approval of City Manager’s submittal of application for grant funds and implementation of approved programs funding. Commissioner Graziose moved to approve. Seconded by Commissioner Wood. Commissioner Borgelin asked what is the maximum of first-time home buyers. Ms. Randall replied that 7 is the minimum and they may be able to go 2 or 3 above, because not all would receive $30,000 as it is based on the need and the gap. City Manager interjected that the closing costs and down payments are based on the value of the home. Commissioner Wood commented
on the non-entitlement designation and said for the 2020 census we should let our residents know how important it is to be counted so that we get the federal funding. **No further discussion; Clerk called roll. All YES.**

**RESOLUTION NO. 18-10-6568 PASSED AND APPROVED UNANIMOUSLY**

b. **RESOLUTION - Adopting the North Lauderdale Economic Development Strategic Plan and Authorizing the Appropriate City Officials to Initiate the Next Steps to Implement the Plan**

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE ADOPTING THE NORTH LAUDERDALE ECONOMIC DEVELOPMENT STRATEGIC PLAN; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO INITIATE THE NEXT STEPS TO IMPLEMENT THE PLAN INCLUDING, BUT NOT LIMITED TO, CREATION OF A MARKETING AND BRANDING PLAN, THE PREPARATION OF PROJECT PLANS, PRIORITIES, TIMELINES AND FUNDING PROPOSALS FOR CONSIDERATION BY THE CITY COMMISSION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Tammy Reed-Holguin, Community Development Director, presented the request based on the backup memorandum. Tonight she thanked Carol Westmoreland for staying in the audience for this item as she is the head of the Florida Re-Development Association to hear the City’s Economic Development Plan. She also recognized Jenae Valentine, Economic Development Manager, Redevelopment Management Associates (RMA) who put the City’s economic development plan together, which was presented at a previous workshop. Tonight, she is presenting an overview of the plan based on the Commission comments from that workshop. Jenae Valentine was accompanied by Kim Briesemeister and Camillo Lopez. A copy of the overview PowerPoint is available in the City Clerk’s office. Based on input by City staff; property and business owners; the City Commission, Ms. Valentine outlined the plan based on areas identified for redevelopment with a focus on commercial revitalization and the vision of the City for future business attraction. The areas of McNab Road and State Road 7 will be prioritized and will incorporate mixed use components of the overlay districts. After presenting the goals; an implementation matrix and steps for implementation, Ms. Valentine stated it was a pleasure to work with staff and engage with residents on this plan. **Commissioner Graziose moved to approve. Seconded by Commissioner Wood.** Commissioner Graziose asked if they would be there still be an opportunity to review the items which were discussed at the workshop to go over any concerns that they brought up that were not listed here. Tammy Reed-Holguin replied that the firm did go back and made some changes in the plan that was not highlighted tonight, but she did have a summary of things that were previously discussed, and that the map was not specific to individual projects, it is just an overview of the areas to be looked at. Tonight they are looking to adopt the plan, but the next stage is where the details will come and that is when the direction will be given as things come back to Commission for implementation and
funding allocations. This is a guideline or map for redevelopment opportunity areas and outlines the recommended goals based on everyone’s input and is not a detailed project map. Ms. Reed-Holguin said tonight they are seeking endorsement of the outlined goals and opportunity areas. Vice Mayor Moyle interjected that the data amassed is excellent and both corridors identified are heavily traveled and also wants the opportunity to decide on projects. Commissioner Borgelin asked for clarification of the pronoun in the backup memorandum that the “they” referred to was RMA. Tammy Reed-Holguin confirmed that it was RMA that administered surveys and held public workshops. City Manager also reiterated that “the firm” refers to RMA and she also assured Commissioner Graziose that all the concerns outlined in the workshop were incorporated in RMA’s updated plan. Commissioner Wood agreed that this framework is a step in the right direction with a structured purpose. No further discussion on this item; Clerk called roll. All YES.

RESOLUTION NO. 18-10-6569 PASSED AND APPROVED UNANIMOUSLY

c. RESOLUTION - Authorization to Enter an Interlocal Agreement with Broward Metropolitan Planning Organization (MPO) Agreement for Technical Assistance

Commissioner Graziose moved to read. Seconded by Commissioner Wood.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE APPROVING THE INTERLOCAL AGREEMENT WITH THE BROWARD METROPOLITAN PLANNING ORGANIZATION (MPO) ATTACHED HERETO AS EXHIBIT “A” FOR TECHNICAL ASSISTANCE ON AN AS NEEDED BASIS OVER A FIVE YEAR TERM AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION AND DIRECTING THE CITY CLERK TO PROVIDE A COPY OF THIS RESOLUTION, ALONG WITH THE EXECUTED INTERLOCAL AGREEMENT TO THE BROWARD COUNTY CLERK OF COURTS FOR RECORDATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development Director, presented the request based on the backup memorandum. She indicated that the MPO has expertise in many areas, as well as contracting with various sub-consultants who have similar expertise, as included and outlined in the backup. The City would have the opportunity to negotiate with these entities, when a project occurs, based on the scope of the project. The Interlocal Agreement has a term of five years with an opportunity to extend for another five years upon the City’s request. Staff is seeking Commission’s consideration and approval of the attached resolution to enter into the Interlocal Agreement. Commissioner Graziose moved to adopt. Seconded by Commissioner Wood. No Commission discussion; Clerk called roll. All YES.

RESOLUTION NO. 18-10-6570 PASSED AND APPROVED UNANIMOUSLY
d. RESOLUTION - Authorizing Staff to Apply for a Grant through the Complete Streets and Other Localized Initiatives Program with the Broward Metropolitan Planning Organization (MPO)

Commissioner Graziose moved to read. Seconded by Commissioner Wood.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPLY FOR AND TO FILE SUCH DOCUMENTS AS MAY BE REASONABLY REQUIRED TO APPLY FOR A COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES PROGRAM (CSLIP) GRANT WITH THE BROWARD COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO); PROVIDING THAT THE CITY MANAGER SHALL BE AUTHORIZED TO EXECUTE GRANT AWARD AGREEMENTS AND TO TAKE ALL NECESSARY ACTIONS, INCLUDING, BUT NOT LIMITED TO EXTENSIONS OF TIME, LINE-ITEM BUDGET AMENDMENTS, AND PROGRAM MODIFICATIONS TO IMPLEMENT SAID PROGRAMS IF AND WHEN FUNDING IS APPROVED; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development Director, presented the request based on the backup memorandum. She indicated that she worked closely on this grant with Public Works Director, George Krawczyk, City Manager Bhatty and Andrew Disbury, Planner. This grant has been applied for in the past and staff is seeking Commission’s consideration and approval to submit a grant application to the Broward Metropolitan Planning Organization for these programs. The backup memorandum lists the projects, which include pedestrian and bicycle paths and traffic circles in designated areas, which the proposed grant application submittal will address. Staff worked with an engineer to create project exhibits and meet funding requirements. This submittal will not include the mast arm signalization at Southgate and the proposed park behind Royal Gardens at this time as it is not an eligible expense through this grant. This proposed grant application has been modified to make it more eligible through MPO and FDOT; staff, the engineer and Commissioner Graziose have had preliminary meetings with MPO and FDOT to discuss things that would make a stronger application and meet their requirements, and have gotten favorable feedback. Staff also advised Commission that surrounding property owners have received letters advising of these proposed projects and seeking community support to include the public participation component in the application. Commissioner Graziose moved to adopt. Seconded by Commissioner Wood. No Commission discussion; Clerk called roll. All YES.

RESOLUTION NO. 18-10-6571 PASSED AND APPROVED UNANIMOUSLY
e. ORDINANCE – First Reading - 2018 Fiscal Year End Budget Amendment

Commissioner Graziose moved to read. Seconded by Commissioner Wood.

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, presented the item based on backup memorandum, seeking approval on first reading to amend the 2017/2018 fiscal year budget, to make adjustments to bring the budget in line with actual expenditures. Florida Statutes requires the City to amend its budget within 60 days of the close of the fiscal year and two readings of the ordinance are required. In the General Fund, the Public Works Department budget needed an amendment with regard to expenses related to Hurricane Irma for debris cleanup and monitoring expenses which caused an over-budget condition. Once reimbursements from FEMA are received, funds will be replenished. Community Development Department needs a budget amendment due to higher volume of permit requests, which resulted in more expenses for Broward County inspectors; however permit revenue volume was at a higher increase than ever before. In the Water Control District Fund, an amendment is requested authorizing appropriation of costs associated with Hurricane Irma canal clearing project. Finally, in the Debt Service Fund an arbitrage report for 2018 was required, but it was not budgeted. Staff seeks Commission’s approval of the four budget amendments, on first reading. **Commissioner Graziose moved to adopt. Seconded by Commissioner Wood. No discussion; clerk called roll. All YES.**

ORDINANCE PASSED AND ADOPTED UNANIMOUSLY ON FIRST READING

f. RESOLUTION - Intent Resolution for Special Assessment -
To remove the collection of Stormwater Fee from the Utility (water) Bill and Collect it on the Annual Tax Bill

Commissioner Graziose moved to read. Seconded by Commissioner Wood.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, SETTING FORTH THE CITY’S INTENT TO USE THE UNIFORM METHOD FOR THE COLLECTION OF A NON-AD VALOREM SPECIAL ASSESSMENT TO BE LEVIED UPON REAL PROPERTIES LYING WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, TO FUND MAINTENANCE, REPAIRS, ENHANCEMENTS, AND IMPROVEMENTS TO THE CITY'S
STORMWATER UTILITY SYSTEM; STATING A NEED FOR SUCH LEVY; PROVIDING THAT A COPY OF THIS RESOLUTION SHALL BE FORWARDED TO THE PROPERTY APPRAISER, TAX COLLECTOR, AND THE FLORIDA DEPARTMENT OF REVENUE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Susan Nabors, Finance Director, presented the item based on backup memorandum. She stated that currently the City charges stormwater fees on the utility (water) bills. Ms. Nabors explained that stormwater is the run-off of the portion of precipitation that travels over natural, altered, or improved surfaces to the drains and streams to move the water so as not to create flooding. Currently the average single family residential property is charged a rate of $6.00 per month for stormwater fees. During the Strategic Planning sessions, the Commission had consensus to transfer the fee from the water bill to the tax bill by creating a non-ad valorem special assessment. Doing this will create a more timely collection of revenue for the stormwater management program and the utility bill will be only for the water and sewer charges. This will help reduce some confusion as the stormwater charge is not consumption based. Also, having this on the tax bill, the property owners can take advantage of a discount up to 4% if the tax bill is paid early. The City is required to adopt an Intent Resolution prior to January 10, 2019 in order to impose a new special assessment. Adopting this Resolution does not commit the City to moving forward with this, but is a legal requirement for this to be put on the tax bill in the future if the City chooses to move forward with it. Commissioner Graziose moved to adopt. Seconded by Commissioner Wood. Commissioner Borgelin asked for clarification of the discount if paid early. Ms. Nabors replied that if the tax bill is paid by November 3rd, there will be a 4% discount off the total tax bill; if paid by December 31st a discount of 3% applies; January goes to 2% and February is 1%. City Manager Bhatty reiterated that this is a benefit to the residents to get this discount applied and this is not a burden to the residents nor is it a new charge; just a transfer using a different method of collection of the fee. No further questions; Clerk called roll; All YES.

RESOLUTION NO. 18-10-6572 PASSED AND APPROVED UNANIMOUSLY

g. RESOLUTION – City of North Lauderdale (“City”) v. Resource Recovery Board/Broward County Second Amendment to Settlement

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER AND THE MAYOR TO SIGN THE SECOND AMENDMENT TO THE SETTLEMENT AGREEMENT WITH BROWARD COUNTY FOR THE LITIGATING STYLED CITY OF SUNRISE ET. AL. VS BROWARD COUNTY; AND PROVIDING AN EFFECTIVE DATE.
George Krawczyk, Public Works Director, presented the item based on backup memorandum. He stated that this Second Amendment is to a Settlement Agreement which the City is a part of with regard to an Interlocal Agreement (ILA) with the Resource Recovery Board (RRB). The Interlocal Agreement expired in 2013 and the RRB dissolved. In 2015, the RRB’s cash assets were disbursed to the City. Part of the Settlement Agreement included the final distribution of assets from the sale of Alpha 250 Property. The First Amendment of the Settlement Agreement was approved to extend the sale of the property until a study could be conducted to identify the best use of the property and determine the future of solid waste disposal options. Staff recommends approving a Second Amendment to the Settlement Agreement to move forward to continue to work towards the development of a more comprehensive plan. Commissioner Graziose moved to approve. Seconded by Commissioner Wood. No Commission discussion; Clerk called roll. All YES.

RESOLUTION NO. 18-10-6573 PASSED AND APPROVED UNANIMOUSLY

h. RESOLUTION – Renewal of VMware License and Support Agreement

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE RENEWAL OF VMWARE SOFTWARE SUPPORT AGREEMENT FROM SUPERIOR TURNKEY SOLUTIONS GROUP AS LISTED IN SECTION ONE OF THIS RESOLUTION, FOR A TOTAL AMOUNT NOT TO EXCEED $30,109.67; PROVIDING FOR THE ALLOCATION OF FUNDS; PROVIDING FOR AN EFFECTIVE DATE.

Mitch Williams, Chief Information Technology Officer, presented the item based on backup memorandum. He stated that this software has been used for the past seven (7) years and Commission has approved renewal each year. These products allow the IT Department to provide computing services to the City’s Departments and residents, including e-permitting; email; telecommunication and enterprise resource system and much more. Staff obtained three vendor quotes and selected the vendor that best met the City’s needs, which is Superior Turnkey Solutions Group. Commission’s consideration and approval of the attached Resolution is sought for authorization of the renewal of the VMware License and Support Agreement. Commissioner Graziose moved to adopt. Seconded by Commissioner Wood. No Commission discussion; Clerk called roll. All YES.

RESOLUTION NO. 18-10-6574 PASSED AND APPROVED UNANIMOUSLY

i. RESOLUTION – Letter of Intent to Purchase Fire Rescue Vehicle to Replace Rescue 44

Commissioner Graziose moved to read. Seconded by Commissioner Wood.
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO EXECUTE A LETTER OF INTENT AGREEMENT WITH HALL-MARK REV FIRE APPARATUS FOR THE PURCHASE OF A 2020 FREIGHTLINER M2 CHASSIS MODEL THROUGH FLORIDA SHERIFFS ASSOCIATION CONTRACT # FSA 18-VEF13 AND REBUILD OF NL 338 BOX AT A COST NOT TO INCREASE $237,097.55; AND PROVIDING FOR AN EFFECTIVE DATE.

David Sweet, Deputy Fire Chief, presented the item based on backup memorandum. He indicated that they continuously evaluate all fire apparatus along with Tamarac’s fleet service who also oversees the City’s fleet. Based on the longevity and use of a vehicle, it will be rotated from front line to reserve status; then the reserve status is reviewed to determine if it needs to be retired or otherwise sold out. Deputy Chief Sweet explained how they rotate the vehicles; use parts to rebuild one of the reserve units or need to purchase a new chassis. Once this process is done, there will be a proper rotation of units. Purchasing agreements are made through the State of Florida Sheriff’s Association Contract, thereby saving the City approximately $40,000 by this process. Deputy Chief Sweet stated that they do everything possible to stay fiscally responsible. Commissioner Graziose moved to adopt. Seconded by Commissioner Wood. No Commission discussion. Clerk called roll; All YES.

RESOLUTION NO. 18-10-6575 PASSED AND APPROVED UNANIMOUSLY

j. RESOLUTION – Supporting of Public School Closures on Election Days or Relocating Voting Precincts

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE FLORIDA, SUPPORTING THE CLOSURE OF SCHOOL BOARD OF BROWARD COUNTY PUBLIC SCHOOLS ON ELECTION DAY OR THE RELOCATION OF VOTING PRECINCTS FROM SCHOOL BOARD OF BROWARD COUNTY PUBLIC SCHOOLS; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Graziose confirmed that this would affect all Election Days. Attorney Goren responded that is correct. Commissioner Moyle said he is in agreement with the resolution. No other comments; Clerk called roll. All YES.

RESOLUTION NO. 18-10-6576 PASSED AND APPROVED UNANIMOUSLY
9. REPORTS

City Manager Bhatti – Reported that the three weekends of Haunted Hamptons was a great success with a total of almost 8,000 attendees, not including the advanced ticket sales. The typical cost of this event is about $10,000. The revenue collected was about $37,000, which will in turn be used to fund the Winterfest, the Holiday Parade and the Eggstravaganza events.

10. COMMISSION COMMENTS

a. Deputy City Clerk Annual Evaluation and Motion to Approve First Amendment to Employment Contract

City Attorney Goren presented the item based on backup memorandum and the proposed First Amendment to Deputy Clerk, Elizabeth Garcia-Beckford’s Employment Contract. Her initial three year contract expires on October 31, 2018. The First Amendment includes a request for a salary increase to $47,000 annually as she has complied with the obligation to earn her Certified Municipal Clerk designation which has been accomplished. This increase converts her non-exempt status to exempt wherein no overtime pay is afforded. The proposed First Amendment would extend the employment contract for a period of three years through October 2021. Commissioner Wood moved to adopt. Seconded by Commissioner Graziose. Mayor Brady commented that Ms. Garcia-Beckford has been an asset to the City Clerk’s office and has obtained her CMC designation in record time and is currently working on her Master Municipal Clerk designation. Commissioner Wood stated that Ms. Garcia-Beckford is a lady, has exceeded her educational requirement and as an exempt employee she puts in a lot of time that is not compensated so the salary increase is deserved as she does a great job. City Manager Bhatti said Ms. Garcia-Beckford came from the private sector, but has gone above and beyond to fulfill the commitment, and is also a resident of the City and involved in other community activities, and the increase is justified. Commissioner Borgelin complimented Ms. Garcia-Beckford for being very respectful, sweet and efficient and well deserving. Vice Mayor Moyle also complemented a job well done. City Clerk Vancheri also gave accolades to Deputy Clerk for obtaining her certification so quickly. Vice Mayor Moyle interjected that the City Clerk’s office used to have three employees and he commended both Clerks for being able to do the job without a third person. No further discussion; Clerk called roll. All YES. Motion passed unanimously. Deputy Clerk Garcia-Beckford thanked the Commission for renewing her contract and stated that she enjoys her job and is proud to serve the Commission.

b. Greater Fort Lauderdale Alliance (Requested by Comm. Wood)

- Discussion and Motion to become an Entrepreneur Level member of the Greater Fort Lauderdale Alliance with Upgrade to Corporate Level and approve Membership Dues (2018-2019) at the Discounted Rate of $1,875
Commissioner Wood presented the item. Commissioner Graziose moved to approve. Mayor Brady seconded the motion. No Commission discussion; Clerk called roll. All YES. Motion passed unanimously.

c. Discussion and Motion to schedule one Commission meeting only for the months of November and December due to the Thanksgiving and Christmas holidays (Proposed dates Tuesday, November 13 and Tuesday, December 11)

Vice Mayor Moyle commented that this is done every year. Commissioner Graziose moved to approve. Commissioner Wood seconded the motion. Commissioner Borgelin asked when the meeting next meeting would be based on the result of the election. City Clerk replied that a special meeting may need to be called if results of the election are not certified by November 13th. City Attorney Goren interjected that based on federal law, without the canvassing board’s certified results a swearing in cannot be conducted and the sitting Commission maintains their seat until the swearing in takes place. No further discussion; Clerk called roll. All YES.

Commissioner Graziose – Commented that there are two events the Mayor supports occurring; Saturday, November 3rd is the Sickle Cell Walk at Hampton Pines Park and also on November 3rd the Boys & Girls Club is holding their annual BBQ.

Commissioner Borgelin – Commented that Burnham Woods Day is on Saturday, November 17. Also stated that there were speakers out of turn on the dais. Complemented Stanley Louis for the good job done with the North Lauderdale Panthers and commented that there needs to be a multi-sports field in North Lauderdale for them to play on year round.

Vice Mayor Moyle – Commended Mayor Brady for over 30 years of service, having served with him for most of those years and said he has appreciated him very much as being an exemplary Mayor and an example of what a good Mayor should be. He also commended City Manager Bhatty for the accolades and award she received earlier, and said she is quite an impressive City Manager. He then read a letter into the record from Mayor Brady’s wife, Pat, in support of Mayor Brady and the City.

11. CITY MANAGER COMMENTS - None

12. CITY ATTORNEY COMMENTS

Attorney Goren commented that he made contact with the Broward County Attorney’s office and with Attorney Myra Moore with regard to the wraps on the utility boxes and ignited a conversation at the County Commission level with an objective to revise the Ordinance and work on a countywide ordinance that would allow for code enforcement from city to city with cross-jurisdiction opportunities and provide for an ILA. The document is being drafted to tie the parties together for enforcement as the costs of the wraps are expensive.

13. ADJOURNMENT – there being no further business, the meeting adjourned at 9:52 pm.

Respectfully submitted,

Patricia Vancheri, City Clerk
CITY OF NORTH LAUDERDALE
COMMISSION MEETING
TUESDAY, DECEMBER 11, 2018
REGULAR MEETING – 6:00 p.m.

MINUTES
The North Lauderdale City Commission met at the Municipal Complex on Tuesday, December 11, 2018 at the Municipal Complex. The meeting convened at 6:00 pm.

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

2. **ROLL CALL** – Clerk called roll. All present.
   
   Mayor Ana M. Ziade  
   Vice Mayor Samson Borgelin  
   Commissioner Rich Moyle  
   Commissioner Lorenzo Wood  
   Commissioner Mario Bustamante  
   City Manager Ambreen Bhatty  
   City Attorney Samuel S. Goren  
   City Clerk Patricia Vancheri

3. **APPROVAL OF MINUTES**  
Vice Mayor Borgelin inquired with Attorney Goren if the current Mayor and Commissioner can vote on the Minutes for November 13, 2018 since they were not part of that Commission when the Minutes were established. Attorney Goren responded yes, the new Commission does have the right, having a legal obligation to review and approve the Meeting Minutes, to certify the document to be filed with the City Clerk.

   a. **November 13, 2018**  
   Vice Mayor Borgelin moved to approve. Seconded by Commissioner Wood. All in favor.

   b. **November 27, 2018**  
   Commissioner Wood moved to approve. Seconded by Vice Mayor Borgelin. All in favor.

4. **PRESENTATIONS** – None.

5. **PUBLIC DISCUSSION** – None.
6. QUASI-JUDICIAL ITEMS

Attorney Goren reviewed the process and procedures for Quasi-Judicial items. Attorney read:

a. ORDINANCE – Second Reading - VAR- 18-01 Aldi Florida, LLC
   1190 S State Rd 7

   Requesting a 5.5 foot side setback whereas a 10 foot side setback is required per
   Section 106-442 (4) of the City of North Lauderdale business district land
   development regulation code within a general business (B-3) zoning district.

   APPLICANT: Aldi Florida, LLC

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING
AND GRANTING A VARIANCE FROM THE NORTH LAUDERDALE CODE OF
ORDINANCES, SECTION 106-442 (4) REGARDING THE REQUIRED 10 FOOT SIDE
SETBACK; 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.

Attorney Goren swore in members of the public and the Applicant’s team, and Staff that were
present. Tammy Reed- Holguin, Community Development Director presented information based
on the back up memorandum for the variance and site plan. She advised the preliminary site plan
was approved by the City Commission on November 13, 2018. Aldi’s is expanding their
operations to South Florida and the North Lauderdale location will be its most current prototype
building which will closely reflect the colors of the buildings along State Rd 7. The store will
employ approximately 15-25 people with an effort by Aldi’s management to hire employees
locally. The proposed use of the parcel is consistent with the city’s land use plan and the city’s
master business list allowing grocery stores in a B-2 and B-3 zoning districts. Ms. Reed-Holguin
advised that this use will provide a grocery store which will meet the need expressed by the
community for more food options in that area. The parking requirements are met and a traffic
study was submitted. The Traffic Engineer analysis results of the traffic study shows there is
concurrency to the site and the traffic patterns will be supported on this site. She specified that
comment #8 was not yet addressed which references a concern with backing into the entry way
from one parking space on the site plan. The Traffic Engineer recommended removing that
parking space. Ms. Holguin-Reed explained the location of the parking space and the entry
options as it relates to the loading docks, customers and traffic. She stated that the parking
requirements will still be met even with the removal of the parking space. Ms. Holguin-Reed
advised on the Traffic Engineer’s three other comments which are covered under conditions #2
and #3 which states they will have to meet all of the comments made by the DRC and Staff prior
to any issuance of building permits.

Ms. Holguin presented information on the variance indicating that the site plan cannot be
approved without the approval of the variance. Attorney Goren interjected explaining that the
applications are mutually dependent which means you cannot have one without the other. Ms. Reed-Holguin proceeded to present information on VAR 18-01 based on the back up memorandum. Attorney Dickerson, on behalf of the Applicant, stated they are in full support of the information presented in the report by Staff. He advised they have been working with Staff on the color palette and that they received a letter of support for this development from Palm Collision, the property owner to the North. His client owns the property to the south and they support themselves in that regard. He acknowledged receipt of the traffic comments and stated they spoke with both their traffic consultant as well as the city’s traffic consultant. He indicated that they have come to a resolution with comment #8, to keep the space and to respond to the comments. Attorney Dickerson stated they accept the conditions of approval that Staff is recommending. **No one spoke under Public Hearing.** Commissioner Wood inquired why the one parking space would not be removed. Attorney Dickerson responded that it is an opportunity to have as many parking spaces as possible, life safety is not impacted by the space remaining, and that there are no impacts to the adjacent right of way, with ample stacking when entering and exiting the site. Commissioner Wood expressed concerns with issues with people backing out of the parking space and spoke on making the space more effective for residents and visitors to back out. Attorney Dickerson briefly discussed the existing conditions within the development and the aspects of the site plan. He advised the vehicles will circulate well within the site and he reiterated that the site does not impede life safety. Attorney Dickerson requested to keep the one parking space if the Traffic Engineers on both sides confirm the space does not present life safety issues. Attorney Goren interjected to advise both parties to identify their Traffic Engineers as expert consultants that can provide a professional opinion. The Traffic Engineers were presented as Sean McKenzie, with McKenzie Engineering and Planning Inc, representing the Applicant and Eric Czerniejewski, representing the City. Vice Mayor Borgelin inquired on comment #8 which he did not have as part of his [Agenda] packet. Ms. Reed-Holguin explained that the report was just received today from the Traffic Engineer as part of the comments that were provided during the DRC meeting and when they received the traffic study they found that the comment regarding the one parking space was still pending. Vice Mayor Borgelin requested to see any images of the chain link fence. Attorney Dickerson did not have images of the fence available to present. He provided a description and information on the proposed fence to accommodate the property owner to the North’s [Phoenix/Palm Collision] request for a chain link fence for visibility purposes. There was no further discussion. Attorney Goren clarified that there are two specific items that require separate action by the City Commission for the approval of VAR 18-01, and SPR 18-07 as described and presented for consideration by Staff and the Applicant. **Commissioner Wood moved to approve VAR 18-01. Seconded by Vice Mayor Borgelin. Clerk took roll. All were in favor.**

ORDINANCE NO. **18-12-1383 PASSED AND APPROVED UNANIMOUSLY.**

b. **SUBJECT: Site Plan SPR 18-07  Aldi Grocery Store**

Final Site Plan approval to construct a grocery store in a General Business (B-3) zoning district.

**APPLICANT:** Aldi Florida, LLC
Item 6b was presented with Item 6a.

**MOTION:** To approve the final site plan subject to the eleven (11) conditions set forth in staff memorandum.

Vice Mayor Borgelin moved to approve SPR 18-07 subject to the (11) conditions in staff memorandum. Seconded by Commissioner Wood. Clerk took roll. All were in favor.

**MOTION PASSED.**

Attorney Goren introduced items 6c. and 6d.

Attorney read:

c. **SUBJECT:** SEU 18-05 Star of David Broward Memorial Gardens II
North side of Bailey Road west of existing Star of David facility at 7701 Bailey Road. (Original SEU 99-01 and SEU 04-13).

Special Exception Use (SEU) Permit for Cemetery Use in a Community Facility (CF) Zoning District.

**APPLICANT:** Funeral Services Acquisition Group, Inc.

Attorney Goren advised both items 6c and 6d can be considered separately for the separate motions but considered as one for public hearing purposes. He swore in the Applicant, Staff and any members of the public wishing to speak on items 6c. and 6d. Tammy Reed-Holguin, Community Development Director presented the items 6c and 6d based on the back up memorandum. She explained that in accordance with the City’s zoning code of ordinances both cemeteries and mausoleums require a special exception use permit when located in a community facility district. The Applicant had an SEU (SEU 99-01) in 1999 which expired due to lack of activity. In 2005, the Applicant had another SEU (SEU 04-13) approved which also expired due to no activity. A new SEU permit has to be issued in order to construct a building to be considered as part of their site plan. Staff is recommending approval of SEU 18-05 with the (7) conditions listed in the Staff Memorandum. Ms. Holguin-Reed reviewed the aerial view of the cemetery presented in the site plan. She stated the Applicant is proposing to construct a maintenance building to store their lawn equipment and for their personnel that work there. The amendment to the site plan is for the removal of one of the mausoleums originally scheduled to be built to instead put a maintenance building there with a gravel road. There are no additional parking requirements and the rest of the site plan remains the same. Staff is recommending approval of SPR 18-06, site plan amendment with the (6) conditions as listed in the Staff memorandum. Attorney Goren confirmed that Ms. Reed-Holguin presented on both items 6c and 6d to be considered separately by the Commission. The Engineer of Record, Mike Miles, with Dynamic Engineering, fully concurred with the Staff’s presentation of the project. **No one spoke during Public Hearing.** Mayor Ziade inquired on security for the maintenance building. Mr. Miles responded that there is currently a security fence along the western property, a security wall along the north end and that access to the gravel road will be gated and locked. **Vice Mayor Borgelin moved to approve special exception use permit SEU 18-05 subject to the seven (7)**
conditions outlined in staff memorandum. Seconded by Commissioner Wood. Clerk took roll. All YES.

MOTION PASSED UNANIMOUSLY

d. SUBJECT: Site Plan SPR 18-06 (Amending original site plan 95-01)
Star of David Broward Memorial Gardens II - 7801 Bailey Road

Site plan amendment approval to build 5,000 square foot maintenance building in a Community Facilities (CF) zoning district.

APPLICANT: Funeral Services Acquisition Group, Inc.

Item 6d was presented with Item 6c and motions taken separately.

Commissioner Wood moved to approve SPR 18-06 with the six (6) conditions outlined in staff memorandum. Mayor Ziade passed the gavel to Vice Mayor Borgelin. Mayor Ziade seconded the motion. Clerk took roll. All YES.

MOTION PASSED UNANIMOUSLY

Attorney read:

e. SUBJECT: SPR 18-03 Rock Island Villas
7400 SW 10th Ct
Folio #: 4941-02-02-0130

Preliminary site plan approval to construct 14 attached units (3 buildings) in a Residential Multi-Family Medium Density (RM-10) zoning district.

APPLICANT: Ragnar Magnusson, Rock Island Partners, LLC.

The Applicant, Staff and any members of the public wishing to speak on the item were duly sworn. Tammy Reed Holguin, Community Development Director, presented the item based on the back up memorandum. She reviewed an aerial view of the property in the PowerPoint presentation and reviewed the site plan. She noted that neither a fence nor wall is required due to the surrounding residential properties. She advised that the developer will manage the rental properties once constructed. Ms. Reed-Holguin explained that the Planning and Zoning Board met on December 5, 2018 and after some public input, there was discussion and a motion to approve the item with condition #13 added as listed in the memorandum. She presented an aerial view of the property and the units. She explained that there is an existing board-on-board wood fence which according to the survey goes in and out of the property line and they are not sure of the ownership of that fence. She reiterated that the fencing is not required according to their zoning code but the Applicant would like to keep some of the fencing. The elevation is
consistent with the community and the Applicant is proposing a metal roof. Ms. Holguin-Reed presented the floor plan and the landscape plan for the proposed development. She stated that this is the preliminary review for the site plan and a final review would be brought to the Commission for consideration at a later date. The Applicant, Ragnar Magnusson, with Rock Island Partners expressed agreement with the details of the proposed project as presented by Staff. He indicated there is a shortage of rentals in North Lauderdale that they are seeking to fill. He advised they are interested in holding the property long term and to maintain the property well. Mayor Ziade questioned if the Applicant as the developer will also manage the property. Mr. Magnusson confirmed as the general contractor they will be acting as the developer and they will also manage the property. Mayor Ziade further questioned the Applicant on his experience in developing and managing a property; accessibility to the property for fire safety purposes and if they met with the HOA. Mr. Magnusson responded that he is a realtor and he has managed rental properties in the past, although not this type of specific project but he does have experience. Mr. Magnusson also advised that he met with the Fire Department and they made the proposed fire and life safety changes. Ms. Reed-Holguin advised that the HOA came to the Planning and Zoning Board Meeting and outlined their concerns. Attorney Goren swore in Patricia Amiel Young, present to speak on behalf of the Highland Lakes Townhomes Association. Ms. Young expressed concerns with the fences that are in need of repair; access to maintain the fences within property lines and concerns with safety and privacy during and after construction. She confirmed attendance at the Planning and Zoning Meeting, speaking with the Staff and the Applicant. Ms. Young stated that she would like to continue the dialogue for a resolution before the final site plan. Mr. Magnusson confirmed discussions regarding the fence. He stated they are looking at the different options for repairing or replacing the fences with the intention of working with the HOA and the neighbors. Ms. Young questioned if the fence will be a permanent wall. Mr. Magnusson advised they have worked with the landscape architect and the city’s landscape consultant for a comprehensive landscaping plan which will impact what they will do with the fence. Public Hearing was closed. Commissioner Wood commented on the overall need for housing in Broward County. He questioned the fences in need of repair, determining the property line and who owns the fence. Mr. Magnusson stated that the issue with repairing the back fence is due to the landscaping that is needed and the pending tree removal permits which provide them access to the fence to make repairs. He advised that based on the survey the side chain link fence may be on their property line and they will be reaching out to the neighbors to take it down to replace it. Commissioner Wood reiterated the need to know who owns the fences and to have them properly repaired. Ms. Reed-Holguin stated the survey that was submitted shows the fences are in and out of the property line and the owner is still undetermined. She stated that the Applicant has indicated he will be working with that community to repair the fences and technically the zoning code does not require a fence. There was some discussion on maintaining the property to include the surrounding fence. City Manager Bhatty questioned how the management of the property is going to be transferred to a future owner if the Applicant decides to sell the property. Mr. Magnusson responded they have not considered that stipulation as they are looking to keep the property in their family as a long-term investment. There was discussion on including a stipulation to enforce maintaining the property that will transfer to a possible future owner. There was no further discussion. Attorney Goren elaborated on the legal process involved with the preliminary site plan approval and the pending motion by the Commission. Commissioner Wood moved to approve the preliminary site plan for the Rock Island Villas subject to the thirteen (13) conditions outlined in staff
memorandum with direction for administration and the applicant to continue work together to finalize the site plan. Seconded by Vice Mayor Borgelin. Clerk took roll. All YES.

MOTION PASSED UNANIMOUSLY

7. ORDINANCES SECOND READING

   a. Ordinance – Second Reading - Proposed Fee Schedule Revision (Appendix F)
      Sec. 3 Building Permit and Related Fees (1) General e. Registration Fees

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING APPENDIX F, OF THE CITY OF NORTH LAUDERDALE CODE OF ORDINANCES, ENTITLED "FEES", BY AMENDING ARTICLE I, ENTITLED, "COMMUNITY DEVELOPMENT FEE SCHEDULE", SECTION 3 ENTITLED “BUILDING PERMITS AND RELATED FEES” TO PROVIDE FOR THE ELIMINATION OF THE FEE FOR CONTRACTOR REGISTRATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development Director, presented this item based on the back up memorandum. She stated the City Administration recommends the Commission’s consideration and adoption on second reading of the proposed Ordinance to amend, “Appendix F” of the City Code of Ordinances eliminating the cost for contractor registrations per Florida Statute 553.80 (7)(d). No one spoke during Public Hearing. Commissioner Wood moved to adopt. Seconded by Vice Mayor Borgelin. Clerk took roll. All YES.

ORDINANCE NO. 18-12-1384 PASSED AND APPROVED UNANIMOUSLY.

8. OTHER BUSINESS

   a. RESOLUTION - Microsoft Enterprise Software Product License Purchases

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF MICROSOFT ENTERPRISE SOFTWARE LICENSES FROM SOFTWARE HOUSE INTERNATIONAL AS LISTED IN SECTION ONE OF THIS
RESOLUTION; PROVIDING FOR THE AMOUNT NOT TO EXCEED $44,178.64 AND PROVIDING FOR AN EFFECTIVE DATE.

Mitch Williams, Chief Information Technology Officer, presented the item based on the back up memorandum. No one spoke during Public Hearing. Vice Mayor Borgelin inquired on the length of time of the license agreement. Mr. Williams advised the length of the license is three (3) years with installment payments. City Manager Bhatty clarified the terms of the three (3) year contract and the payments made in installments from 2016-2018. She advised each installment payment is presented to the Commission to approve since each installment payment exceeds the amount the City Manager is authorized to make. There was brief discussion on the total cost of the license agreement. Mr. Williams advised there is a benefit in savings on the cost of the license with a three year contract. Commissioner Wood moved to approve. Seconded by Vice Mayor Borgelin. Clerk took roll. All YES.

RESOLUTION NO. 18-12-6579 PASSED AND ADOPTED UNANIMOUSLY.

b. RESOLUTION - Copier Lease with Acordis International Corp Technology and Solutions

Commissioner Wood moved to read. Seconded Vice Mayor Borgelin.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ACCEPTABLE AGREEMENT BY AND BETWEEN THE CITY OF NORTH LAUDERDALE AND ACORDIS INTERNATIONAL CORP TECHNOLOGY & SOLUTIONS FOR THE LEASE OF (4) XEROX VERSALINK C7030; (2) XEROX ALTALINK C8055 AND (1) XEROX VERSALINK B8025 MULTIFUNCTION COPIERS AT AN ANNUAL AMOUNT OF $13,667.16 FOR THE LEASE AND MAINTENANCE OF EQUIPMENT; AND DIRECTING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE INTENT OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Mitch Williams, Chief Information Technology Officer, presented the item based on the back up memorandum. He explained the lease for the current copier will expire in December 2018. Mr. Williams advised that after review of several multifunction copiers that the Xerox Multifunction copiers are the best fit for the city. The Xerox Multifunction copiers meet and or exceed the City’s monthly copy and print needs while reducing multifunction copier services cost. He stated that the City Administration recommends the Commission’s consideration and approval of the attached resolution authorizing the City Manager to enter into an agreement between Acordis International Corp Technology and Solutions for the lease and maintenance of the copier equipment and approval of contingency funds for additional expenses as presented in the back up memorandum. Vice Mayor Borgelin inquired on the logic behind negotiations for the final number. City Manager Bhatty explained they list and total all the actual costs for a true cost which is not rounded off. There was brief discussion on how the estimates are determined to provide a true cost. Commissioner Wood questioned if Sharp provided a bid. Mr. Williams
responded that Sharp did provide a bid which was higher than Acordis. **Commissioner Wood moved to approve. Seconded by Vice Mayor Borgelin. Clerk took roll. All YES.**

**RESOLUTION NO. 18-12-6580 PASSED AND ADOPTED UNANIMOUSLY.**

c. **RESOLUTION – Renewal of Water Plant Operation and Utility Billing Services Agreement with US Water Services Corporation**

Commissioner Wood moved to read. Seconded Vice Mayor Borgelin.
Attorney read:

*A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE THE RENEWAL ADDENDUM TO THE ORIGINAL AGREEMENT BETWEEN THE CITY OF NORTH LAUDERDALE AND US WATER SERVICES CORPORATION, FOR WATER PLANT OPERATIONS AND UTILITY BILLING SERVICES FOR A FIVE YEAR PERIOD BEGINNING JANUARY 1, 2019; RESPECTIVELY, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.*

Susan Nabors, Finance Director, presented the item based on the back up memorandum. She explained the initial term of the contract was five (5) years which expires on December 31, 2018. The contract allows for a one time five (5) year renewal. The existing and renewal contract terms include annual fee adjustments according to the CPI/U [Consumer Price Index] or 4%, whichever is less. Ms. Nabors provided the calendar year 2019 annual rates based on the 3.4% increase. She advised that they are satisfied with the service provided by US Water over the past 10 years. They have been working with US Water on improvements to the utility water services to address feedback from the Commission and residents, to include training and regular meetings to discuss any issues that may come up. **Commissioner Wood moved to discuss the item. Seconded by Vice Mayor Borgelin.** Commissioner Wood thanked Staff for the backup information. He commented on receiving many inquiries from residents regarding the water rate during his recent campaign. Commissioner Wood spoke on the overall importance of water as a natural resource and that the municipality’s responsibility to the residents is fire, police and water and all other amenities are extra. He advised that this is a utility that one can control by conserving water in various ways and referenced an increase to his own utility bill which he explained is due to a longer billing cycle. He mentioned having a Community Forum in the future that will address the utility services. City Manager Bhatty advised the water bill also includes sewer and storm water fees; and will only increase due to more consumption or if the city increases the rate. Ms. Bhatty explained that the rate was increased only three (3) times in the past eight (8) years due to capital improvements that needed to be done to maintain the machinery in the water plant. She stated that there is no proposed increase to the rate for this year (2019). Commissioner Wood emphasized a pristine level of customer service is needed. Ms. Nabors advised she is working in conjunction with US Water to reach the same customer service goals. Commissioner Wood mentioned an issue with broken meters that affect proper billing and the importance of having a mechanism in place to work with the residents in this situation. Ms. Nabors advised they have reviewed and revised procedures surrounding the estimated bills due
to broken meters in these situations. She discussed the different factors involved that may affect estimated bills, other options to read meters, and indicated that not all of the city is serviced by US Water. Ms. Nabors explained that the majority of the utility services for the Broadview Pompano Park area are being provided by Broward County water services and there may be other properties that are serviced by Ft. Lauderdale. City Manager Bhatty mentioned addressing the customer service deficiencies with US Water and that they are implementing an action plan to make improvements. Ms. Bhatty stated that US Water is doing an exemplary job with the water plant. She explained this is a complex business and emphasized the importance of the quality of service required for the water plant to operate efficiently. There was some discussion on the bid process involved for utility services and the importance of maintaining the water plant to standard in order to produce clean drinking water. Vice Mayor Borgelin commented on residents questioning the rate of their utility bill and the meters. He mentioned speaking with a vendor at a conference regarding the updated meters. Vice Mayor Borgelin questioned the time involved to review the agreement to allow for options to use other companies. Mayor Ziade briefly commented on the contract term of five (5) years, renewed at the same terms, and the rate that can go up based on the CPI. Ms. Bhatty advised they have been discussing the renewal of the contract for the past year and she would not trust the water plant operations with any other vendor. There was some discussion on the cost of replacing and maintaining outdated and broken meters and the increase to the rate as a result of the accurate readings of new meters. Vice Mayor Borgelin inquired on comparing products to improve the service. He questioned if the CPI in the next 3-5 years will increase the utility bill for the residents. Ms. Bhatty responded that the CPI is calculated every year which is not an increase to the water rate, it is part of the contractual agreement cost to provide the service to the city and the annual CPI increase is limited to 4%. Ms. Naboras discussed the utility budget and the percentage that applies to the US Water contract. She also discussed the analysis conducted by the city to evaluate the cost of an initial investment for automatic meter readers which would increase capital costs but will not necessarily reduce operating costs. Commissioner Wood commented on residents being able to make payment arrangements and the mechanism put in place by the city that requires the landlord to be listed on the utility bill. There was some discussion regarding the City of North Lauderdale as the first city to come up with the idea of having the landlord open accounts in their names instead of the tenants. Ms. Naboraas encouraged residents to check for leaks that may add to the utility bill. There is a leak adjustment policy if a resident finds a leak and repairs it. Vice Mayor Borgelin commented that the city meters may be subject to leaks whereas new meters would provide accurate readings. He also mentioned resident issues with increases in the billing rate not caused by the billing cycle. Ms. Bhatty clarified that the issue is not the rate and that the issue with the increase is directly related to the consumption as the rate remains the same. Vice Mayor Borgelin inquired why the city cannot provide billing services. There was a discussion explaining the process and cost involved with the city doing the billing rather than outsourcing that service as a cost savings to the city. Mr. Krawczyk advised that the city meters meet industry standards. He briefly discussed how the meters are purchased in bulk, how the meters work and detect leaks to prevent water loss in the city’s water system. Ms. Bhatty encouraged a tour of the water plant to better understand how the system works. Vice Mayor Borgelin questioned the charge for disconnection and reconnection. Ms. Naboras explained the fees and options involved to reconnect utility services once the service is disconnected. There was some discussion on having a community outreach to educate the residents on the utility billing and services. Commissioner Moyle commented that the discussion would have been better in a workshop
setting and the information is available to everyone. Commissioner Wood moved to approve. Seconded by Vice Mayor Borgelin. Clerk took roll. All YES.

RESOLUTION NO. 18-12-6581 PASSED AND ADOPTED UNANIMOUSLY.

d. RESOLUTION – Interlocal Agreement with Cities of Pompano Beach, Margate, North Lauderdale, Coral Springs, and Coconut Creek for sharing the Cost of the Development of Bacteria Pollution Control Plan

Commissioner Wood moved to read. Seconded Vice Mayor Borgelin.

Attorney read:


George Krawczyk, Public Works Director, presented the item based on the back up memorandum. He explained the NPDES (National Pollutant Discharge Elimination System) permit condition and program under the Federal Clean Program Act. The program manages the water that comes from the roads that goes into the city drains and the canals. In this cycle of the permit there is a condition requiring the testing of bacteria pollution which are contaminants from sewage. The C14 is a priority water body that is protected on a federal level. The city’s portion of the one-time cost share is for the development of the bacteria pollution plan with the five cities sharing the cost. Commissioner Moyle moved to adopt. Seconded by Commissioner Wood. City Manager Bhatty commented that this is an ILA which can only be approved by the City Commission. Attorney Goren explained this is not just an expenditure of dollars, it is a specifically provided for statutory agreement requiring the Commission’s approval. Clerk took roll. All YES.

RESOLUTION NO. 18-12-6582 PASSED AND ADOPTED UNANIMOUSLY.

e. RESOLUTION - Resolution Supporting the Broward Metropolitan Planning Organization (MPO) W. Prospect Road Mobility Improvements Project to Enhance Bicycle and Pedestrian Connectivity Along County Right-of-Way

Commissioner Moyle moved to read. Seconded Commissioner Wood.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH
LAUDERDALE, FLORIDA, SUPPORTING THE METROPOLITAN PLANNING ORGANIZATION’S PROJECT TO ENHANCE BICYCLE AND PEDESTRIAN CONNECTIVITY ALONG PROSPECT ROAD WITHIN COUNTY RIGHT OF WAY, FROM SR-7/US-41 TO APPROXIMATELY NW 36th TERRACE; FURTHER EXPRESSING ITS INTENT TO TAKE OVER MAINTENANCE OF THESE BIKE/MOBILITY IMPROVEMENTS WITHIN THE COUNTY RIGHT OF WAY.

Tammy Reed-Holguin, Community Development Director, presented the item based on the back up memorandum. She advised the resolution is to support the Metropolitan Planning Organization’s project for this connectivity and also to commit the City to the maintenance and improvements once they are constructed. Robert Lopes, P.E., from the Florida Department of Transportation provided a brief presentation on the project. He discussed the overall scope of the W. Prospect Road mobility improvements. Mr. Lopes advised on the outreach to municipalities within the jurisdiction for participation in this project. Commissioner Wood moved to approve. Seconded by Vice Mayor Borgelin. Clerk took roll. All YES.

RESOLUTION NO. 18-12-6583 PASSED AND ADOPTED UNANIMOUSLY.

9. REPORTS

a. Hazardous Waste Collection Events through the Co-Op
George Krawczyk, Public Works Utilities Director presented information on the upcoming event that offers opportunities for City of North Lauderdale residents to drop off hazardous waste more frequently at the other locations through a co-op with neighboring municipalities. The co-op agreement offers a cost savings to the city for this type of event. The city will still host an event twice a month at the City Hall complex.

b. Update on FEMA Grants received under Hazard Mitigation Program
Tammy Reed-Holguin, Community Development Director presented information on three grant applications that were submitted to the Florida Division of Emergency Management Mitigation Bureau for funding provided by FEMA. She advised that two of the grants were funded, one of the grants being for the retrofit of Fire Station 34 and Fire Station 44, with garage doors, and impact rated windows for Fire Station 44. The second grant being for the retrofit of City Hall and Champions Hall with hurricane impact rated windows and doors. Ms. Holguin-Reed reported that they are still waiting to hear about the third grant which is for portable generators for the city’s lift stations.

10. COMMISSION COMMENTS

a. RESOLUTION - Broward League of Cities Board of Directors Appointments
Commissioner Moyle moved to read. Seconded by Commissioner Wood.
Attorney read:

A RESOLUTION OF THE NORTH LAUDERDALE CITY COMMISSION APPOINTING A DIRECTOR, AN ALTERNATE DIRECTOR AND A SECOND
Commissioner Moyle moved to appoint Commissioner Wood as Director. Seconded by Vice Mayor Borgelin. There were no other nominations for Director.

Commissioner Wood moved to appoint Commission Moyle as the first alternate. Seconded by Vice Mayor Borgelin. There were no other nominations for first alternate.

Commissioner Wood moved to appoint Vice Mayor Borgelin as the third alternate. Seconded by Commissioner Bustamante. There were no other nominations for third alternate.

Mayor Ziade confirmed with the nominated members their commitment to serve on the BLC Board. All nominated representatives confirmed their ability to serve. **Commissioner Wood moved to approve as read. Seconded by Vice Mayor Borgelin. Clerk took roll. All YES.**

RESOLUTION NO. 18-12-6584 PASSED AND ADOPTED UNANIMOUSLY.

- **b. Discussion and possible Motion appointing a representative to the Metropolitan Planning Organization (MPO) Board**

  Commissioner Wood moved to appoint Mayor Ziade as the representative to the MPO. Seconded by Vice Mayor Borgelin. There were no other nominations.

- **c. Discussion and possible Motion regarding attendance at Florida League of Cities Institute for Newly Elected Officials – January 25-27, 2019 - Jacksonville**

  Attorney Goren provided information on the ethical training required for elected officials and the institute program. There was a brief discussion on attending the institute. Commissioner Bustamante and Vice Mayor Borgelin expressed interest in attending the institute. Attorney Goren clarified the ethics hours required for current and newly elected officials. **Vice Mayor Borgelin moved to approve attendance by Commissioner Bustamante and Vice Mayor Borgelin at the FLC Institute for Newly Elected officials. Seconded by Commissioner Wood. Clerk took roll. All YES.**

**Commissioner Wood** - spoke on attending the Northwest Council of Elected Officials meeting and continuing to work on the generators required for the nursing homes and centers. He thanked Michael Sargis and his team on a wonderful parade and the departments for their outstanding job on the floats. He also thanked the Community Development Department for their continuing work with the Chambers and the successful Gala event. Commissioner Wood shared news regarding the North Lauderdale Panthers winning the super bowl in their first which was covered in the Forum.

**Vice Mayor Borgelin** - commented that the parade was greatly done. He expressed his appreciation to the BSO for their presence at the parade. He mentioned a partnership with
Broward College for a grant which he plans to share details about at a later time. Vice Mayor Borgelin also commented regarding the time spent discussing one item. He expressed that it was not time wasted and the discussion made a difference in his final decision on the item. He also commented that the discussion time helps to make the information clear for the residents as well.

**Mayor Ziade** - expressed appreciation for the improved decorum during the meeting and thanked Attorney Goren for his guidance throughout the meeting. She spoke on her experiences meeting with residents and business owners in the city.

**Commissioner Wood** - made comments regarding the officials working as a team. He emphasized that each official is assigned to a particular district and to refer the residents to the Commissioner pertaining to the district. Mayor Ziade commented on being addressed in her current title of Mayor.

11. **CITY MANAGER COMMENTS**

   **a. Request and possible motion to approve rescheduling the first Commission Meeting in January from January 8th to January 15th**

City Manager Bhatty proposed scheduling the Commission meeting for January 15, 2019 due to the holidays which will allow time for Staff to better prepare the Agenda and still allow two weeks between meetings. **Vice Mayor Borgelin moved to move the January 8th meeting to January 15th. Seconded by Commissioner Wood.** Commissioner Moyle advised he would not be able to attend a meeting scheduled for that date. There was brief discussion on attendance at the January 15th meeting. **Clerk took roll. All YES.**

   **b. Upcoming Events**

   - **Friday, December 14 – 11:30 to 1:30 - Employee Luncheon – Teen Center**

   City Manager Bhatty provided details on the Employee Luncheon and the wacky ties theme.

   - **Saturday, December 15 - NAPA Auto Parts at 1375 S. State Road 7 grand opening 8 AM-6pm with ribbon cutting at 9:00 AM**

Ms. Bhatty provided details on the ribbon cutting ceremony which the officials have been invited to attend.

12. **CITY ATTORNEY COMMENTS**

Attorney Goren expressed his regrets that neither he nor anyone from his law firm is able to attend the Employee Luncheon which is the same date as his law firm’s luncheon. He provided information on the legislative session which begins on March 5th. He stated that his firm will provide a report regarding bills that affect local government. Attorney Goren commented on enjoying the city parade as well.
13. **ADJOURNMENT** - There being no further discussion, the meeting adjourned at 9:37 pm.

Respectfully submitted,

Patricia Vancheri, City Clerk
Transcribed by Deputy City Clerk Elizabeth Garcia Beckford
PROCLAMATION

NATIONAL SLAVERY AND HUMAN TRAFFICKING AWARENESS AND PREVENTION MONTH

WHEREAS, human trafficking is a form of modern day slavery. It is an assault on human dignity and we must actively work to prevent this barbaric exploitation of innocent victims; and

WHEREAS, human trafficking affects people worldwide and occurs when a person is recruited, harbored, obtained, or exported through force, fraud, or coercion for the purposes of sexual exploitation, forced labor, involuntary servitude, debt bondage and other methods of slavery; and

WHEREAS, human traffickers target men, women, and children, both U.S. citizens and foreign nationals, isolating them from society and supportive networks, and exploiting them for personal and monetary gain; and

WHEREAS, these crimes often remain hidden because victims are reluctant to seek help for a variety of reasons, including language barriers, fear of traffickers and law enforcement and lack of trust; and

WHEREAS, all Americans are morally obligated to confront and defeat the abhorrent practice of human trafficking and can help in this effort by recognizing key indicators that can potentially save a life. Public awareness and education are critical, especially for those most likely to encounter perpetrators of enslavement and their victims, such as healthcare professionals, law enforcement officers, social services providers, and educators; and

WHEREAS, as a Nation we cherish and uphold the notion that all people are created with inherent dignity and entitled to life, liberty, and the pursuit of happiness. Therefore, we are committed to protecting the vulnerable and ending human trafficking through continued prevention, prosecution, education and awareness.

NOW, THEREFORE, the City Commission of the City of North Lauderdale, Florida hereby proclaims January, 2019 as

NATIONAL SLAVERY AND HUMAN TRAFFICKING AWARENESS MONTH

and encourages the citizens of the City of North Lauderdale to support awareness of this crime.

Dated this ______ day of _______________ 2019

____________________________________
MAYOR ANA M. ZIADE
Patti Vancheri/To Whom It May Concern:

On Friday Dec 28th, a technology issue occurred that affected the classified listings, including Legal Notices for all Tribune Publishing Markets. This issue affected both legal notices that had already been approved to run and new notices sent in to us between the period of December 28th and January 3rd.

On December 12th, 2018, City of North Lauderdale submitted and approved of a Legal Notice of Meetings and Public Hearing to take place on January 15, 2019 at 6:PM. Due to the above technology issues that occurred, this notice was not printed in the Sun Sentinel on December 30th, as requested.

I would like to apologize, on behalf of the Sun Sentinel, for the failure to run your Legal notice as intended. This notice was submitted and approved with ample time for submission and printing for the requested December 30th print date.

The Sun Sentinel and Tribune Publishing accept responsibility of the failure to print and I am sorry for the inconvenience this may have caused. We understand that your notices are incredibly time sensitive and we are sorry that we did not have this published as requested. Please do not hesitate to reach out should you have any further questions or concerns.

Regards,

Charlie Welenc

Team Lead – Legal Classifieds
TO: Mayor and City Commission  
FROM: Ambreen Bhatti, City Manager  
BY: Tammy Reed-Holguin, Community Development Director  
DATE: January 15, 2019  
SUBJECT: VAR- 19-02 First Haitian Baptist Church  
1350 S. State Road 7

First Reading: To allow an 8 foot landscape buffer where 10 foot is required and to allow 74 parking spaces where 77 are required.

APPLICANT: First Haitian Baptist Church

Tonight we are requesting Commission’s consideration of two variances on first reading to accommodate the new construction of the First Haitian Baptist Church located at 1350 S. State Road 7. The applicant has also submitted an amendment to their current site plan (16-01) and consideration of the amendment is contingent on the approval of the requested variances.

BACKGROUND

The applicant, First Haitian Baptist Church, is currently seeking to revise a formerly approved site plan (16-01) to build a new church at their existing location, 1350 S. State Road 7. Although they have reduced the footprint of the building, two variances are needed to accommodate the parking and landscaping of the new building on the site. The site plan amendment will be considered by the City Commission tonight and is contingent upon approval of the requested variances as outlined in the table below:

<table>
<thead>
<tr>
<th>TYPE OF VARIANCE</th>
<th>CODE REQUIREMENTS</th>
<th>PROPOSED</th>
<th>VARIANCE REQUESTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 102-59</td>
<td>10 ft wide landscape strip</td>
<td>8 ft. wide landscape strips</td>
<td>2.0 ft. wide landscape strips</td>
</tr>
<tr>
<td>Landscaping interior area</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section 106-223 (12) Parking</td>
<td>77 Parking Spaces</td>
<td>74 Parking Spaces</td>
<td>3 parking Spaces</td>
</tr>
</tbody>
</table>

According to City Code Section 106-223 (12) “Parking Requirements”, the attached floor plan and use requires 77 spaces where 74 are provided.
During the Development Review Committee (DRC) meeting the City’s landscape consultant also identified the lack of sufficient width in the landscape buffer on the north parking lot along 13th Street. Although there is ten feet between the parking space and the street pavement for landscaping, the two foot overhang of parked cars encroaches into the landscape strip, necessitating a two foot variance.

Staff has reviewed available variance cases for previous years and identified one similar case where a variance was granted. Ordinance No. 12-10-1280 of the City of North Lauderdale, Florida approved a variance for the property located at 1400 Avon Lane in the Hampton Lakes Community for a 6 foot wide landscape buffer. The Commission more recently considered and approved a similar variance for landscaping for the proposed Aldi grocery store located north of this project on State Road 7.

**ANALYSIS AND FINDINGS**

There are two minimal variances being requested by the applicant; parking and landscaping. Staff has reviewed the request in relation to the City Code and finds the following;

- Section 106-223 (12) of the City’s Code of Ordinances requires that churches provide one parking space for each 35 square feet of auditorium or chapel area, plus one parking space for each 200 square feet of classroom and meeting area and 1 parking space for each 250 square feet of office use. Using these parking criteria and based on the floor plan provided by the applicant, the church requires 77 spaces where 74 are provided.

- Section 102-59 of the City’s Code Ordinances requires a 10 foot wide landscape buffer between the property line and the parking areas. The applicant has provided a 10’ landscape buffer but that includes the 2 foot vehicle overhang that reduces the buffer by two feet. Therefore, creating a two foot variance from the Code requirement.

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 literal interpretation of the provisions of this chapter would deprive the applicant of a substantial property right that is enjoyed by other property owners in the district. It is of no importance whatever that the denial of the variance might deny to the property use in a more profitable way, or to sell it at a greater profit than is possible under the terms of this chapter.
4. That the hardship is not self-created or the result of mere disregard for, or ignorance of, the provisions of this chapter.
5. That the variance is the minimum variance that will make possible the reasonable use of the property and 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 applicant is rebuilding on the property where their church is currently located and on land they have owned for over 15 years. They are limited by the dimensions of the property and the various utility easements that run through the property. This creates a circumstance unique to this property.
- The property’s zoning and land use designations are Community Facilities, which are compatible with the proposed use and the other properties in the area that include commercial and residential medium zoning districts. Denial of the variances could potentially impede the property owner’s rights to reasonable use of their land.
- The hardship is not self-created. The applicant has revised their site plan to build a structure that will fit on this parcel with minimal variances and still accommodate the current and future needs of the parishioners.
- The owner is requesting the minimum variance to accommodate the new construction. They have taken steps to minimize the variance by providing transportation services for their members to alleviate parking needs. The applicant has stated in their justification letter that many of their parishioners are from the neighborhood and walk to church and the church will provide van service for those who are unable to drive.

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

The Planning and Zoning Board met and heard this item on Tuesday, January 8, 2019. The Board unanimously (5-0) approved the variance.

Tonight we are presenting both variances to the Commission with a recommendation from Administration, concurrent with the Board’s recommendation, to approve the items on first reading.

**RECOMMENDATION:**

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

1. That all applicable approvals by the City, County, State and other regulatory agencies be provided to the City of North Lauderdale prior to the issuance of permits.
2. That the applicant provides documentation of vans and commit to making them available for transport on a continuous basis.
3. That applicant complies with other requirements of the City Code per Section 102 “Vegetation” and Section 106-223 “Off-street Parking.”
ORDINANCE NO. ______________________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING VARIANCES FROM THE NORTH LAUDERDALE CODE OF ORDINANCES TO PERMIT A 8 FOOT WIDE LANDSCAPE BUFFER BETWEEN THE BUILDING AND VEHICULAR ACCESSWAYS OR PARKING, WHERE 10 FEET REQUIRED BY SECTION 102-59 “LANDSCAPE INTERIOR AREAS” OF THE CITY CODE OF ORDINANCES; AND TO ALLOW THE PROVISION OF 74 PARKING SPACES WHERE 77 PARKING SPACES ARE REQUIRED BY SECTION 106-223 (12) “PARKING REQUIREMENTS” OF THE CITY CODE OF ORDINANCES; 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, the First Haitian Baptist Church (FHBC) proposes to build a new structure at 1350 S. State Road 7; and

WHEREAS, to accommodate the new church, the applicant has identified the need for two variances; and

WHEREAS, FHBC has applied for variances for both the landscape buffer and parking requirements; and

WHEREAS, Section 102-59 of the City Code “Landscaping” requires a minimum 10 feet wide landscape buffer between the building and the access way or parking area; and

WHEREAS, FHBC has applied for a variance to allow an 8 foot wide landscape buffer on the north end of the property between the parking area and an access way (SW 12th Street); and

WHEREAS, Section 106-223 (12) City Code of Ordinances “Off Street Parking” requires 77 parking spaces; and

WHEREAS, FHBC has applied for a variance to provide 74 parking spaces; and

WHEREAS, the Planning and Zoning Board recommended approval of said variance request on January 8, 2019; and

WHEREAS, the City Commission finds that the variances requested are the minimal to allow use of the property and are not injurious to the neighbors or otherwise detrimental to the public welfare; and

WHEREAS, the City Commission is desirous of granting the requested variances from the requirements of the aforecited Ordinance and associated Landscape and Parking 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 requirements of, Section 102-59 of the North Lauderdale Code, variances are and the same are hereby granted from the requirements for the project located at 1350 S SR 7, North Lauderdale, Florida.

Section 2: That pursuant to an application properly filed for a variance from the requirements of, Section 106-223 (12) of the North Lauderdale Code, variances are and the same are hereby granted from the requirements for the project located at 1350 S SR 7, North Lauderdale, Florida.

Section 3: That the petitions for variances filed by the City of North Lauderdale are hereby granted to the City the same to inure to the benefit of the present and future titleholder(s) to said property.

Section 4: That all other requirements of the North Lauderdale Code of vegetation and landscape 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 5: 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 6: 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 7: 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 15 day of January, 2019.

PASSED on second reading by the City Commission of the City of North Lauderdale, Florida, this __________ day of ______________, 2019.
APPROVED AS TO FORM:

______________________________   _______________________________
CITY ATTORNEY SAMUEL S. GOREN     MAYOR ANA M. ZIADE

ATTEST:

______________________________
VICE MAYOR SAMSON BOREGLIN

______________________________
PATRICIA VANCHERI, CITY CLERK
From: First Haitian Baptist Church of North Lauderdale
1350 S. State Rd 7 North Lauderdale, FL 33068

Date: Jan 10th 2019
Subject: Variance Letter

To: City of North Lauderdale Community Development

To Whom It May Concern,

The First Haitian Baptist Church of North Lauderdale is requesting 2 minimal variances from the current City Zoning regulations.

First, we are in need of a parking variance because extreme site conditions limit the number of feasible physical parking spaces to 74 in lieu of the required 77 parking spaces.

Second, we are also in need of a landscape variance required to reduce the North buffer from the prescribed 10’ dimension to that of 8.’

The current site is a fairly unique location. First, because it is a corner lot, the applicable City regulations affects 2 of its frontages, namely the North and West boundaries. Moreover, the lot is cross-located by no less than 7 utility easements strips making the placement of trees and permanent above ground structures an extreme challenge. The final site and landscape proposed offer the best technical solution comply with City code of ordinances chapters 102 article II and 106 article VI. Both variances are minimal and are mitigated by the Church which is providing a very attractive landscape design and 3 15 passenger vans will be utilized to transport many of its members who are non-driving senior citizens.

We are asking for your approval because this hardship would prevent the Church, which is firmly rooted in the community, to provide vital services to its members.

Respectfully,

[Signature]

William Philippi
TO: Mayor and City Commission
FROM: Ambreen Bhatty, City Manager
BY: Tammy Reed Holguin, Community Development Director
DATE: January 15, 2019
SUBJECT: Site Plan SPR 18-02 Amending SPR 16-01
1350 S State Road 7 (First Haitian Baptist Church)
Amending site plan (SPR 16-01) to construct a new church within a Community Facilities (CF) zoning district.

APPLICANT: First Haitian Baptist Church

Tonight we are presenting the site plan amendment for approval for construction of the new First Haitian Baptist Church to be located at 1350 S. State Road 7. The site plan was approved by the City Commission on May 31, 2016. As you heard at that time, the applicant is proposing to demolish the existing structure and build a two story, 7,340 square foot church which will provide a sanctuary and a fellowship hall. The specific extent of the anticipated use is explained in Attachment A, and made a part of this report.

Background:

The applicant has been operating a place of worship from this location since 2003; beginning as a non-conforming use. In 2008 they submitted a site plan to demolish the existing structure and build a new church. During this process, the property was rezoned to a Community Facilities (CF) zoning use to accommodate the proposed use. The site plan was approved in 2016 (SPR 16-01) and extended in December 2017. The site plan is now being modified to accommodate the church’s needs.

A new site plan application was submitted in November of 2018 with the amended site plan. Their proposed plan significantly reduced the original building from 14,473 square feet to 7,340 square feet. This reduction brought their parking needs down and allowed the applicant to provide most of the required parking on site. A minimal variance will be needed as heard earlier tonight. The new floor plans will have 5,337 square feet on the first floor for the worship center and 1,963 square feet on the second floor for multipurpose uses including a fellowship hall. The life safety plans for the revised building calculated a potential occupancy load of over 300 occupants; therefore, the church will need to provide a fire sprinkler system according to the National Fire Prevention Code. The life safety plan will be updated to include sprinklers and the building plans for the system will be submitted for review during the permitting process.
This new site plan still boasts all the striking architectural features as the previous plan, such as a walk-in lobby, decorative steeple facing 441 and palm trees around the building to soften the building appearance. The current building will be demolished, which is much smaller in size, since it was originally a Pizza Hut restaurant. To accommodate the new building, the applicant is requesting two variances from the City code for landscaping and parking. The variance requests are also being presented this evening.

The site plan amendment before you tonight was reviewed by the Development Review Committee on several occasions, one as recently as Thursday, January 10th. The committee recommends approval of the amendment for consideration by the City Commission with the conditions listed below. Additionally, approval is conditional upon the Commission’s approval of the two variances that were also presented tonight. Second reading and adoption of these variances will be scheduled in February.

**RECOMMENDATION:**

City Administration recommends approval of the site plan amendment 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 applicant will provide a fire sprinkler system for the building due to the over 300 occupancy rating as specified in the NFPA 1 code.
4. The DRC, Planning and Zoning Board and City Commission reserve the right to impose any additional requirements deemed necessary during subsequent approval reviews.
5. Copies of all applicable permits and approvals by other regulatory agencies shall be provided to the City prior to issuance of building permits.
6. All conditions required by Code and/or set forth by the City engineer shall be met.
7. 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.
8. This site plan approval is subject to the variance approval (VAR 18-02) that is being reviewed concurrent with this request.
9. Photometric Plan approval by staff is required, along with the installation of the decorative pedestrian light(s) per City guidelines.
10. 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.
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.
NOTE: HEDGES AROUND F.P.P., TRANSFORMER, A/C, UNITS, GENERATOR, IRRIGATION PUMP AND ALL OTHER ABOVE GROUND ELEMENTS SHALL BE PLANTED TO THE HEIGHT OF THE ELEMENT INSTALLED.

ALL TREES IN UTILITY EASEMENTS ARE SUBJECT TO APPROVAL BY EASEMENT HOLDERS.

MITIGATION CALCULATIONS:

Category 1 Trees = 14 Trees at 12' OA HT, 7" DBH
Provided = 4200 sq. ft.

Category 2 Trees = 28 Trees
AT 12' OA HT, 7" DBH = 8600 sq. ft.
PALMS = 50 SQ. FT.
5 PALMS (50) = 250 SQ. FT.

Symbol Legend:

- Tree to Remain
- Palm to Remain
- Not On Property
From: First Haitian Baptist Church of North Lauderdale
1350 S. State Rd 7 North Lauderdale, FL 33068

Date: Jan 10th 2019
Subject: Variance Letter
To: City of North Lauderdale Community Development

To Whom It May Concern,

The First Haitian Baptist Church of North Lauderdale is requesting 2 minimal variances from the current City Zoning regulations.

First, we are in need of a parking variance because extreme site conditions limit the number of feasible physical parking spaces to 74 in lieu of the required 77 parking spaces.

Second, we are also in need of a landscape variance required to reduce the North buffer from the prescribed 10’ dimension to that of 8.’

The current site is a fairly unique location. First, because it is a corner lot, the applicable City regulations affects 2 of its frontages: namely the North and West boundaries. Moreover, the lot is cross-crossed by no less than 7 utility easements strips making the placement of trees and permanent above ground structures an extreme challenge. The final site and landscape proposed offer the best technical solution comply with City code of ordinances chapters 102 article II and 106 article VI. Both variances are minimal and are mitigated by the Church which is providing a very attractive landscape design and 3 15 passenger vans will be utilized to transport many of its members who are non-driving senior citizens.

We are asking for your approval because this hardship would prevent the Church, which is firmly rooted in the community, to provide vital services to its members.

Respectfully,

[Signature]
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: January 15, 2019
SUBJECT: VAR-19-01 Wawa Florida, Inc
7105 W. McNab Rd.

First Reading: Variance request from City Code Section 106-222 (e) regarding allowing bollards where bumper guards, wheel stops or continuous curbing are required within a Community Business (B-2) zoning district.

APPLICANT: Bohler Engineering Inc. on behalf of Wawa Florida, Inc.

BACKGROUND:

Tonight we are presenting requests for two variances separately to accommodate the construction of a Wawa at 7105 W. McNab Road which is currently owned by Morgan Property Group and occupied by Walgreens. The applicant is requesting, in their first variance, to omit bumper guards, wheel stops or continuous curbing required by Section 106-222(e) and to install bollards instead. The site plan will be considered later tonight contingent upon approval of both variances. The request is outlined in the table below:

<table>
<thead>
<tr>
<th>TYPE OF VARIANCE</th>
<th>CODE REQUIREMENTS</th>
<th>PROPOSED</th>
<th>VARIANCE REQUESTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 106-222(e) Off Street Parking</td>
<td>Bumper guards, wheel stops or continuous curbing required</td>
<td>Bollards and planter boxes</td>
<td>To install bollards instead of bumper guards, wheel stops or curbing</td>
</tr>
</tbody>
</table>

The owner/management company proposes to demolish the existing Walgreens once their lease expires and construct Wawa. The new building will be an auto filling station, convenience store and restaurant totaling 6,119 square feet. In support of their variance request, the applicant has provided research by safety and engineering professionals demonstrating that the implementation
of wheel stops and curbing serves as a trip hazard and potential launching mechanism for cars making them unsafe or injurious to the public. Wawa states that the bollards will better protect the store front and outdoor seating area from vehicles. The surface around the bollards will be flush with the pavement, eliminating the trip hazard for pedestrians.

**ANALYSIS AND FINDINGS**

Section 106-222 (e) of the City Code of Ordinances requires continuous curbing, bumper guards or wheel stops for parking stalls which abut landscaped areas, sidewalks, structures or property lines. The applicant has not provided any bumper guards, curbing or wheel stops but instead proposes bollards along the parking areas which front the building.

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 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.
4. That the literal interpretation of the provisions of this chapter would deprive the applicant of a substantial property right that is enjoyed by other property owners in the district. It is of no importance whatever that the denial of the variance might deny to the property use in a more profitable way, or to sell it at a greater profit than is possible under the terms of this chapter.
5. That the hardship is not self-created or the result of mere disregard for, or ignorance of, the provisions of this chapter.

The applicant has provided the following justification for each of the above criteria:

- The site for the construction of the Wawa is part of an already constructed development called Hampton Plaza and therefore must fit within the existing infrastructure. However, these limitations do not necessarily affect the provision of the barrier for the outdoor seating.
- The circumstances cited above are particular to this property due to the existing development on the site. However, these circumstances do not relate to the requested variance.
- The minimum variance is being requested to accommodate the proposed new building/use and it will not be injurious to the neighborhood or detrimental to the public welfare. In fact, provision of the bollards protects the convenience store and outdoor seating area from vehicles.
• Further demonstrating the safety feature of bollards, the applicant provided studies that demonstrate that the bollards would prevent tripping hazards commonly caused by wheel stops, curbing or vehicle encroachment into pedestrian or dining areas, which would avoid possible injury and ensure safe ease of access to the Wawa store as referenced by David A. Dodge in his article “Best Practices, Mercantile Safety”. *Journal of the American Society of Safety Engineers* (February 2015) and recommended by American Society for Testing Materials (ASTM) Standards.

• The proposed use of bollards without bumper guards, continuous curbing or wheel stops would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated.

• The applicant acknowledges the intent of the Code for the provision of wheel stops, bumper guards or continuous and has provided documentation that the provision of bollards meets, if not exceeds, the intent of the Code.

The Planning and Zoning Board met and heard this item on Tuesday, January 8, 2019. The Board unanimously (5-0) approved the variance.

Tonight we are presenting the variance to the Commission with a recommendation from Administration, concurrent with the Board’s recommendation, to approve the item on first reading.

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

1. That all applicable approvals by the City, County, State and other regulatory agencies be provided to the City of North Lauderdale prior to the issuance of permits.
2. That a final traffic analysis be submitted prior to consideration by City Commission.
3. That the variance is tied to the Wawa application and future use of the building once constructed.
ORDINANCE NO. __________________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING A VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-222(e) REGARDING THE REQUIRED BUMPER GUARDS, WHEEL STOPS OR CONTINOUS CURBING; PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 106-222 (e) of the City Code requires bumper guards, wheel stops or continuous curbing; and

WHEREAS, Bohler Engineering Inc., on behalf of Wawa Florida, Inc, has applied for a variance to allow bollards where a bumper guard, wheel stop or curbing is required; and

WHEREAS, the Planning and Zoning Board recommended consideration of approval of said variance request on January 8, 2019; and

WHEREAS, the City Commission finds that the variance requested is the minimal to allow use of the property and is not injurious to the neighbors or otherwise detrimental to the public welfare and will provide safety to the customers;

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 106-222 (e) of the North Lauderdale Code, variance is and the same are hereby granted from the requirement for the project located at 7105 W. 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 15 day of January, 2019.

PASSED on second reading by the City Commission of the City of North Lauderdale, Florida, this ________day of January, 2019.

APPROVED AS TO FORM:

___________________________________
CITY ATTORNEY SAMUEL S. GOREN

_________________________________
MAYOR ANA M. ZIADE

_________________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

_________________________________
PATRICIA VANCHERI, CITY CLERK
LETTER OF AUTHORIZATION

To Whom It May Concern:

This letter authorizes Christopher Capellini, PE with Bohler Engineering to act on behalf of Florida Property Investment Partners, Inc. in regard to permits and applications for site plan approval through the City of North Lauderdale, as well as but not limited to all regulatory agencies, departments and governmental agencies of FDOT, Broward County Utilities, Broward County Transit, City of North Lauderdale Utilities and SFWMD, necessary for the construction and development located at W. McNab Rd & SW 71st Ave.

Signature: 

[Signature]

Name (printed): EVP

STATE OF NORTH CAROLINA
COUNTY OF UNION

The foregoing instrument was acknowledged before me this 20 day of November, 2018, by George A. Morgan III, Executive Vice President of Florida Property Investments Partners, Inc. He is personally known to me or have produced ______________ as identification.

[Stamp]

Notary Public

[Signature]

Print Name: Corrie B. Carr
Commission No.: 20124200064
Expiration Date: August 31, 2023
TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Tammy Reed-Holguin, Community Development Director

DATE: January 15, 2019

SUBJECT: VAR-19-03 Wawa Florida, Inc.
7105 W. McNab Rd.

First Reading: Variance request from City Code Section 106-467 (11) to not completely enclose outdoor dining area and to allow access from outside the building within a General Business (B-2) zoning district.

APPLICANT: Bohler Engineering Inc., on behalf of Wawa Florida, Inc.

Tonight staff is presenting a request for consideration on first reading for a variance regarding a barrier for the outdoor seating area to accommodate the construction of a new gas station/convenience store/restaurant “Wawa” to be located at 7105 W. McNab Road. A second variance will also be presented tonight. The site plan will be considered later tonight contingent upon approval of both variances.

BACKGROUND:
The Morgan Property Group currently owns the property at 7105 W. McNab Road where Walgreens is located. The property owners are proposing to demolish the existing structure and build a new Wawa. To accommodate the construction of a new building which will be a convenience store, restaurant and auto filling station totaling 13,269 square feet, they authorized their tenant, Wawa Florida Inc. to request a variance for the enclosure around the outdoor seating area. The City Code Section 106-467 (11) requires the outdoor dining area to be delineated by fencing, walls or other means of a barrier. The applicant is requesting to not completely enclose the outdoor dining area and to allow access from outside the building. The request is outlined in the table below:

<table>
<thead>
<tr>
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<th>VARIANCE REQUESTED</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Section 106-467(11)</strong></td>
<td>Outdoor dining area is required to be delineated by fencing, walls or other means of a barrier</td>
<td>Landscape planters, and wrought iron decorative fencing as barrier with openings for access from outside of building</td>
<td>To allow wrought iron fencing as shown in elevations as means of a barrier</td>
</tr>
</tbody>
</table>
The applicant’s original design of the outdoor seating area provided bollards and planter boxes with open spaces in between as means of a barrier. Staff provided comments that the planter boxes and bollards were not spaced closely enough together to clearly delineate the area and serve as a safety barrier. The applicant understanding the safety concerns has provided decorative metal fencing as an additional means of barrier for the outdoor seating area. There remain two openings from the parking lot and on the ends into the outdoor seating area. The seating area can only be reached through these openings. It cannot be accessed from inside the building.

ANALYSIS AND FINDINGS

Section 106-467 (11) of the City Code of Ordinances requires an outdoor dining area to be delineated by fencing, walls or other means of a barrier. The proposed metal fencing shown in the elevations provides clear delineation and a partial barrier with two open spots from the parking lot and on the ends to access the dining area.

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, or to such a small number of properties that they clearly constitute marked exceptions to other properties in the district.
3. 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.
4. That the literal interpretation of the provisions of this chapter would deprive the applicant of a substantial property right that is enjoyed by other property owners in the district. It is of no importance whatever that the denial of the variance might deny to the property use in a more profitable way, or to sell it at a greater profit than is possible under the terms of this chapter.
5. That the hardship is not self-created or the result of mere disregard for, or ignorance of, the provisions of this chapter.

The applicant has provided the following justification for each of the above criteria:

- The site for the construction of the Wawa is part of an already constructed development called Hampton Plaza and therefore must fit within the existing infrastructure. However, these limitations do not necessarily affect the provision of the barrier for the outdoor seating.
- The circumstances cite above are particular to this property due to the existing development on the site. However, these circumstances do not relate to the requested variance.
The minimum variance is being requested to accommodate the proposed new building/use and it will not be injurious to the neighborhood. Providing a partial barrier as requested would still be a risk factor.

Denial of the request for a variance will not deprive the property owner of substantial property rights.

The applicant acknowledges the intent of the Code for a delineation or barrier for the outdoor seating area and has made partial.

The Planning and Zoning Board met and heard this item on Tuesday, January 8, 2019. The Board unanimously (5-0) approved the variance.

Tonight we are presenting the variance to the Commission with the Board’s recommendation, to approve the item on first reading. The burden to justify the variance falls on the applicant.

**RECOMMENDATION:**

If the City Commission concurs with the applicant’s justification the recommendation of the Planning and Zoning Board, a motion is in order to approve the attached Ordinance on first reading granting the variance subject to the following conditions:

1. That all applicable approvals by the City, County, State and other regulatory agencies be provided to the City of North Lauderdale prior to the issuance of permits.
2. That a final traffic analysis be submitted prior to consideration by City Commission on second reading with the final site plan.
3. That the designs of said barrier remain as shown in the elevations unless officially amended by the City Commission.
4. That the variance is tied to the Wawa application and future use of the building once constructed.
ORDINANCE NO. ______________________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING A VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-467 (11) REGARDING THE DELINEATION OF THE OUTDOOR SEATING AREA BY MEANS OF A BARRIER; PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 106-467 (11) of the City Code requires outdoor dining area be delineated by the use of fencing, walls, or some means of a barrier; and

WHEREAS, Bohler Engineering Inc., on behalf of Wawa Florida, Inc, has applied for a variance to allow openings to access the dining area without gates as part of the means of barrier; and

WHEREAS, the Planning and Zoning Board recommended consideration of approval of said variance request on January 8, 2019; and

WHEREAS, the City Commission finds that the variance requested is the minimal to allow use of the property and is not injurious to the neighbors or otherwise detrimental to the public welfare and will provide safety to the customers; 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 106-467 (11) of the North Lauderdale Code, variance is and the same are hereby granted from the requirement for the project located at 7105 W. 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 15 day of January, 2019.

PASSED on second reading by the City Commission of the City of North Lauderdale, Florida, this ______day of January, 2019.

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR ANA M. ZIADE

______________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

______________________________
PATRICIA VANCHERI, CITY CLERK
MEMORANDUM OF INTENT AND VARIANCE JUSTIFICATION

STATEMENT

To: Tammy L. Reed-Holguin, Community Development Director
    Andrew E. Disbury, Community Development Specialist
From: Dwayne L. Dickerson, Esq.
Date: November 21, 2018
Re: Site Plan and Variance Approvals for Wawa Restaurant, Convenience Store and Gas Station

As you are aware, the law firm of Dunay, Miskel and Backman, LLP (“DMB”) represents FPIP VIII, LTD. (“FPIP”) who is the owner of the property located at 7105 West McNab Road (“Property”) on the northwest corner of McNab Road and Rock Island Road within the City of North Lauderdale (“City”), Florida. The Property consists of +/- 2.15 net acres and is identified by the Broward County Property Appraiser as Property Identification/Folio Number 494102170884. The Property is currently developed with a Walgreens pharmacy and drugstore.

Wawa Florida, Inc. (“Wawa”) is proposing to redevelop the Property with a vibrant +/- 6,119 square foot Wawa restaurant and convenience store including a +/- 476 square foot outdoor dining area and a +/- 7,150 square foot gas station canopy area (“Project”). The Property is located within the B-2 Community Business zoning district, as such, the anticipated Wawa restaurant, convenience store and gas station uses are permitted uses by right. Wawa is often described as a restaurant that sells gasoline. It provides its patrons with a convenient stop for fresh, built-to-order foods, beverages, coffee, fuel services and surcharge-free ATMs. All of Wawa’s stores offer a large fresh food service selection, including Wawa brands such as built-to-order hoagies, fresh brewed coffee, hot breakfast sandwiches, built-to-order specialty beverages, and an assortment of soups, sides and snacks. Wawa anticipates employing approximately 15 - 25 employees at this store and strives to select its employees from the areas and communities surrounding the store. The hours of operation for the Wawa are 24 hours per day, 7 days per week. Wawa will continue to grow the economic base of the City by adding to the commercial sector of its economy and creating both temporary jobs during the construction phase and long-term jobs once the store opens.
The restaurant portion of the Wawa store provides walk-up counter service; therefore, pursuant to City Code of Ordinances ("Code") Section 106-467(11)(b), access through the restaurant is not required. Additionally, the outdoor dining area is sufficiently screened and delineated by the proposed bollards and raised landscape planters as demonstrated on the site plan; therefore, Section 106-467(11)(c) of the Code is satisfied.

In order to accommodate the Wawa development, and provide for the safest protection of pedestrians and outdoor dining patrons, a variance is required to allow for bollards on the Property. Code Section 106-222(c) of the City’s Code of Ordinances ("Code") states that parking stalls which abut landscaped areas, sidewalks, structures or property lines shall be designed with bumper guards, wheel stops, or contiguous curbing. As such, FPIP and Wawa respectfully request the following variance:

**Variance from Section 106-222(c) of the City Code to allow for bollards in lieu of bumper guards, wheel stops, or contiguous curbing**

Safety concerns make it important to eliminate curbs and wheel stops in areas where pedestrians are likely to be present. When adjacent bays are level (sloped for drainage of course) and parking spaces are vacant, pedestrians are likely to cut across the parking area between cars. The cars create shadows, and a curb or wheel stop becomes a potential tripping hazard. Even without shadows, the poor contrast of a concrete curb or wheel stop against a concrete floor may not provide adequate visibility. The tripping hazard caused by curbing and wheel stops can be prevented by providing bollards and making the pavement flush with the sidewalk. Furthermore, bollards provide a physical barrier to protect pedestrians from encroaching vehicles by alerting drivers to the narrowed roadway and prevent vehicles from mounting the sidewalk and injuring pedestrians or patrons eating in the outdoor dining area. The potentially dangerous conditions referred to above are not attributable to the property owner or Wawa but are instead the result of desired safety precautions intended to protect patrons of the proposed use. The proposed use of bollards without curb or wheel stops would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated. The intent of the Code is to provide an orderly, efficient and safe condition for pedestrians and vehicles adjacent to the storefront. The proposed condition accomplishes exactly that while providing enhanced safety features resulting from prior experience at other Wawa locations. The use of bollards in conjunction with the pavement being flush with the sidewalk around the building, as illustrated on the site plan, is the minimum necessary design that will allow for the reasonable and safe use of the Property. Additionally, the use of bollards in place of wheel stops or curb would not adversely affect the health or safety of persons residing or working in the neighborhood, be injurious to Property or improvements in the neighborhood, or otherwise be detrimental to public welfare. To the contrary, as mentioned above, the bollards would prevent tripping hazards commonly caused by wheel stops, curbing or vehicle encroachment into pedestrian or dining areas, which would avoid possible injury and ensure safe ease of access to the Wawa store.
FP/IP VIII, LTD.
5900 N. Andrews Avenue
Suite 410
Fort Lauderdale, FL 33309

Authorization and Letter of Representation

FP/IP VIII, LTD. hereby authorizes Dwayne L. Dickerson, Esq., and/or the law firm of DUNAY, MISKEL AND BACKMAN, LLP, to represent FP/IP VIII, LTD., at any meetings and public hearings, including lobbying before all officials, bodies and instrumentalities necessary in connection with their matters with the City of North Lauderdale.

FP/IP VIII, LTD.

By: FLORIDA PROPERTY INVESTMENT PARTNERS, INC.

By: ____________________________
Name and Title of Person Signing

GEORGE A. MORGAN, JR., PRESIDENT
LETTER OF AUTHORIZATION

To Whom It May Concern:

This letter authorizes Christopher Capellini, PE with Bohler Engineering to act on behalf of Florida Property Investment Partners, Inc. in regard to permits and applications for site plan approval through the City of North Lauderdale, as well as but not limited to all regulatory agencies, departments and governmental agencies of FDOT, Broward County Utilities, Broward County Transit, City of North Lauderdale Utilities and SFWMD, necessary for the construction and development located at W. McNab Rd & SW 71st Ave.

Signature: [Signature]

Name (printed) George Jr. Morgan, EVP

STATE OF NORTH CAROLINA
COUNTY OF UNION

The foregoing instrument was acknowledged before me this 20 day of November, 2018, by George A. Morgan III, Executive Vice President of Florida Property Investments Partners, Inc. He is personally known to me or have produced ______________ as identification.

CORRIE B CARR
NOTARY PUBLIC
UNION COUNTY, NC

Print Name Corrie B Carr
Commission No. 101234200064
Expiration Date: August 31, 2023
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Tammy Reed – Holguin, Community Development Director
DATE: January 15, 2019
LOCATION: 7105 W. McNab Rd.
SUBJECT: Site Plan SPR 19-01 Wawa
Preliminary site plan review to allow a new auto filling station, convenience store and restaurant within a Community Business (B-2) zoning district.

APPLICANT: Wawa Florida, Inc.

Tonight we are presenting the proposed site plan for the construction of Wawa for the City Commission review and consideration. Approval of the preliminary site plan is contingent upon approval of the two variances that were also presented tonight. Wawa Florida, Inc. is proposing to build a 6,119 square foot convenience store, gas station and restaurant. The store will occupy a currently developed lot that is the existing Walgreen’s location on the corner of Rock Island Road and McNab Road, 7105 W. McNab Road.

Background:
Wawa is a successful enterprise with roots in the Northeast. They are currently expanding operations into the Southern East coast. The proposed development includes a gas station, convenience store and a restaurant with an outdoor seating area. This is a permitted use within the B-2 zoning district and meets all the requirements for service stations according to the recently amended Section 106-467 (8) of the City Code of Ordinances. As the City Commission may remember, over a year ago with the approval of the last gas station, there was concern expressed regarding the number of gas stations within the City. A moratorium was put into place and Staff worked with the Commission to review the Code and research other cities to create an ordinance that would continue to allow the use but also encourage opportunities for diversification of uses within B-2 zoning districts. Based on the discussions and the research, amendments to the Code pertaining to the requirements for service stations were adopted in May 2017. The proposed site plan before you tonight has been reviewed against these new requirements and the submittal meets all the updated requirements for service stations including but not limited to the lot size, number of pumps, location and number per intersection and access points.
In addition to providing economical gas and convenience items, the business offers another restaurant choice. The 6,119 square foot store will also provide 15-25 new jobs. Wawa Florida, Inc. has stated in the letter of intent that they strive to select their employees from the areas and communities surrounding the store. Wawa is an employee owned company offering stock options and benefits to all employees. The Administration has offered to work with Wawa’s management team to host a job fair. Wawa will seek employees to staff their hours of operation for 24 hours a day, 7 days a week.

The City’s professional planners reviewed the site plan and verified that the site meets all required City Code parking requirements based on the proposed restaurant/retail use by providing 63 spaces including 3 ADA spaces where according to Section 106-223 of the City Code of Ordinances 60 parking spaces including 3 ADA spaces are required. All parking spaces are provided on site. All required building setbacks are met and the site provides the required 24 foot - 2 lane two way street to exit and enter the facility. There is one entrance to the site from within the provided access road off of McNab Road and a second entrance on the east side from Rock Island Road. There is no direct access to the site from McNab Road, however, the access points meet the Code requirements.

As part of this approval a traffic analysis was provided for the entire development. The plan was reviewed by the City’s traffic consultant and additional information was requested to complete the review. The report from the applicant’s traffic engineer states,

“When accounting for the pass-by characteristics of the proposed land use and the existing Walgreens development on this site, the proposed Wawa is projected to result in an increase of 516 net new daily vehicle trips, an increase of 47 net new AM peak hour vehicle trips (24 inbound and 23 outbound), and an increase of 20 net new PM peak hour vehicle trips (11 inbound and 9 outbound).”

Therefore, this project requires additional review and mitigation due to the anticipated traffic impact based on the original traffic study for the Hamptons Plaza. The traffic engineers are continuing to work together and as of the writing of this document, these issues have not yet been resolved. It is Staff’s recommendation that a condition of approval of the preliminary site plan include the requirement that the traffic concerns be resolved prior to the consideration of the final site plan by the Commission.

In an effort to build a project consistent with the City’s plan for the McNab Road Redevelopment Overlay District; staff requested that the applicant include architectural features and a color palette to match or at a minimum complement the other outparcel buildings to provide a cohesive look for the development. The applicant has met this request as demonstrated in the attached color rendering. The building includes a signature, copper-colored metal roof, Woodland Crème (pale yellow) clapboard with red trim to complement the logo and cultured stone on bottom of the columns and the building façade.

The proposed use of the parcel is consistent with the Master Business List that allows auto filling stations, restaurants and convenience stores in B-2 and B-3 zoning districts. Given the limited
vacant, commercial space within the City, staff always encourages developers to consider a diversification of uses. This project provides a restaurant component which addresses some of the need expressed by the Commission and Administration.

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 December 12th, 2018 for a formal review. After considerable review and discussion, the Committee recommended approval of the site plan to the Planning and Zoning Board with direction to the applicant to continue to work with staff to finalize the site plan. At this time there remain outstanding traffic and landscape comments.

The Planning and Zoning Board heard the item on January 8, 2019 and as you hear earlier, recommends approval of both variances associated with the item. After presentation by Staff and the applicant, there was public input. A resident expressed concern about the traffic that will be generated with the proposed use, the potential for vehicle accidents citing the numerous incidents along Rock Island, and the garbage issues they experience from customers of the current tenants and the potential for the increase of these issues. The applicant responded to these concerns and a representative of the property owner was present. The site plan passed with a 5 to 1 vote in favor of recommending the site plan to the City Commission for approval. The dissenting vote expressed concern that a gas station was not the highest and best use for the property.

Tonight we are presenting the item for consideration of preliminary site plan approval. Administration is in agreement with the Planning & Zoning Board’s recommendation of approval with the seventeen conditions listed below.

**RECOMMENDATION:**

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

1. The applicant shall comply with applicable City Codes and Florida Building Codes (Broward Edition).
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. This approval is contingent upon obtaining approval on the variance request submitted concurrent with this request.
4. Proper plat note amendment approval shall be obtained from the County Commission if necessary.
5. The developer will incorporate architectural features and a color palette to match or at a minimum complement the other outparcel buildings and sites to provide a cohesive look for the development as indicated in the color rendering submitted for site plan approval.
6. The DRC, Planning and Zoning Board and City Commission reserve the right to impose any additional requirements deemed necessary during subsequent approval reviews.
7. Copies of all applicable permits and approvals by other regulatory agencies shall be provided to the City prior to issuance of building permits.
8. All conditions required by Code and/or set forth by the City engineer shall be met.
9. 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.
10. Photometric Plan approval by staff is required prior to consideration of final site plan by the City Commission.
11. 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.
12. 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.
13. 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.
14. If necessary, proper easements will be dedicated to the City of North Lauderdale.
15. Traffic study approval is required prior to consideration of the final site plan by the City Commission.
16. The applicant shall install the pedestrian lights (the City style) along Rock Island and McNab Roads, at locations determined by the City Staff, prior to the issuance of Certificate of Occupancy.
17. The applicant shall incorporate the City tropical palm tree theme in the landscape plan along Rock Island and McNab Roads.
MEMORANDUM OF INTENT AND VARIANCE JUSTIFICATION STATEMENT

To: Tammy L. Reed-Holguin, Community Development Director
Andrew E. Disbury, Community Development Specialist

From: Dwayne L. Dickerson, Esq.

Date: November 21, 2018

Re: Site Plan and Variance Approvals for Wawa Restaurant, Convenience Store and Gas Station

As you are aware, the law firm of Dunay, Miskel and Backman, LLP (“DMB”) represents FP1P VIII, LTD. (“FP1P”) who is the owner of the property located at 7105 West McNab Road (“Property”) on the northwest corner of McNab Road and Rock Island Road within the City of North Lauderdale (“City”), Florida. The Property consists of +/- 2.15 net acres and is identified by the Broward County Property Appraiser as Property Identification/Folio Number 494102170884. The Property is currently developed with a Walgreens pharmacy and drugstore.

Wawa Florida, Inc. (“Wawa”) is proposing to redevelop the Property with a vibrant +/- 6,119 square foot Wawa restaurant and convenience store including a +/- 476 square foot outdoor dining area and a +/- 7,150 square foot gas station canopy area (“Project”). The Property is located within the B-2 Community Business zoning district, as such, the anticipated Wawa restaurant, convenience store and gas station uses are permitted uses by right. Wawa is often described as a restaurant that sells gasoline. It provides its patrons with a convenient stop for fresh, built-to-order foods, beverages, coffee, fuel services and surcharge-free ATMs. All of Wawa’s stores offer a large fresh food service selection, including Wawa brands such as built-to-order hoagies, fresh brewed coffee, hot breakfast sandwiches, built-to-order specialty beverages, and an assortment of soups, sides and snacks. Wawa anticipates employing approximately 15 - 25 employees at this store and strives to select its employees from the areas and communities surrounding the store. The hours of operation for the Wawa are 24 hours per day, 7 days per week. Wawa will continue to grow the economic base of the City by adding to the commercial sector of its economy and creating both temporary jobs during the construction phase and long-term jobs once the store opens.
The restaurant portion of the Wawa store provides walk-up counter service; therefore, pursuant to City Code of Ordinances (“Code”) Section 106-467(11)(b), access through the restaurant is not required. Additionally, the outdoor dining area is sufficiently screened and delineated by the proposed bollards and raised landscape planters as demonstrated on the site plan; therefore, Section 106-467(11)(c) of the Code is satisfied.

In order to accommodate the Wawa development, and provide for the safest protection of pedestrians and outdoor dining patrons, a variance is required to allow for bollards on the Property. Code Section 106-222(e) of the City’s Code of Ordinances (“Code”) states that parking stalls which abut landscaped areas, sidewalks, structures or property lines shall be designed with bumper guards, wheel stops, or contiguous curbing. As such, FPIP and Wawa respectfully request the following variance:

Variance from Section 106-222(e) of the City Code to allow for bollards in lieu of bumper guards, wheel stops, or contiguous curbing

Safety concerns make it important to eliminate curbs and wheel stops in areas where pedestrians are likely to be present. When adjacent bays are level (sloped for drainage of course) and parking spaces are vacant, pedestrians are likely to cut across the parking area between cars. The cars create shadows, and a curb or wheel stop becomes a potential tripping hazard. Even without shadows, the poor contrast of a concrete curb or wheel stop against a concrete floor may not provide adequate visibility. The tripping hazard caused by curbing and wheel stops can be prevented by providing bollards and making the pavement flush with the sidewalk. Furthermore, bollards provide a physical barrier to protect pedestrians from encroaching vehicles by alerting drivers to the narrowed roadway and prevent vehicles from mounting the sidewalk and injuring pedestrians or patrons eating in the outdoor dining area. The potentially dangerous conditions referred to above are not attributable to the property owner or Wawa but are instead the result of desired safety precautions intended to protect patrons of the proposed use. The proposed use of bollards without curb or wheel stops would not confer any special privilege on the landowner that is denied to other lands or structures that are similarly situated. The intent of the Code is to provide an orderly, efficient and safe condition for pedestrians and vehicles adjacent to the storefront. The proposed condition accomplishes exactly that while providing enhanced safety features resulting from prior experience at other Wawa locations. The use of bollards in conjunction with the pavement being flush with the sidewalk around the building, as illustrated on the site plan, is the minimum necessary design that will allow for the reasonable and safe use of the Property. Additionally, the use of bollards in place of wheel stops or curb would not adversely affect the health or safety of persons residing or working in the neighborhood, be injurious to Property or improvements in the neighborhood, or otherwise be detrimental to public welfare. To the contrary, as mentioned above, the bollards would prevent tripping hazards commonly caused by wheel stops, curbing or vehicle encroachment into pedestrian or dining areas, which would avoid possible injury and ensure safe ease of access to the Wawa store.
LETTER OF AUTHORIZATION

To Whom It May Concern:

This letter authorizes Christopher Capellini, PE with Bohler Engineering to act on behalf of Florida Property Investment Partners, Inc. in regard to permits and applications for site plan approval through the City of North Lauderdale, as well as but not limited to all regulatory agencies, departments and governmental agencies of FDOT, Broward County Utilities, Broward County Transit, City of North Lauderdale Utilities and SFWMD, necessary for the construction and development located at W. McNab Rd & SW 71st Ave.

Signature:  

George M. Morgan  
Name (printed)  EVP

STATE OF NORTH CAROLINA  
COUNTY OF UNION

The foregoing instrument was acknowledged before me this 20 day of November, 2018, by George A. Morgan III, Executive Vice President of Florida Property Investments Partners, Inc. He is personally known to me or have produced _____________ as identification.

Corrie B. Carr  
Notary Public  
Print Name  Commission No.  Expiration Date:
FPPIP VIII, LTD.
5900 N. Andrews Avenue
Suite 410
Fort Lauderdale, FL 33309

Authorization and Letter of Representation

FPPIP VIII, LTD. hereby authorizes Dwayne L. Dickerson, Esq., and/or the law firm of DUNAY, MISKEL AND BACKMAN, LLP, to represent FPPIP VIII, LTD., at any meetings and public hearings, including lobbying before all officials, bodies and instrumentalities necessary in connection with their matters with the City of North Lauderdale.

FPPIP VIII, LTD.
BY: FLORIDA PROPERTY INVESTMENT PARTNERS, INC.

By: ________________________________
Name and Title of Person Signing
GEORGE A. MORGAN JR., PRESIDENT
TO: Mayor and City Commission

FROM: Ambreen Bhatt, City Manager

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

DATE: January 15, 2019

SUBJECT: Sign Waiver SWAV 18-03
Dutch Pot Jamaican Restaurant
6029 Kimberly Boulevard
Folio # 4941 01 06 2411

To allow: One main wall sign with the 27 inch high lettering “Dutch Pot” and 10 inch high lettering “Jamaican Restaurant” whereas Section 94-16(C)(2)(c) of the City Code allows for 16 inch maximum letter height, and 40 square feet of sign area whereas Section 94-16(C)(2)(a) of the City Code allows for 30 square feet within a B-2 Community Business district.

APPLICANT: Shark Signs

Tonight we are presenting a request for a sign waiver for Dutch Pot Jamaican Restaurant located at 6029 Kimberly Boulevard in the Kimberly Plaza. The applicant wishes to change the letter size and design of their sign to match the franchise’s other locations.

Background:

The Dutch Pot Jamaican Restaurant is an existing business in the Kimberly Plaza located about 300 feet from Kimberly Boulevard and 380 feet from State Road 7. The existing signage at the restaurant has 12 inch high letters, no graphics, and has an overall area of 27 square feet. The applicant submitted a sign waiver application requesting the words “Dutch Pot” be 27 inch high letters where a maximum of 16 inch high letters are allowed per code. The other words “Jamaican Restaurant” as part of the sign, will be 10 inches high. The overall proposed sign area is 40 square feet where 30 square feet is allowed per City Code section 94-16(C)(2)(a).

The applicant indicates that approval of this request is necessary to business operations and would provide favorable exposure to their business along Kimberly Boulevard and State Road 7. The specific details of the request are contained in Exhibit A of the attachments and made a part of this report.

It is always the staff’s objective to review any application in the best interest of business viability and success. Staff also has the responsibility to review the aesthetic and other impacts of any signage in the City.
Historically, staff has recommended approval of larger letters with the condition that the overall square footage of the sign not exceed the linear footage of the front area of the building that is owned or leased per Section 94-16(C)(2)(a) of the City Code of Ordinances. In this instance the linear frontage is 30 feet, which allows Dutch Pot Jamaican Restaurant a 30 square foot sign. The proposed sign with the larger letters is 40 square feet or 10 square feet over the allowed overall square footage.

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

Dutch Pot Jamaican Restaurant is not an anchor tenant. The store is 300 feet from Kimberly Boulevard and 380 feet from State Road 7 and is obstructed in part by “Head Start Preschool”. Staff recognizes that the requested sign waiver is reasonable to provide branding consistency for the restaurant and given the setback from the roadway and partial obstruction by an outparcel building.

The Planning and Zoning Board met on January 8, 2019 and by a unanimous vote approved the requested sign waiver for recommendation of approval to the City Commission.

**RECOMMENDATION:**

Should the City Commission concur with the Planning and Zoning Board and the applicant’s request to approve of this sign waiver, staff recommends the following condition:

- All applicable codes of the City regarding the installation of signs, conditions and provisions imposed by the City Commission, Planning and Zoning Board, and staff shall be met.
RESOLUTION NO. _____________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING A SIGN WAIVER REQUEST FOR ONE WALL SIGN FOR DUTCH POT JAMAICAN RESTAURANT, LOCATED AT FOLIO # 4941 01 06 2411 6029 KIMBERLY BOULEVARD NORTH LAUDERDALE, FLORIDA, 33068 THEREBY PERMITTING THE INSTALLATION AND MAINTENANCE OF ONE MAIN WALL SIGN WITH THE 27 INCH HIGH LETTERING “DUTCH POT” AND 10 INCH HIGH LETTERING “JAMAICAN RESTAURANT” WHEREAS SECTION 94-16(C)(2)(C) OF THE CITY CODE ALLOWS FOR 16 INCH MAXIMUM LETTER HEIGHT, AND 40 SQUARE FEET OF SIGN AREA WHEREAS SECTION 94-16(C)(2)(A) OF THE CITY CODE ALLOWS FOR 30 SQUARE FEET WITHIN A B-2 COMMUNITY BUSINESS DISTRICT.

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

WHEREAS, DUTCH POT JAMAICAN RESTAURANT, is located at 6029 Kimberly Blvd (Folio # 4941 01 06 2411), North Lauderdale, Florida, within the State Road 7 Redevelopment Overlay District; and

WHEREAS, DUTCH POT JAMAICAN RESTAURANT, feels that the provisions of the sign code are inadequate for their needs; and

WHEREAS, DUTCH POT JAMAICAN RESTAURANT, is requesting a sign waiver to allow one main wall sign with the 27 inch high lettering “Dutch Pot” and 10 inch high lettering “Jamaican Restaurant” whereas Section 94-16(C)(2)(c) of the City Code allows for 16 inch maximum letter height, and

WHEREAS, DUTCH POT JAMAICAN RESTAURANT, is requesting a sign waiver to allow 40 square feet of sign area whereas Section 94-16(C)(2)(a) of the City Code allows for 30 square feet within a B-2 Community Business district; and

WHEREAS, the Planning and Zoning Board recommended approval of a wall sign with maximum letter height of 27 inches totaling 40 square feet at their meeting on January 8, 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:
Section 1: That the waiver of the sign code be and the same is hereby granted to Dutch Pot Jamaican Restaurant to allow the installation and maintenance of wall sign with the 27 inch high lettering “Dutch Pot” and 10 inch high lettering “Jamaican Restaurant” whereas Section 94-16(C)(2)(c) of the City Code allows for 16 inch maximum letter height.

Section 2: That the waiver of the sign code be and the same is hereby granted to Dutch Pot Jamaican Restaurant to allow the installation and maintenance of a wall sign with 40 square feet of sign area whereas Section 94-16(C)(2)(a) of the City Code allows for one square foot equal to each linear foot of storefront, in this case 30 square feet, within a B-2 Community Business district.

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

Section 3: That this waiver expressly supersedes all prior sign waivers pertaining to this applicant for this location; all prior sign waivers are no longer applicable.

Section 3: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 15th day of January, 2019.

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL GOREN

______________________________
MAYOR ANA M. ZIADE

______________________________
VICE MAYOR SAMSON BORGE LIN

ATTEST:

______________________________
CITY CLERK PATRICIA VANCHERI
October 15, 2018

Dear City of N. Lauderdale

We have seven (7) restaurants with six (6) through-out Broward County and thus far each of our locations have roughly the same sized illuminated channel wall sign.

We are requesting permission to update the illuminated wall sign at our N. Lauderdale location to match our other restaurants.

Sincerely,

Cherry Marshall
CEO
Letter of Authorization

October 15, 2018

Dear City of N. Lauderdale,

I, Cherry Marshall, CEO of The Dutch Pot Jamaican Restaurants hereby authorize Shark Signs and/or their authorized agents to obtain a permit and install a channel letter sign for our location at 6029 Kimberly Blvd, N. Lauderdale, FL 33068 on the fascia of the aforementioned property.

All work completed by the contractor shall meet or exceed local and county requirements and shall meet NEC standards. My authorization does not supersede the City’s sign ordinance and I will obtain all required City issued permits.

Sincerely,

Cherry Marshall
CEO
Kendi, Inc.

October 11, 2018

City of North Lauderdale
Community Development
701 Southwest 71 Ave
North Lauderdale, FL 33068

LETTER OF AUTHORIZATION

To Whom It May Concern:

I, Alberto Micha Buzali, as Vice President for the property owner Kendi, Inc of the property known as the Kimberly Shopping Center do hereby authorize Shark Signs and/or their authorized agents to obtain a permit and install a channel letter sign for our tenant The Dutch Pot located at 6029 Kimberly Blvd on the fascia of the above listed property at Tenant’s sole cost and expense pursuant to the attached drawing.

All work completed by the contractor shall meet or exceed local and county Code requirements and shall meet NEC standards. The Landlord’s authorization does not supersede the City’s sign ordinance and is contingent upon the Tenant obtaining all required City issued permits.

Should any additional information be required regarding this matter please contact the undersigned at (954) 927-4885.

By:

Alberto Micha Buzali
Vice President

State of Florida
County of Broward:

Sworn to and subscribed before me this 11th day of October, 2018 by Alberto Micha Buzali who is / / personally known to me or / / produced identification.

Notary Signature

[Notary Seal]

336 East Dania Beach Blvd, Dania, FL 33004 (954) 927-4885
Exhibit B

PROPOSED SIGN

The Sign is a TOTAL OF 40 SQ FT

The Dutch Pot
JAMAICAN RESTAURANT
EXISTING SIGN

The Sign is a TOTAL OF 27 SQ FT
CITY OF NORTH LAUDERDALE  
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

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

DATE: January 15, 2019

SUBJECT: Amendments to Broward Historic Preservation Ordinance

Tonight we are requesting Commission’s review and consideration of support of the Broward County’s proposed amendments to the Broward Historic Preservation Ordinance. A copy is attached for reference.

BACKGROUND:

Broward County has provided services to municipalities for the designation and preservation of historic resources through the Broward County Historical Commission. Since 2017 the County has been working on an amendment to the Ordinance that governs this Commission to reassign the duties to a new entity, Broward County Historic Preservation Board, and provide alternatives to municipalities to either continue to participate in the County program or to create their own historic preservation through the State certification process.

The attached Ordinance provides for the creation of a Historic Preservation Board. Historic and archaeological resources will be identified, recorded, and protected from inappropriate development, demolition and destruction by the Board. The Ordinance also provides for economic incentives to support historic preservation. Municipalities may utilize all these resources either through the County’s organization or by becoming a Certified Local Government (CLG) through the State and creating their own board.

Administration has reviewed the proposed Ordinance and the requirements for creating its own historic preservation board and recommends the City’s continued participation in the County program. Administration also recommends Commission’s consideration of a motion supporting the proposed amendments to the County Ordinance with authorization to transmit the following comments to the County regarding the Ordinance:

1) Opportunity provided for municipalities who are not CLG and choose to participate in the County program to identify a City resident or business owner with appropriate knowledge for consideration as a member of the Broward County Historic Preservation Board when the opportunity for nomination arises.
2) Establishment of concrete criteria for distribution of the monies in the Trust Fund Account through a program(s) opens to all non-CLG cities.
3) Cities retain the ability to become a Certified Local Government and institute their own historic preservation program in the future, thereby opting out of the County program.
4) That there be no cost to the municipalities for participation in the County program, for application and nomination of a historical resource for consideration of the designation.
5) That there is no cost to the municipalities requesting a Certificate of Appropriateness (COA) for a property once designated.

RECOMMENDATION:

The City Administration recommends Commission’s consideration of a motion to endorse the proposed amendments by Broward County to the Historic Preservation Ordinance and authorization to forward the comments prepared by Staff.
ORDINANCE NO. 2019-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO HISTORIC PRESERVATION; AMENDING VARIOUS SECTIONS OF CHAPTER 5 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") REGARDING HISTORIC PRESERVATION ORDINANCE PROCEDURES AND REQUIREMENTS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Section 5-530 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 5-530. Declaration of legislative intent and purpose.

(b) In order to implement and give effect to this public policy, the Broward County Board of County Commissioners shall appoint a Historic Preservation Board who shall have the authority to make recommendations to the County Commission on historic resource designations; approve, approve with conditions, or deny certificates of appropriateness and; review appeals to determinations for certificates to dig; and carry out any other duties assigned to it by the Broward County Board of County Commissioners.

(c) This article shall be effective countywide and shall be effective within a municipality to the extent a municipality does not have an ordinance that preserves...
historical sites and structures and that prohibits ground disturbance of archaeological resources except in any municipality that is designated as a Certified Local Government ("CLG"). Any municipality that has enacted a local historic resource ordinance prior to <insert date> but that is not designated as a CLG shall have two (2) years from such date to obtain CLG status. In the event a municipality with a local historic resource ordinance does not obtain CLG status within the two (2) years set forth in this subsection, this ordinance does not control in said municipality. To achieve the goal of effective historic preservation in Broward County, the Historic Preservation Board will guide the development of Broward County’s CLG preservation program and may assist any municipalities that request assistance in developing a local CLG application and program. The municipal ordinance shall control the historical sites and structures, and archaeological sites, or both, within the municipality, provided the municipality has adopted an ordinance protecting historic resources or archaeological sites, and this County ordinance shall not be applicable within the municipality. Nothing in this Article shall limit any municipality from placing further restrictions or additional requirements on any of the subjects covered by this Article.

(d) The Historic Preservation Board is the successor agency to the Broward County Historical Commission with all authorities and duties prescribed in this article, excluding those authorities and duties otherwise assigned.

Section 2. Section 5-531 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 5-531. Scope and exemptions.

(a) Unless expressly exempted below, no building permits shall be issued for new construction, demolition, alteration, rehabilitation, signage, or any other physical

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modification of a designated historic site or resource, as same is defined herein, without the prior issuance of a certificate of appropriateness by the Broward County Historic Preservation Board, in accordance with the procedures specified in this article.

. . .

Section 3. Section 5-532 of the Broward County Code of Ordinances is hereby amended to read as follows:

**Sec. 5-532. Definitions.**

The following terms and phrases shall specifically apply to the provisions provided within this article:

. . .

(f) *Archaeological zone* shall mean an area that has yielded or is likely to yield largely subsurface information on the prehistory or history of the County based on prehistoric or historic settlement and land use patterns within the County, as determined in consultation with the Broward County Archaeologist an archaeologist retained by the County and the State of Florida Division of Historical Resources. These zones will tend to conform to certain natural physiographic features that were the focal points for prehistoric and historic activities. Archaeological zones shall be recorded on a Map of Broward County Archaeological Zones to be maintained and amended as necessary by the Historic Preservation Officer (as hereinafter defined).

(g) *Board* shall mean the Broward County Board of County Commissioners.

(h) *Building* shall mean a structure created to shelter any form of human activity. This may refer to a house, barn, garage, church, hotel, or similar structure. Building may also refer to a historically-related or architecturally-related complex.

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(h) Certificate of Appropriateness ("COA") shall mean a certificate issued by the Historic Preservation Board indicating approval of plans for specified alteration, rehabilitation, construction, reconstruction, removal, relocation, or demolition of a historic resource.

(i) Certificate to Dig ("CTD") shall mean a certificate indicating approval of plans for specific digging projects that are anticipated to yield known or as yet unknown archaeological or paleontological materials in an archaeological or paleontological zone or site designated as a historic resource. This certificate shall be issued by staff of the Historic Preservation Board, when required and approved pursuant to Section 5-536.5 of this Code.

(j) Certified Local Government ("CLG") shall mean a local historic preservation program which has been certified by the Florida Department of State, Division of Historical Resources, in accordance with the National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.).

(k) Construction shall mean the erection of an onsite improvement to a designated site or to a building, parcel, or grounds located within a historic resource site, whether the resource is presently improved or unimproved, or hereafter becomes unimproved by demolition or as a result of destruction of an improvement located thereon by fire, windstorm, or other casualty, or otherwise.

(l) Contributing resource shall mean a building, site, structure, or object that adds to the historic, architectural, archaeological, or paleontological significance of a historic district.

(m) County Commission shall mean the Broward County Board of County Commissioners.

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(q) **Florida Master Site File ("FMSF")** shall mean an archive and database of all known archaeological and historical sites and districts recorded within the State of Florida, as maintained by the Florida Department of State, Division of Historical Resources.

(r) **Historic district** shall mean an area designated by the **Board County Commission**, located within defined geographic boundaries, which contains two (2) or more contributing resources and which may contain noncontributing resources and vacant land within its boundaries.

(s) **Historic Preservation Officer ("HPO")** shall mean the staff person, appointed by the County Administrator, who is directly responsible for administering this article and for carrying out the duties and responsibilities delegated by the State of Florida CLG Program. Responsibilities and duties of the HPO, as provided in this article, shall include those of the HPO or the HPO's authorized representative. The HPO shall meet the professional qualifications standards of the guidelines and standards of the United States Secretary of the Interior as published in the Code of Federal Regulations, 36 C.F.R. Part 61.

(t) **Historic resource** shall mean a building, structure, object, site, or other real or personal property, excluding living things, of historic, architectural, archaeological, or paleontological value, including an individual resource, contributing resource, or noncontributing resource, or vacant land within a historic district that is individually designated by the **Board County Commission** as a historic resource. Any building, structure, object, site, **landscape feature**, or other real or personal property previously designated as an Archaeological Cultural Resource Site or Historical Cultural Resource...
Site under the Broward County Code of Ordinances is hereby defined as a historic resource.

(u) *Historic survey* shall mean a comprehensive listing or inventory of buildings, sites, landscape features, and structures of any historical, cultural, archaeological, paleontological, or architectural importance in Broward County, Florida.

. . .

Section 4. Section 5-533 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 5-533. Criteria and procedures for designation of a historic resource.

(a) The following criteria shall be used to determine eligibility for designation of an individual historic resource or a historic district:

. . .

(2) A site, building, structure, object, landscape feature, or district that is not listed in the National Register of Historic Places may be designated only if it conveys an overall sense of past time and place by possessing at least three (3) of the following attributes of integrity: location, design, setting, materials, workmanship, and association, and is characterized by one (1) or more of the following:

a. Events associated with the site, building, structure, object, landscape feature, or district have made a significant contribution to the cultural, social, political, economic, scientific, religious, prehistoric, paleontological, or architectural history and have contributed to the pattern of history in the community, Broward County, South Florida, the State of Florida, or the nation; or

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b. The site, building, structure, object, landscape feature, or district is associated with the lives of persons significant in local, state, or national history; or
c. The site, building, structure, object, landscape feature, or district embodies the distinctive characteristics of a type, period, or method of construction; represents the work of a master builder, architect, or designer; possesses high artistic values; or represents a significant and distinguishable entity, the components of which may lack individual distinction; or
d. The site, building, structure, object, landscape feature, or district has yielded, or may be likely to yield, information important in prehistory or history; or
e. The site, building, structure, object, landscape feature, or district has achieved significance within the last fifty (50) years as a result of the extraordinary importance of an event that occurred at the site on a local, state, or national level; the fragility, uniqueness or singularity of the resource; the community’s strong associative attachment to the resource; or the significance of a building’s architecture or association with a renowned architect, engineer, or builder; or
f. The archaeological site is located within an archaeological zone, the site has been previously recorded with the Florida Master Site file FMSF, and the County has made a good-faith effort to obtain access to the property to conduct a reconnaissance-level archaeological survey, but access to the property has been denied.
(b) The following procedures shall be used in determining eligibility of an individual historic resource or a historic district:

1. A site, building, structure, object, landscape feature, or district may be nominated requested for designation using a historic designation application form, available from the HPO, and shall be completed by the applicant and returned to the HPO.

2. An owner of a nominated property, site, building, structure, object, landscape feature, or district, the Board County Commission, a municipality, the HPO, or the Historic Preservation Board, upon its own motion, may make application to the Historic Preservation Board for consideration of a property, site, building, structure, object, landscape feature, or district as a historic resource.

3. Historic designation applications must contain the legal description of the historic site, building, structure, object, landscape feature, or district requested for designation, and evidence regarding the ownership of the property. The boundaries of a historic resource or historic district shall be described in a legal description in the historic designation application. The boundaries of the historic designation site shall be established as follows:

b. For a historic district, the boundary shall be the geographic perimeter of the grouping of sites and properties included in the district or the original historical subdivision or historical development boundary area, or a portion thereof.
(4) Upon receipt of an completed application form, including necessary documentation for designation, the HPO shall review the application and supporting documentation for completeness and accuracy. Once determined complete and accurate by the HPO, the nomination shall provide notice to the municipality where the property is located and request a letter of no objection for the proposal before the application proceeds. The municipality shall have thirty (30) calendar days to respond to the notice. Any objection received from the municipality shall be included with the application presented before the Historic Preservation Board and the County Commission. If the application was submitted by anyone other than the owner of record, the HPO shall also send notice by certified mail, return receipt requested, to the property owner of record that an application for designation has been filed with the County and attempt to obtain the owner of record's written consent to the designation. The application shall be placed on the agenda of the next available, regularly scheduled meeting of the Historic Preservation Board. At that meeting, the Historic Preservation Board will conduct a public hearing and make a determination regarding designation of eligibility for historic designation and whether to recommend to the County Commission approval, approval with conditions, or denial of the nomination or, if necessary, make the determination whether to designate recommendation at a subsequent date.

(5) The designation of the site, building, structure, object, landscape feature, or district as a historic resource shall not exceed the scope of the actual
application for, or the extent of notice of public hearing on, the site, building, structure, object, landscape feature, or district nominated for designation.

(6) Notice of the Historic Preservation Board's public hearing to consider the nomination application shall be provided by the HPO by placing an advertisement in a newspaper of general circulation at least fifteen (15) calendar days prior to the hearing pursuant to this section. Additionally, the HPO shall mail notice of the Historic Preservation Board's public hearing by certified mail, return receipt requested, to all addresses of the owner that are on record with the Broward County Property Appraiser's Office and the address listed on the application request for designation at least fifteen (15) calendar days in advance of the public hearing, to the owner of the nominated property, or the owner's authorized agent, as indicated on the Broward County tax roll, unless staff is provided evidence of a different owner, and Notice of the Historic Preservation Board's public hearing shall be mailed, certified mail, return receipt requested, to the local government within whose jurisdiction the nominated site is located at least fifteen (15) calendar days in advance of the public hearing.

(7) The Historic Preservation Board shall act upon the nomination application within sixty-five (65) calendar days after the date of the meeting at which the nomination application is first considered. In the event the Historic Preservation Board does not act upon the nomination application within the sixty-five (65) calendar days, the nomination application shall be deemed to be denied without prejudice, so as to permit the applicant to file a subsequent nomination application. A written recommendation shall be
forwarded to the Board County Commission for approval, approval with
conditions, or denial of the nomination, based upon the evidence presented
at a public hearing before the Board County Commission.

(8) Notice of the Board County Commission public hearing to consider the
nomination shall be provided by the HPO County Administrator by placing
an advertisement in a newspaper of general circulation at least fifteen (15)
calendar days prior to the public hearing. Additionally, the owner of the
nominated property, or the owner's authorized agent, as indicated on the
Broward County tax roll, unless staff is presented evidence of a different
owner, and the local government within which the nominated property is
located, will be mailed notice by the HPO at least fifteen (15) calendar days
in advance of the public hearing. Such notice shall be by certified mail,
return receipt requested.

(8) (9) If the property owner of an individual historic resource nomination consents
to designation, a simple majority vote of the Board County Commission shall
be required to designate a historic resource. If an individual historic
resource designation lacks owner consent, then a majority vote plus one (1)
of the Board County Commission shall be required.

(9) (10) No permits for any demolition, alteration, construction, relocation, land
disturbance, or development activities shall be issued once a nomination
form is filed notice of application is delivered to the property owner until the
Board County Commission acts to approve or deny the nomination, or for
six (6) months after the nomination is filed delivery of the notice, whichever
shall first occur.

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underscored type are additions.
Appeals of a decision of the Board County Commission regarding the designation or failure to designate a nominated property as a historic resource shall be by appropriate action pursuant to the Florida Rules of Civil Procedure and Florida Rules of Appellate Procedure.

Section 5. Section 5-534 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 5-534. Historic resource designation.

(a) A historic resource shall be designated in accordance with this article by resolution of the Board County Commission describing the historic resource designated by folio number and any other information that further specifies the resource so designated, and, upon adoption, shall be recorded in the public records of Broward County at the expense of the applicant.

(b) Board resolutions The HPO shall forward the resolution of the County Commission designating a historic resource shall be forwarded to the Broward County Planning Council for review and consideration for designation on the Broward County Land Use Plan Map Series as a Cultural Resource/Local Area of Particular Concern.

(c) If the County Commission designates a historic resource, the HPO shall forward the resolution of the County Commission designating the historic resource to the applicable municipality's building and zoning official(s) for inclusion in the municipality's records.

Section 6. Section 5-535 of the Broward County Code of Ordinances is hereby amended to read as follows:
Sec. 5-535. Historic Preservation Board.

(a) The Historic Preservation Board is hereby established to perform the duties assigned herein, as well as any other duties assigned by the Board County Commission. The Historic Preservation Board shall also review National Register nominations in accordance with the National Historic Preservation Act of 1966. The actions of the Historic Preservation Board shall be complementary to the responsibilities of the State Historic Preservation Office.

(b) The Historic Preservation Board shall be comprised of nine (9) members, each of whom shall be appointed by the Board County Commission. All members of the Historic Preservation Board shall be residents of Broward County and shall possess demonstrated knowledge, experience, and commitment to historic preservation. Each County Commissioner shall nominate one (1) member to the Historic Preservation Board. One (1) member of the Historic Preservation Board shall be a licensed architect with demonstrable historic preservation experience. The remaining eight (8) members shall be practicing or retired professionals from each of the following areas of disciplines: . . .

(c) With the exception of the initial members, The term of office of the Historic Preservation Board members shall be two (2) years, and no member shall serve more than two (2) consecutive two (2) year terms. The initial term of members shall be staggered so that the end of the term of the initial members shall not end simultaneously. Four (4) of the initial nine (9) members shall serve for a one (1) year initial term and shall be permitted to serve an additional two (2) full two (2) year terms. Notwithstanding the foregoing, incumbent members may continue to serve until reappointment or the appointment of a successor. Any vacancies shall be filled only for the remainder of the
original member's term. The Historic Preservation Board shall establish rules of procedures, including, but not limited to, procedures for recording of minutes, for training opportunities for Historic Preservation Board members, for election of officers, and for seeking assistance on historic preservation matters requiring expertise not represented within its membership.

. . .  

(f) The Board County Commission shall provide staff for the operational support of the Historic Preservation Board to undertake the requirements for certification as a CLG and to carry out the duties and responsibilities delegated to the CLG.

(g) The Broward County and the Historic Preservation Board shall maintain the historic preservation ordinance and practices in compliance with the CLG requirements.

(h) Members of the Historic Preservation Board must file a Statement of Financial Interests in accordance with Section 112.3145, Florida Statutes.

Section 7. Section 5-536 of the Broward County Code of Ordinances is hereby amended to read as follows:

**Sec. 5-536. Certificate of Appropriateness (COA).**

(a) Certificate of Appropriateness (COA) required:

(1) No person shall undertake any of the following actions affecting a designated historic resource without first obtaining a COA from the Historic Preservation Board:

. . .

d. Demolition or removal;

e. Land disturbance; or

f. Development activities; or

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g. Significant landscaping additions and landscape improvements such as patios, gazebos, trellises, walkways, lighting poles, pools, and fountains.

(2) Review of new construction and alterations to designated buildings and structures shall be limited to the exterior architectural features visible to the public, except for interior portions designated a historic resource of a site. Interiors of a designated historic resource site shall be excluded from review unless included as historically or architecturally significant in the scope of the designation.

... (5) If a COA for relocation is approved, the historic resource shall remain designated during and after its relocation. After relocation, the historic resource site designation shall be amended to reflect the new site location.

(6) Except as set forth in this article, no building permit shall be issued by any building official of the municipal government having jurisdiction or by Broward County which affects any historic resource without an authorized COA.

(b) Application procedures for a COA:

(1) The property owner or agent shall complete and file an application with the HPO on a form provided by the Historic Preservation Board.

... b. Such drawings, plans, or specifications shall include designated interior and as built or original drawings of exterior elevations, floor plans, site plans, and any other information related to the original...
architectural design of buildings and structures. Project information, including proposed materials, textures, and colors, and all improvements such as walls, walks, terraces, plantings, accessory buildings, signs, lights, and other appurtenant elements, shall be provided.

c. A preapplication meeting between the applicant and HPO is recommended prior to application submittal so that a preliminary assessment of the project’s compliance with standards and suggestions for modifications can be made.

(c) Public meetings for COAs:

(1) The Historic Preservation Board shall hold schedule a quasi-judicial public hearing on each application for a COA within forty-five (45) calendar days after receipt of a completed application. The HPO shall determine when an application is complete and provide a staff analysis and review to the Historic Preservation Board. No hearing shall be scheduled, however, sooner than fifteen (15) calendar days after mailing the applicant notice of the hearing. Within sixty-five (65) calendar days after the hearing, as same may be continued, with good cause shown and as set forth in the record, for a period of time not to exceed ninety (90) days, the Historic Preservation Board shall issue an order based on the criteria outlined in this section. The Historic Preservation Board’s hearing may be continued with good cause shown, supported on the record, for a period not to exceed ninety (90) calendar days. If the Historic Preservation Board fails to issue an order on an application within the specified time period, the application shall be
deemed denied. The Historic Preservation Board shall approve, approve with conditions, or disapprove each application based on the criteria contained in this article. In the event an applicant has alleged that strict enforcement of the provision of this article would result in the deprivation of all reasonable economically beneficial use of such property, the Historic Preservation Board shall hear evidence pertaining to the allegation simultaneously with the quasi-judicial hearing for the issuance of the COA.

(2) Appeals of the denial or the approval with conditions of a COA, where the applicant has alleged that the enforcement of the provisions of the article would result in the deprivation of all reasonable economically beneficial use of such property, shall be heard by the Board County Commission. The hearing shall be noticed and heard in accordance with the provisions of this article regarding other quasi-judicial hearings before the Board County Commission. All other appeals of a decision of the Historic Preservation Board with regard to the issuance of a COA shall be by writ of certiorari to the circuit court pursuant to the Florida Rules of Civil Procedure, within thirty (30) calendar days after the rendition of the Historic Preservation Board’s order.

(d) General criteria and guidelines for granting COAs: In approving or denying applications for a COA for alterations, new construction, relocation, demolition, land disturbance, or development activity, the Historic Preservation Board shall use the Secretary of the Interior’s Standards for evaluation of the project’s compliance and consider the following general criteria:

...
Whether the plans comply with The Secretary of the Interior's Standards.

Whether the proposed work will have a negative impact on the historic resource upon which such activity is to be done.

Whether the proposed work will have a negative impact on other historic resources on the site or on other historic resources within its viewshed.

Additional guidelines relating to new construction: In approving or denying applications for a COA for new construction, the Historic Preservation Board shall consider the following criteria, in addition to other general criteria listed in Subsection (d) above, in order to determine whether:

Whether additions to historic resources are sited as inconspicuously as reasonably possible and, with the exception of waterfront properties, towards the rear. All additions shall be designed to complement the historic resource in terms of scale, shape, and materials, while at the same time being readable as differentiated from and compatible with the old work.

Section 8. Section 5-536.5 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 5-536.5. Certificate to dDig (CTD), protection, and preservation.

(a) Certificate to dDig (CTD) required:

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(1) Within a designated archaeological or paleontological site or zone, or historic resource site or property containing archaeological or paleontological resources or artifacts, no person shall undertake any of the following actions affecting the site or property, without first obtaining a fully executed CTD from the HPO for:

. . .

(f) At least annually, the HPO shall review the map and the Florida Master Site File FMSF for possible map amendments.

Section 9. Section 5-539 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 5-539. Public nuisance.

The Board County Commission hereby finds that the unauthorized alteration, demolition, or demolition by neglect, of structures or sites designated as historic resources is a violation of this article, constituting a public nuisance; and, as such, the County Attorney, upon approval of the Board County Commission, or the municipal attorney, upon approval by of the governing body of the local government having jurisdiction, may seek an injunction, in addition to any other legal remedies available.

Section 10. Section 5-543 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 5-543. Trust Fund Account and other nonmonetary gifts.

(a) There is hereby created a Broward County Historic Preservation Trust Fund Account ("Trust Fund Account") for accepting and disbursing gifts, grants, and awards made to the County for the benefit of historic preservation.
(b) The Trust Account is to be self-perpetuating from year to year unless abolished by the Board County Commission.

(c) The Trust Account shall be for the use of Broward County such that the funds therein will inure to the use and benefit of historic preservation from time to time and from year to year.

(d) The gifts, grants, and awards received from public and private donors shall be deposited in the Trust Account herein created, and shall at all times be kept separate and apart from the general funds of the County such that they will inure to the use and benefit of historic preservation from time to time and from year to year.

(f) Gifts, grants, and awards to the said Trust Account shall be received by the County, and delivered to the Broward County Director of Finance and Administrative Services, who shall deposit them pursuant to the Broward County Administrative Code. The gifts, grants, and awards shall be expended by the Broward County Director of Finance and Administrative Services only upon receipt of a resolution duly adopted by the Board County Commission.

(h) The books and records of the said Trust Account shall at all times be open to public inspection; and shall be subject to County and state audit as required by law. An annual report on the use of the Trust Account should be submitted to the County Commission, with a copy of such report to the Historic Preservation Board, within ninety (90) calendar days after the end of any fiscal year.

(i) All nonmonetary gifts, grants, and awards of money intended to benefit historic preservation may be accepted on behalf of Broward County by the

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administrator of the Historic Preservation Board, or designee, or other person(s) as may be designated by resolution of the Board, subject to Board approval requirements in accordance with Section 18.63(a) of the Broward County Administrative Code.

. . .

(k) No real property or any appurtenances or fixtures thereto shall be accepted unless authorized by the Board County Commission.

Section 11. Severability.

If any portion of this Ordinance is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Ordinance to any other individual, group, entity, property, or circumstance.


It is the intention of the Board of County Commissioners that the provisions of this Ordinance become part of the Broward County Code of Ordinances as of the effective date. The sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase to the extent necessary in order to accomplish such intention.
Section 13.  **Effective Date.**
This Ordinance is effective as of the date provided by law.

ENACTED
FILED WITH THE DEPARTMENT OF STATE
EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By /s/ ____________________________ 12/03/18
Benjamin D. Crego  (date)
Assistant County Attorney

By /s/ ____________________________ 12/03/18
Maite Azcoitia  (date)
Deputy County Attorney

Coding:  Words in **struck-through** type are deletions from existing text. Words in _underscored_ type are additions.
TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Michael Sargis, Assistant City Manager/Parks and Recreation Director
DATE: January 15, 2019
SUBJECT: Florida Sports Foundation Dominoes Tournament Sponsorship

Once again, the City of North Lauderdale has been asked to partner/sponsor the annual Florida Sports Foundation Dominoes Tournament. This tournament was started by Former State Representative, now Lauderdale Lakes Mayor Hazelle Rogers in 2015. This year’s tournament will be held on Saturday, February 2nd, 2019 in the City of Tamarac at their Community Center on Commercial Blvd. Along with Tamarac hosting the event and North Lauderdale’s sponsorship, the event is also being sponsored by the Cities of Fort Lauderdale, Lauderdale Lakes, Lauderhill and Miramar.

As part of North Lauderdale’s sponsorship, along with providing use of the City Logo for their flyer, distributing flyers to our residents, the City will be sponsoring the food and drinks in an amount not to exceed $400.00. This is the same sponsorship the City has done in past years.

RECOMMENDATION:

The City Administration recommends that Commission take the following action:

- Motion to approve an expenditure of an amount not to exceed $400.00 for the Dominoes Tournament Food and Drinks, which will be held at the Tamarac Community Center on Saturday, February 2, 2019.

- Motion to adopt the attached resolution for disclosure purposes per Broward Code of Ethics for elected municipal officials.
RESOLUTION NO. _____________________

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.

WHEREAS, on October 11, 2011, the Board of County Commissioners of Broward County, Florida, adopted Ordinance No. 2011-19 (the “Code of Ethics”), which implemented a Code of Ethics for elected municipal officials; and

WHEREAS, the Code of Ethics establishes certain conditions and disclosure obligations on elected officials who engage in fundraising on behalf of charitable organizations; and

WHEREAS, Section 1-19(C)(5)(A)(4) of the Code of Ethics provides that the additional obligations shall not apply to an elected official who raises funds for those charities and events which are sponsored by elected official’s municipality; and

WHEREAS, the City of North Lauderdale has a rich history of sponsoring charitable organizations within the community and seeks to reaffirm the sponsorship relationships with those entities listed in Exhibit “A”, attached hereto and incorporated herein, as may be amended from time to time, to ensure compliance with the Code of Ethics; and

WHEREAS, the City Commission finds that the sponsorship of charities and events organized by and promoted by those entities listed on Exhibit “A” is in the best interest of the health, safety, and welfare of the residents and citizens of the City of North Lauderdale.

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 and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. The City Commission of the City of North Lauderdale, Florida, hereby approves and affirms the City of North Lauderdale’s sponsorship relationship with those entities
listed in Exhibit “A”, attached hereto and incorporated herein, as may be amended from time to time, for the expressed purpose of ensuring compliance with the Code of Ethics for elected municipal officials.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

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


__________________________________
MAYOR ANA M. ZIADE

___________________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

___________________________________
PATRICIA VANCHERI, City Clerk

APPROVED AS TO LEGAL FORM
BY CITY ATTORNEY:

___________________________________
SAMUEL S. GOREN, ESQUIRE
EXHIBIT A

- Florida Sports Foundation – 2019 Dominoes Tournament
The City of North Lauderdale piggy-backed off the City of Tamarac’s contract with Staffing Connection for school crossing guard services effective September 1, 2013. The City of North Lauderdale and the City of Coral Springs both piggy-back off this contract which allows for lower rates due to higher volume with the combined agencies. Section 5.1 of the Contractor’s Agreement provides for a direct pass-through adjustment to be made when necessitated by an adjustment to the Florida Statutory Minimum Wage.

On January 2, 2019 a letter was sent from Staffing Connection to the City of North Lauderdale advising of an upcoming minimum wage rate change. Effective January 1, 2019 the Florida minimum wage increased from $8.25 to $8.46 per hour or an increase of $0.21. This increase will be passed on as a direct flow through to the employees of Staffing Connection. Therefore, the current hourly contract rate of $11.31 will increase to $11.52 based on the Florida minimum wage increase.

Funding for this service is budgeted in General Fund in an amount sufficient to cover this increase. The request letter from Staffing Connection is attached.

The contract between the City of Tamarac and Staffing Connection expires on August 31, 2019. The services will be rebid this year with the City of Tamarac again being the lead agency for the contract.

**RECOMMENDATION:**

The City Administration recommends that the City Commission adopt the attached resolution authorizing the City Manager to sign an amendment to the original contract with Staffing Connection to increase the hourly rate by $0.21 beginning January 1, 2019 and continuing through the remainder of the contract for crossing guard services provided there are no additional changes to the Florida minimum wage.
RESOLUTION NO. ________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDMENT TO THE ORIGINAL AGREEMENT FOR CROSSING GUARD SERVICES WITH STAFFING CONNECTION TO INCREASE THE HOURLY RATE BY $0.21 EFFECTIVE JANUARY 1, 2019 DUE TO A CHANGE IN THE FLORIDA STATUTORY MINIMUM WAGE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1: That the City Commission of the City of North Lauderdale, Florida, authorizes the City Manager to enter into an amended agreement with Staffing Connection for an increase in the hourly rate of $0.21, to a rate of $11.46 per hour, effective January 1, 2019 due to a change in the Florida Statutory minimum wage and continuing through the remainder of the contract provided there are no additional changes to the Florida minimum wage.

Section 2: That the funding for this service is budgeted in the General Fund.

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 15th day of January, 2019.

APPROVED AS TO LEGAL FORM:

___________________________
CITY ATTORNEY SAMUEL S. GOREN

___________________________
MAYOR ANA M. ZIADE

___________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

___________________________
PATRICIA VANCHERI, CITY CLERK
January 2nd, 2019

Ambreen Bhaty  
City Manager  
City of North Lauderdale  
701 SW 71st Avenue  
North Lauderdale, FL 33068

Dear Ambreen:

Florida’s minimum wage for non-tipped employees will increase January 1st, 2019 to $8.46 per hour. This is a .21 cents per hour increase from the current minimum wage of $8.25 per hour. This has been reported by the Florida Department of Economic Opportunity. Please review the link listed below. The increase will raise our current hourly bill rate from $11.31 per hour to $11.52 per hour.


The 2019 Florida minimum wage is $8.46 per hour, effective January 1, 2019. Florida law requires the Florida Department of Economic Opportunity to calculate a minimum wage rate each year. The annual calculation is based on the percentage increase in the federal Consumer Price Index for Urban Wage Earners and Clerical Workers in the South Region for the 12-month period prior to September 1, 2018.

Crossing guards are back on post January 8th, 2019 after the winter break and the first payroll will be January 14th, 2019 at the new bill rate of $11.52 per hour.

Please call with any questions.

Sincerely,

Sharron R. Cook  
Branch Manager  
School Crossing Guard Division
TO: Mayor and City Commission  
FROM: Ambreen Bhaty, City Manager  
BY: Michael Sargis, Assistant City Manager/Parks & Recreation Director  
DATE: January 15, 2019  
SUBJECT: Phase I – Field Light Project at Jack Brady Sports Complex – Cost Overrun

The City Commission authorized a Capital Improvement Program for the replacement of field and court lights throughout the City’s park system on two separate occasions. The first approval was for Highland Park, Landings Park and Pompano Park in 2017, and the second approval in 2018 was for the Sports Complex.

The replacement of the light poles and lighting systems was necessary at all of these locations as they all pre-dated Hurricane Andrew (1992) and did not meet any of the current wind loads. They all ranged in age from over 50 years old at Pompano Park to over 35 years old at the Sports Complex.

On January 30, 2018, the City Commission approved resolution 18-01-6485 for an expenditure of $930,000.00 to MUSCO Lighting for the Phase II Park Lighting Project at the Jack Brady Sports Complex – the expenditure was broken down as follows.

- Musco Sports - Sports Complex Contract Price - $925,000.00
- Contingency Funds-$5,000 for permits not waived (actual cost of permits was $1,119.08)

During the plan review process by the County Building Officials, it was determined that the City needed to hire a special inspector to inspect the installation of the poles, which were not anticipated in the original cost estimate.

Staff contracted with Specialty Engineering Consultants to serve as the special inspector for the installation of the new lights. The total cost for their service was $6,785.00. Based on this expense, the total cost of the project is now $932,904.08 requiring an additional $2,904.08 to complete the project.

**RECOMMENDATION:**
The City Administration recommends that the Commission approves the attached resolution authorizing the expenditure of an additional $2,904.08 for a special inspector for the installation of the new MUSCO light poles and lighting system at the Sports Complex bringing the total to an amount not to exceed $932,904.08 from the Parks and Recreation Department’s Capital Budget 3117071-563100 for Phase II of the Park Lighting Project.
A RESOLUTION OF THE CITY OF NORTH LAUDERDALE AUTHORIZING THE EXPENDITURE OF $2,904.08 FOR A SPECIAL INSPECTION FOR THE JACK BRADY SPORTS COMPLEX MUSCO LIGHTING PROJECT BRINGING THE TOTAL COST OF THE PROJECT TO $932,904.08. FUNDING IS AVAILABLE IN THE PARKS AND RECREATION DEPARTMENT'S CAPITAL BUDGET 3117071-563100; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of North Lauderdale, Florida has determined a need to replace the existing field lights at Sports Complex

WHEREAS, the City is piggybacking off the Clay County, Florida Bid #13/14-8,

WHEREAS, the City of North Lauderdale has budgeted the project expenditure in the Department’s Capital Budget; and

WHEREAS, the City Commission authorized through resolution 18-01-6485 the total project amount of $930,000.00; and

WHEREAS, a change in the inspection method by Broward County required the City to hire a Special Inspection that increased the total project cost to $932,904.08

WHEREAS, the project now requires an additional $2,904.08 to be completed.

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

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


APPROVED AS TO FORM:

CITY ATTORNEY SAMUEL S. GOREN MAYOR ANA M. ZIADE

VICE MAYOR SAMSON BORGELIN

ATTEST:

CITY CLERK PATRICIA VANCHERI
Ref: Agenda Item for consideration and consent January 15, 2019 meeting.

Per our conversation,
Attached please find the corresponding invite email from NHAEON.

As a member of NHAEON, I received this email and I would like to attend this 2019 Annual Leadership Retreat representing our City of North Lauderdale.
This is going in January 25-27 in Orlando.

Regards,
Samson

Sent from my Sprint Phone.

-------- Original message --------
From: Chairwoman Victoria Siplin <victoria@victoriasiplin.com>
Date: 12/24/18 8:52 AM (GMT-05:00)
To: Samson Borgelin <sborgelin@nlauderdale.org>
Subject: Merry Christmas from NHAEON Chairwoman
Merry Christmas

May peace, joy, hope and happiness be yours during this holiday season and throughout the New Year.

2019 NHAEON LEADERSHIP RETREAT
NHAEON Leadership Retreat full schedule of events has been prepared for your visit to Orlando, Florida between January 25-27, 2018. A full schedule of events has been prepared.
Schedule of Events

NHAEON MEMBERS: CLICK HERE TO REGISTER ONLINE

Friday, January 25, 2019
Welcome Reception
5 pm – 7 pm
Mango’s Tropical Café
8126 International Drive
Orlando, Florida 32819

Saturday, January 26, 2019
Leadership Retreat
9 am – 3 pm
Holden Heights Community Center
1201 20th Street
Orlando, Florida 32805
(For members only)

Saturday, January 26, 2019
Leadership Reception and Dinner
7 pm – 11 pm
Orange County Convention Center
9800 International Drive
Orlando, Florida 32819

RSVP Deadline: January 18, 2019

Sunday, January 27, 2019
Disney Experience
(For members only)
2019 Leadership Retreat Host Hotel

Hyatt Regency Orlando
9801 International Drive
Orlando, FL 32819, US

Click Here to Reserve Your Room

Victoria Siplin | 1320 North Pine Hills Road, Orlando, FL 32808

Unsubscribe sborgelin@nlauderdale.org
Update Profile | About our service provider

Sent by victoria@victoriasiplin.com in collaboration with

Constant Contact
Try it free today
# NATIONAL HAITIAN AMERICAN ELECTED OFFICIALS RETREAT

9801 International Drive, Orlando Florida

Estimated Travel Expenses – January 25-27, 2019

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration Fee</td>
<td>103.00</td>
</tr>
<tr>
<td>Estimated Hotel – 3 nights @ $169 per night</td>
<td>507.00</td>
</tr>
<tr>
<td>402 miles round trip x .58 per mile</td>
<td>233.16</td>
</tr>
<tr>
<td>Estimated Meal Expenses</td>
<td>80.00</td>
</tr>
</tbody>
</table>

**Total Estimated Expenses** $923.16
The Broward League of Cities, Board of Directors meeting was held on January 10, 2019. There was a discussion regarding naming of wings in the Seventeenth Judicial Court of Florida after the late Mayor Skip Campbell and the late Thomas J. Reddick, Jr. Commissioner Wood is requesting consideration by the Mayor and City Commission for a letter in support of the item.
January 10, 2019

Broward County Mayor Mark Bogen and Broward County Commissioners
115 South Andrews Avenue
Ft. Lauderdale, Florida 33301

Dear Mayor Bogen and Commission Members,

We have received your letters regarding the naming of wings in the Seventeenth Judicial Circuit Court of Florida after our late Mayor Skip Campbell and the late Thomas J. Reddick, Jr.

We are truly honored that the County Commission is considering naming the West Wing of the Court after Skip Campbell. As you know, Skip was a former State Senator, prominent attorney and our dedicated Mayor of Coral Springs since 2014. His passing was a great loss to his family, to this Commission, our citizens, our community, and all of those who knew Skip personally and professionally.

At our meeting of December 19, 2018, we passed a motion to write a letter of support to you for the naming of both wings. We understand that these items will be brought back before you soon and we wish to extend our full support for you continuing to take action to name both wings as soon as possible.

Should you need anything further from us, please let us know. Again, we are honored that you have voted to recognize Skip in this meaningful way.

Sincerely,

Joy Carter
Vice Mayor

Dan Daley
Commissioner

Joshua Simmons
Commissioner

Larry Vignola
Commissioner

CITY OF CORAL SPRINGS, FLORIDA • OFFICE OF THE CITY COMMISSION
9500 West Sample Road • Coral Springs, Florida 33065
Phone 954-344-5911 • Fax 954-344-1043 • CoralSprings.org
Broward courthouse wings to be named for Coral Springs mayor and county's first black judge

The Broward County Commission plans to name wings of the Broward County Courthouse in honor of the late Coral Springs Mayor Skip Campbell and Judge Thomas J. Reddick Jr. (Campbell photo/Courtesy; Reddick photo by Robert Azmitia)

A year after removing the statue of Gov. Napoleon Bonaparte Broward from the county courthouse, commissioners are preparing to name two of its buildings after more recent county figures.

Commissioners voted to support proposals to name wings of the downtown Fort Lauderdale courthouse for Skip Campbell, longtime Coral Springs mayor who died in October, and Thomas J. Reddick Jr., the county’s first black circuit court judge. Commissioners are expected to take formal action early next year.

The new 20-story west wing would be named for Campbell, who also served as a state senator and president of the Broward Bar Association. Reddick’s name would go on the north wing where the Public Defender’s Office is based and where criminal trials are held.

Commissioner Mark Bogen proposed having the tower named for Campbell because he was “a man who was admired by everybody.”
Campbell’s law partner, Kelly Hancock, said “he was the champion of the people.” Kelly said naming the courthouse wing for Campbell was fitting because “the courthouse is a people’s courthouse, and I think that becomes very important because that’s who Skip fought for all those years.”

Lobbyist Ron Book echoed those sentiments.

“What he left behind was a reputation for doing the right thing, a reputation for saying what he meant, meaning what he said and carrying through,” Book said.

Commissioner Nan Rich served with Campbell in the state Senate. “He was a caring person, kind, he worked across the aisle, everyone’s opinion mattered and he truly cared about children,” she said.

With the commission agreeing to name the west wing for Campbell, Commissioner Dale Holness proposed naming the north wing for Reddick, who also served as the first black assistant public defender. Reddick died in 1993.

“Judge Reddick was a first in a lot of respects,” said Christopher Saunders, president of the TJ Reddick Bar Association.

“I would also enthusiastically support this commission placing a symbol that young African-American attorneys and the clients that they represent could see as they walked through the courtroom, to understand that the county acknowledges the struggles and the successes of being an African-American attorney in Broward County,” Saunders said.

Broward’s statue was removed from the courthouse after information surfaced regarding segregationist and racist policies he promoted. The Reddick Bar Association then sought to have Reddick honored in the courthouse. In January, commissioners agreed to allow a portrait of Reddick to be installed in the courthouse.

“We thought we were going to get a portrait, but now I said, why not [have a wing], there’s three or four wings there,” Holness said. “It’s fitting, I think, to have that done also.” Nov. 20, 2018
January 10, 2019

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Sincerely,

[Signatures]

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Vice Mayor

Dan Daley
Commissioner

Joshua Simmons
Commissioner

Larry Vignola
Commissioner
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