CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, MAY 28, 2019

WORKSHOP – 5:00 p.m.

REGULAR MEETING – 6:00 p.m.

NORTH LAUDERDALE RECREATION FOUNDATION
(Immediately following regular Commission meeting)

AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Mayor Ana M. Ziade

2. ROLL CALL

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

3. APPROVAL OF MINUTES

a. May 14, 2019

4. PRESENTATIONS

a. Firefighter of the Year - Driver Engineer Hilary Kanwischer (Fire Chief Rodney Turpel)

5. PROCLAMATIONS

a. National Safety Month (Jennifer Yarmitzky)
b. National Gun Violence Awareness Day – June 7 (Tanya Reid, Moms Demand Action)
c. Caribbean American Heritage Month
d. Jewish American Heritage Month
6.  **PUBLIC DISCUSSION**

7.  **ORDINANCES SECOND READING**
   a.  **Ordinance – Second Reading - Ordinance Change Related to Stormwater Management - Utility Fee**

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 70, ENTITLED “UTILITIES,” TO AUTHORIZE THE COLLECTION OF THE STORMWATER MANAGEMENT UTILITY FEE (“FEE”) USING THE UNIFORM ASSESSMENT COLLECTION ACT, SECTION 197.3632, FLORIDA STATUTES (“ACT”); SPECIFICALLY AMENDING ARTICLE I, ENTITLED “IN GENERAL” SECTION 70-4 TO RENAME IT “WATER, SEWER, AND STORMWATER MANAGEMENT RATES” AND TO PROVIDE FOR EXCEPTION IF THE STORMWATER UTILITY FEE IS COLLECTED PURSUANT TO THE ACT, AND SECTION 70-6 ENTITLED “BILLING PROCEDURE; DELINQUENT ACCOUNTS” TO PROVIDE FOR EXCEPTION IF THE STORMWATER UTILITY FEE IS COLLECTED PURSUANT TO THE ACT; AMENDING ARTICLE V, ENTITLED “STORMWATER MANAGEMENT,” SECTION 70-200, ENTITLED “PURPOSE” TO INCLUDE COLLECTION PURSUANT TO THE ACT; AMENDING SECTION 70-201, ENTITLED “DEFINITIONS,” TO AMEND CERTAIN DEFINITIONS AND DEFINE ADDITIONAL TERMS ASSOCIATED WITH THE COLLECTION OF THE FEE USING THE PROVISIONS OF THE ACT; AMENDING SECTION 70-212, ENTITLED “UTILITY FEE CATEGORIES” TO PROVIDE FOR EXCEPTION IF THE STORMWATER UTILITY FEE IS COLLECTED PURSUANT TO THE ACT; AMENDING SECTION 70-213, TO RENAME IT “ESTABLISH ERU RATES BY RESOLUTION” AND TO PROVIDE THAT ERU RATES WILL BE ESTABLISHED BY THE CITY COMMISSION BY RESOLUTION; CREATING SECTIONS 70-231 THROUGH SECTION 70-240 TO BE COLLECTIVELY REFERRED TO AS “THE CITY OF NORTH LAUDERDALE STORMWATER MANAGEMENT UTILITY FEE UNIFORM ASSESSMENT COLLECTION ACT ORDINANCE” TO ESTABLISH THE PROCEDURES FOR NOTICE AND ADOPTION OF THE ANNUAL STORMWATER MANAGEMENT UTILITY FEE ROLL AND FOR CORRECTING ERRORS AND OMISSIONS, PROVIDE THAT THE FEES CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE STORMWATER MANAGEMENT UTILITY FEE ROLL, ESTABLISH PROCEDURES
AND METHODS FOR THE COLLECTION OF STORMWATER MANAGEMENT UTILITY FEES PURSUANT TO THE ACT; AMENDING SECTION 70-250 ENTITLED “REQUEST FOR ADJUSTMENT” AND SECTION 70-260 ENTITLED “ENFORCEMENT AND PENALTIES” TO FEES NOT COLLECTED PURSUANT TO THE ACT; AND DELETING SECTION 70-251 ENTITLED “APPEALS,” TO CONFIRM THESE PROVISIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

8. OTHER BUSINESS

a. [RESOLUTION – Re-Appointing Christine McKay to Planning & Zoning Board]

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING CHRISTINE McKay, WHO RESIDES IN DISTRICT C, (SPONSORED BY MAYOR ZIADE AT LARGE) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

b. [RESOLUTION – Gravity Sewer Main Lining in Lift Station (LS) #4, #9 & #14 Basin Areas]

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD GRANITE (LAYNE) INLINER, LLC TO CONTINUE THE LINING OF LS #4, #9 AND #14 GRAVITY MAINS, IN AN AMOUNT NOT TO EXCEED $400,000.00 USING THE CITY OF PLANTATION CONTRACT, ITB 041-14 FOR THE CONTINUATION OF THE SANITARY SEWER REHABILITATION PROGRAM; AND PROVIDING AN EFFECTIVE DATE.
c. **RESOLUTION – Gravity Sewer Main Lining in Lift Station #12, #13 and #20 Basins**

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD HINTERLAND GROUP, INC. TO LINE THE GRAVITY SEWER MAINS IN LS #12, #13 and #20 BASINS FOR AN AMOUNT NOT TO EXCEED $276,000.00, USING THE PALM BEACH COUNTY CONTRACT, PBCWUD 16-094R FOR THE CONTINUATION OF THE SANITARY SEWER REHABILITATION PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

d. **RESOLUTION – Gravity Sewer Lateral Rehabilitation in Lift Station #9 Basin**

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD LMK PIPE RENEWAL, LLC TO CONTINUE THE SEWER LATERAL LINING IN THE LS #9 BASIN FOR AN AMOUNT NOT TO EXCEED $224,000.00, USING THE CITY OF PLANTATION CONTRACT ITB 042-14 FOR THE CONTINUATION OF THE SANITARY SEWER REHABILITATION PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

e. **RESOLUTION - Recommendation of Award – Kimley Horn for RFQ 19-02-377 for Americans with Disabilities Act (ADA) Transition Plan**

- 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, ACCEPTING THE RANKING OF THE FIRMS WHO SUBMITTED PROPOSALS TO PROVIDE AN AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN AS PROVIDED HEREIN; AUTHORIZING AND DIRECTING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE AN AGREEMENT WITH THE TOP RANKED FIRM, KIMLEY HORN IN AN AMOUNT NOT TO EXCEED $352,500; AND PROVIDING AN EFFECTIVE DATE.

9. REPORTS

10. CITY MANAGER COMMENTS

   a. [Application Requesting Ceremonial Item (Mike Sargis)]

   b. Reminders
      - Wednesday, May 29th – 6:00-8:00 pm – Town Hall Meeting – Proposed Bus Routes for New Community Bus Program
      - Thursday, May 30th at 6:00 pm sharp -Somerset Preparatory Commencement

11. COMMISSION COMMENTS

   a. [Nominations and motion to approve a voting delegate to represent the City of North Lauderdale at the Annual Business Session of the Florida League of Cities 93rd Annual Conference in Orlando – August 15-17]

12. CITY ATTORNEY COMMENTS

13. ADJOURNMENT

***CONVENE TO NORTH LAUDERDALE RECREATION FOUNDATION***
NOTICE

THE CITY COMMISSION
WILL MEET
AT THE MUNICIPAL COMPLEX

ON

TUESDAY, MAY 28, 2019

5:00 pm

For a

WORKSHOP

on

SOLID WASTE AND RECYCLING COLLECTION

P. Vancheri
City Clerk
AGENDA

1. ROLL CALL

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

2. SUBJECT

a. Solid Waste and Recycling Collection

3. ADJOURNMENT
CITY OF NORTH LAUDERDALE  
COMMISSION MEETING  
TUESDAY, MAY 14, 2019  
MINUTES

The North Lauderdale Commission met on Tuesday, May 14, 2019 at the Municipal Complex. The meeting convened at 6:07 pm.

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Vice Mayor Borgelin gave the invocation and led the pledge.

2. ROLL CALL – Clerk called roll. All present.

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

3. APPROVAL OF MINUTES

   a. April 30, 2019 – Commissioner Wood moved to approve. Seconded by Vice Mayor Borgelin. Mayor Ziade mentioned a correction to the Minutes with regard to the date of the Proclamation for American Lung Association Turquoise Takeover as May 12-18th. Clerk will make correction in record copy. Minutes approve unanimously as amended.

4. PRESENTATIONS

   a. State of the City Video – This video was shown to the Commission and audience and is available for viewing on the City’s Comcast Channel 78. The video highlights North Lauderdale’s completed and pending projects; current and new businesses; and vision for the future, including preparing for the 2020 Census.

   b. Morgan Stanley – Investment Portfolio Update – Susan Nabors, Finance Director, introduced Glenn Scott, Morgan Stanley’s Investment Advisor, who advised that their purpose is to invest the City’s money wisely and efficiently. He presented a PowerPoint presentation of the City’s fund overview as of May 2019, which is available in the City Clerk’s office.
5. **PROCLAMATIONS** – The following Proclamations were read into the record:

   a. **Haitian American Heritage Month** – Vice Mayor Borgelin introduced Attorney Ronald Surin of the Law Firm of Champagne & Surin, who accepted the Proclamation on behalf of the Haitian American Community. Attorney Surin thanked the Commission for recognizing and acknowledging the diversity of North Lauderdale and the Haitian American culture. All Haitian American residents attending were invited for a photo op and later Ms. Carmen Joseph and her husband, Pastor Joseph of Calvary Chapel, also came to be recognized.

   b. **EMS Week – May 19-25** – Chief Rodney Turpel was present with members of the EMS Team to receive the Proclamation recognizing the 43rd Annual National Emergency Medical Services Week. He commented that the team is doing training currently this week and that this is a job where the employees truly care about people. He stated that the team runs approximately 3,500 calls a year in North Lauderdale, which are a lot and just a pool of calls throughout Broward County. There are 19 departments that take care of Broward County; together 188,000 EMS calls are run a year.

   c. **National Military Appreciation Month** - Petty Officer First Class Christy Turturice accepted our Proclamation; she has been in service in the Navy for 23 years, due to retire next year. Mayor Ziade mentioned that her son is also serving in the Navy. Also present was Petty Officer Second Class Kaleff Johnson and several resident veterans who came up for a photo op.

6. **PUBLIC DISCUSSION**

**Michael Caulkins - SW 13 Street** – Commented that he is a 40 year resident. He stated concerns about traffic; speed bumps; how people go around the speed bumps onto lawns to avoid them; and asked if sign can be placed abreast of the speed bumps and also a sign on the curve that indicates not to change lanes. Also commented about bulk pickup and asked if it could be changed as people work on their home improvements on weekends and bulk remains out on the curb until next pick up. Mr. Caulkins also gave accolades to EMS for their service. Commissioner Moyle commented that the bulk pickup dates should be changed to go back to bulk being picked up on the first day of the cycle. Ken Rivera from Waste Pro also spoke to clarify the bulk pick up schedule and indicated that they did several things to educate the community on the pick dates. Commissioner Wood also reiterated that items are put out on the wrong days and the problems still persist. Mr. Rivera commented that they are continuing to try to educate the residents on the proper pickup by tagging incorrectly placed items and explained the process. After Commission comments, the consensus of the Commission was to hold a workshop in the near future regarding bulk pickup and to address the issues. Commissioner Bustamante thanked Mr. Rivera for his help with a dumpster to assist a resident back in March, and mentioned that when he reported an issue in the morning, a truck was sent right away.

**Christian Gaidry – SW 16 Street** – Commented that he undertook a remodeling project on his home and it was discovered that there were issues with the permits and the contractor had left the country for a while. Therefore, there were some code violations issued; they ended up needing an engineer to finish the remodel and they had to redo some work and spend a good deal of additional money on the permitting the completion of the project. During this period of time fines accrued. Mr. Gaidry indicated that the accrued fines were reduced, but is still unaffordable and he requested further consideration of a reduction. City Manager Bhatty said she will get in touch with staff to look into the matter and get back
to him. Mr. Gaidry provided a copy of documentation for review. City Attorney Goren interjected that the record should reflect that the City’s Code of Ordinances delegates the authority of the mitigation decisions to staff and City Manager will look into it as the Commission is limited in this regard.

Dieujuste Cimera – SW 81 Terrace – Thanked the City for the speed bumps that have been placed in his area but would like more at 81 Terrace to continue to 14th Street. He indicated that there are still a lot people who speed through the area. He also voiced concern about a neighbor at 1212 SW 81 Terrace which has parties every day of the week from 6:00 pm to 1:00 am. He said it is operating like a club in the neighborhood and he would like to see some solution. Mayor Ziade replied that they will look into it.

7. OTHER BUSINESS

a. RESOLUTION – Sign Waiver SWAV 19-03 – O’Reilly Auto Parts

5310 N. State Road 7

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, APPROVING A SIGN WAIVER REQUEST FOR ONE WALL SIGN FOR O’REILLY AUTO PARTS, LOCATED AT 5310 NORTH STATE ROAD 7, NORTH LAUDERDALE, FLORIDA, 33068 THEREBY PERMITTING THE INSTALLATION AND MAINTENANCE OF ONE MAIN WALL SIGN WITH THE 27 INCH HIGH LETTERS “O’REILLY” AND 17 INCH HIGH LETTERING “AUTO PARTS” WHEREAS SECTION 94-16(C)(1)(C) OF THE CITY CODE ALLOWS FOR 16 INCH MAXIMUM LETTER HEIGHT, WITHIN A B-3 GENERAL BUSINESS DISTRICT.

Andrew Disbury, Community Development Planner, presented the item based on backup memorandum. He indicated that O’Reilly is located on State Road 7 where the old Bennett Auto Supply was located. The requested sign waiver is within the amount of square footage allowed and the applicant is just asking for extra letter height. The store is 67 feet away from State Road 7 so this would make the sign more visible. Staff has recommended approval of larger letters is the overall square footage does not exceed the linear footage of the front area of the building, and recommends Commission’s approval tonight. Commissioner Moyle moved to approve. Seconded by Commissioner Wood. Applicant Neil Potter, Regional Manager for O’Reilly Auto Parts was present to support the application. No Commission discussion; Clerk called roll. All YES.

RESOLUTION NO. 19-05-6632 PASSED AND APPROVED UNANIMOUSLY

b. ORDINANCE – First Reading – Ordinance Change Relating to Stormwater Management - Utility Fee

Commissioner Moyle moved to read. Seconded by Vice Mayor Borgelin. Attorney read:
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 70, ENTITLED “UTILITIES,” TO AUTHORIZE THE COLLECTION OF THE STORMWATER MANAGEMENT UTILITY FEE (“FEE”) USING THE UNIFORM ASSESSMENT COLLECTION ACT, SECTION 197.3632, FLORIDA STATUTES (“ACT”); SPECIFICALLY AMENDING ARTICLE I, ENTITLED “IN GENERAL” SECTION 70-4 TO RENAME IT “WATER, SEWER, AND STORMWATER MANAGEMENT RATES” AND TO PROVIDE FOR EXCEPTION IF THE STORMWATER UTILITY FEE IS COLLECTED PURSUANT TO THE ACT, AND SECTION 70-6 ENTITLED “BILLING PROCEDURE; DELINQUENT ACCOUNTS” TO PROVIDE FOR EXCEPTION IF THE STORMWATER UTILITY FEE IS COLLECTED PURSUANT TO THE ACT; AMENDING ARTICLE V, ENTITLED “STORMWATER MANAGEMENT,” SECTION 70-200, ENTITLED “PURPOSE” TO INCLUDE COLLECTION PURSUANT TO THE ACT; AMENDING SECTION 70-201, ENTITLED “DEFINITIONS,” TO AMEND CERTAIN DEFINITIONS AND DEFINE ADDITIONAL TERMS ASSOCIATED WITH THE COLLECTION OF THE FEE USING THE PROVISIONS OF THE ACT; AMENDING SECTION 70-212, ENTITLED “UTILITY FEE CATEGORIES” TO PROVIDE FOR EXCEPTION IF THE STORMWATER UTILITY FEE IS COLLECTED PURSUANT TO THE ACT; AMENDING SECTION 70-213, TO RENAME IT “ESTABLISH ERU RATES BY RESOLUTION” AND TO PROVIDE THAT ERU RATES WILL BE ESTABLISHED BY THE CITY COMMISSION BY RESOLUTION; CREATING SECTIONS 70-231 THROUGH SECTION 70-240 TO BE COLLECTIVELY REFERRED TO AS “THE CITY OF NORTH LAUDERDALE STORMWATER MANAGEMENT UTILITY FEE UNIFORM ASSESSMENT COLLECTION ACT ORDINANCE” TO ESTABLISH THE PROCEDURES FOR NOTICE AND ADOPTION OF THE ANNUAL STORMWATER MANAGEMENT UTILITY FEE ROLL AND FOR CORRECTING ERRORS AND OMISSIONS, PROVIDE THAT THE FEES CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE STORMWATER MANAGEMENT UTILITY FEE ROLL, ESTABLISH PROCEDURES AND METHODS FOR THE COLLECTION OF STORMWATER MANAGEMENT UTILITY FEES PURSUANT TO THE ACT; AMENDING SECTION 70-250 ENTITLED “REQUEST FOR ADJUSTMENT” AND SECTION 70-260 ENTITLED “ENFORCEMENT AND PENALTIES” TO FEES NOT COLLECTED PURSUANT TO THE ACT; AND DELETING SECTION 70-251 ENTITLED “APPEALS,” TO CONFIRM THESE PROVISIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Susan Nabors, Finance Director, presented the item based on backup memorandum. She indicated that during strategic planning sessions there was consensus to move forward with transferring the stormwater charge from the water utility bill to the annual tax bill. Ms. Nabors stated that there are advantages to doing so which are 1) it creates more timely collection of revenue for the stormwater management program; 2) the utility bill will only be for the water and sewer consumption charges; 3) it allows property owners to take advantage of a discount of up to 4% by paying their tax bill early. On October 30, 2018, the City Commission adopted an Intent Resolution #18-10-6572 which sets forth the transition process for use of the Uniform Assessment Collection Act to collect the stormwater management utility fee commencing with the fiscal year beginning on October 1, 2019. Consideration and adoption of this ordinance on first reading will allow staff to amend the City’s ordinances to put in the language that
allows the City to collect the fee using the tax bill method; if Commission concurs, the item will come back on May 28th for second reading. Commissioner Moyle moved to approve. Seconded by Commissioner Wood. Commissioner Wood thanked Ms. Nabors for working on this ordinance and for presenting the concept at his community forum. She replied that she has already been working on a pamphlet to be distributed in the utility bill in advance of any changes to be effective October 1st. No further comments; Clerk called roll. All YES. City Attorney Goren interjected that his law partner, Mike Cirullo worked diligently with staff on this legislation after months of study and is something that has a good impact for the City in a positive way.

ORDINANCE PASSED AND APPROVED UNANIMOUSLY ON FIRST READING

8. REPORTS

a. Marlin Engineering Traffic Study Update on 78th Avenue and Kimberly Boulevard
George Krawczyk, Public Works Director, reported that they have reviewed the study provided by the consultant. The document is large and can be provided upon request. The consultant’s recommendation is to put stop signs at 78th Avenue and Kimberly to make it a four-way stop to make this intersection safer. Walter Keller, Professional Engineer, Marlin Engineering was present to answer technical questions. Mr. Krawczyk commented that it will move forward to the permitting process once the County approves this change. Mr. Keller said a comprehensive study was done, including video cameras and counters, to be able to classify the traffic volumes through a 12 hour period on all approaches at that intersection. A very involved study was done of the record of accidents at the intersection over a period of five years. Based upon the volumes and the accidents at that intersection, it is Mr. Keller’s recommendation that the intersection would operate much safer by changing from a two way stop to a 4 way all stop; with flashing LED lights on Kimberly Blvd. Mr. Keller mentioned that they are working on two more studies in the City as well.

b. Parks and Recreation Department Update
Michael Sargis, Parks and Recreation Director, reported that Summer programs will be starting soon and at the next meeting the NL Recreation Foundation will be requesting donations for swim lessons. Youth basketball program for kids 7-16 has reached capacity after four weeks of registration. Summer Day Camp has reached registration capacity as of May 1st with 596 kids; there is a waiting list of over 100 kids.

9. CITY MANAGER COMMENTS – Provided the following reminders for events:

a. Saturday, May 18 – 6:30 pm – 62nd Annual Broward League of Cities Gala – Margaritaville – Hollywood Beach
b. Monday, May 20 – 8:30 am – 26th Annual EMS Recognition Awards Breakfast – Broward Health North – Conference Center – 201 E. Sample Road, Deerfield Beach
c. Thursday, May 23 – 5:00 pm-7:00 pm – Complete Streets Master Plan Walking Audit – Galaxy Skateway – 7500 Southgate Blvd
d. Monday, May 27 – 10:00 am - Wreath Laying Ceremony – Veteran’s Memorial – Corner of Kimberly Blvd. and Rock Island Road
e. Turquoise Day is Friday, May 17th for National Lung Association recognition with photo op at 9:00 am
10. **COMMISSION COMMENTS**

**Moyle**
- Reiterated that he would like the report on where the recyclables go

**Wood**
- Reported that two blocks were missed on last Thursday garbage pickup and was left over the weekend in District “C” and asked for a workshop with Waste Pro to address the issues. Ken Rivera, Waste Pro, reported there is a Trac Ez online system that automatically sends out the address and phone number to senior staff to address issues immediately
- Commented that Joan Murray on CBS/4 gave a report on recyclables that is a problem for all of Broward County

**Borgelin**
- Thanked Ken Rivera, Waste Pro, for helping with issues in Silver Lakes and Broadview/Pompano Park area
- Thanked Chief Lupo and Chief Turpel for their assistance with residents also
- Thanked George for traffic study and moving forward with the Kimberly and 78 project

**Mayor Ziade**
- Thanked the residents who attended the meeting and reminded everyone that if they see something, say something so that things can get done
- Commented that there have been recent events recognizing teachers, staff and this weekend Moms

**City Clerk**
- Commented that Florida League of Cities has opened registration for annual conference in August and gave the deadlines for registrations
- Requested Commission consideration and approval of a quarter page ad placement in the FLC Quality Cities publication in the amount of $250. **Commissioner Wood moved to approve. Seconded by Commissioner Borgelin. All YES.**

11. **CITY ATTORNEY COMMENTS** – Mr. Goren reported that the legislative session in Tallahassee has ended. The 100 plus pages of bills that have been tracked over the past months is now down to 14 pages; some bills that passed may not become law if the Governor vetoes them. A report will be forthcoming in the next few days to update on the bills that apply to local government. Mr. Goren commented that Deputy Clerk Garcia-Beckford prepared an analysis of tracked bills that will be shared with the Commission.

12. **ADJOURNMENT** - There being no further business, the meeting adjourned at 8:10 pm.

Respectfully submitted:

Patricia Vancheri, MMC
City Clerk
Whereas the rate of unintentional injuries and deaths in the United States remain at unacceptable levels; and

Whereas injuries and deaths from emergencies, unintentional drug overdose, falls and motor vehicle crashes, remain leading causes of preventable injuries and deaths in the United States; and

Whereas the cost of unintentional injuries to Americans and their employers exceeds $1,034 billion each year and causes great suffering among individuals and their families; and

Whereas North Lauderdale residents and all Americans deserve to live in communities that promote safe and healthy living; and

Whereas preventing unintentional injuries and deaths requires the cooperation of all levels of government, employers and the general public; and

Whereas the National Safety Council, founded in 1913, was congressionally chartered in 1953 to lead this nation in injury prevention through safety and health information, education, training and advocacy in the United States; and

Whereas the National Safety Council and the City of North Lauderdale work to promote policies, practices and procedures leading to increased safety, protection and health in business and industry, in schools and colleges, on roads and highways, and in homes and communities; and

Whereas the National Safety Council and the City of North Lauderdale in 2019 will provide a month-long educational safety campaign; and

Whereas the summer season is a time of increased rates of unintentional injuries and deaths, it is an appropriate time to focus attention on injury risks and preventions; and

Therefore, the City Commission of the City of North Lauderdale does hereby proclaim its support of National Safety Month in June 2019 and strongly urges the citizens and businesses to observe National Safety Month by practicing safe and healthy behaviors in all aspects of their lives.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the City of North Lauderdale, Florida to be affixed this 28th day of May, 2019.

Dated this 28th day of May, 2019

MAYOR ANA M. ZIADE
PROCLAMATION

National Gun Violence Awareness Day

WHEREAS, every day, 100 Americans are killed by gun violence and on average there are nearly 13,000 gun homicides every year; and

WHEREAS, Americans are 25 times more likely to be killed with guns than people in other high-income countries; and

WHEREAS, protecting public safety in the communities they serve is mayors’ highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people with dangerous histories; and

WHEREAS, mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, in January 2013, Hadiya Pendleton, a teenager who marched in President Obama’s second inaugural parade and was tragically shot and killed just weeks later, should be now celebrating her 22nd birthday; and

WHEREAS, to help honor Hadiya – and the 100 Americans whose lives are cut short and the countless survivors who are injured by shootings every day – a national coalition of organizations has designated June 7, 2019, the first Friday in June, as the 5th National Gun Violence Awareness Day; and

WHEREAS, the idea was inspired by a group of Hadiya’s friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and

WHEREAS, anyone can join this campaign by pledging to Wear Orange on June 7th, the first Friday in June in 2019, to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 7, 2019 Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep our children safe.

NOW THEREFORE, the City Commission of the City of North Lauderdale does hereby proclaim June 7, the first Friday in June to be

“NATIONAL GUN VIOLENCE AWARENESS DAY”

and encourages all citizens to support their local communities’ efforts to prevent the tragic effects of gun violence and to honor and value human lives.

Dated this 28th day of May, 2019

MAYOR ANA M. ZIADE
PROCLAMATION

CARIBBEAN HERITAGE MONTH

WHEREAS, during Caribbean Heritage Month we honor America’s long-shared history with our neighbors in the Caribbean and celebrate the Caribbean Americans who have enriched our Nation; and

WHEREAS, from a region that conjures images of a scenic paradise, Caribbean Americans are as vibrant as the islands from which they come, possessing a wealth of talent and history that reverberates throughout this great state and nation; and

WHEREAS, Caribbean Americans embody the American spirit, with their talents and hard work contributing greatly to America’s economy; and

WHEREAS, they protect our citizens as law enforcement officers, serve our communities as public officials, mentor our country’s young people, and their leadership and resolve have made incredible contributions to our society; and

WHEREAS, as educators, authors, community leaders, activists, athletes, artists, musicians, and politicians, Caribbean Americans have made their mark in every facet of our society and have contributed to the betterment and diversity of our state and nation; and

WHEREAS, counted among many famous sons and daughters of the Caribbean are civil rights activist W.E.B. Du Bois; United States Secretary of the Treasury Alexander Hamilton; United States Secretary of State Colin Powell; United States Congresswoman Shirley Chisholm; Oscar-nominated actress Cicely Tyson; Oscar-winning actor Sidney Poitier; author, poet, and civil rights activist James Weldon Johnson; musician, actor, and social activist Harry Belafonte; Haitian Revolution General Henri Christophe; actor and author Louise Bennett-Coverley; writer and nationalist leader José Martí; professor of literature Mayra Santos-Febres; and numerous others who have displayed great strength and resiliency while serving as pioneers among the people of the Caribbean; and

WHEREAS, the United States has thrived as a country of immigrants, united by common values and by the promise of a better tomorrow; and

WHEREAS, this month, we acknowledge the numerous contributions of Caribbean Americans to our Nation, including those of the more than 4 million Caribbean Americans who live in the United States today. We are also deeply grateful to the many Caribbean Americans who have served or are currently serving our country as members of our Armed Forces.

NOW THEREFORE, the Mayor and Commission of the City of North Lauderdale, proclaims the month of June as

“Caribbean Heritage Month”

and urges all of the residents of our City to honor to honor their cultural and historical bonds and be reminded that America’s greatness lies in its diversity.

Dated this 28th day of May, 2019

MAYOR ANA M. ZIADE
PROCLAMATION

JEWISH AMERICAN HERITAGE MONTH

WHEREAS, on April 20, 2006, President George W. Bush proclaimed that May would be Jewish American Heritage Month (JAHM), capping an historic achievement by an impressive group, led by the Jewish Museum of Florida and South Florida Jewish community leaders, which eventually resulted in congressional resolutions introduced by Rep. Debbie Wasserman Schultz (FL-23) and Sen. Arlen Specter (R-PA); and

WHEREAS, JAHM recognizes the more than 360-year history of Jewish contributions to American culture and society, from sports, arts, music and entertainment and history, to medicine, business, science, government and military service. Across these fields, many Jewish Americans have contributed significantly to this Nation’s struggle for freedom, justice and liberty, having helped bring about progress in all aspects of this Nation’s values and character; and

WHEREAS, many Jewish people who reached America did so after fleeing oppression, in some cases amid the most grim and gruesome of human experiences during the Holocaust, and did so with a hope of realizing the true promise of building a freer and more just America; and

WHEREAS, many Jewish women and men made life-long commitments to confront the enemy of America’s noblest goals: racism and oppression. They found solidarity in the Civil Rights Movement, in the fight for women’s and LGBT rights, and in struggles which often mirrored the story of Exodus and the Jewish people’s journey through the ages. Many Jewish people found America’s best values in each of these causes, a demand for fairness, equality and justice; and

WHEREAS, the rise in anti-Semitism demands that all Americans know the lessons of the Holocaust. We must recognize that there is an urgent imperative to continually combat prejudice before it firmly takes root. This recent re-emergence of violent anti-Semitism aimed at places of worship requires that we recommit, through action and solidarity, that an attack on the faith of one is an attack on the faith of all; and

WHEREAS, JAHM celebrations include a unique annual theme, and past events have been held at the U.S. Capitol and the White House, and other federal sites, such as National Parks, the Library of Congress, and the National Gallery of Art. This year’s theme provides a wonderful opportunity to recognize the American Jews who have helped create the images that represent important parts of our everyday life, from beloved children’s books, graphic superhero novels, and daily comics and illustrations. These Jewish artists have been shaped by a Jewish experience and a truly American life, and memorialized and re-imagined the American imaginative landscape; and

WHEREAS, throughout their work, one often finds a common thirst for freedom and justice, as many of these Jewish artists, writers and illustrators are adept at untangling our complicated world and synthesizing lessons and insights about it clearly and succinctly. For that, the world celebrates their work, and we hold their accomplishments up high.

NOW THEREFORE be it proclaimed by the Mayor and City Commission that the month of MAY 2019 shall be recognized as

JEWISH AMERICAN HERITAGE MONTH

Dated this 28th day of May, 2019

__________________________________________
MAYOR ANA M. ZIADE
FINANCE DEPARTMENT
MEMORANDUM

To: Honorable Mayor and City Commission

From: Ambreen Bhatti, City Manager

By: Susan Nabors, Director of Finance

Date: May 28, 2019

Subject: Second Reading: Ordinance Change Related to Stormwater Management Utility Fee

BACKGROUND:

During the Strategic Planning sessions in the spring of 2018, Commission had consensus to move forward with transferring the stormwater charge from the utility (water) bill onto the annual tax bill. This would be done by creating a stormwater special assessment. Doing so has multiply advantages that are listed below:

- First, it creates more timely collection of revenue for the stormwater management program.

- Second, the utility bill will only be for the water and sewer consumption and related charges and will no longer include the stormwater charge. This reduces misunderstandings because the stormwater charge is not consumption-driven, which many individuals associate with a water bill.

- Third, it allows property owners to take advantage of a discount of up to 4% by paying their tax bill early.

On October 30, 2018, the City Commission adopted Resolution 18-10-6572, commonly referred to as the “Intent Resolution,” which initiates the City’s use of the Uniform Assessment Collection Act and expresses the City’s intent to use the Uniform Assessment Collection Act (tax bill method) to collect the Stormwater Management Utility Fee commencing with the Fiscal Year beginning on October 1, 2019.
Over the last couple of months, the Finance Director has worked with the City Attorney’s Office to development amendments to the City’s Ordinances pertaining to the collection of the Stormwater Management Utility Fee. The Ordinance amendments put in the language that allows the City to collect the fee via the Uniform Assessment Collection Act (tax bill method).

The Ordinance was approved on first reading on May 14, 2019.

RECOMMENDATION:

The Administration recommends Commission’s consideration and approval of the attached Ordinance on second reading to revise sections of the Code of Ordinances as they relate to the collection of the Stormwater Management Utility fee to allow for the uniform assessment collection of stormwater fees.
ORDINANCE NO. ___________________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 70, ENTITLED “UTILITIES,” TO AUTHORIZE THE COLLECTION OF THE STORMWATER MANAGEMENT UTILITY FEE (“FEE”) USING THE UNIFORM ASSESSMENT COLLECTION ACT, SECTION 197.3632, FLORIDA STATUTES (“ACT”); SPECIFICALLY AMENDING ARTICLE I, ENTITLED “IN GENERAL” SECTION 70-4 TO RENAME IT “WATER, SEWER, AND STORMWATER MANAGEMENT RATES” AND TO PROVIDE FOR EXCEPTION IF THE STORMWATER UTILITY FEE IS COLLECTED PURSUANT TO THE ACT, AND SECTION 70-6 ENTITLED “BILLING PROCEDURE; DELINQUENT ACCOUNTS” TO PROVIDE FOR EXCEPTION IF THE STORMWATER UTILITY FEE IS COLLECTED PURSUANT TO THE ACT; AMENDING ARTICLE V, ENTITLED “STORMWATER MANAGEMENT,” SECTION 70-200, ENTITLED “PURPOSE” TO INCLUDE COLLECTION PURSUANT TO THE ACT; AMENDING SECTION 70-201, ENTITLED “DEFINITIONS,” TO AMEND CERTAIN DEFINITIONS AND DEFINE ADDITIONAL TERMS ASSOCIATED WITH THE COLLECTION OF THE FEE USING THE PROVISIONS OF THE ACT; AMENDING SECTION 70-212, ENTITLED “UTILITY FEE CATEGORIES” TO PROVIDE FOR EXCEPTION IF THE STORMWATER UTILITY FEE IS COLLECTED PURSUANT TO THE ACT; AMENDING SECTION 70-213, TO RENAME IT “ESTABLISH ERU RATES BY RESOLUTION” AND TO PROVIDE THAT ERU RATES WILL BE ESTABLISHED BY THE CITY COMMISSION BY RESOLUTION; CREATING SECTIONS 70-231 THROUGH SECTION 70-240 TO BE COLLECTIVELY REFERRED TO AS “THE CITY OF NORTH LAUDERDALE STORMWATER MANAGEMENT UTILITY FEE UNIFORM ASSESSMENT COLLECTION ACT ORDINANCE” TO ESTABLISH THE PROCEDURES FOR NOTICE AND ADOPTION OF THE ANNUAL STORMWATER MANAGEMENT UTILITY FEE ROLL AND FOR CORRECTING ERRORS AND OMISSIONS, PROVIDE THAT THE FEES CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE STORMWATER MANAGEMENT UTILITY FEE ROLL, ESTABLISH PROCEDURES AND METHODS FOR THE COLLECTION OF STORMWATER MANAGEMENT UTILITY FEES PURSUANT TO THE ACT; AMENDING SECTION 70-250 ENTITLED “REQUEST FOR ADJUSTMENT” AND SECTION 70-260 ENTITLED “ENFORCEMENT AND PENALTIES” TO FEES NOT COLLECTED PURSUANT TO THE ACT; AND DELETING SECTION 70-251 ENTITLED “APPEALS,” TO CONFIRM THESE PROVISIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

CODING: Words in strike-through type are deletion from existing law; words in underlined type are additions
WHEREAS, pursuant to Chapter 70 of the City’s Code of Ordinances, the City has been charging property owners a Stormwater Utility Management Fee and collecting such on City-issued utility bills; and,

WHEREAS, Section 403.0893, Florida Statutes, authorizes the City to collect the Stormwater Management Utility Fee using the Uniform Assessment Collection Act, which enables the City to collect the Stormwater Management Utility Fees on an annual basis on property tax bills; and,

WHEREAS, on October 30, 2018, the City Commission adopted Resolution 18-10-6572, commonly referred to as the “Intent Resolution,” which initiates the City’s use of the Uniform Assessment Collection Act and expresses the City’s intent to use the Uniform Assessment Collection Act to collect the Stormwater Management Utility Fee commencing with the Fiscal Year beginning on October 1, 2019; and,

WHEREAS, the City Commission of the City of North Lauderdale finds it is in the best interest of the City to amend Chapter 70, and adopt the “City of North Lauderdale Stormwater Management Utility Fee Uniform Collection Act Ordinance,” which will authorize the use of the Uniform Assessment Collection Act to collect the Stormwater Management Utility Fee on an annual basis on the annual tax bills, and provide for the process and procedure for doing so.

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

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

Section 2. The City Commission hereby amends Chapter 70 entitled “Utilities,” Article I, entitled “In General,” Sections 70-4 and 70-6, as follows:

ARTICLE I. – IN GENERAL
Section 70-4. **Simultaneous Water, sewer, and stormwater management rates**

(a) Multifamily dwelling units which have only one meter servicing more than one dwelling unit shall be charged for water and wastewater regardless of occupancy and shall be based on the number of equivalent residential connections (ERC's) which have been adopted by the city for each water meter.

(b) Charges for water services and facilities, charges for sewer services and facilities and charges for stormwater management fees not collected pursuant to the Uniform Assessment Collection Act shall be rendered to the utility customers on one bill, provided that the charges shall be listed separately thereon, and provided further, that no customer may pay the charges for any thereof without simultaneously paying the charges for the others thereof.

(c) Water, sewer and stormwater management accounts shall be established in the name of the property owner.

   (1) If a property ownership changes, it is the new property owner’s responsibility to establish an account in their name.

   (2) Utility accounts not placed into the property owner’s name will be in violation of the City Code and the City shall have the right to enforce compliance with this subsection through legally available avenues, and additional fines and fees may be imposed upon the property owner for violating this subsection.

      a) The City shall provide a property owner with no less than thirty (30) days written notice prior to imposition of the penalty and commencement of enforcement action authorized herein.

      b) If a property owner produces an enforceable lease effective prior to November 13, 2007, for a tenant in whose name an account was legally established prior to November 13, 2007, the account may remain in the name of the tenant until expiration of the term of the lease provided to the City.

   (3) City shall send all correspondence relating to an account, including invoices and notices, to the property address provided by the property owner or account holder to the City. Property owners and account holders are responsible for notifying the City of their current mailing address.

   (4) Failure of the property owner to establish an account in their name or failure to provide the City of a current mailing address shall not release or diminish the obligation of the property owner to pay charges accrued on the property.

. . .

Section 70-6. Billing procedure; delinquent accounts
(a) Bills for the city utility services shall be rendered once per month, based on the rate structure then in effect, and shall be due on or before the 21st calendar day subsequent to the bill date and is “past due” on the 22nd calendar day subsequent to the bill date.

(b) If payment has not been received by the city before the close of business on the due date, a "past due" notice and a late payment fee, shall appear on the customer's subsequent bill.

(c) If the "past due" payment amount is not received before the close of business on the 21st calendar day following the bill containing the "past due" notice, utility service will be disconnected without further notice.

(d) All utility payments received shall first be applied to the oldest balance on the account.

(e) The finance director, or his/her designee, shall have the discretion to waive a first instance of a late payment fee based on the partial payment of an amount due at the time when a late fee would otherwise be applied.

(f) All moneys owed to the city for services may be recorded as liens on the subject property when the delinquent amounts reaches $500.00 for single residential, $500.00 for each multi-family residential, or $1,000.00 for nonresidential. The liens shall be recorded in the public records of Broward County and may be foreclosed in the same manner provided in F.S. ch. 702, as may be amended from time to time, for the foreclosure of mortgages on property. Such liens shall bear interest at the rate permitted by law from the date the lien is filed. Fees charged to record the lien shall follow Section 2-223 and Appendix F, Section 54 of this Code.

(g) The city manager shall be authorized to increase or decrease temporary personnel on an as-needed basis, subject to budgetary availability, to address any increase or decrease in the demands on utility services.

(h) In the event the City collects the Stormwater Management Utility Fee using the Uniform Assessment Collection Act, then the billing procedures in this Section will not apply to the collection of Stormwater Utility Fees unless the City is not able to use that method for a certain property, such as for government property.

Section 3. The City Commission hereby amends Chapter 70 entitled “Utilities,” Article V, entitled “Stormwater Management,” to amend Section 70-200, entitled “Purpose,” Section 70-201, entitled “Definitions,” Section 70-212, entitled “Utility fee categories,” Section 70-213, to be renamed “Establish ERU rates by resolution;” to create Sections 70-231 through 70-240 to be collectively known as the “City of North Lauderdale Stormwater Management Utility Fee Uniform Assessment Collection Act Ordinance;” and amend Section 70-250, entitled “Request
for adjustment,” delete Section 70-251 and amend Section 70-260 entitled “Enforcement and penalties,” as follows:

ARTICLE V. - STORMWATER MANAGEMENT

Sec. 70-200. - Purpose.

It is the purpose and intent of the city to establish stormwater management services as a utility function pursuant to Florida Statutes, as amended from time to time, § 403.0893, and to establish utility fees for stormwater management services (Stormwater Management Utility Fees) to be levied against all developed property in the city, and to authorize the collection of such fees.

Sec. 70-201. - Definitions.

[For the purposes of this article, certain terms shall have the meanings ascribed to them in this section, unless the context clearly indicates otherwise.]

Annual Fee Resolution means the Resolution described in Section 70-235(b) hereof, approving a Stormwater Management Utility Fee Roll for a specific Fiscal Year.

Assessed Property means all parcels of real property included on the Stormwater Management Utility Fee Roll that receives a special benefit from the Stormwater Improvements and Stormwater Management System identified in an Annual Fee Resolution.

Capital Cost means all or any portion of the expenses that are properly attributable to the acquisition, construction, design, installation, reconstruction, renewal or replacement (including demolition, environmental mitigation, and relocation) of Stormwater Improvements under generally accepted accounting principles and including reimbursement to the City for any moneys advanced for Capital Cost and interest on any interfund or intrafund loan for such purposes.

City shall mean the North Lauderdale City government, including staff and elected officials.

City Commission means the City Commission for the City.

Clerk means the City Clerk, or such other person as may be duly authorized to act on such person’s behalf.

Comprehensive Plan means the Comprehensive Plan adopted by the City pursuant to Chapter 163, Part II, Florida Statutes.

County means Broward County, Florida.
**Developed property** means real property within the city on which improvements have been made to foster commercial, residential or civic use, and/or any property on which impervious structures have been placed.

**Equivalent residential unit ("ERU")** means the representative average impervious area of single-family residential property located in the city. The numerical value of one (1) ERU shall be an impervious area that shall be adopted by the City Commission by resolution.

**Final Fee Resolution** means the Resolution described in Section 70-235(a) hereof, which shall confirm, modify, or repeal the Initial Assessment Resolution and which shall be the final proceeding for the levy and collection of the Stormwater Management Utility Fee in the initial year using the Uniform Assessment Collection Act.

**Fiscal Year** means the period commencing on October 1 of each year and continuing through the next succeeding September 30, or such other period as may be prescribed by law as the fiscal year for the City.

**Government Property** means property owned by the United States of America, the State of Florida, a sovereign state or nation, a county, a special district, a municipal corporation, or any of their respective agencies or political subdivisions.

**Initial Fee Resolution** means the Resolution described in Section 70-235(a) hereof, which shall be the initial proceeding for the levy and collection of the Stormwater Management Utility Fee using the Uniform Assessment Collection Act.

**Impervious area** means any part of any parcel of land that has been modified by the action of person to reduce the land's natural ability to absorb and hold rainfall. This includes areas that have been cleared, graded, paved, graveled, or compacted, or covered with structures. Excluded are all lawns, landscape areas, and gardens or farming areas.

**Manager** means the city manager or his designee.

**Multi-family property** means all residential development not included in the definition of Single-family property classified as single-family residential.

**Nonresidential property** means all property not zoned or used as single- or multi-family residential property as defined in this article.

**Obligations** mean a series of bonds or other evidence of indebtedness, including, but not limited to, notes, commercial paper, capital leases or any other obligations of the City issued or incurred to finance any portion of the Capital Cost of a Stormwater Improvement and secured, in whole or in part, by proceeds of the Stormwater Management Utility Fees.

**Preliminary Fee Resolution** means the Resolution described in Section 70-235(b) that initiates the levy and collection of the Stormwater Management Utility Fee in fiscal years
subsequent to the initial year that the Stormwater Management Utility Fee is collected using the Uniform Assessment Collection Act.

**Property Appraiser** means the Broward County Property Appraiser.

**Residential Property** means property that is classified by the Property Appraiser as Residential under the Florida Department of Revenue Land Use Codes, as may be amended from time to time, and is deemed to include, but not be limited to, any property which has the majority use as a single-family residence including condominiums, townhouses, and apartments.

**Single-family property** means all single-family detached residential dwelling structures, under the Florida Department of Revenue Land Use Codes. All other residential development shall be classified as multi-family.

**SMU director** means the City Manager designee responsible for implementing the SMU function.

**Stormwater** means that portion of precipitation that travels over natural, altered, or improved surfaces to the nearest stream or channel or impoundment and may appear in surface waters.

**Stormwater Improvement** means land, capital facilities and improvements acquired or provided to detain, retain, convey, or treat Stormwater.

**Stormwater Improvement Area** means the City, or any portion or portions thereof, as identified in the Initial Fee Resolution, as may be amended by subsequent resolution, encompassing those parcels of property specially benefited by the construction, reconstruction, or installation of all or any portion of a Stormwater Improvement that removes, detains, retains, or treats, in whole or in part, the Stormwater burden expected to be generated by the physical characteristics and use of the Assessed Property. Each Stormwater Improvement Area will include either (A) the property which is hydrologically connected, directly or indirectly, to the Stormwater Improvement; or (B) all property located within a hydrologically defined area in which the City constructs one or more Stormwater Improvements to correct existing deficiencies with respect to a specific level of service and provide a consistent level of Stormwater management.

**Stormwater management plan** means an approved plan for receiving, handling, and transporting storm and surface waters within the city stormwater management system.

**Stormwater management system** means all natural and manmade elements used to convey stormwater from the first point of impact with the surface of the earth to a suitable outlet location internal or external to the boundaries of the city. The stormwater management system includes all pipes, channels, streams, ditches, wetlands, sinkholes, detention/retention basins, ponds, and other stormwater conveyance and treatment facilities, whether public or private.
Stormwater Management Utility Fee ("SMU Fee" or "Fee") means a fee imposed by the City within a Stormwater Service Area to fund the Stormwater Management System, the Capital Cost or the debt service and related cost of Obligations issued to finance the costs of a Stormwater Improvement, and the Stormwater Service Costs.

Stormwater Management Utility Fee Roll means the roll created that includes all parcels within the City and their assigned Stormwater Management Utility Fee relating to Stormwater Improvements or Stormwater Management System approved by a Final Fee Resolution or an Annual Fee Resolution.

Stormwater Service Area means the geographic area described in the Initial Fee Resolution as may be amended by subsequent resolution, that encompasses all parcels within the City which specially benefit from the Stormwater Management Service and all parcels to which services from the Stormwater Management System are provided.

Stormwater Service Cost means the estimated amount for any Fiscal Year of all expenditures and reasonable reserves that are properly attributable to the Stormwater Management Service provided within the Stormwater Service Area under generally accepted accounting principles, including, without limiting the generality of the foregoing, reimbursement to the City for any moneys advanced for the Stormwater Management Service, and interest on any interfund or intrafund loan for such purpose.

Stormwater Management Utility means the entity that implements the Stormwater management program of the City.

Tax Collector means the Tax Collector of Broward County, the Broward County Division of Financial Management, or other entity which performs tax collection duties in Broward County.

Tax Roll means the real property ad valorem tax assessment roll maintained by the Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

Undeveloped property means all real property within the city which does not meet the definition of developed property.

Uniform Assessment Collection Act means Sections 197.3632 and 197.3635, Florida Statutes, or any successor statutes authorizing the collection of non-ad valorem assessments on the same bill as ad valorem taxes, and any applicable regulations promulgated thereunder.

Secs. 70-202—70-209. - Reserved.

Sec. 70-210. - Utility established.

There is hereby created and established a stormwater management utility (SMU) program, which shall provide the operational means of implementing and carrying out the functional
requirements of the stormwater management system. The SMU program shall be part of the overall utility systems of the city.

Sec. 70-211. - Customer base.

All real property within the jurisdictional boundaries of the city shall be subject to SMU fees unless specifically exempted. The fees shall apply to all tax-exempt properties, including properties of federal, state, city, and county agencies and nonprofit organizations.

Sec. 70-212. - Utility fee categories.

(a) **Single-family property.** Each single-family property shall be considered 1.0 ERU’s for billing purposes.

(b) **Multifamily.** Each multifamily unit shall be considered as 0.6 ERU’s for billing purposes.

(c) **Nonresidential property.** The monthly utility fee for all nonresidential properties shall be billed and calculated in accordance with the following formula:

\[
\text{The value of one ERU for non-residential property is hereby determined to be 2,138 square feet of impervious area.}
\]

\[
\text{Impervious Area} = 1.0 \text{ ERU's}
\]

In instances where the SMU Fee is not collected by the City pursuant to the Uniform Assessment Collection Act, and where multiple utility customers occupy a developed property, the city shall implement a rational and equitable proration related to the occupancy contained thereon for billing purposes.

The utility fee shall = (number of non-residential ERU’s \times (rate per ERU)

A minimum value of one (1.0) ERU shall be assigned to each nonresidential property.

Sec. 70-213. - Fee schedule

**ERU rate.** The fee per ERU billing shall be established by resolution by the City Commission $6.00 per month. ERU fees shall be billed in advance and collected as a separate line item on utility account bills. Separate accounts for stormwater services only may be established if other utilities are not furnished to the property. For those properties subject to SMU fees and not receiving a monthly utility account bill from the city, ERU fees shall be billed in advance on a quarterly basis.

Secs. 70-214—70-219. - Reserved.

Sec. 70-220. - Exemptions.
The following real property located in the city shall be exempt from the imposition of SMU fees:

(1) Undeveloped property.
(2) Paved or improved public rights-of-way.

Secs. 70-221—70-229. - Reserved.

Sec. 70-230. - Enterprise funds.

An SMU enterprise fund (the "fund") account, into which all revenues from SMU utility fees, connection charges, grants, or other funding sources shall be deposited and from which all expenditures related to the SMU shall be paid, is hereby established.

Accounting and reporting procedures shall be consistent with Florida General Law. Expenditures from the fund for activities that are not related to the city SMU shall not be permitted, except for a prorated charge for general government services as is in effect for other city utility operations.

Sec. 70-231. Collection of stormwater utility fee pursuant to the Uniform Assessment Collection Act.

Sections 70-231 through 70-240, shall be known as the “City of North Lauderdale Stormwater Management Utility Fee Uniform Assessment Collection Act Ordinance.”

Section 70-232. General and legislative findings.

It is hereby ascertained, determined, and declared that:

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

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

(c) The purpose of this Ordinance is to (1) provide procedures and standards for the imposition of Stormwater Management Utility Fees under the constitutional and statutory power of the City; (2) authorize a procedure for the funding of Stormwater
Management System, facilities, or programs provided to properties within the Stormwater Service Area; and (3) legislatively determine the special benefit provided to Assessed Property from the Stormwater Utility.

(d) The Florida Legislature has mandated that local governments in the State of Florida, including the City, have the responsibility for developing mutually compatible Stormwater management programs consistent with the rules and regulations of the Florida Department of Environmental Protection, the Federal Clean Water Act, and the water management districts and the Stormwater management programs established and maintained by other local governments.

(e) The Stormwater Management Utility Fees levied and collected hereby are consistent with the authority granted in Section 403.0893, Florida Statutes. That statutory provision is additional and supplemental authority to the constitutional and statutory power of self-government granted to a municipality.

(f) It is hereby ascertained and declared that the Stormwater Utility, the Stormwater Management System, and the Stormwater Improvements provide a special benefit to the Assessed Property based upon the following legislative determinations:

(1) The Stormwater Utility possesses a logical relationship to the use and enjoyment of all Developed property by treating and controlling contaminated Stormwater generated by improvements constructed on Developed property, which resulted in the alteration of such property from its natural state to accommodate such improvements.

(2) The special benefit received by Assessed Property is the control, management and treatment of the Stormwater burden generated by the improvements on Developed Property.

(3) Substantially all of the Stormwater burden managed, controlled, and treated by the Stormwater Utility is generated by Developed property and the amount of Stormwater generated by property in its natural state that is managed, controlled, and treated by the Stormwater Utility is inconsequential.

(4) The City has adopted the Infrastructure Element of the Comprehensive Plan which sets forth goals that make it necessary and essential to construct improvements and extensions to the existing Stormwater system so the collection, storage, treatment, and conveyance of Stormwater within the City adequately protects the health, safety, and welfare of the citizens of the City. The creation and maintenance of the Stormwater Utility is designed to implement the Stormwater sub-element of the Infrastructure Element and other municipal, federal, and state policies mandating Stormwater management programs by local governments.

(a) Unless directed otherwise by the City Commission, Stormwater Management Utility Fees shall be collected pursuant to the Uniform Assessment Collection Act and this Ordinance, and the City shall comply with all applicable provisions thereof. Any hearing or notice required by this Ordinance may be combined with any other hearing or notice required by the Uniform Assessment Collection Act. In lieu of using the Uniform Assessment Collection Act, the City may collect the Stormwater Management Utility Fee through Section 70-6, or by any other method which is authorized by law.

Section 70-234. Use of stormwater utility fees collected through the Ordinance.

The City Commission intends to fund the cost of providing services and capital facilities for the Stormwater management system through the Stormwater Management Utility Fee collected as provided herein. The City Commission has further concluded that periodic determination of revenues earned and expenses incurred in connection with the provision of services and capital facilities for the Stormwater management system will enhance accountability and management control of the City’s Stormwater Utility and will facilitate implementation of the City Commission’s funding policy for the Stormwater management system. Accordingly, proceeds of the Stormwater Management Utility Fee shall be used for payment of the Stormwater Service Cost, the payment of the Capital Cost of Stormwater Improvements, and the payment of debt service on Obligations issued to finance Stormwater Improvements.

Sec. 70-235. Levy and collection of stormwater utility fees pursuant to the Uniform Assessment Collection Act.

(a) Initial fiscal year.

(1) The initial proceeding for collection of the Stormwater Management Utility Fee using the Uniform Assessment Collection Act shall be the City Commission's adoption of an Initial Fee Resolution. The Initial Fee Resolution shall:

(A) describe the Stormwater Improvement or Stormwater Management Service proposed for funding from the proceeds of the Stormwater Management Utility Fees;

(B) estimate the Capital Cost or Stormwater Service Cost;

(C) describe with particularity the proposed method of apportioning the Capital Cost or Stormwater Service Cost among the parcels of property located within the Stormwater Service Area, such that the owner of any parcel of property can objectively determine the amount of the Stormwater
Management Utility Fees, based upon its value, use or physical characteristics;

(D) set forth the date, time and location for the City Commission to consider public comments on the adoption of the Final Fee Resolution;

(E) direct the requisite notice be provided to affected property owners for a public hearing to adopt the Final Fee Resolution; and

(F) include specific legislative findings that recognize the equity provided by the apportionment methodology and specific legislative findings that recognize the special benefit provided by the Stormwater Management Service. At its option, the City Commission may adopt separate Initial Fee Resolutions for the Stormwater Management Utility Fee and each separate Stormwater Management Utility Fee.

(2) The City Manager shall prepare, or direct the preparation of, a preliminary Stormwater Management Utility Fee Roll that contains the following information:

(A) a summary description of each parcel of property (conforming to the description contained on the Tax Roll) subject to the Stormwater Management Utility Fee;

(B) the name of the owner of record of each parcel as shown on the Tax Roll;

(C) the number of ERUs attributable to each parcel;

(D) the estimated maximum Stormwater Management Utility Fee to become due in the Fiscal Year for each ERU;

(E) the estimated maximum Stormwater Management Utility Fee to become due in the Fiscal Year for each parcel; and

(F) at the option of the City Commission the Stormwater Management Utility Fee Roll may also include the estimated maximum annual Stormwater Management Utility Fee to become due in any future Fiscal Year for each ERU and each parcel.

(G) at the option of the City Commission, for delinquent parcels, the unpaid Stormwater Utility Management Fees, including delinquency charges, interest and penalties, incurred prior to the use by the City of the Uniform Assessment Collection Act.
(3) Copies of the Initial Fee Resolution and the preliminary Stormwater Management Utility Fee Roll shall be on file in the office of the City Clerk and open to public inspection. The foregoing shall not be construed to require that the Stormwater Management Utility Fee be in printed form if the amount of the Stormwater Management Utility Fee for each parcel of property can be determined by use of a computer terminal available for use by the public.

(4) At the time named in the notices, or such time to which an adjournment or continuance may be taken, the City Commission shall conduct a public hearing to receive written objections and hear testimony of interested persons and may then, or at any subsequent meeting of the City Commission, adopt the Final Fee Resolution which shall (A) confirm, modify, or repeal the Initial Fee Resolution with such amendments, if any, as may be deemed appropriate by the City Commission; (B) approve the Stormwater Management Utility Fee Roll, with such amendments as it deems just and right; and (C) determine the method of collection. All objections to adoption of the Final Fee Resolution shall be made in writing, and filed with the Clerk at or before the time or adjourned time of such hearing. The City shall provide notice of the public hearing in accordance with Section 70-236.

(b) Levy of Fee in subsequent years. In years subsequent to the initial year using the Uniform Assessment Collection Act, the process for the levy and collection of the Stormwater Management Utility Fees shall be as follows:

(1) The City Commission shall adopt a Preliminary Fee Resolution, which shall include:

(A) A brief description of the Stormwater Management System provided by the City;

(B) The amount of the cost of the Stormwater Management System to be assessed upon specially benefited properties within the City;

(C) Setting forth the date, time and location for the City Commission to consider public comments on the adoption of the Annual Fee Resolution;

(D) Directing the City Manager, or his or her designee, to update the Stormwater Management Utility Fee Roll; and,

(E) Directing the requisite notice be provided to affected property owners for a public hearing to adopt the Annual Fee Resolution.
(2) Copies of the Preliminary Fee Resolution and the preliminary Stormwater Management Utility Fee Roll shall be on file in the office of the City Clerk and open to public inspection. The foregoing shall not be construed to require that the Stormwater Management Utility Fee Roll be in printed form if the amount of the Stormwater Management Utility Fee for each parcel of property can be determined by use of a computer terminal available for use by the public.

(3) During its budget adoption process, the City Commission shall adopt an Annual Fee Resolution. The Final Fee Resolution shall constitute the Annual Fee Resolution for the initial Fiscal Year. The Annual Fee Resolution shall approve the Stormwater Management Utility Fee Roll for such Fiscal Year. The Stormwater Management Utility Fee Roll shall be prepared in accordance with the Preliminary Fee Resolution, as confirmed or amended by the Annual Fee Resolution. The City shall provide notice to the owners of such property in accordance with Section 70-236 hereof and conduct a public hearing prior to adoption of the Annual Fee Resolution; provided that should the City use the Uniform Assessment Collection Act, a public hearing is necessary only when such is required under the Uniform Assessment Collection Act.

(c) The adoption of the Final Fee Resolution or Annual Fee Resolution shall be the final adjudication of the issues presented (including, but not limited to, the apportionment methodology, the rate of assessment, the adoption of the Stormwater Management Utility Fee Roll and the levy and lien of the Stormwater Management Utility Fees) unless proper steps are initiated in a court of competent jurisdiction to secure relief within twenty (20) days from the date of City Commission adoption of the Final or Annual Fee Resolution. The Stormwater Management Utility Fees for each Fiscal Year shall be established upon adoption of the Annual Fee Resolution. The Stormwater Management Utility Fee Roll, as approved by the Final Fee Resolution or Annual Fee Resolution shall be delivered to the Tax Collector or such other official as the City Commission, by Resolution, deems appropriate.

(d) Upon adoption of the Annual Fee Resolution for each Fiscal Year, Stormwater Management Utility Fees to be collected under the Uniform Assessment Collection Act shall constitute a lien against Assessed Property equal in rank and dignity with the liens of all state, county, district, or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other prior liens, titles and claims, until paid. The lien shall be deemed perfected upon adoption by the City Commission of the Annual Fee Resolution and shall attach to the property included on the Stormwater Management Utility Fee Roll as of the prior January 1, the lien date for ad valorem taxes.

Sec. 70-236. Notice.

CODING: Words in strike through type are deletion from existing law; words in underlined type are additions
(a) Notice by publication.

When a public hearing is required under the Uniform Assessment Collection Act, the City Manager shall cause to be published once in a newspaper of general circulation within the City a notice stating that a public hearing of the City Commission will be held on a certain day and hour, not earlier than twenty (20) calendar days from such publication, at which hearing the City Commission will receive written comments and hear testimony from all interested persons regarding adoption of the Final or Annual Fee Resolution and approval of the Stormwater Management Utility Fee Roll. The form of the published notice shall conform to the requirements set forth in the Uniform Assessment Collection Act for purposes of the Stormwater Management Utility Fees.

(b) Notice by mail.

When a public hearing is required under the Uniform Assessment Collection Act, the City Manager shall cause to be provided notice of the proposed Stormwater Management Utility Fees by mail to the owner of each parcel of property subject to the Stormwater Management Utility Fees. The form of such notice shall conform to the requirements set forth in the Uniform Assessment Collection Act. The notice shall be mailed by either first class mail, or by use of the Annual Truth in Millage Notices mailed by the Property Appraiser, at least twenty (20) calendar days prior to the hearing to each property owner, at such address as is shown on the Tax Roll at the time the notices are prepared for mailing. Notice shall be deemed mailed upon delivery thereof to the possession of the U.S. Postal Service. Failure of the owner to receive such notice due to mistake or inadvertence shall not affect the validity of the Stormwater Management Utility Fee Roll, nor release or discharge any obligation for the payment of a Stormwater Management Utility Fee imposed by the City Commission pursuant to this Ordinance.

Sec. 70-237. Collection of Stormwater Management Utility Fees from government property.

(a) City-owned Property. Unless directed otherwise by the City Commission, the City will be responsible for its Stormwater Management Utility Fee. Evidence of payment for such may be by a transfer of City funds into the Stormwater Utility Fund.

(b) Government Property owned by a Government entity other than the City. Unless exempt under state or federal law, Government Property located in the City owned by a governmental entity other than the City shall be responsible for the Stormwater Management Utility Fee applicable to its property, but such may not be collected on the tax rolls pursuant to the Uniform Assessment Collection Act. The City will bill the Stormwater Management Utility Fee applicable to government properties on utility bills.
Sec. 70-238. Revisions to Stormwater Management Utility Fees.

(a) If any Stormwater Management Utility Fee levied and collected under the provisions of this Ordinance is either in whole or in part annulled, vacated or set aside by the judgment of any court, or if the City Commission is satisfied that any such Stormwater Management Utility Fee is so irregular or defective that the same cannot be enforced or collected, or if the City Commission has failed to include any property on the Stormwater Management Utility Fee Roll that should have been so included, the City Commission may take all necessary steps to impose a new Stormwater Management Utility Fee against any such property, following as nearly as may be practicable the provisions of this Ordinance, and in case such second Stormwater Management Utility Fee is annulled, the City Commission may obtain and impose other Stormwater Management Utility Fees until a valid Stormwater Management Utility Fee is imposed.

(b) Any irregularity in the proceedings in connection with the levy of any Stormwater Management Utility Fee under the provisions of this Ordinance shall not affect the validity of the same after the approval thereof, and any Stormwater Management Utility Fee as finally approved shall be competent and sufficient evidence that such Stormwater Management Utility Fee was duly levied, that the Stormwater Management Utility Fee was duly made and adopted, and that all other proceedings adequate to such Stormwater Management Utility Fee were duly had, taken and performed as required by this Ordinance; and no variance from the directions hereunder shall be held material unless it be clearly shown that the party objecting was materially injured thereby. Notwithstanding the provisions of this Section 70-238, any party objecting to a Stormwater Management Utility Fee imposed pursuant to this Ordinance must file an objection with a court of competent jurisdiction within the time periods prescribed in Section 70-235(c) of this Ordinance.

(c) No act of error or omission on the part of the City Commission, City Manager, Property Appraiser, Tax Collector, City Clerk, or their respective deputies, employees or designees, shall operate to release or discharge any obligation for payment of any Stormwater Management Utility Fee imposed by the City Commission under the provisions of this Ordinance.

(d) The number of ERUs attributed to a parcel of property may be corrected. Any such correction which reduces a Stormwater Management Utility Fee shall be considered valid from the date on which the Stormwater Management Utility Fee was imposed and shall in no way affect the enforcement of the Stormwater Management Utility Fee imposed under the provisions of this Ordinance. Any such correction which increases a Stormwater Management Utility Fee or imposes a Stormwater Management Utility Fee on omitted property shall first require notice to the affected owner in the manner described in Section 70-236(b) hereof, providing the date, time,

CODING:   Words in strike-through type are deletion from existing law; words in underlined type are additions
and place that the City Commission will consider confirming the correction and offering the owner an opportunity to be heard.

(e) The City Commission may provide by Resolution each year a process for considering mitigation or exemptions of parcels from the Stormwater Management Utility Fee based on criteria established in such Resolution.

(f) After the Stormwater Management Utility Fee Roll has been delivered to the Tax Collector, any changes, modifications or corrections thereto shall be made in accordance with the procedures applicable to errors and insolvencies for ad valorem taxes.

Sec. 70-239. Applicability.

This Ordinance and the City's authority to impose Stormwater Management Utility Fees pursuant hereto shall be applicable throughout the City.

Sec. 70-240. Alternative method.

This Ordinance shall be deemed to provide an additional and alternative method for the doing of the things authorized hereby and shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as in derogation of any powers now existing or which may hereafter come into existence. This Ordinance, being necessary for the welfare of the inhabitants of the City, shall be liberally construed to effect the purposes hereof.

Secs. 70-231-70-241—70-249. - Reserved.

Sec. 70-250. Request for adjustment.

Any Fee collected by the City by means other than the Uniform Assessment Collection Act may be adjusted as follows:

All requests for adjustment of the stormwater utility fee shall be submitted to the SMU director and shall be reviewed as follows:

(1) All requests shall be in writing and set forth in detail the grounds upon which an adjustment is sought.

(2) Adjustment requests made during the first calendar year that the fee is imposed shall be reviewed by the Stormwater Management Utility Director within a one-year period from the date of submission. Adjustments resulting from such requests shall be retroactive to the effective date of this article.

(3) All adjustment requests received after the first calendar year that the fee is imposed shall be reviewed by the Stormwater Management Utility Director within a four-month period from the date of submission. Adjustments resulting from such requests shall be retroactive to the date of submission of the adjustment request.
(4) The customer or property-owner requesting the adjustment may be required, at his own cost, to provide supplemental information to the Stormwater Management Utility Director including survey data and engineering reports prepared by either a registered professional land surveyor or professional engineer. Failure to provide such information may result in a denial of the adjustment request.

(5) The Stormwater Management Utility Director shall provide the person requesting the adjustment with a written determination of the request within the time provided herein. Any adjustments shall be prorated monthly.

Sec. 70-251. - Appeal process.

(6) Any customer or property owner who disputes the result of a request made to the SMU director for adjustment may petition in writing to the manager for a review of said charges. The decision of the manager shall be final.

Sec. 70-260. - Enforcement and penalties.

(a) Should the City not collect the Stormwater Management Utility Fee pursuant to the Uniform Assessment Collection Act, or when the City is not able to use the that collection method for a certain property, collection shall be enforced as follows:

(1) Bills shall be payable at the same time and in the same manner and subject to the same penalties as set forth in section 70-6 as it may now exist, or as it may be later amended, for other city utility services. Nonpayment of any portion of the stormwater utility fee shall be considered as nonpayment of all other city utilities appearing on the bill and may result in the city's termination of all utility services appearing on the bill.

(2) Pursuant the Florida General Law, the city shall have a lien for delinquent or unpaid stormwater management services charges, which lien shall be prior to all other liens on such property except to tax liens. Enforcement and foreclosure of said liens shall be as provided by Florida General Law. Interest on the unpaid balance shall be the highest rate as authorized by Florida General Law.

(b) The City shall have the right to record a lien for unpaid Stormwater Management Utility Fees in the public records of Broward County, Florida.

(c) The City shall have the right to appoint or retain an agent to foreclose and collect all delinquent Stormwater Management Utility Fees in the manner provided by law. All costs, fees and expenses, including reasonable attorney fees and title search expenses related to any foreclosure action as described herein shall be included in any judgment or decree rendered therein. At the sale pursuant to decree in any such action, the City may be the purchaser to the same extent as an individual person or corporation. The City may join in one foreclosure action the collection of
Stormwater Management Utility Fees against any or all property assessed in accordance with the provisions hereof. All delinquent property owners whose property is foreclosed shall be liable for an apportioned amount of reasonable costs and expenses incurred by the City and its agents, including reasonable attorney fees, in collection of such delinquent Stormwater Management Utility Fees and any other costs incurred by the City as a result of such delinquent Stormwater Management Utility Fees including, but not limited to, costs paid for draws on a credit facility and the same shall be collectible as a part of or in addition to, the costs of the action.

(d) In lieu of foreclosure, any delinquent Stormwater Management Utility Fee and costs, fees, and expenses attributable thereto, may be rolled into the Fee for such parcel in a subsequent fiscal year, and collected pursuant to the Uniform Assessment Collection Act; provided however, that (1) notice is provided to the owner in the manner required by law and this Ordinance; and (2) any existing lien of record on the affected parcel for the delinquent Stormwater Management Utility Fee is supplanted by the lien resulting from certification of the Stormwater Management Utility Fee Roll to the Tax Collector.

Secs. 70-261—70-269. - Reserved.

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

Section 5. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 6. It is the intention of the City Commission of the City of North Lauderdale that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Lauderdale, Florida, that the Sections of this Ordinance may be renumbered, re-lettered, and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

Section 7. This Ordinance shall become effective immediately upon its passage and adoption.
PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE FIRST READING, THIS 14th DAY OF MAY, 2019.


___________________________________________
MAYOR ANA M. ZIADE

___________________________________________
VICE MAYOR SAMSON BORGELIN

APPROVED AS TO FORM:

___________________________________________
CITY ATTORNEY SAMUEL GOREN

ATTEST:

___________________________________________
PATRICIA VANCHERI, CITY CLERK
RESOLUTION NO. _________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING CHRISTINE McKay, WHO RESIDES IN DISTRICT C, (SPONSORED BY MAYOR ZIADE AT LARGE) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Christine McKay’s term of office expires on May 31, 2019; and

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

WHEREAS, Ana M. Ziade, Mayor-at-Large, sponsors Ms. McKay’s re-appointment; and

WHEREAS, the City Commission desires to ratify said recommendation.

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

Section 1. That Christine McKay is hereby re-appointed to a three year term as a regular member of the North Lauderdale Planning & Zoning Board to serve in said position from June 1, 2019 until May 31, 2022 or until resignation, whichever comes first.

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

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 28th day of May, 2019.

APPROVED AS TO FORM:

__________________________________
MAYOR ANA M. ZIADE

__________________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

__________________________________
CITY CLERK PATRICIA VANCHERI
As you may recall, in an effort to continue lowering the lift station run times and the quantity of sewage that is transmitted to the County, the Commission approved the allocation of funds in the fiscal year 2019 budget to continue sanitary sewer rehabilitation program throughout the City.

Granite Inliner, formerly Layne Inliner, assisted the City during the last fiscal year in lining gravity sewer mains in Lift Station (LS) #4 and #14 basins. In an effort to limit the roadway and sewer service interruptions for our residents, the lining work is phased out for time in these basins. Therefore, a little over 50% of the lining of these two basins was completed during the last fiscal year. Tonight, Staff is recommending the continuation of these sewer main lining in these basins during the current fiscal.

In addition, Granite Inliner had previously assisted the City with lining the gravity sewer mains in LS #9 basin, but there were three areas that required additional investigation before lining. Since Granite Inliner is familiar with the City’s overall system and specifically with LS #9 basin, staff is recommending that Granite Inliner should complete the investigation and lining work in LS #9 basin.

The City staff is proposing to use Granite Inliner, LLC as the vendor to complete the gravity sewer main lines in LS #4, #9 and #14 basins since they have worked in these basin areas last year and would be best suited to complete the rest of project. Staff was highly satisfied with their performance and product last year.

Granite (Layne) Inliner, LLC was the lowest responsive bidder through the City of Plantation bid, ITB 041-14 and was contracted by the City of Plantation for similar work. Staff is proposing tonight to piggyback off this Plantation contract as the vendor has agreed to honor terms of the Plantation contract for our project. Based upon the Plantation contract specifications and the rate structure, the total cost to continue the lining of LS #4, #9 and #14 basins is determined to be approximately $400,000.00. Granite Inliner is a local vendor who is available to start work right away and has agreed to conduct this work per City’s schedule.
**RECOMMENDATION:**

The City Administration recommends that the City Commission approves the attached Resolution authorizing the City Manager or designee to award Granite Inliner, LLC to continue the lining of LS #4, #9 and #14 gravity sewer mains, in an amount not to exceed $400,000.00 using the City of Plantation bid ITB 041-14 for the continuation of the City’s sanitary sewer rehabilitation program.
RESOLUTION NO. _________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD GRANITE (LAYNE) INLINER, LLC TO CONTINUE THE LINING OF LS #4, #9 AND #14 GRAVITY MAINS, IN AN AMOUNT NOT TO EXCEED $400,000.00 USING THE CITY OF PLANTATION CONTRACT, ITB 041-14 FOR THE CONTINUATION OF THE SANITARY SEWER REHABILITATION PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1: That the City Commission of the City of North Lauderdale, Florida authorizes the City Manager or her designee to allow purchase orders to Granite Inliner, to continue the lining of LS #4, #9 and #14 gravity sewer mains.

Section 2: That the funding for this project, in an amount not to exceed $400,000.00, has been appropriated in fiscal year 2019.

Section 3: That the City will piggyback off the City of Plantation Bid ITB No. 041-14 for pricing and scope of work.

Section 4: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 28th day of May, 2019.

APPROVED AS TO LEGAL FORM:

__________________________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________________________
MAYOR ANA M. ZIADE

__________________________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

__________________________________________
PATRICIA VANCHERI, CITY CLERK
PROPOSAL

DATE: May 22, 2019

SUBMITTED TO: City of North Lauderdale
701 SW 71 Avenue
N Lauderdale, FL 33068-2395
Attn: Shani Bryce-Grant, P.E.

PROJECT: LS #4, 9 & 14 - Mainline Pipe Lining
Prices taken from: City of Plantation Contract - ITB No. 041-14; Gravity Sewer Mains Rehab-Term Contract

We propose hereby to furnish material and labor - complete in accordance with specifications below, for the sum of:

Three hundred ninety nine thousand eight hundred nine dollars and 50/100 ($399,809.50)

Payment terms - 100% within thirty (30) days upon completion and acceptance.
All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from specifications below involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workmen are fully covered by Workman's Compensation insurance. Note: This proposal may be withdrawn by us if not accepted within thirty (30) days.

We hereby submit specifications and estimates as follows:
Granite Inliner, LLC shall supply all equipment, materials and labor to perform the work as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>DESCRIPTION</th>
<th>Qty</th>
<th>Unit</th>
<th>Price</th>
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<tr>
<td>1-1</td>
<td>8-inch x 6.0 mm CIPP</td>
<td>10,379</td>
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<td>$28.50</td>
<td>$296,801.50</td>
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<td>1-9</td>
<td>Work in Rear Yard Easements (items 1 thru 8)</td>
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<td>Clean/TV 8-inch thru 10-inch</td>
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<td>Work in Rear Yard Easement (items 10-14 &amp; 16-18)</td>
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<td>1-16</td>
<td>Mechanical Root or Grease Rem. (6&quot; thru 15&quot;)</td>
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<td>LF</td>
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<td>Bypass pumping (8&quot; thru 15&quot;)</td>
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<td>HR</td>
<td>$35.00</td>
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<td>1-20</td>
<td>Traffic Control - daily charge for arrow board</td>
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<td>Days</td>
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<td>1-21</td>
<td>Traffic Control - daily charge for each barricade</td>
<td>750</td>
<td>EA</td>
<td>$2.00</td>
<td>$1,500.00</td>
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Total $399,809.50

NOTES:
1. Proposal based on pricing contained in contract between Granite Inliner, LLC and the City of Plantation, Contract - ITB No. 041-14.
2. Inliner to be installed as per ASTM & manufacturer's specifications.
3. Unit price proposal, our invoice and its payment shall be based on actual field measurements from center of structures.
4. This proposal is subject to pre- TV inspection by Granite Inliner, LLC indicating that line conditions are acceptable for the installation of the Inliner product / and the rehabilitation process.
5. The work and the prices quoted, do not include items not identified on the proposal. Point repairs, dewatering, bypass pumping or police officer pay is not anticipated or quoted.
6. Proposal reflects a discount for the lateral reinstatements (item #1-10) form $500.00 to $300.00.

Signature: [Signature]
John Rinehart, Area Manager

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: ___________________ Authorized Signature: ___________________

2531 Jewett Lane, Sanford, FL 32771 | Office: 407.472.0014 | Fax: 407.472.0097 | layne.com
TO: Mayor and City Commission

FROM: Ambreen Bhattty, City Manager

BY: George Krawczyk, Public Works/Utilities Director
Shani Grant, Public Works/Utilities Engineer

DATE: May 28, 2019

SUBJECT: Gravity Sewer Main Lining in Lift Station #12, #13 and #20 Basins

As you may recall, in an effort to continue lowering the lift station run times and the quantity of sewage that is transmitted to the County, the Commission approved the allocation of funds in the fiscal year 2019 budget to continue sanitary sewer rehabilitation program throughout the City. Hinterland Group, Inc. assisted the City last fiscal year in lining gravity sewer mains in Lift Station (LS) #3 basin. The next phase recommended by staff is to complete the lining of the gravity sewer mains in LS #12, #13 and #20 basins, as the goal of the project is to reduce infiltration-inflow from ground water and rain events.

The City staff is proposing to use Hinterland Group, Inc. as the vendor to do the work on the gravity sewer main lines in LS #12, #13 and #20 basins. They have done work for the City in the past and staff has not had any issues with their work product. Hinterland was the lowest and most responsive bidder through the Palm Beach County bid, PBCWUD 16-094R and was contracted by Palm Beach County. Staff is proposing to piggyback off the Palm Beach County contract and award the contract to Hinterland Group Inc, in an amount not to exceed $276,000.00 for the gravity sewer main lining project in LS #12, #13 and #20 basins. Hinterland Group, Inc, is available to start work soon and has agreed to conduct this work per City’s schedule.

RECOMMENDATION:

The City Administration recommends that the City Commission approves the attached Resolution authorizing the City Manager or designee to award Hinterland Group, Inc. to line the gravity sewer mains in LS #12, #13 and #20 basins, for an amount not to exceed $276,000.00, using the Palm Beach County contract PBCWUD 16-094R, for the continuation of sanitary sewer rehabilitation program.
RESOLUTION NO. ______________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD HINTERLAND GROUP, INC. TO LINE THE GRAVITY SEWER MAINS IN LS #12, #13 and #20 BASINS FOR AN AMOUNT NOT TO EXCEED $276,000.00, USING THE PALM BEACH COUNTY CONTRACT, PBCWUD 16-094R FOR THE CONTINUATION OF THE SANITARY SEWER REHABILITATION PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1: That the City will accept the piggyback bid off the Palm Beach County Contract PBCWUD 16-094R, for pricing and scope of work of similar nature.

Section 2: That the City Commission of the City of North Lauderdale, Florida authorizes the City Manager or her designee to accept the bid from Hinterland Group, Inc.

Section 3: That the funding for this project, in an amount not to exceed $276,000.00, has been appropriated in fiscal year 2019.

Section 4: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 28th day of May, 2019.

APPROVED AS TO LEGAL FORM:

________________________________________
SAMUEL S. GOREN, CITY ATTORNEY

________________________________________
MAYOR ANA M. ZIADE

________________________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

________________________________________
PATRICIA VANCHERI, City Clerk
Date Prepared: 5/21/2019  
Cost Estimate / Proposal: Phase 4 2019 N Lauderdale  
Customer Information: Shani H. Grant, P.E.  
Public Works/Utilities Engineer  
City of North Lauderdale  
701 S.W. 71st Avenue  
North Lauderdale, FL 33068  
Phone: 954-597-4754  

Internal Job Number: TBD  
Customer Job Number: TBD  
Job Name: LS 12.13 & 20 CIPP Lining  
Contract: PBCWUD 16-094R  
Terms: 30 Days  

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<th>DESCRIPTION OF WORK</th>
<th>UNIT</th>
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</tr>
</thead>
<tbody>
<tr>
<td>28</td>
<td>BID ITEM (Furnish and Install with Appurtenances)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>Gravity Sewer Main Cleaning and TV Inspection (6&quot; through 12&quot; Pipe)</td>
<td>$1.25</td>
<td>8720</td>
<td>L.F.</td>
<td>$10,900.00</td>
</tr>
<tr>
<td>48</td>
<td>Bypass pumping 4&quot; through 10&quot; Force Main</td>
<td>$750.00</td>
<td>27</td>
<td>Day</td>
<td>$20,250.00</td>
</tr>
<tr>
<td>105</td>
<td>Install CIPP Liner for 8&quot; Gravity Sewer Main (up to 7.9&quot;)</td>
<td>$26.00</td>
<td>8720</td>
<td>L.F.</td>
<td>$226,720.00</td>
</tr>
<tr>
<td>121</td>
<td>Maintenance of Traffic (M.O.T.)</td>
<td>$1.00</td>
<td>8720</td>
<td>L.F.</td>
<td>$8,720.00</td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$266,590.00</td>
</tr>
<tr>
<td>121</td>
<td>Mobilization/Demobilization (3.5%)</td>
<td>$6,720.00</td>
<td></td>
<td></td>
<td>$9,330.65</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$275,920.65</td>
</tr>
</tbody>
</table>

Exclusions from Scope:  
1. Permitting and Bonding  
2. Any major MOT Required (road closures, lane closures, detours, etc.)  
3. Sizes shown on plans are assumed to be correct  
4. Hinterland Group will not be held liable for line collapse during clean and tv due to the unknown condition of existing piping  
5. Any other work not specifically listed in inclusions above.  
6. Hinterland is not responsible for pipe collapse during calcium deposit removal due to unknown conditions located in host pipe.  

Prepared By: Brett Konchak  
Hinterland Group Inc  
2051 NW Blue Heron Blvd  
West Palm Beach, FL 33404  

City of North Lauderdale agrees to the terms listed above.  

Accepted By:  

Print, Sign and Date: 


TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: George Krawczyk, Public Works/Utilities Director
    Shani Grant, Public Works/Utilities Engineer
DATE: May 28, 2019
SUBJECT: Gravity Sewer Lateral Rehabilitation in Lift Station #9 Basin

As you may recall, in an effort to continue lowering the lift station run times and the quantity of sewage that is transmitted to the County, the Commission approved the allocation of funds in the fiscal year 2019 budget to continue the sanitary sewer lining rehabilitation program City-wide. The first areas identified for this project are the gravity sewer main lines and the next phase includes lining of the sewer laterals that will tie into these main lines. Lining of the sewer laterals is needed to continue to seal up the gravity sewer system as the goal of the project is to reduce infiltration-inflow from ground water and rain events.

City staff is proposing to use LMK Pipe Renewal LLC as the vendor to continue the work on the sewer lateral lining in LS #9 basin. They have done this work for the City in the past and staff is pleased with their work product and methodologies. LMK Pipe Renewal LLC was the lowest responsive bidder through the City of Plantation bid, ITB 042-14 and was contracted by the City of Plantation. Staff is proposing to piggyback off the Plantation contract and the vendor has agreed to the terms of this proposal. Based upon the Plantation contract specifications and the rate structure, the total cost for the LS #9 lateral lining project is determined to be $224,000.00. LMK is a local vendor who is available to start work soon and has agreed to conduct this work per City’s schedule.

RECOMMENDATION:

The City Administration recommends that the City Commission approve the attached resolution authorizing the City Manager or her designee to award a contract to LMK Pipe Renewal LLC, to continue the sewer lateral lining in the LS #9 basin for an amount not to exceed $224,000.00 using the City of Plantation contract ITB 042-14, for the continuation of the sanitary sewer lining rehabilitation program.
RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD LMK PIPE RENEWAL, LLC TO CONTINUE THE SEWER LATERAL LINING IN THE LS #9 BASIN FOR AN AMOUNT NOT TO EXCEED $224,000.00, USING THE CITY OF PLANTATION CONTRACT ITB 042-14 FOR THE CONTINUATION OF THE SANITARY SEWER REHABILITATION PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1: That the City will accept the piggy-back bid off the City of Plantation Contract ITB 042-14 for pricing and scope of work of similar nature.

Section 2: That the City Commission of the City of North Lauderdale, Florida authorizes the City Manager or her designee to accept the proposal from LMK Pipe Renewal, LLC.

Section 3: That the funding for this project, in an amount not to exceed $224,000.00, has been appropriated in fiscal year 2019.

Section 4: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 28th day of May, 2019.

APPROVED AS TO LEGAL FORM:

CITY ATTORNEY SAMUEL S. GOREN

____________________________
MAYOR ANA M. ZIADE

____________________________
VICE MAYOR SAMSON BORGELIN

ATTEST:

PATRICIA VANCHERI, CITY CLERK
# PROPOSAL

**LMK Pipe Renewal LLC**

1131 NW 58th Street  
Fort Lauderdale, Florida 33308

(954) 772-0075 office  
(954) 772-0086 fax  
(954) 294-8363 cell  
Email: frank@lmkpipeline.com

**Submitted To:**  
North Lauderdale, City of  
701 S.W. 71st Avenue  
North Lauderdale, FL 33068

Attention: Ms. Shani Grant

**Payment terms:**  
1) Progress payments monthly, for work completed. Payment within 30 days.

**Date:** May 20, 2019  
**Authorized Signature:** x

---

**Project:**  
LMI Station #9 Lateral Liming - 2019 Proposal

---

**We hereby submit prices to furnish and install the following items:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>QTY</th>
<th>UNIT</th>
<th>PRICE</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bid Item #5-1 - CIP Liming, 8 to 15-inch full circle main connection 4&quot; or 0&quot; x 4.5 mm lateral piping, minimum 10 LF of lateral (all depths)</td>
<td>52</td>
<td>EA</td>
<td>$2,875.00</td>
<td>149,500.00</td>
</tr>
<tr>
<td>2</td>
<td>Bid Item #3-4 - Lateral Liner 4&quot; or 0&quot; x 4.5 mm pipe, beyond 10 linear feet (all depths)</td>
<td>477</td>
<td>LF</td>
<td>$33.00</td>
<td>15,741.00</td>
</tr>
<tr>
<td>3</td>
<td>Bid Item #3-12 - Sewer lateral TV from main w/P &amp; T Camera (up to 30 feet)</td>
<td>52</td>
<td>EA</td>
<td>$165.00</td>
<td>8,580.00</td>
</tr>
<tr>
<td>4</td>
<td>Bid Item #3-15 - Cleanout installation in grass area, 3-inch to 6-inch gravity pipe, depths up to 5-feet, includes restoration</td>
<td>32</td>
<td>EA</td>
<td>$850.00</td>
<td>27,200.00</td>
</tr>
<tr>
<td>5</td>
<td>Bid Item #3-16 - Cleanout installation in asphalt area, 3-inch to 6-inch gravity pipe, depths up to 5-feet, includes restoration</td>
<td>5</td>
<td>LF</td>
<td>$1,000.00</td>
<td>4,875.00</td>
</tr>
<tr>
<td>6</td>
<td>Bid Item #3-17 - Cleanout installation in concrete area, 3-inch to 6-inch gravity pipe, depths up to 5-feet, includes restoration</td>
<td>15</td>
<td>EA</td>
<td>$1,100.00</td>
<td>16,500.00</td>
</tr>
<tr>
<td>7</td>
<td>Bid Item #3-19 - Cleanout installation beyond 5 feet in depth</td>
<td>50</td>
<td>EA</td>
<td>$1.00</td>
<td>50.00</td>
</tr>
<tr>
<td>8</td>
<td>Bid Item #3-22 - Traffic control - hourly charge for each flagger</td>
<td>50</td>
<td>HR</td>
<td>$25.00</td>
<td>1,250.00</td>
</tr>
<tr>
<td>9</td>
<td>Bid Item #3-23 - Traffic control - daily charge for arrow board</td>
<td>5</td>
<td>Day</td>
<td>$40.00</td>
<td>200.00</td>
</tr>
<tr>
<td>10</td>
<td>Bid Item #3-24 - Traffic control - daily charge for barricade</td>
<td>100</td>
<td>EA</td>
<td>$0.75</td>
<td>75.00</td>
</tr>
</tbody>
</table>

**Sub Total:** $223,871.00

**Terms & Conditions:**

1) Unit price proposal, payment shall be based on actual quantities. No bonds or permits are quoted in this proposal.
2) Water meter provided at site by owner. Sonic traffic control (SOT) which is a non-contact, immediate equipment. If SOT is required on an FEOT or arterial roadway LMK will quote the cost of setting up individually as this contract may not have terms applicable to each individual set up.
3) Main Line bypass pumping is not anticipated but if needed will be quoted as contract pricing up to normal bypass scope. If additional line bypasses circumstances arise, LMK Pipe Renewal will quote additional set up costs needed.
4) LMK Pipe Renewal is not responsible for damage to pipe or the resulting repairs associated with the pipe for Heavy Cleaning or Stabilization Removal.
5) Existing pipe conditions that cause equipment to become stuck or an installed line to be deformed is the responsibility of the owner. LMK Pipe Renewal will not be held liable for the retrieval, excavation, or repair of existing pipe or line conditions established by others.
6) If in the sole opinion of our Field Superintendent, conditions become unsafe or unsuitable for our method(s) of repair, we reserve the right to terminate work in that section without prejudice against any other structure or operator that may be complete for reasons such as but not limited to, irregular pipe shapes, collapsed pipe sections, protruding bars, severe offset joints, severe mineral deposits, other obstructions, access restrictions or unavailability limitations.
7) Line to be installed as per manufacturer's specifications.
8) Right of Way work performed with TV Log will be provided with the pay request showing a pre TV and post TV image.
9) Work must be given to LMK in adequate time to allow for completion by our forces. LMK will not be liable for liquidated damages or subject to any other penalties for work issued without adequate time to complete.
10) Any unauthorized additions, deletions or alterations to any part of this document void this proposal and will void these prices and this proposal.

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**Acceptance of Proposal**—the above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

**Authorized Signature:** x

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**Date of Acceptance:**

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TO: Honorable Mayor and City Commission
FROM: Ambreen Bhatty, City Manager
BY: Susan Nabors, Finance Director
DATE: May 28, 2019
SUBJECT: Recommendation of Award – Kimley Horn

RFQ 19-02-377 – Americans with Disabilities Act (ADA) Transition Plan

The Administration determined that based upon the more frequent lawsuits various cities are experiencing around the County, State and Country for non-compliance with the Americans with Disabilities Act (ADA), it would be beneficial to undertake the development of a Transition Plan to identify the areas within the City they may not currently meet ADA compliance requirements. Therefore, the City of North Lauderdale issued a Request for Qualifications (RFQ) #19-03-377 on March 11, 2019 seeking a qualified Professional Firm/Consultant experienced in the evaluation process and development of an ADA Transition Plan.

The awarded Consultant will provide a self-evaluation throughout the City of North Lauderdale. This is a very time consuming, comprehensive and detailed examination of the City’s 12 public buildings, 18 public parks and associated buildings. In addition scope of work will include approximately 72 miles of public roadways and sidewalks, approximately 460 intersections, plus transit stops and public parking lots. The City’s programs will also be reviewed pursuant to the ADA requirements. Based on the complex nature of this project, an experienced consultant with the technical knowledge of the ADA guidelines, Uniform Federal Accessibility Standards, and Proposed Right of Way Accessibility Standards is necessary to handle the project.

The self-evaluation of all the areas listed above will result in a report, or a Plan, of deficiencies and necessary improvements the City will need to make to bring us into compliance with the mandates of the ADA. The Plan will also include a schedule listing the priority of projects and timeline for completion, and will include estimated cost by project. The Plan will be used to address the highest of priorities first and used as a planning tool for future year budgeting.

The project is split into two phases as follows:

Phase I – Facilities/Programs – Completion time: approximately 6 months.
Phase II – Right-of Ways – Completion time: approximately 12 months.
An Evaluation Committee was formed to review the proposals based on the criteria in the RFQ and ultimately make a recommendation to the City Commission for award. The members of the evaluation committee included:

- Tammy Reed-Holguin, Community Development Director
- George Krawczyk, Public Works/Utilities Director
- Michael Sargis, Parks and Recreation Director, Assistant City Manager
- Jennifer Yarmitzky, Human Resources Manager
- Susan Nabors, Finance Director

To evaluate each bid, the Evaluation Committee utilized the following criteria:

<table>
<thead>
<tr>
<th>CRITERIA</th>
<th>POSSIBLE POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Company Overview &amp; Team Description</td>
<td>20</td>
</tr>
<tr>
<td>Technical Knowledge</td>
<td>20</td>
</tr>
<tr>
<td>Project Approach</td>
<td>30</td>
</tr>
<tr>
<td>References &amp; Reference Check Surveys</td>
<td>10</td>
</tr>
<tr>
<td>Location</td>
<td>10</td>
</tr>
<tr>
<td>Licensure &amp; Certification Pass/Fail</td>
<td></td>
</tr>
<tr>
<td>Liability Insurance Pass/Fail</td>
<td></td>
</tr>
<tr>
<td>Forms</td>
<td></td>
</tr>
<tr>
<td>Pricing</td>
<td>10</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100</td>
</tr>
<tr>
<td>BONUS: ADA-specific Certification</td>
<td>5</td>
</tr>
</tbody>
</table>

On April 23, 2019 three (3) sealed proposals were opened. Copies of the proposals were provided to the Evaluation Committee to individually review and score. On May 6, 2019, the City convened a public meeting of the Evaluation Committee to tally the individual scores and discuss any of the proposals.

Based upon evaluation criteria, the Evaluation Committee reviewed each solicitation submittal and ultimately ranked the vendors in the order shown below:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Points</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kimley Horn</td>
<td>466</td>
<td>93.2%</td>
</tr>
<tr>
<td>Tindale Oliver</td>
<td>451</td>
<td>90.2%</td>
</tr>
<tr>
<td>Architectural Building Corp.</td>
<td>353</td>
<td>70.6%</td>
</tr>
</tbody>
</table>
The City did not budget funds for the ADA Transition Plan in FY 2019. However due to the high potential of lawsuits mentioned earlier, the development of an ADA Transition Plan is needed. The highest ranked firm, Kimley Horn, has a proposal price of $352,500 for both phases of the project as well as other associated tasks. The FY 2019 Budget includes a contingency in the amount of $325,000, which can be used for unforeseen expenditures such as this. The remaining funds will come out of Fund Balance of the General Fund.

RECOMMENDATION:

The ADA Transition Plan Evaluation Committee recommends Commission’s consideration and approval of the attached resolution accepting the ranking of the firms that submitted proposals to provide the ADA Transition Plan and authorizing and directing the City Manager and City Attorney to execute an agreement with the top ranked firm, Kimley Horn in an amount not to exceed $352,500.
RESOLUTION NO. __________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING THE RANKING OF THE FIRMS WHO SUBMITTED PROPOSALS TO PROVIDE AN AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN AS PROVIDED HEREIN; AUTHORIZING AND DIRECTING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE AN AGREEMENT WITH THE TOP RANKED FIRM, KIMLEY HORN IN AN AMOUNT NOT TO EXCEED $352,500; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of North Lauderdale (“City”) ADA Transition Plan Evaluation Committee (“Committee”), has reviewed and studied the proposals submitted by the firms who submitted proposals to provide an ADA Transition Plan in response to the City’s Request for Qualification, and has conferred on the ranking of the firms; and

WHEREAS, the City Commission has reviewed the recommendation of the Committee, and hereby accepts the ranks of the firms as provided herein; and

WHEREAS, the City Commission desires to authorize the City Manager and City Attorney to execute an acceptable agreement for ADA Transition Plan with the top-ranked firm as provided herein; and

WHEREAS, the City Commission finds that the process of entering into an agreement for an ADA Transition Plan is in the best interest of the health, safety, and welfare of the citizens and residents of the City of North Lauderdale.

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

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

Section 2: That the City Commission of the City of North Lauderdale, Florida does hereby accept the ranking of the firms as follows:

1) Kimley Horn
2) Tindale Oliver
3) Architectural Building Corp.
Section 3: That the City Manager and City Attorney are hereby authorized and directed to take all steps necessary to execute an acceptable agreement with the top ranked firm, Kimley Horn, for the development of the ADA Transition.

Section 4: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 28th day of May, 2019.

_______________________________
MAYOR ANA M. ZIADE

_______________________________
VICE MAYOR SAMSON BORDELIN

APPROVED AS TO LEGAL FORM

_______________________________
SAMUEL S. GOREN, CITY ATTORNEY:

ATTEST:

_______________________________
PATRICIA VANCHERI, CITY CLERK
City of North Lauderdale
Application to Request City Ceremonial Item

Requests for Ceremonial Items from the North Lauderdale City Commission must be submitted 4 weeks prior to the requested Commission meeting date. The City Commission typically meets the 2\textsuperscript{nd} and last Tuesday of each month.

Type of Ceremonial Item:

- [ ] Key to the City
- [x] Certificate/Plaque
- [ ] Proclamation
- [ ] Commission Letter of Honor

Requested by: Michael Sargs

Purpose of Ceremonial Item – Recognition to 34 Year School Board Employee and long term resident – Mrs. Ronnie DeSorda on her retirement

Individual, Agency, or Organization Requesting Ceremonial Item – City

Person Attending Meeting to Receive Ceremonial Item

Name/Phone Number Mrs. Ronnie DeSorda as requested by SLMS Principal Trautmann-Lopez

Commission Meeting Date Requested – June 11 - - Mrs. DeSorda will be leaving the area shortly after this date to begin her retirement

Requested By: Michael Sargs – ext 4731 – thru Principal Trautmann-Lopez

Please fill in 5 Bullet Points as to why Ceremonial Item is desired:

- Long Time North Lauderdale Resident – in excess of 40 years
- Served the residents of North Lauderdale for 34 years at both North Lauderdale Elementary School and Silver Lakes Middle School
- Provides residents, parents and students with outstanding service
- Is considered as an Ambassador to the School and City by the faculty of SLMS

*
Town Hall Meeting!

To Discuss Proposed Routes for the City’s New Community Bus Program

WEDNESDAY, MAY 29th
6 P.M. TO 8 P.M

AT
CITY HALL
701 SW 71 AVENUE, NORTH LAUDERDALE, FL 33068

LIGHT REFRESHMENTS WILL BE SERVED.
FOR FURTHER INFORMATION PLEASE CALL: (954) 597-4727
To: Key Official

From: Michael Sittig, Executive Director

Date: May 13, 2019

Subject: 93rd Annual FLC Conference

Voting Delegate Information

August 15-17, 2019 – World Center Marriott, Orlando

The Florida League of Cities’ Annual Conference will be held at the World Center Marriott, Orlando, Florida on August 15-17. This conference will provide valuable educational opportunities to help Florida’s municipal officials serve their citizenry more effectively.

It is important that each municipality designate one official to be the voting delegate. Election of League leadership and adoption of resolutions are undertaken during the business meeting. One official from each municipality will make decisions that determine the direction of the League.

In accordance with the League’s by-laws, each municipality’s vote is determined by population, and the League will use the Estimates of Population from the University of Florida for 2018.

Conference registration materials will be sent to each municipality in the month of June. Materials will also be posted on-line. Call us if you need additional copies.

If you have any questions on voting delegates, please call Eryn Russell at the League (850) 701-3616. Voting delegate forms must be received by the League no later than August 9, 2019.

Attachments: Form Designating Voting Delegate
93rd Annual Conference  
Florida League of Cities, Inc.  
August 15-17, 2019  
Orlando, Florida

It is important that each member municipality sending delegates to the Annual Conference of the Florida League of Cities, designate one of their officials to cast their votes at the Annual Business Session. League By-Laws requires that each municipality select one person to serve as the municipalities voting delegate. **Municipalities do not need to adopt a resolution to designate a voting delegate.**

Please fill out this form and return it to the League office so that your voting delegate may be properly identified.

**Designation of Voting Delegate**

Name of Voting Delegate: _________________________________________________

Title: ___________________________________________________________________

Municipality of: __________________________________________________________________

**AUTHORIZED BY:**

______________________________________________  
Name

______________________________________________  
Title

Return this form to:

Eryn Russell  
Florida League of Cities, Inc.  
Post Office Box 1757  
Tallahassee, FL  32302-1757  
Fax to Eryn Russell at (850) 222-3806 or email erussell@flcities.com
Important Dates

**May 2019**
Notice to Local and Regional League Presidents and Municipal Associations regarding the Legislative Committee and Resolutions Committee

**June 2019**
Appointment of Legislative Committee and Resolutions Committee Members

**July 10th**
Deadline for Submitting Resolutions to the League office

**August 15th**
Legislative Policy Committee Meetings
Voting Delegates Registration

**August 16th**
Legislative Committee and Resolutions Committee Meetings

**August 17th**
Immediately Following Breakfast – Pick Up Voting Delegate Credentials
Followed by Annual Business Session
MEETING AGENDA

Tuesday, May 28, 2019
Immediately Following North Lauderdale City Commission Meeting

1. ROLL CALL

President Ana M. Ziade
Treasurer Mario Bustamante
Secretary Lorenzo Wood
Director Rich Moyle
Director Samson Borgelin
Executive Director Michael Sargis
Foundation Attorney Samuel S. Goren
Foundation Clerk Patricia Vancheri

2. APPROVAL OF MINUTES
   a. Approval Minutes February 12th, 2019

3. OLD BUSINESS
   a. Budget Report – Susan Nabors, Chief Financial Officer

4. NEW BUSINESS
   a. Financial Audit Review - Susan Nabors, Chief Financial Officer
   b. Authorization Treasurer Bustamante to issue check in amount of $1,000 to Grau and Associates for Foundation Audit - Executive Director Michael Sargis
   c. Donation to Parks and Recreation Department of $2,000 for 100 - $20 Publix Gift Cards for Summer Resident Swim Lesson Discounts - Executive Director Michael Sargis
   d. Authorize Executive Director Michael Sargis to use the Foundation’s Debit Card for the purchase in an amount not to exceed $2,000.00 - Executive Director Michael Sargis
   e. Sponsorship Program - Executive Director Michael Sargis

5. BOARD COMMENTS

6. ADJOURNMENT
The North Lauderdale Recreation Foundation met at the Municipal Complex immediately following the regular City Commission meeting on Tuesday, February 12, 2019. The meeting convened at 7:32 pm.

1. **ROLL CALL** – Clerk called roll. All present.

   - President Ana M. Ziade
   - Secretary Lorenzo Wood
   - Director Samson Borgelin
   - Foundation Attorney Samuel S. Goren
   - Treasurer Mario Bustamante
   - Director Rich Moyle
   - Executive Director Michael Sargis
   - Foundation Clerk Patricia Vancheri

2. **APPROVAL OF MINUTES**

   a. **November 27, 2018** – Secretary Wood moved to approve the Minutes as submitted. Seconded by Director Borgelin. **No discussion; Minutes were unanimously approved.**

3. **OLD BUSINESS**

   a. **Budget Report** – Susan Nabors, Chief Financial Officer gave a report based on the attached Profit and Loss Statement and the attached Balance Sheet indicating that the Foundation received $500 for the Recreation side and a little over $1,4000 for the Fire side. Ms. Nabors mentioned that the Board had previously approved having the Fire Dept. scholarships separated out to specify a specific purpose. There was $70 in expenses for registration fee. So it was an income of $1,871.20 for period of October 1, 2018 through February 11, 2019 and the total assets are $41,571.00.

4. **NEW BUSINESS**

   a. **Check for Fire/Scholarship Program** – The Fire Department determines who the scholarships are awarded to and asked for a motion to approve the following:

      1. **Scholarship to Cadet Javann Videau - $1,200.00** – The check will go directly to Coral Springs Institute for Public Safety or the Fire Academy for the tuition.

      2. Authorize Treasurer Bustamante to sign a check to the Coral Spring Regional Institute for Public Safety in the amount of $1,200

   Secretary Wood moved to approve the $1,200 scholarship and authorize Treasurer to sign the check. Seconded by Director Borgelin. **Motion approved unanimously by voice vote.**
b. Annual Report was submitted to the State which reflects the new Board members and the Foundation has received the Non Profit Certificate for 2019. The fee was $70 paid with the Foundation Debit Card.

c. Sponsorship Program – Mr. Sargis stated the sponsorship packets will be going out soon.

5. BOARD COMMENTS – Director Borgelin asked if the members can raise funds. Attorney Goren explained that as a member of the Foundation they are legally allowed to do that. Director Borgelin said maybe it should be on a business card. President Ziade said maybe to just state the information on the packet.

6. ADJOURNMENT – No further business. The meeting adjourned at 7:41 pm.

Respectfully submitted,

Patricia Vancheri, MMC
Foundation Clerk