

CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, FEBRUARY 26, 2019

MINUTES

The North Lauderdale City Commission met on Tuesday, February 16, 2019 at the Municipal Complex. The meeting commenced at 6:00 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. **February 12, 2019** – Vice Mayor Borgelin moved to approve the Minutes as submitted. Seconded by Commissioner Wood. **Minutes were approved unanimously by voice vote.**

4. **PRESENTATIONS**

- a. **Recognition for Grant Award from Broward College for Pinewood Elementary Beautification Project**

Vice Mayor Borgelin commented that this presentation is being awarded to recognize Broward College's dynamic leaders who understand the needs of communities and who get involved directly in beautification and other projects and to thank them for their involvement and hard work to benefit the City and its residents. A YouTube video presentation of the activities of the MLK Day project was shown. Dr. Lulrick Balzora accepted the plaque on behalf of Broward College, and commented that it was an honor and privilege to serve North Lauderdale. He commented on an initiative called "Broward Up" which identifies potential of impact zones and that although they adopted Pinewood, they are committed to the City for the long run to do whatever they can. Also, Dr. Balzora spoke of a "Minority Male" initiative which assists in helping with mentors and resources to get young men to college.

b. Achievement Award to Principal Kicia Daniel Johnson

c. Certificates of Appreciation for Exemplary Volunteerism at Pinewood Elementary School MLK Beautification Project to the following individuals

Phillipa Vassell	Guirlene P. Felix	Jeremy Krause	Hailey Berman	Gail Banner
Claudette Goico-Montes de Oca	Kayla P. Martinez	Jhaneil Thompson	Matthew Balzora	Kandeice Gibson
Dr. Lulrick Balzora	Lindel Davidson	Louren McIntosh	David Balzora	Nichole Vaughan
Reema Thomas	Rahjanni S. Iusi	Jeffrey Nasse	Alon Parker	Daniel Alvarado

Vice Mayor Borgelin thanked the Commission for their support and thanked all the volunteers for their dedication and hard work on this project.

5. PROCLAMATIONS

a. Women’s History Month – March – Clerk read Proclamation into the record. Commissioner Wood asked the Proclamation to be shared with all North Lauderdale Schools and asked the Mayor to accept the Proclamation on behalf of all women, being that she is the first female Mayor of our City.

6. PUBLIC DISCUSSION

Olivia McWilliams – 7909 SW 8 St – Commented that her North Park community would like some of the criminal elements addressed with regard to drug activity to drive this illegal activity away from area. She also commented that they would like more lighting as the area is very dark and asked about cameras to monitor activity. Ms. McWilliams also stated they would like to see the landlords maintain the exterior of their townhouse buildings, including landscaping, soffits, and trash. There is also a car with no tag which young boys sit in to smoke. She asked about getting a Wawa and Mayor advised that they are in the process of applying for the location at the corner of Rock Island and McNab in place of Walgreens who has not renewed their lease. Ms. Williams was directed to address any additional comments to Commissioner Moyle and to discuss the police activities with Captain McCoy. Ms. Williams stated that when the police have been called they have been excellent to respond many times over.

7. QUASI-JUDICIAL ITEMS

These Quasi-judicial Items 7(a); 7(b) and 7(c) were tabled on January 29, 2019 to a time-certain of February 26, 2019 at 6:00 pm. The Applicant has requested this item to be tabled again to a time certain of March 12, 2019 at 6:00 pm.

City Attorney read the items into the record and advised that the item was deferred by the Applicant to a time certain and due to the cost of publication of notification of a public hearing, this lets the public know that the item has been tabled, due to the delayed traffic study as indicated in Applicant’s email correspondence submitted as backup to this item.

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

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

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

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

- b. **ORDINANCE – Second Reading – VAR 19-03 Wawa Florida, Inc.**
7105 W. McNab Rd.

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

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

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

- c. **SUBJECT: Site Plan SPR 19-01 Wawa Florida, Inc.**
7105 W. McNab Rd.

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

APPLICANT: Wawa Florida, Inc.

MOTION: To approve the final site plan subject to the seventeen (17) conditions set forth in staff memorandum.

Commissioner Wood moved to table these three (3) items to the next regular City Commission meeting on March 12, 2019 at 6:00 pm. Seconded by Vice Mayor Borgelin. No Commission discussion. Motion passed unanimously by voice vote.

8. OTHER BUSINESS

a. RESOLUTION - BIDERA LLC Auction Services

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

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

Susan Nabors, Finance Director, presented the item based on backup memorandum. She explained that on June 30, 2015 the City Commission approved a Resolution to enter into the initial contract with Bidera, which was for a term of one (1) year and allowing for two (2) extensions for renewal of a term of two (2) years. Staff recommends consideration and approval for the second two (2) year extension through June 30, 2020. City has been satisfied with Bidera and there have been no issues with their on-line auction or live events; City collects full price from the sale of the items, with auction fees paid by the buyer directly to Bidera. **Commissioner Moyle moved to approve. Seconded by Vice Mayor Borgelin. No Commission discussion; Clerk called roll. All YES.**

RESOLUTION NO. 19-02-6596 PASSED AND APPROVED UNANIMOUSLY

b. RESOLUTION - Tyler Technology Annual Maintenance/License Payment

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA AUTHORIZING PAYMENT OF THE "MUNIS" SOFTWARE MAINTENANCE FEE IN THE AMOUNT NOT TO EXCEED \$81,366.18, FOR THE PERIOD OF MARCH 8, 2019 THROUGH MARCH 7, 2020 TO TYLER TECHNOLOGIES, INC.; AND PROVIDING AN EFFECTIVE DATE.

Mitch Williams, Chief Information Technology Officer, presented the item based on backup memorandum. He indicated that in 2007 the City Commission entered into a contract with Tyler Technologies Inc. to provide the City with the Enterprise Resource Planning System called MUNIS. Since this implementation, the City has invested in several add-ons, modules and added functionality that interfaced directly with MUNIS. This software has an annual maintenance fee that provides program updates and support for various modules used in the daily operations of the City's business. Funds have been allocated for this expenditure in the Information Technology Fund budget.

Administration recommends Commission's consideration and approval a resolution authorizing payment of the software maintenance fee not to exceed \$81,366.18, for the period through March 7, 2020. **Commissioner Moyle moved to approve. Seconded by Commissioner Wood. No Commission discussion; Clerk called roll. All YES.**

RESOLUTION NO. 19-02-6597 PASSED AND APPROVED UNANIMOUSLY

c. RESOLUTION - Acceptance of 2000 Broward County Safe Parks and Land Preservation Bond funds for Hampton Pines Park

Commissioner Moyle moved to read. Seconded by Commissioner Wood.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR OR HER DESIGNEE, TO ENTER INTO THE 2000 BROWARD COUNTY SAFE PARKS AND LAND PRESERVATION BOND PROGRAM AGREEMENT FOR HAMPTON PINES PARK AMENITIES UPGRADES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mike Sargis, Parks and Recreation Director, presented the item based on backup memorandum. He indicated that this item is to enter into an agreement with Broward County for funding from bond proceeds offered to cities for various projects throughout the County. The new equipment that was put in at Hampton Pines Park utilized some of these funds, as well as for installation of heaters in the City pool for participation in the Swim Central Program. City Commission's consideration an approval is sought tonight for a resolution to enter into the agreement with Broward County for reimbursement of funds for Hampton Pines Park amenities upgrades in the amount of \$28,675.00. **Commissioner Moyle moved to approve. Vice Mayor Borgelin seconded. No Commission discussion; Clerk called roll. All YES.**

RESOLUTION NO. 19-02-6598 PASSED AND APPROVED UNANIMOUSLY

d. RESOLUTION - Phase II – Field Light Project at Jack Brady Sports Complex – Cost Overrun

Commissioner Moyle moved to read. Seconded by Commissioner Wood.

Attorney read:

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE AUTHORIZING THE EXPENDITURE OF \$12,400.00 FOR A SPECIAL INSPECTION FOR THE SPORTS COMPLEX MUSCO LIGHTING PROJECT BRINGING THE TOTAL COST OF THE PROJECT TO \$945,304.08. FUNDING IS AVAILABLE IN THE PARKS AND RECREATION DEPARTMENT GENERAL FUND 3117071-563100; AND PROVIDING AN EFFECTIVE DATE.

Mike Sargis, Parks and Recreation Director, presented the item based on backup memorandum. He stated that in 2017 the City Commission authorized a two (2) year project to upgrade all the field and court lighting. Highland Park, Landings Park and Pompano Park were upgraded in 2017. The second phase was for the Sports Complex in 2018 and City Commission approved an expenditure of \$930,000 to Musco Lighting for this project. During the plan review process it was determined that soil samples needed to be done before permits could be issued and new poles could be installed. The cost for this additional unforeseen expense was a cost over-run of \$12,400. Administration recommends approval authorizing the additional expenditure. **Commissioner Moyle moved to approve. Seconded by Commissioner Wood.** Vice Mayor Borgelin asked for an explanation of why soil samples were needed. Mr. Sargis replied that because the poles are 60 feet above ground and of the depth is 10 feet underground, the soil is packed and able to hold the concrete supports. **No further discussion; Clerk called roll. All YES.**

RESOLUTION NO. 19-02-6599 PASSED AND APPROVED UNANIMOUSLY

9. REPORTS - None

10. CITY MANAGER COMMENTS

a. Upcoming Events – City Manager

- **Saturday, March 2 – 11:00 am – 3:00 pm – Jack Brady Sports Complex – Employee Appreciation Day** – This is for employees and their families and to recognize years of service of the employees
- **Saturday, March 9 – 8:00 am – 1:00 pm – Hampton Pines Park - Great North Lauderdale Air Potato Roundup** – This is a community event for a cleanup cause for an invasive vegetation in the park and student groups can earn community hours

11. COMMISSION COMMENTS

Commissioner Wood:

- Thanked Mayor, City Manager and Staff for support of District A Forum held this past Wednesday; thanked Susan Nabors for the presentation on the water bill entailing the intricacies of the process
- Commented on the Broward County toilet rebate program and stated we will investigate to see if it is beneficial to the City
- Commented on Women’s History Month and understands the struggle of Women and also commented on human trafficking awareness

Vice Mayor Borgelin:

- Commented on the Friends of the Library Community event and said it was informative
- Asked for consensus to bring back Principal Kicia Daniel Johnson at another meeting since she was not present tonight for her award
- Commented that residents have voiced a lot of positive support for the Wawa coming to the City

Mayor Ziade:

- Commented that tonight the meeting went quickly, but wanted the public to know that they do have the agenda items in advance when it is posted [on the Friday prior to the meeting] as well as

previewing it with the City Manager. Sometimes there are not a lot of questions [from the Commission] as their questions have been answered, but they have the information if residents have any questions

- Commented that the Fishing Derby was well attended and thanked Staff; two snakehead fish were destroyed
- Commented that Commissioner Wood's District Forum was quite impressive and well put together

12. CITY ATTORNEY COMMENTS

Attorney Goren reported that House Bill 3 has been recently filed which is a master preemption bill that prohibits local governments from imposing or adopting new regulations on businesses, business entities and business license process; preempts licensing, regulations, professions and occupations to the State of Florida; prohibits local governments from imposing additional regulations unless specified conditions are met, and other criteria which will impact permitting and licensure. He said this Bill is getting hearings and he will continue to watch it. Commissioner Moyle questioned how all this information would be reviewed given there is so many cities in Florida. Attorney Goren said around 409 cities and 60 counties; and interestingly they would probably get an entity in Tallahassee to do this, and they would retain the majority of funds for state purposes. Other bills to be watched pertain to Styrofoam; straws and short-term rentals.

Vice Mayor Borgelin made a comment that our Tallahassee Representative is Anika Omphroy and we could invite her to a meeting. City Manager Bhatti replied that Representative Omphroy did visit City Hall about a month and a half ago for a two hour meeting with Staff wherein a lot of the City's issues were discussed. Rep. Omphroy is also submitting the City's appropriation requests for projects. City Manager Bhatti said if she wants to come back before going to Tallahassee that's fine; Mayor Ziade said she can come anytime without an invitation.

13. ADJOURNMENT – There being no further discussion, the meeting adjourned at 7:07 p.m.

Respectfully submitted,

Patricia Vancheri, MMC
City Clerk