

**CITY OF NORTH LAUDERDALE
COMMISSION MEETING**

WORKSHOP

TUESDAY, AUGUST 13, 2019 – 2:00 pm

SPECIAL COMMISSION MEETING

(Immediately following Workshop)

AGENDA

1. ROLL CALL

Mayor Ana M. 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. LEGISLATIVE/APPROPRIATIONS UPDATE – Representative Anika
Omphroy**

3. PRESENTATIONS

- a. Branding and Marketing – Connectica, LLC (Ian Gerada)**
- b. Public Art – Gadson-Ravitz (George Gadson)**

**CITY OF NORTH LAUDERDALE
COMMISSION MEETING**

**SPECIAL COMMISSION MEETING
(Immediately following Workshop)**

TUESDAY, AUGUST 13, 2019

AGENDA

1. ROLL CALL

Mayor Ana M. 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. RESOLUTION – Resolution Requesting and Accepting Deed Transfer of Properties for CSLIP Applications

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RELATING TO THE CITY'S APPLICATION FOR A GRANT THROUGH THE COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES PROGRAM WITH THE BROWARD METROPOLITAN PLANNING ORGANIZATION; AUTHORIZING AND DIRECTING THE CITY MANAGER TO SEND A LETTER TO THE BROWARD COUNTY ADMINISTRATOR RESPECTFULLY REQUESTING THE TRANSFER BY DEED OR OTHER LEGAL MEANS OF CONVEYANCE OF CERTAIN REAL PROPERTIES IDENTIFIED HEREIN, TO THE CITY OF NORTH LAUDERDALE; PROVIDING FOR THE ACCEPTANCE BY THE CITY OF THE TRANSFER OF TITLE OF THE REAL PROPERTIES IDENTIFIED HEREIN FROM BROWARD COUNTY; RESPECTFULLY REQUESTING

THAT THE BROWARD COUNTY COMMISSION ADOPT A RESOLUTION IN SUPPORT OF THE CITY'S APPLICATION FOR A GRANT THROUGH THE COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES PROGRAM WITH THE BROWARD METROPOLITAN PLANNING ORGANIZATION, AND TO PERFORM WORK IN THE COUNTY RIGHT-OF-WAY UNTIL SUCH TIME AS THE TRANSFER OF TITLE REQUESTED HEREIN IS COMPLETE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

3. ADJOURNMENT

**CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

By: Tammy L. Reed-Holguin, Community Development Director
George Krawczyk, Public Works Director

DATE: August 13, 2019

SUBJECT: Resolution Requesting and Accepting Deed Transfer of Properties for CSLIP Applications

Tonight we are requesting Commission approval of the attached Resolution authorizing and directing the City Manager to send a letter to the County Administrator requesting the County to transfer certain real property owned by the County to the City. These properties are rights-of-way for roads within the City that the County records show are City roads, but which property records show are owned by Broward County. The resolution also provides for the City's acceptance of the transfer of ownership of the properties from the County. Finally, the resolution also requests the County Commission to adopt a resolution in support of the City's application for CSLIP funding and authorizing the City to perform the proposed work in the County right-of-way until such time of the title transfer is complete.

BACKGROUND:

Several projects have been identified for potential funding through the Broward MPO Complete Streets and Other Localized Initiatives Program (CSLIP). They include:

- SW 81st Avenue from McNab Road to Southgate (4941-03-01-0030)
- Sidewalk Extension and Bicycle Path along Prospect Road (new folio no. created by County in August 2019 - 494218-00-0100)
- Southgate Boulevard from 81st Avenue to Rock Island(4941-02-01-0080)
- Tam O'Shanter Boulevard from 81st Avenue to Rock Island (4941-02-01-0110)

They are in varying stages of the funding process ranging from application submitted to completion of walking audit to discussion of future projects. One of the criteria for funding through the Complete Streets Program is that the cities must demonstrate that they have control of the right-of-way.

The project listed first, 81st Avenue, has been submitted twice for CSLIP funding and the next cycle is coming due on November 13, 2019. Although this application is our priority at this time, we are taking steps to resolve the right-of-way issues for all four project areas at this time so this criterion has been satisfied for future applications. The 81st Avenue application was not funded during CSLIP 3 because the information provided demonstrating City control of the right-of-way (Broward County Road Jurisdiction Map prepared by the County and Broward

Highway Functional Classification Map prepared by MPO) were deemed inadequate by FDOT. Staff and Administration, along with the City Attorney's office have been working on obtaining ownership or at a minimum, authorization from the County to work in their right-of-way, for over a year. A title search was completed by the City Attorney's office and provided to FDOT and Broward County in December 2018, immediately after the last round of CSLIP grant applications. For several months, we have been in communication through face-to-face meetings, telephone and emails with MPO, FDOT, Broward County Public Works, Real Property Division and the County Attorney. Last week the City Attorney's office received a response from the County Attorney regarding the steps that need to be taken to transfer title of the rights-of-way to the City. The Real Property Section and Property Appraiser's Office have corrected the ownership of the right-of-ways for Tam O'Shanter and Prospect Road from having no ownership to being owned by the City. The remaining two right-of-ways are County owned. Therefore, they must be conveyed to the City through a transfer by deed or other legal means; or, alternatively, the County must give the City authorization by Resolution to work in its right-of-way.

Tonight, we are requesting approval of the attached Resolution authorizing and directing the City Manager to send a letter to the Broward County Administrator requesting the transfer of certain real properties to the City and providing for the acceptance by the City of the transfer of title of such properties. The Resolution also requests the Broward County Commission to adopt a Resolution, at its next available meeting and prior to November, in support of the City's application for a grant through the Complete Streets and Other Localized Initiatives Program with the Broward Metropolitan Planning Organization, and to perform work in the County right-of-way until such time as the transfer of title is complete.

RECOMMENDATION:

The City Administration recommends Commission's consideration and adoption of the attached resolution authorizing and directing the City Manager to send a letter to the Broward County Administrator requesting the transfer of certain real properties to the City and providing for the acceptance by the City of the transfer of title of such properties. The Resolution also requests the Broward County Commission to adopt a Resolution, at its next available meeting and prior to November, in support of the City's application for a grant through the Complete Streets and Other Localized Initiatives Program with the Broward Metropolitan Planning Organization, and to perform work in the County right-of-way until such time as the transfer of title is complete.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RELATING TO THE CITY'S APPLICATION FOR A GRANT THROUGH THE COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES PROGRAM WITH THE BROWARD METROPOLITAN PLANNING ORGANIZATION; AUTHORIZING AND DIRECTING THE CITY MANAGER TO SEND A LETTER TO THE BROWARD COUNTY ADMINISTRATOR RESPECTFULLY REQUESTING THE TRANSFER BY DEED OR OTHER LEGAL MEANS OF CONVEYANCE OF CERTAIN REAL PROPERTIES IDENTIFIED HEREIN, TO THE CITY OF NORTH LAUDERDALE; PROVIDING FOR THE ACCEPTANCE BY THE CITY OF THE TRANSFER OF TITLE OF THE REAL PROPERTIES IDENTIFIED HEREIN FROM BROWARD COUNTY; RESPECTFULLY REQUESTING THAT THE BROWARD COUNTY COMMISSION ADOPT A RESOLUTION IN SUPPORT OF THE CITY'S APPLICATION FOR A GRANT THROUGH THE COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES PROGRAM WITH THE BROWARD METROPOLITAN PLANNING ORGANIZATION, AND TO PERFORM WORK IN THE COUNTY RIGHT-OF-WAY UNTIL SUCH TIME AS THE TRANSFER OF TITLE REQUESTED HEREIN IS COMPLETE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Broward County Metropolitan Planning Organization administers the Complete Streets and Other Localized Initiatives Program to provide funding to local municipalities to implement street improvements; and,

WHEREAS, the City has identified several projects that they desire to submit funding requests; and,

WHEREAS, these potential project areas contain right-of-ways that are not currently owned and/or controlled by the City and local jurisdiction control and/or ownership is a requirement for eligibility; and

WHEREAS, Broward County has expressed interest in transferring said ownership upon the City's agreement to accept the transfer of title; and

WHEREAS, the process for conveyance of the deed may be extensive; and

WHEREAS, the Commission accepts the conveyance of the properties described in the attached legal description; and

WHEREAS, in light of the potential length of the process, the City Commission respectfully requests the County Commission to adopt a Resolution in support of the City's application for CSLIP funding and authorizing the City to perform the proposed work in the County right-of-way on the properties to be transferred to the City until such time that the title transfer is complete.

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

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

SECTION 2. The City Manager of the City of North Lauderdale, Florida is hereby authorized and directed to send a letter to the Broward County Administrator requesting the transfer of certain real properties to the City with regard to the Complete Street and Other Localized Initiatives Grant, as more particularly described in Composite Exhibit "A", attached hereto and incorporated herein (the "Properties").

SECTION 3. The City accepts the transfer of title of the Properties.

SECTION 4: The City requests that Broward County Commission adopt a resolution in support of the City's application for a grant through the Complete Streets and other Localized Initiatives Program (CSLIP) with the Broward Metropolitan Planning Organization (MPO), and to perform work in the County right-of-way on the Properties until such time as the transfer of title is complete.

SECTION 5. The City Commission finds and determines that it is in the best interests of the citizens and residents of the City of North Lauderdale, Florida, to apply for said Complete Streets grant for the funding of the City's programs described in Section 2.

SECTION 6. **CONFLICT.** All resolutions or parts of resolutions on in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

SECTION 7. **SEVERABILITY.** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 8. This Resolution shall become effective upon adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, THIS _____ DAY OF AUGUST 2019.

MAYOR ANA M. ZIADE

VICE MAYOR SAMSON BORGELIN

ATTEST:

PATRICIA VANCHERI, City Clerk

APPROVED AS TO LEGAL FORM
BY CITY ATTORNEY:

SAMUEL S. GOREN, ESQUIRE

COMPOSITE EXHIBIT “A”

**REAL PROPERTY REQUESTED TO BE CONVEYED BY BROWARD COUNTY TO
THE CITY OF NORTH LAUDERDALE**

(To be added)