CITY OF NORTH LAUDERDALE
COMMISSION MEETING
TUESDAY, DECEMBER 15, 2015
REGULAR MEETING – 6:00 p.m.

AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Graziose

2. ROLL CALL

Mayor Jack Brady
Vice Mayor David G. Hilton
Commissioner Jerry Graziose
Commissioner Rich Moyle
Commissioner Lorenzo Wood
City Manager Ambreen Bhatti
City Attorney Samuel S. Goren
City Clerk Patricia Vancheri

3. APPROVAL OF MINUTES

a. November 17, 2015

4. PRESENTATIONS

a. Certificate of Recognition – Shoppes of McNab, LLC (Ruben Lujo)

b. Certificates of Recognition - City Logo Contest Participants
   • Zachary Blake – Coral Glades High School
   • Ashley Lupariello – Coral Glades High School
   • Kori Zamora – Coral Glades High School
   • Ariel Rohoman – J.P. Taravella High School
   • Ashlee Collins – Northeast High School
   • Edgar Ramirez – South Plantation High School
   • Alexander Spencer – South Plantation High School
5. PUBLIC DISCUSSION

6. QUASI-JUDICIAL ITEMS

   a. **SUBJECT: SITE PLAN AMENDMENT** SPR 15-07
      NAME OF APPLICANT: Joe Verdone
      PROJECT NAME: Catered Fit Food Service, LLC
      PROJECT LOCATION: 5150 North State Road 7
      PROJECT DESCRIPTION: Amending site plan SPR 04-02 to include a 6 foot high chain link fence with 3 gates around the property as well as a landscape buffer shielding the fence located at 5150 North State Road 7 known as “Catered Fit”

      - All interested parties wishing to speak on this item are sworn in
      - Staff presentation (Tammy Reed-Holguin)
      - Public Hearing opened
      - Public comments
      - Public Hearing closed
      - Commission discussion
      - Commission motion and vote

      **MOTION:** To approve the proposed site plan amendment subject to the eight (8) conditions listed in staff memorandum.

7. CONSENT AGENDA

   - Remove items from consent agenda if desired
   - Commission motion, second and vote to read
   - Attorney reads consent agenda
   - Commission motion, second and vote to adopt the consent agenda

   a. **RESOLUTION** – Agreement with Margate Fire Rescue for Automatic Aid of Fire Rescue Services

   A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF NORTH LAUDERDALE FIRE RESCUE AND MARGATE FIRE RESCUE FOR AUTOMATIC AID OF FIRE RESCUE SERVICES FOR AUTOMATIC AID AND PROVIDING AN EFFECTIVE DATE.
b. **RESOLUTION - Clincon Team Sponsorship for 2016**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE BROWARD COUNTY HEALTHCARE COALITION FOR SPONSORSHIP FUNDS FOR THE 2016 NORTH LAUDERDALE FIRE RESCUE CLINCON COMPETITION TEAM AND PROVIDING FOR AN EFFECTIVE DATE.

8. OTHER BUSINESS

a. **ORDINANCE - First Reading - Amendment to Chapter 106 “Zoning” Sections**

106-158 Pertaining to SEU Application Process, Section 106-467 Regarding Community Facility (CF) Uses and Section 106-468 Master Business List to Include the Process

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

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 106 OF THE CITY’S CODE OF ORDINANCES, ENTITLED “ZONING”; SPECIFICALLY AMENDING ARTICLE IV “SPECIAL EXCEPTION USES”, SECTION 106-158 TO PROVIDE FOR REVISIONS TO THE APPLICATION PROCESS FOR SPECIAL EXCEPTION USES; AMENDING ARTICLE XV “BUSINESS DISTRICTS”, DIVISION 2, “MASTER BUSINESS LIST”, SECTION 106-467, “SUPPLEMENTAL REGULATIONS” SUBSECTION 106-467(19), TO PROVIDE FOR ADDITIONAL SUPPLEMENTAL REGULATIONS GOVERNING NON-COMMERCIAL BUSINESS USES IN BUSINESS ZONING DISTRICTS TO LIMIT THE NUMBER OF NON-COMMERCIAL USES LOCATED WITHIN ANY ONE BUSINESS SHOPPING PLAZA; AMENDING ARTICLE XV, “BUSINESS DISTRICT”, DIVISION 2, “MASTER BUSINESS LIST”, SECTION 106-467 “SUPPLEMENTAL REGULATIONS” BY ENACTING A NEW SUBSECTION 106-467(22), TO PROVIDE FOR ADDITIONAL REGULATIONS RELATED TO THE PROCESSING OF APPLICATIONS FOR SCHOOLS SEEKING SPECIAL EXCEPTION USE APPROVAL; AMENDING ARTICLE XV “BUSINESS DISTRICT”, DIVISION 2, “MASTER BUSINESS LIST”, SECTION 106-468, “MASTER BUSINESS LIST”, TO PROVIDE FOR THE INCLUSION OF THE PROCESS FOR CONSIDERATION OF SCHOOLS AS SPECIAL EXCEPTION USES IN BUSINESS ZONING DISTRICTS; PROVIDING FOR FINDINGS AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR
b. **ORDINANCE – First Reading - Amendment to Chapter 106 “Zoning, Article V”**

“General Supplementary Regulation” Section 106-206 (c) entitled “Placement of Charitable Clothing Donation Bins”

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

**AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 106 OF THE CITY’S CODE OF ORDINANCES, ENTITLED “ZONING”; SPECIFICALLY AMENDING ARTICLE V, ENTITLED “GENERAL SUPPLEMENTARY REGULATION” BY AMENDING SECTION 106-206 (C) ENTITLED “DONATION BINS”; and SECTION 106-206 (F) (4) “PLACEMENT OF CHARITABLE DONATION BINS PROVIDING FOR FINDINGS AND INTENT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

c. **RESOLUTION - Authorizing staff to apply for a grant through the Complete Streets and Other Localized Initiatives Program with the Broward Metropolitan Planning Organization (MPO)**

- 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, AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPLY FOR AND TO FILE SUCH DOCUMENTS AS MAY BE REASONABLY REQUIRED TO APPLY FOR A COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES PROGRAM GRANT WITH THE BROWARD COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO); PROVIDING THAT THE CITY MANAGER SHALL BE AUTHORIZED TO EXECUTE GRANT AWARD AGREEMENTS AND TO TAKE ALL NECESSARY ACTIONS, INCLUDING, BUT NOT LIMITED TO EXTENSIONS OF TIME, LINE-ITEM BUDGET AMENDMENTS, AND PROGRAM MODIFICATIONS TO IMPLEMENT SAID PROGRAMS IF AND**
d. **RESOLUTION - Intent Resolution – Water and Sewer Special Assessment**

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

e. **RESOLUTION – Amendment - Cash and Investment Management Advisory Agreement**

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AMENDMENT NO. 1 TO THE CASH AND INVESTMENT MANAGEMENT ADVISORY AGREEMENT BETWEEN THE CITY OF NORTH LAUDERDALE AND DAVIDSON FIXED INCOME MANAGEMENT, INC. FOR INVESTMENT ADVISORY SERVICES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
9. REPORTS

10. COMMISSION COMMENTS

   a. Discussion and possible motion to attend the Areawide Council on Aging’s 36th Annual Board & Advisory Council Installation Dinner on January 21, 2016 by purchasing a table for ten and/or advertising not to exceed $1,000.00. (Mayor Brady)

11. CITY MANAGER COMMENTS

12. CITY ATTORNEY COMMENTS

13. ADJOURNMENT
CITY OF NORTH LAUDERDALE
COMMISSION MEETING
TUESDAY, NOVEMBER 17, 2015

MINUTES

The North Lauderdale City Commission met at the Municipal Complex on Tuesday, November 17, 2015. The meeting convened at 6:00 p.m.

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

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

   Mayor Jack Brady
   Vice Mayor Jerry Graziose
   Commissioner David G. Hilton
   Commissioner Rich Moyle
   Commissioner Lorenzo Wood
   City Manager Ambreen Bhatti
   City Attorney Samuel S. Goren
   City Clerk Patricia Vancheri

3. APPROVAL OF MINUTES

   a. October 27, 2015 – Vice Mayor Graziose moved to approve the Minutes as submitted. Seconded by Commissioner Hilton. Minutes approved unanimously.

4. PRESENTATIONS - None

5. PROCLAMATIONS

   a. American Cancer Society – Great American Smoke-Out
      Clerk read Proclamation which was accepted by Margarita Orta, Community Engagement, Florida Division, on behalf of the American Cancer Society and thanked the Commission for the recognition.

6. PUBLIC DISCUSSION – No one spoke.
7. **ELECTION ITEMS**

   a. **Selection of Vice Mayor by City Commission**

      Nominations opened. Commissioner Wood moved to nominate Commissioner David Hilton. There were no other nominations. Commissioner Moyle seconded the motion. All in favor by voice vote.

   b. **Oath of Office to Vice Mayor** – David Hilton was sworn as Vice Mayor for the ensuing one year term.

8. **QUASI-JUDICIAL ITEMS**

   a. **SUBJECT: SITE PLAN AMENDMENT SPR 15-04**

      NAME OF APPLICANT: The Archdiocese of Miami Catholic Cemeteries
      PROJECT NAME: Our Lady Queen of Heaven
      PROJECT LOCATION: 1500 S State Road 7
      PROJECT DESCRIPTION: Approval of a Second Renewal of the Original Five-Year Master Site Development Plan for Our Lady Queen of Heaven Cemetery and approval of a preliminary and final site plan for Mausoleum #24 in the Resurrection Development, located within Community Facilities (CF) zoning district.

      Attorney Goren read the title and all interested parties present to speak on the item were duly sworn. Tammy Reed-Holguin, Community Development Director, presented the item based on staff’s backup memorandum. She indicated that the master plan for this existing facility has been in place since 1998 and was previously extended for five years. Tonight, the applicant is requesting an additional five year extension and approval of the preliminary and final site plan. On February 24, 1998 the City Commission approved SPR 98-01 for the construction of a new mausoleum complex. On September 12, 2005 the Master Plan and the site plan were renewed under SPR 05-05. The Archdiocese of Miami would like to continue the expansion of the cemetery based on the established master plan. The Development Review Committee met on September 8, 2015 and recommended approval of a second renewal of the master plan and the site plan for mausoleum #24. The Planning and Zoning Board also recommended approval at their meeting on November 3, 2015. Tonight it is being presented for consideration and approval by the City Commission, with the eight conditions outlined in the backup memorandum. Suzanne Dockerty, Attorney for the Archdiocese of the Miami Catholic Cemeteries, was present to represent the applicant and commented that the applicant does agree to all the conditions. Also present to answer any questions was Mary Jo Frick, Executive Director of the Archdiocese and the design team, Carlos Ortega and John Kissell. Ms. Frick commented that Our Lady Queen of Heaven was the only Catholic Cemetery in Broward County and they are seeking approval of the expansion. Public Hearing opened. No one spoke. **Commissioner Moyle moved to approve. Seconded by Commissioner Graziose. Motion approved unanimously by voice vote.**
9. ORDINANCES SECOND READING

a. Ordinance – Second Reading – City of North Lauderdale Annual Update and Review of the Capital Improvements Element (CIE) of the Comprehensive Plan

Commissioner Graziose moved to read. Seconded by Vice Mayor Hilton.
Attorney read:

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE APPROVING THE ANNUAL UPDATE OF THE CITY OF NORTH LAUDERDALE COMPREHENSIVE PLAN CAPITAL IMPROVEMENTS ELEMENT (CIE) IN ACCORDANCE WITH SECTION 163.3177, FLORIDA STATUTES; PROVIDING FOR CERTAIN FINDINGS AND CONCLUSIONS; PROVIDING FOR COMPLIANCE WITH CH. 163, F.S. AS THE SAME APPLIES TO THE CITY OF NORTH LAUDERDALE; AND PROVIDING FOR THE FILING AND DELIVERY OF THIS ORDINANCE TO ALL APPLICABLE STATE AND LOCAL GOVERNMENTAL AGENCIES HAVING JURISDICTION TO RECEIVE AND TO REVIEW THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development Director, presented the item based on the backup memorandum. She indicated that this was approved by the Commission on first reading at the meeting of October 27, 2015. Ms. Reed-Holguin commented that this year, in addition to the annual review, the five-year plan was projected out another five years to cover years 2016-2020, and to update the schedule for any corrections or modifications concerning costs or revenue. These are not considered comprehensive plan amendments and are not required to be transmitted to the state. The updated CIE tables, which were prepared by the Finance Department and reviewed by the Public Works Department, will become part of the City’s Capital Improvement Element. There are no policy changes or level of service standard changes being recommended so a plan amendment is not required. Public hearing opened. No one spoke. Vice Mayor Hilton moved to adopt. Seconded by Commissioner Wood. Motion approved unanimously by voice vote.

ORDINANCE NO. 15-11-1320 PASSED AND APPROVED UNANIMOUSLY

b. Ordinance – Second Reading – Extending Moratorium on Community Facility (CF) Uses

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ORDINANCE 15-09-1317; EXTENDING THE MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS FOR COMMUNITY FACILITY (CF) USES WITHIN THE CITY UNTIL DECEMBER 30, 2015; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.
Tammy Reed-Holguin, Community Development Director, presented the item based on the backup memorandum. She stated that at the direction of the Commission, staff presented this item for first reading on October 27, 2015 to extend the moratorium on CF uses and commercial districts until December 30, 2015. As reported in the workshop, staff undertook a survey to provide additional information to the Commission for consideration of the actual Ordinance itself, but this particular Ordinance will simply extend the moratorium as the study is completed and recommendations on the City Code are brought back. Public hearing opened. No one spoke. Commissioner Wood moved to adopt. Seconded by Vice Mayor Hilton. All in favor by voice vote.

ORDINANCE NO. 15-11-1321 PASSED AND APPROVED UNANIMOUSLY

c. Ordinance – Second Reading – Fiscal Year (FY) 2015 Budget Amendment

Commissioner Graziose moved to read. Seconded by Vice Mayor Hilton. Attorney read:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ORDINANCE NO. 14-09-1299 BY WHICH THE CITY COMMISSION DID ADOPT THE BUDGET OF THE CITY OF NORTH LAUDERDALE FOR THE 2014/2015 FISCAL YEAR, TO REVISE THE BUDGET AS DOCUMENTED IN “EXHIBIT A” ATTACHED; PROVIDING FOR CONFLICTS, SEVERABILITY, AND, PROVIDING FOR AN EFFECTIVE DATE.

Susan Nabors, Finance Director, presented the item based on the backup memorandum. She indicated that the City has completed its FY 2015 budget but needs to make a few adjustments. This was brought forth initially on October 27th for consideration. Two amendments that are needed are one in the amount of $25,000 in the General Fund for the Parks and Recreation Department for costs due to increase in participation of program activity. In addition, there is $125,000 needed for the Workers Compensation fund due to a true-up of FY 2014 activity. Public hearing opened. No one spoke. Commissioner Graziose moved to adopt. Seconded by Vice Mayor Hilton. All in favor by voice vote.

ORDINANCE NO. 15-11-1322 PASSED AND APPROVED UNANIMOUSLY

10. CONSENT AGENDA
Commissioner Moyle requested that Item 10(a) be pulled from consent. Vice Mayor Hilton moved to read the remainder of the consent agenda. Seconded by Commissioner Wood.
Pulled from consent and considered after the remainder of the consent agenda:
Commissioner Moyle moved to read. Seconded by Commissioner Hilton.
Attorney read:

a. SUBJECT – SWAV 15-05 - Sign Waiver for Catered Fit
   5150 N. State Road 7 (Tammy Reed-Holguin)

To allow a wall sign that is 74 square feet with a 24.5 inch “CATERED”, 54.25 inch high capital letter “F”, 32.5 inch letter “i” and 34.7 inch letter “t” whereas a maximum of 16 inch high letters are allowed by section 94-16 (C) (1) (c) within a Community Business (B-3) Zoning District.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING A SIGN WAIVER REQUEST FOR ONE WALL SIGN FOR CATERED FIT TO BE LOCATED AT 5150 NORTH STATE ROAD 7, NORTH LAUDERDALE, FLORIDA, THEREBY PERMITTING THE INSTALLATION AND MAINTENANCE OF A WALL SIGN THAT IS 74 SQUARE FEET WITH A 24.5 INCH WORD “CATERED”, 54.25 INCH HIGH CAPITAL LETTER “F”, 32.5 INCH LETTER “i” AND 34.7 INCH Letter “t” WHEREAS A MAXIMUM OF 16 INCH HIGH LETTERS ARE ALLOWED BY SECTION 94-16 (C) (1) (c) WITHIN A COMMUNITY BUSINESS (B-3) ZONING DISTRICT.

Commissioner Moyle moved to approve. Seconded by Commissioner Graziose. Commissioner Moyle commented that from time to time these sign waiver requests come up, and he does not have any problem with the difference in height because 54 inches from the road is not that big, and feels that 16 inches is pretty small. He suggests that this needs to be changed to make the signs bigger so that applicants don’t have to come for a sign waiver each time. Tammy Reed Holguin, Community Development Director, commented that the sign code is something that staff wants to look at to make changes. She indicated that recently there was some legislation passed pertaining to sign codes and all planning officials were advised to wait until that legislation was implemented before we did anything to our sign code, so we are standing by at this point. Attorney Goren commented that there was a Supreme Court decision that affects sign codes which some cities are currently studying in the context of local government regulation and they will be addressing that with staff shortly. City Manager said she is glad Commissioner Moyle brought this up as the sign code has not been changed in many years. All in favor by voice vote.

RESOLUTION NO. 15-11-6239 PASSED AND APPROVED UNANIMOUSLY

Attorney read Items 10(b) through 10(e)

b. RESOLUTION – Agreement with Barry University to permit Paramedic and Emergency Medical Technician Students to Participate in Educational and Training Programs with North Lauderdale Fire Rescue Department (Fire Chief Rodney Turpel)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH BARRY UNIVERSITY, TO ALLOW EMT AND PARAMEDIC STUDENTS TO RIDE WITH THE NORTH LAUDERDALE FIRE RESCUE DEPARTMENT FOR EDUCATIONAL AND TRAINING PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 15-11-6240

c. RESOLUTION - Agreement with Broward Fire Academy to permit Paramedic and Emergency Medical Technician Students to Participate in Educational and Training Programs with North Lauderdale Fire Rescue Department (Fire Chief Rodney Turpel)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH BROWARD FIRE ACADEMY, TO ALLOW EMT AND PARAMEDIC STUDENTS TO RIDE WITH THE NORTH LAUDERDALE FIRE RESCUE DEPARTMENT FOR EDUCATIONAL AND TRAINING PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 15-11-6241

d. RESOLUTION - Microsoft Enterprise Software Product License Purchases

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF MICROSOFT ENTERPRISE SOFTWARE LICENSES FROM SOFTWARE HOUSE INTERNATIONAL AS LISTED IN SECTION ONE OF THIS RESOLUTION; PROVIDING FOR THE AMOUNT NOT TO EXCEED $54,822.00 AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION NO. 15-11-6242

e. SUBJECT –SPECIAL EVENT - Polish American Club, 935 Rock Island Road, Request to Extend Hours of Operation for New Year’s Eve Party (Tammy Reed-Holguin)

MOTION: To approve the Polish American Club’s New Year’s Eve Party and to permit to remain open until 4:00 AM to serve breakfast with no alcoholic beverages served after 2:00 A.M.

Vice Mayor Hilton moved to approve the consent agenda as read.  
CONSENT AGENDA APPROVED UNANIMOUSLY BY VOICE VOTE.
11. OTHER BUSINESS

a. RESOLUTION - 42nd Year (2016-2017) Community Development Block Grant Application

Commissioner Graziose moved to read. Seconded by Vice Mayor Hilton.
Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, TO APPLY FOR AND TO FILE SUCH DOCUMENTS AS MAY BE REASONABLY REQUIRED FOR AVAILABLE 42nd YEAR (FISCAL YEAR OCTOBER 2016 – SEPTEMBER 2017) COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE ESTIMATED AMOUNT OF $226,344 FOR THE PURCHASE ASSISTANCE AND COMMERCIAL REVITALIZATION PROGRAMS (CITY WIDE); PROVIDING THAT THE CITY MANAGER SHALL BE AUTHORIZED TO EXECUTE GRANT AWARD AGREEMENTS AND TO TAKE ALL NECESSARY ACTIONS, INCLUDING, BUT NOT LIMITED TO EXTENSIONS OF TIME, LINE-ITEM BUDGET AMENDMENTS, AND PROGRAM MODIFICATIONS TO IMPLEMENT SAID PROGRAMS IF AND WHEN FUNDING IS APPROVED; PROVIDING FOR FINDINGS AND CONCLUSIONS WITH REGARD TO THE BENEFITS TO BE DERIVED BY PROCESSING AND OBTAINING SUCH GRANT FUNDS; AND, PROVIDING AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development Director, presented the item based on the backup memorandum. She indicated that this item was tabled at the last meeting at the direction of the Commission to see if it would be feasible to apply for a Commercial Rehabilitation Program since for many years the City has assisted residents with a Housing Rehabilitation Program, as there is a need to address our commercial properties. After Staff’s discussion with the County regarding regulations, it was determined that it is an eligible program and we will have to continue to work on guidelines for that program to make sure we do it in the correct target neighborhoods. Staff is researching what those areas will be and will bring back information. The program would provide matching grants funded by Broward County for façade improvements only within a CDBG target area that meets the eligibility requirements. The City proposes to use approximately $125,000 to provide these matching grants for improvements to for-profit businesses. This includes improvements to the commercial structure such as painting, signage and lighting that is attached to the outside of the building. We would not be able to fund landscaping or parking lot improvements or lighting. The target areas would have to meet eligibility requirements for all CDBG projects including low or moderate income neighborhoods. Staff is researching to see if the businesses along State Road 7 would be eligible. The County agrees that this grant be allocated to a small area to create an impact. Staff is open to feedback on what area this should be, and is seeking Commission’s approval to apply for a Commercial Rehabilitation Program and to continue the Purchase Assistance Program. This proposal was presented to the Housing Authority Board on November 3rd and staff received their endorsement of the program. Commissioner Moyle moved to approve. Seconded by Vice Mayor Hilton. No Commission discussion. All in favor by voice vote.
RESOLUTION NO. 15-11-6243 PASSED AND APPROVED UNANIMOUSLY

b. RESOLUTION - Waste Pro of Florida Inc. Price Increase

Vice Mayor Hilton moved to read. Seconded by Commissioner Wood.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RECOGNIZING THE RATE INCREASE OF 1% FOR SOLID WASTE DISPOSAL FOR RESIDENTIAL AND COMMERCIAL ACCOUNTS FROM WASTE PRO OF FLORIDA INC. TO COVER THE PASS THROUGH DISPOSAL COST INCREASE FROM WHEELABRATOR TECHNOLOGIES INC. INCORPORATED HEREIN; AND PROVIDING FOR AN EFFECTIVE DATE.

Mike Shields, Public Works Director, commented that the Interlocal Agreement that Broward County has with Wheelabrator, that we are a part of, has called for an increase of 1% of the disposal rate has been imposed for residential and 1% for commercial. He stated that for the balance of the term, on the residential, we will have to absorb the costs since the assessment is collected on the tax roll. On the commercial side, the disposal costs will go up 1%. City Manager Bhatty commented that the commercial rate will kick in on January 1st, but since the tax roll has already been issued, we cannot go back and adjust that increase for this year. She requested Commission’s approval to spend approximately $10,000 which is the cost of that 1% increase for this year. On the tax roll for next year the 1% will appear. Commissioner Wood moved to adopt. Seconded by Vice Mayor Hilton.

Commissioner Graziose commented that we are losing on some of our franchise fees because we have businesses that don’t have Waste Pro dumpsters. He stated that he would like to see a commitment to have all of the businesses in the City have the proper dumpster. Mr. Shields commented that Waste Pro is training a new person to monitor the businesses. Ken Rivera, from Waste Pro, reported that they had an employee in place that focused on commercial participation and they are training someone new to visit the customers, and also they have trucks with GPS and cameras to monitor and report to Code to make sure they have the proper solid waste containers and dumpsters. They are looking to increase their street personnel to promote participation. Commissioner Graziose asked to see a list of the businesses that have been reported and need the right dumpster. No further discussion. All in favor by voice vote.

RESOLUTION NO. 15-11-6244 PASSED AND APPROVED UNANIMOUSLY

c. RESOLUTION – Change Order - Aquatic Center Renovation Project

Commissioner Graziose moved to read. Seconded by Commissioner Wood.

Attorney read:

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE AUTHORIZING A CHANGE ORDER OF $15,000.00 TO STUART MEAD ENTERPRISE FOR THE INSTALLATION OF NEW LED UNDERWATER LIGHTS AS PART OF THE AQUATIC CENTER RENOVATION
Mike Sargis, Parks and Recreation Director, presented the item based on backup memorandum. He indicated that back in September, the Commission authorized a major renovation project to the Aquatic Center. The project was awarded to Stuart Mead Enterprises for an amount not to exceed $455,400 to basically re-build the entire main pool and wading pool. Mr. Sargis stated that when this is done, the entire pool will be a brand new facility with a thirty year life span. He said at the beginning of the project they thought they would leave the original lights in the pool, but the contractor noticed there were some broken conduit pipes and wiring. They felt that it was in the best interest for safety issues to replace it with new LED underwater lights. The cost is around $13,000 to do that. The project is about a month ahead of schedule and is anticipated to be finished by the December holidays. This is the first change order requested to be considered and approved. Vice Mayor Hilton moved to approve. Seconded by Commissioner Wood. No Commission discussion. All in favor by voice vote.

RESOLUTION NO. 15-11-6245 PASSED AND APPROVED UNANIMOUSLY

d. RESOLUTION - Copier Lease with SHARP Business Systems

Commissioner Graziose moved to read. Seconded by Vice Mayor Hilton.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ACCEPTABLE AGREEMENT BY AND BETWEEN THE CITY OF NORTH LAUDERDALE AND SHARP BUSINESS SYSTEMS FOR THE LEASE OF (4) MX-2615; (2) MX-5140 AND (1) MX-B402SC COPIERS AT A MONTHLY LEASE AND EQUIPMENT COST NOT TO EXCEED $2,280.00; AND DIRECTING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE INTENT OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Mitch Williams, IT Manager, presented the item based on the backup memorandum. He indicated that the City has been leasing Sharp Business Systems copiers since 2009 and the lease will expire in December, 2015. The City has had respectable up-time and service from Sharp, and the total cost for the lease and maintenance of the equipment exceeded $50,000 in FY 2015. A thorough usage assessment was conducted to determine the City’s actual operational needs. The result is that the current copier fleet exceeded the City’s needs and Sharp is recommending a more adequate copier fleet and quarterly billing structure. Total cost for the recommended fleet is approximately $2,280, compared to $4,700 per month under the previous contract. Staff is seeking Commission’s approval authorizing a lease agreement not to exceed $2,280 per month, as well as approval for $10,000 contingency fund for emergencies or unforeseen expenses. Commissioner Moyle moved to approve. Seconded by Vice Mayor Hilton. Commission Moyle commented that this is the cost of doing business and this is what it takes for the City to be able to function and is reasonable. He stated that this item probably should have been on the consent agenda. All in favor by voice vote.
RESOLUTION NO. 15-11-6246 PASSED AND APPROVED UNANIMOUSLY

e. RESOLUTION – Sponsorship – Florida Sports Foundation Dominos Tournament

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

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

Mike Sargis, Parks and Recreation Director, presented the item based on the backup memorandum. Last year Representative Rogers held the 1st Dominos Tournament as part of the Florida Sports Foundation games, which is a series of sporting events that occurs throughout the State. As part of the partnership last year, the City authorized the use of the City logo for advertising and gave an amount of $302 to cover the cost of lunch. The date for the 2nd Annual Tournament has been set for Saturday, February 20th and the City has been asked again to sponsor the event along with some other surrounding cities. Staff is seeking Commission’s consideration and approval to authorize an amount not to exceed $500 for the City’s contribution, as well as authorizing the use of the City’s logo and approval of the attached Resolution for disclosure purposes per the Broward County Code of Ethics. Commissioner Wood moved to approve. Seconded by Vice Mayor Hilton. No Commission discussion. All in favor by voice vote.

RESOLUTION NO. 15-11-6247 PASSED AND APPROVED UNANIMOUSLY

12. REPORTS

a. City Logo Presentation

Mike Sargis gave a PowerPoint presentation and discussion on the City’s Logo contest which was initiated in the summer and afterward to the schools to get submissions. He presented some of the submitted artwork by students and presented some other options for the logo. A copy of the PowerPoint is available in the City Clerk’s office. Discussion ensued regarding going with one of the submissions presented here or putting this back out to the Art Institution in January. City Manager Bhatty commented that this would be at no cost to the City for graphic artists who may submit. Commissioner Wood commented that this was put out to the students as a contest and the City should honor the submissions and thank them for their work. He also suggested that if a student’s design was chosen, perhaps that student could work with the Art Institute on the design. It was suggested that the Commission could submit their preference and come up with a consensus on the logo and tagline.
13. COMMISSION COMMENTS

Commissioner Graziose:
Commented on Amendment Three for the MPO regarding voting membership and commented that they are still waiting for responses from some of the cities. Sometime in January, 2016 they should have the official document submitted to approve the change.

Commissioner Wood:
Commented that he would like the City to work with BSO and Waste Pro to get trucks with cameras to keep the neighborhoods safe. Ken Rivera from Waste Pro commented on how this program would work and how the trucks are equipped and what the goals are to be a partner with the cities and to train drivers to report any suspicious activities in the neighborhoods.

Vice Mayor Hilton:
Commented that he would like to look into what it would take to get an emergency signal near Station 44 at Hamptons Boulevard and 81st Avenue to help the firefighters get out across the four lanes in an emergency call and cause traffic to stop.

14. CITY MANAGER COMMENTS

City Manager Bhatty stated that Tammy Reed Holguin would be presenting an item about MPO projects and a grant application that we would like to apply for. This was going to be presented in the workshop earlier, but time ran out. Ms. Bhattty said this is for safe streets and one of the applications proposed is for a project that would improve the pedestrian and bicycle flow around 81st Avenue; four projects were presented to be considered and a consensus from the Commission is being requested as to what grants to apply for. Tammy Reed Holguin reported that the Broward Complete Streets and other local initiative grant programs is offering grants up to 1.5 million dollars per project and there is no city match required.

Ms. Reed-Holguin explained the following proposed projects to apply for that were discussed by Community Development and Public Works:

1. ADA and walkability improvements on Rock Island Road from Southgate to McNab
2. ADA and walkability and bikeway improvements on 81st from Southgate to McNab
3. Signal light and streetscape upgrades at 17th Street and 81st Avenue
4. Construction of a greenway at the cul de sac at the end of 81st Avenue

Ms. Reed-Holguin stated that staff is seeking consensus from Commission on which project to apply for during this round of funding or any other suggestions. Commissioner Wood asked if only one project could be funded. Ms. Reed-Holguin commented that you could apply for more than one, but with the time limit being January 16th, to make a good application, they only have the ability to work on one. After some discussion, the Commission’s consensus and direction was to apply for project number 4 – the construction of a greenway at the end of 81st Avenue. City Manager Bhatty commented that there is a meeting on December 7th with the MPO and they can see what funding can be offered for this project.
City Manager Bhatty commented on the following upcoming events:

a. “SociallyBuzz” - Turkey Give-away - Saturday, November 21 – 1:00 pm - of City Hall breezeway

b. “Big Heart Brigade” - Thanksgiving Day – November 26th at 8:00 am - City Hall parking lot

c. Upcoming Events:
   - WinterFest – Saturday, November 28 – 5:00 pm to 9:00 pm – City Hall Lawn and Sports Complex
   - Menorah Lighting Ceremony – Friday, December 4 – 11:00 am - City Hall Commission Chambers
   - Broadview Bazaar – Saturday, December 5 – 2:00-6:00 – Pompano Park
   - Holiday Parade and Tree Lighting – Saturday, December 12 – 4:00 pm

City Manager Bhatty also commented that a request came from the Property Appraiser’s office inquiring if the City wants to do an additional $25,000 homestead exemption for seniors. This is an optional offer as we already have an exemption. Mrs. Bhatty said in the past the direction was not to opt for this option, but is seeking Commission’s direction. Consensus of the Commission was not to opt for this.

City Manager Bhatty further commented on regulations that had been placed a few months ago on donation bins that had been popping up throughout the City. She stated that they recently found out that there is a new program coming forward wherein these bins will be placed inside the stores with permission from the storeowners. Mrs. Bhatty stated that staff is requesting direction from the Commission to expand our current Ordinance to include some regulations for these bins. Mayor Brady commented that these should only be 501C(3) organizations. City Manager agreed that it should not be a business entity and that the bins should be monitored and placed in safe locations and is seeking Commission’s direction and if the Commission concurs, they will add some language to the existing Code and bring back the proposed Ordinance in the near future. Consensus of the Commission was to go forward to amend the Ordinance to be able to regulate inside donation bins.

15. CITY ATTORNEY COMMENTS

Attorney Goren reported that this morning at their meeting, the County Commission reviewed the proposed revised Ethics Code which had been approved by the BLC and also included Inspector General’s office’s review and revisions. The County Commission approved the proposed revisions and it will be heard in a public hearing on December 8th at 2:00 and Attorney Goren will be attending. A copy of the final revised document will be provided.

Attorney Goren also advised that the County Commission passed the Cannabis Ordinance. This Ordinance will apply Countywide. If a city does not accept a countywide ordinance they would have to
adopt a conflicting ordinance. City administration and the Sheriff’s Office are currently studying this issue. If the City chooses to do nothing, the ordinance automatically applies, effective immediately.

Attorney Goren reported on a couple of bills that got filed recently in legislation. One relates to discharging of firearms and the possession of firearms. There are also several pending bills pertaining to the open carry of weapons; body cameras for police officers; custodians of public records; plastic bags and the display of the Confederate flag. Another bill currently pending would change the application of the Florida Constitution which would preclude removing officers, such as the Supervisor of Elections and the Property Appraiser, that are not “elected”. Another issue will be social media, with a pending bill that would require an employer to get a passcode to get into an employee’s social media, such as Facebook. Other bills are pending regarding fracking and drilling. The special assessment for law enforcement bill is on the master list and may be processing forward. Attorney Goren also touched on public corruption and stated that a pending bill lessens the definition of public corruption. Another bill pending has the potential of breaking up school districts and burdening local government with unknown impacts.

City Manager commented that BSO advised that the body camera program is not a pilot program any more. They will be doing a two month testing program and after that they will all have them. This will result in some costs to each city for the lease and maintenance of the program. The cost will be $1,000 per deputy per year and it is anticipated that the costs could be paid through forfeiture funds.

16. **ADJOURNMENT** – There being no further business, the meeting adjourned at 7:51 pm and convened to the North Lauderdale Recreation Foundation.

Respectfully submitted,

Patricia Vancheri, City Clerk
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO:       City Commission
FROM:     Ambreen Bhatti, City Manager
BY:       Tammy L. Reed-Holguin, Community Development Director
DATE:     December 15, 2015
SUBJECT:  SPR 15-07 Catered Fit/Select Foods
           5150 N State Road 7 (FKA Gennaro’s Produce)

          Amending site plan SPR 04-02 to include a 6 foot high chain link
          fence with 3 gates around the property as well as a landscape
          buffer shielding the fence located at 5150 North State Road 7
          known as “Catered Fit”

APPLICANT: Joseph Verdone, AICP

The applicant is requesting an amendment to approved Site Plan 04-02(SPR) to add a 6
foot high chain link fence with 3 gates around the property with sufficient landscape
buffer to shield the fence from view. Catered Fit/Select Foods is located at 5150 N. State
Road 7, within the City’s 441/SR7 Mixed Use Redevelopment Overlay District. The
business provides food catering services as the primary use and wholesale food sales as a
secondary use as per SEU 15-01 the Commission approved on May 26, 2015. Subsequent
to the SEU approval, the applicant installed a six foot fence in the front of the property
and was advised that a site plan amendment was needed and the building permit was
pending. According to the City’s Site Plan Criteria, Section 98 of the City Code, any
significant modification to an approved site plan requires an amendment.

As noted, this is a commercial property along a prominent corridor of the City. The City
promotes economic development with an emphasis on mixed use along the 441/SR 7
Mixed Use Redevelopment Overlay District. Projects are encouraged to facilitate a
pedestrian friendly environment and to mirror the aesthetics of other developments along
the corridor including landscaping and façade treatments. Staff has reviewed the
proposed request in light of the criteria and consistency of development for the SR 7
corridor, as well as the guidelines and criteria contained in Section 98 site plan criteria.
Given that this is a commercial, not light industrial, property, it is preferable that the site
plan accommodates customers and reflects the openness of other commercial properties.
The applicant has described some unique features of this business that he feels
demonstrates the need for a more secure site as outlined in the letter of intent, attached.

Staff has worked with the applicant to enhance the appearance of the property by
increasing the landscaping to buffer the fence, thereby, providing the security the
applicant desires while minimizing the potentially negative visual impact of the fence. Additionally, staff requested that a pedestrian gate be installed to accommodate access to the existing sidewalk and facilitate customer visits to the commercial business. As of the writing of this memorandum, the applicant has not submitted a landscape plan for staff review and approval. A condition of approval of the site plan amendment will be an approved landscape plan for the buffering in front of the fence and implementation of the previously approved landscape plan as stated in the SEU approval.

No parking will be impacted by the installation of the fence. During business hours the fence will primarily remain open as this facility is open to the public. A Knox box will be provided for fire and police service use after hours, therefore not affecting the previously approved life safety plan for the property. The vehicular gate in front of SR 7 will be wide enough to accommodate the ingress/ egress of the fire truck.

**RECOMMENDATION:**

The item is being presented tonight for the Commission’s consideration. If the City Commission concurs with the applicant’s request, a motion is in order that the proposed site plan amendment is granted subject to the following conditions:

1. That all terms, conditions, and provisions imposed herein, including all life, health, and safety Codes pertaining to this facility are met prior to commencing and during operation.

2. City of North Lauderdale Fire Department’s approval of the site plan amendment, access control and life-safety plan.

3. Landscaping and fencing proposals must be reviewed by the City and Broward County Water and Wastewater Division to insure access to equipment and compliance with landscape code.

4. Applicant shall obtain proper approval from any outside agencies and all applicable City and Florida Building Codes shall be met.

5. Applicant shall submit a landscape plan for approval that includes a landscape hedge to buffer the view of the fence from all sides.

6. The applicant agrees to adhere to Section 106-227 of the Code of Ordinances regarding the parking of commercial vehicles.

7. Applicant will remove temporary fencing in front of property prior to final fence inspection of permanent fence.

8. Prior to issuance of Certificate of Occupancy must comply with landscape plan and all Florida Building and Fire Safety Codes.
January 12, 2016

Andrew E. Disbury
Community Development Specialist
City of North Lauderdale
701 Southwest 71st Avenue
North Lauderdale, Fl. 33068

VIA E-MAIL adisbury@NLauderdale.org

RE: Special Exception Application for Property Located at 8150 North State Road 7, Fort Lauderdale, Florida 33319

Dear Mr. Disbury:

I hereby give CONSENT to Joseph Verdone to act on behalf of Ft. Lauderdale Food Services, L.L.C. (the “Company”), to submit or have submitted this application and all required material and documents, and to attend and represent the Company at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application for the proposed use of:

I hereby certify I have full knowledge the property I have an ownership interest in is the subject of this application. I further certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning, Zoning and Building Department of the City of North Lauderdale, Florida, and will not be returned. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Legal Description:

(see attached Exhibit “A”)

FT. LAUDERDALE FOOD SERVICES, L.L.C.,
a Florida limited liability company,

By: GNP Development Partners, L.L.C.,
a Nevada limited liability company
its managing member

By:

Josh Pardue, Managing Member

GNP Development Partners ■ 52 Riley Road, Suite 155 Celebration, Fl 34747
MarkGerenger@GNPDev.com ■ 407.616.3248
JoshPardue@GNPDev.com ■ 813.731.4299
October 28th, 2015

Andrew E. Disbury
Community Development Specialist
City of North Lauderdale
Phone: 954-597-4744
Fax: 954-597-4844
adisbury@NNLauderdale.org

Re: Description Site Plan Amendment to show A Six Foot High Security Fence Along The Font Property Located At 5150 North State Road 7 North Lauderdale, FL

Dear Andrew:

Background

GNP Development purchased the above-mentioned distressed property from a community bank earlier this year and obtained a Special Exception Use approval (SEU 15-01) to operate a catering facility with ancillary wholesale sale of products and cold storage within a previously developed specialized building with more than 50% of its floor devoted to cold storage. This previous building configuration was designed and built as a grocery store and is now being used for catering use with ancillary wholesale activity.

The site is located in the commercial corridor, along SR7, and it backs up to a large mobile home park. Currently, the site is fenced on three sides with a six (6) foot high fence and the applicant is proposing a six (6) foot high fence along the street frontage to completely enclose the existing special exception use area. This six (6) foot high security fence is required to secure the employee parking, delivery vehicle, and loading areas.

Request

The applicant is respectfully requesting an amendment to the approved site plan to show the location of a secured six (6) foot fence enclosure for the recently granted special exception use. The recent special exception use approval allowed a catering use with cold storage and wholesale component to occupy the previously developed vacant building. This unique and approved Special Exception use does not create or generate customers activity on site and all of the areas behind the proposed gated enclosure are primarily limited to employee parking, loading docks, and overnight parking delivery vehicle use. The proposal includes a six (6) foot high fence with three (3) gated access points for vehicles, pedestrians / HC accessible routes, and fire hydrant access. The vehicle and pedestrian gates will remain open during business hours but will be locked after hours with appropriate knock out boxes provided where applicable. The existing Special Exception Use Permit (SEU15-01) Condition 2.6 requires the applicant to
revive or replace missing or damaged landscaping on site and along the perimeter of the site. The applicant is committed to working with the city to improve the buffer planting as needed.

Justification

The site is approved with a Special Exception Use that does not generate customers activity on site and all of the areas behind the proposed gated enclosure are primarily limited to employee parking, loading docks, and delivery vehicle use.

The site is approved with a Special Exception (SEU 15-01). The approved use of the site is primarily limited to employee activity and there is rational nexus for it to be secured and gated from the general public. This is because this specific catering use processes food product for consumption off-site the area needs to be secure to prevent contamination of the facility and food. As stated before, the parking area is used primarily by employees and for overnight parking of the business vehicles.

Allowing the applicant the ability to seek a site plan amendment to secure the site, the unique Special Exception Use behind a suitable security fence would ensure the property owner has the same right enjoyed by other business with secure sites within the City.

The request is the minimum necessary to secure the site with a six (6) foot tall fence barrier to keep the general public out of employee parking, loading, and overnight storage areas of the facility. Pedestrian, HC, Fire and vehicle access gates will be provided as required. Securing the site serves the publics’ general welfare by maintaining a safe and secure food processing facility.
### Description of approved use
Catered Fit Food Service LLC

<table>
<thead>
<tr>
<th>Use</th>
<th>Ground Floor Area</th>
<th>Mezzanine</th>
<th>Total Floor Area</th>
<th>% Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Catering Operation</td>
<td>30,275 SF</td>
<td>1,170 SF</td>
<td>31,445 SF</td>
<td>100%</td>
</tr>
</tbody>
</table>

#### Floor Area
Retail / Wholesale

| Floor Area Supporting Retail Catering Function | 15,953 SF | 1,170 SF | 17,123 SF | 54.4% |
| Floor Area Supporting The Retail And Wholesale Catering Function (See note 1 below) | 14,332 SF | N.A. | 14,322 SF | 45.6% |
| Building Total | 31,445 SF | | | 100% |

**Notes:**
1) This area is used to prepare food products for both retail and wholesale customers.

**Operation Information:**

**Catering Use Overall:**
- Employees 60 full time multiple shifts
- Maximum 11 Average Daily Deliveries (combined retail and wholesale)
- No Deliveries before 7 AM or after 9 PM
- Catered Fit Food Service prepared food products are deliver directly to retail subscription customers daily 7 days a week
- Catered Fit Food Service wholesale product are delivered directly to other end user in the area Monday – Friday.
- Vehicle Fleet includes eight (8) single axle box trucks and three (3) panel vans.

**Retail Function:** Preparing and delivering healthy meals to local retail subscribers.
- Employees at this location: 30 full time multiple shifts
- No Deliveries before 7 AM or after 9 PM

**Wholesale Catering Use:**
- Employees at this location: 30 Full time multiple shift
- No Deliveries before 7 AM or after 9 PM
All business activity will be conducted inside the building. The existing property is presently developed with an existing 31,455 SF building that contains a significant amount of cold storage with a functional loading dock. It also has a perimeter landscape buffer, and a landscaped parking lot with 79 spaces including 4 handicapped spaces.

Sincerely,

Joseph J. Verdone, AICP
Government Consultant / Certified Planner
Carlton Fields Jorden Burt
TO: Mayor and City Commission
FROM: Ambreen Bhatty, City Manager
BY: Rodney Turpel, Fire Chief
DATE December 15, 2015
SUBJECT: Agreement with Margate Fire Rescue for Automatic Aid of Fire Rescue Services

Background:
In October 2014, the Regional E911 countywide dispatch system went into effect. This positive change put North Lauderdale, Tamarac, and Margate fire rescue agencies on the same response radio channel making inter-operability communications between each district much easier and safer for responding units and personnel operating on scene of an emergency incident.

In reviewing the current response zones for all three municipalities, the Fire Administrative staff for North Lauderdale, Tamarac, and Margate recommended that to achieve the closest unit response protocol, some modifications to the current response areas for all three municipalities should be adjusted. North Lauderdale Fire Rescue already has in place an automatic aid agreement with the city of Tamarac Fire Rescue that allows for mutual sharing of emergency response units from both municipalities to cover each perspective zone response; thus ensuring adequate coverage and personal availability for emergency incidents that occur. With adding Margate Fire Rescue into an automatic aid agreement with North Lauderdale, the response boundaries can now be proportionally shared among North Lauderdale, Tamarac, and Margate which will provide a much improved and more efficient emergency response service to all three municipalities.

The City of North Lauderdale Fire Rescue and Margate Fire Rescue will come into an agreement to provide automatic aid for Structure Fires, Hazardous Conditions, and Vehicle Extrications. This agreement will provide a more adequate response of emergency apparatus and personnel proportionally throughout North Lauderdale, Margate, and Tamarac. This agreement with Margate Fire Rescue will be provided at no costs to both municipalities.

Margate Fire Rescue will provide automatic aid into the northern boundaries of North Lauderdale, and in return North Lauderdale Fire Rescue will provide Automatic Aid to the southern boundaries of Margate. This agreement in turn will alleviate Tamarac Fire Rescue from responding to the furthest northern areas of North Lauderdale and relieve North Lauderdale of responding to the western areas of Tamarac.
RECOMMENDATION:

The City Administration recommends City Commission’s approval of the attached Resolution authorizing the North Lauderdale Fire Rescue Department to enter into an agreement with the city of Margate to provide automatic aid to Margate Fire Rescue Department. A copy of the Agreement is available in the City Clerk’s office for review.
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF NORTH LAUDERDALE FIRE RESCUE AND MARGATE FIRE RESCUE FOR AUTOMATIC AID OF FIRE RESCUE SERVICES FOR AUTOMATIC AID AND PROVIDING AN EFFECTIVE DATE.

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

Section 1: That the City Manager, be and the same is hereby authorized and directed to enter into the attached automatic Aid Agreement by and between the Margate Fire Rescue, and the City of North Lauderdale and other local governments signing the document to receive automatic aid at the northern portions of North Lauderdale and in return to the southern portion of the City of Margate.

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 15th day of December, 2015.

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR JACK BRADY

______________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

______________________________
CITY CLERK PATRICIA VANCHERI
TO: Honorable Mayor and City Commissioners

FROM: Ambreen Bhatty City Manager

BY: Rodney Turpel, Fire Chief

DATE: December 15, 2015

SUBJECT: Clincon Team Sponsorship for 2016

The Broward County Healthcare Coalition has sent an agreement out to the nine Fire Rescue Departments in Broward County that participated in EMS (Clincon) competitions in 2015. They want to help sponsor our teams in the 2016 EMS Competitions throughout the state of Florida. They are offering $2,200 to be used for event registration, travel, lodging, etc. North Lauderdale Fire Rescue Team was one of nine teams last year and participated in four (4) State-wide competitions.

This is a great opportunity to help defer most costs through sponsorship and be part of the Broward Teams that will participate in the EMS Competitions in 2016. The leader of our competition team is Lieutenant Javier Rodriguez who has represented our City over the past three (3) years worth of events and is readying this year’s upcoming team for 2016.

RECOMMENDATION:

The Administration recommends Commission’s consideration and approval of the attached Resolution authorizing the City Manager or her designee to enter into an agreement with the Broward County Healthcare Coalition for EMS Competition Team sponsorship. A copy of the Agreement is available in the City Clerk’s office for review.
RESOLUTION NO. ______________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE BROWARD COUNTY HEALTHCARE COALITION FOR SPONSORSHIP FUNDS FOR THE 2016 NORTH LAUDERDALE FIRE RESCUE CLINCON COMPETITION TEAM AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1: That the City Commission does hereby authorize the City Manager or her designee to enter into an acceptable agreement with The Broward County Healthcare Coalition under the guidelines set forth in this agreement.

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 15th day of December, 2015.

APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________________
MAYOR JACK BRADY

__________________________________
VICE MAYOR DAVID HILTON

ATTEST:

__________________________________
CITY CLERK PATRICIA VANCHERI
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission
FROM: Ambreen Bhatty, City Manager
BY: Tammy L. Reed-Holguin, Community Development Director
DATE: December 15, 2015

SUBJECT: Amendment to Chapter 106 “Zoning” Sections 106-158 Pertaining to SEU Application Process, Section 106-467 Regarding Community Facility (CF) Uses and Section 106-468 Master Business List to Include the Process

The City has a moratorium on the issuance of building permits and local business tax receipts for Community Facility (CF) uses throughout the City since approval by the City Commission on February 24, 2015. The purpose of the moratorium was to allow time to complete a study regarding CF uses within commercially-zoned properties. Staff has completed the study as directed by Commission and tonight we are presenting the Ordinance amending the City Code pertaining to the Special Exception Use process, Community Facility Uses and the Master Business List which will include the amended SEU process, for first reading.

BACKGROUND:
During their February 3, 2015 meeting, the Planning & Zoning Board recommended City Commission approval of an Ordinance adopting a moratorium on the issuance of building permits and local business tax receipts for Community Facility (CF) uses throughout the City. In accordance with the Planning & Zoning Board’s recommendation, the City Commission adopted Ordinance No. 15-02-1308 on February 24, 2015 affirming the City Manager’s Administrative Order to implement a moratorium on the approval of any applications or the issuance of any new licenses or permits for Community Facility (CF) uses within the City and authorizing the study of said uses within commercially-zoned properties. At the October 13, 2015 Commission meeting, staff made a presentation on findings and preliminary recommendations related to CF uses in commercial zoning districts. The Commission requested that the moratorium that was set to expire on October 31 be extended to allow more time for additional research. The moratorium was subsequently extended by Ordinance until December 30, 2015.

During this additional time, staff supplemented their previous research of the current City Code, code compliance issues, field observations of parking and safety situations and research of Codes within other municipalities by visiting all businesses within 24 shopping plazas in the City and conducting a survey regarding non-commercial uses in commercial districts. The survey was also mailed to all commercial property owners and managers. The results of this survey were compiled with the other types of data previously collected, including documentation on code violations, observations by professional staff of existing conditions and historical impacts, research on other codes within other cities and input from the Commission and the public. On November 17, 2015 staff made a second presentation during the Commission workshop.
Findings of the study were presented and the Commission consensus was to prepare an Ordinance for consideration based on those findings and to implement recommended procedural changes.

The proposed ordinance will include the following amendments:

1. **Section 106-158 (2) g:** Amend the SEU application process to require applicants who propose the use of vans or buses to transport clients to their site, to register their vehicles with the City.

2. **Section 106-158 (2) h-k:** Amend the SEU application process to require the submittal of a conceptual site plan showing the access and parking, and impact analyses for traffic, public facilities and economics.

3. **Section 106-467:** Amend the Supplemental Regulations limiting the number of non-business (CF) uses within one shopping center to no more than a total of two (2) non-business uses (CF) regardless of the amount of total building gross floor area occupied and providing for compliance over time by shopping centers currently with more than 2 CF uses.

4. **Section 106-467 (22):** Amend the Supplemental Regulations to detail the SEU application process for education, primary and secondary, charter, and private schools.

5. **Section 106-468:** The Master Business List will be amended to include the above conditions in 106-467 (22).

The proposed procedural changes include determining the occupancy load at the time of the SEU application and enforcing the parking more stringently and in accordance with the conditions of approval after issuance of the SEU.

The Planning and Zoning Board considered the proposed amendments to the Code at their December 1, 2015 meeting. After a staff presentation and comment by a member of the public, the Board found the amendments to be consistent with the City of North Lauderdale Comprehensive Land Use Plan and unanimously recommended the proposed ordinance for approval by the City Commission.

**RECOMMENDATION**

The City Administration and the Planning and Zoning Board recommends Commission’s approval of the attached ordinance on first reading amending Chapter 106 “Zoning” Sections 106-158 pertaining to the SEU application process and Section 106-467 regarding Community Facility (CF) Uses and Section 106-468 Master Business List.
ORDINANCE NO. ______________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 106 OF THE CITY’S CODE OF ORDINANCES, ENTITLED “ZONING”; SPECIFICALLY AMENDING ARTICLE IV “SPECIAL EXCEPTION USES”, SECTION 106-158 TO PROVIDE FOR REVISIONS TO THE APPLICATION PROCESS FOR SPECIAL EXCEPTION USES; AMENDING ARTICLE XV “BUSINESS DISTRICTS”, DIVISION 2, “MASTER BUSINESS LIST”, SECTION 106-467, “SUPPLEMENTAL REGULATIONS” SUBSECTION 106-467(19), TO PROVIDE FOR ADDITIONAL SUPPLEMENTAL REGULATIONS GOVERNING NON-COMMERCIAL BUSINESS USES IN BUSINESS ZONING DISTRICTS TO LIMIT THE NUMBER OF NON-COMMERCIAL USES LOCATED WITHIN ANY ONE BUSINESS SHOPPING PLAZA; AMENDING ARTICLE XV, “BUSINESS DISTRICT”, DIVISION 2, “MASTER BUSINESS LIST”, SECTION 106-467 “SUPPLEMENTAL REGULATIONS” BY ENACTING A NEW SUBSECTION 106-467(22), TO PROVIDE FOR ADDITIONAL REGULATIONS RELATED TO THE PROCESSING OF APPLICATIONS FOR SCHOOLS SEEKING SPECIAL EXCEPTION USE APPROVAL; AMENDING ARTICLE XV “BUSINESS DISTRICT”, DIVISION 2, “MASTER BUSINESS LIST”, SECTION 106-468, “MASTER BUSINESS LIST”, TO PROVIDE FOR THE INCLUSION OF THE PROCESS FOR CONSIDERATION OF SCHOOLS AS SPECIAL EXCEPTION USES IN BUSINESS ZONING DISTRICTS; PROVIDING FOR FINDINGS AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of North Lauderdale wishes to preserve and promote a successful commercial base within the City; and

WHEREAS, City Commission finds that the successful redevelopment of the City is promoted through zoning ordinances and City ordinances within the City that support the preservation and expansion of the economy; and

WHEREAS, since 2003, the City has reviewed and amended its Land Development Regulations and Comprehensive Plan concerning Community Facilities (CF) uses in non-CF zoning districts in the City; and,
WHEREAS, City Administration and staff have reviewed the amendments and found them to be consistent with the Goals, Objectives and Policies of the City’s Comprehensive Plan; and

WHEREAS, in 2008, the City reviewed Community Facilities (CF) uses in non-CF zoning districts, through zoning in progress pursuant to Section 106-61 of the City’s Code of Ordinances and subsequently amended the Code; and,

WHEREAS, observations by City Code Enforcement and City Fire officials of overparking of vehicles in commercial plazas raised fire and safety concerns for the City Commission and at its January 13, 2015, meeting, the City Commission directed the City Manager to once again conduct a review of CF uses within the City; and,

WHEREAS, on January 16, 2015, the City Manager issued an Administrative Order, pursuant to Section 106-61 of the City’s Code, announcing zoning in progress relating to CF uses throughout the City; and,

WHEREAS, on February 24, 2015, the City Commission adopted Ordinance 15-02-1308 which implemented a moratorium on the approval of any applications or the issuance of any new licenses or permits for Community Facility (CF) uses within the City until August 1, 2015; and,

WHEREAS, on September 11, 2015, the City Commission adopted Ordinance 15-09-1317 which extended the moratorium on the approval of any applications or the issuance of any new licenses or permits for Community Facility (CF) uses within the City until October 30, 2015; and

WHEREAS, during the period of the moratorium staff reviewed documentation on code violations, observations by professional staff of existing conditions and historical impacts, and conducted research on other codes within other cities; and
WHEREAS, on November 17, 2015 the City Commission approved Ordinance 15-11-1321 extending the moratorium until December 30, 2015 to permit City staff to conduct additional research as requested by the City Commission; and,

WHEREAS, during this time, staff conducted a survey regarding non-business uses in commercial districts and continued research on codes and existing conditions in order to provide recommendations to the City Commission; and

WHEREAS, on November 17, 2015 the Administration presented a report to the City Commission, having completed their study, and recommended strengthening the City’s Ordinances pertaining to the use of commercial space for non-business (CF) uses; and

WHEREAS, on December 1, 2015, the proposed amendments were presented to the Planning and Zoning Board for consideration and after discussion were found to be consistent with the City’s Comprehensive Land Use Plan and were recommended for consideration of approval to the City Commission; and

WHEREAS, the review and approval of this Ordinance is consistent with the provisions of State law and the City’s Charter, Code of Ordinances and the City’s Comprehensive Land Use Plan; and

WHEREAS, the proposed regulations pertaining to non-business uses within commercial districts are found to be in the best interest of the health, safety and welfare of the residents.

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

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct, and are hereby incorporated herein and made a part hereof.
Section 2. Chapter 106 “Zoning”, Article IV “Special Exception Uses”, Section 106-158 of the City of North Lauderdale’s Code of Ordinances, entitled “Application Process”, is hereby amended as follows:

Sec. 106-158. - Application process.

*****
• (2) The application for special exception use permit shall set forth the use desired with sufficient detail to reasonably apprise the administrative personnel, the membership of the planning and zoning board and the governing body of the nature, extent, scope and purpose of the proposed use. The application form shall require, at a minimum, the following:

***

g. The type of vehicles, which will utilize the site. If applicant proposes the use of buses or vans for transportation of visitors to or from their site, the applicants shall be required to register said vehicles through the City’s vehicle registration program and such requirement may be a condition of approval.

In addition, the applicant may be required to provide the following, as applicable:

h. A conceptual site plan showing proposed access and parking;

i. A traffic generation or traffic impact analysis;

j. Public facility impact analyses;

k. An economic impact analysis for non-business or non-industrial uses proposed in a commercial or industrial zoning district.

Section 3. Chapter 106 “Zoning” Article XV “Business Districts”, Division 2 “Master Business List”, Section 106-467 of the City of North Lauderdale’s Code of Ordinances, entitled “Supplemental Regulations”, is hereby amended as follows:

Sec. 106-467. Supplemental regulations.

The following are the supplemental regulations to the master business list which are designated by number on the list:
(1) Uses must be completely enclosed in a soundproof air-conditioned building.
(19) In commercial zoning districts the cumulative square footage of non-business uses shall be limited to 20 percent of the total building gross floor area. No more than a total of two (2) non-business uses (CF) may be located within one shopping center regardless of the amount of total building gross floor area occupied.

a. Properties which exceeded the 20 percent maximum in February 2003 and were grandfathered in, must amortize out non-business uses that exceed the 20 percent maximum, exempting the portion of the property that is both owned and operated by a non-business entity. These properties are now given a maximum of ten years from the effective date of this section to come into compliance.

b. As spaces that are currently occupied by non-business uses and which exceed the 20 percent maximum become vacant, only business uses may occupy the space, as listed in the master business license for that particular zoning district unless occupied by the real property owner.

c. Compliance by October 2018 shall be by either occupying the space as an owner/operator of a non-business use, or by a combination of owner/occupant and tenant of cumulative square footage of noncommercial uses not exceeding 20 percent of the total building gross floor area.

d. Properties which exceeded the maximum number of two (2) non-business uses (CF), regardless of the amount of total building gross floor area occupied in January 2016, must amortize out non-business uses (CF) that exceed the maximum of two non-business (CF) uses per property. As spaces that are currently occupied by non-business uses (CF) and which exceed the maximum of two become vacant, only business uses may occupy the space, as listed in the master business license for that particular zoning district unless occupied by the real property owner.

***

(22) Education, primary and secondary, charter, and private schools.

a. Application filing requirements. In addition to the filing requirements for special exception use applications, the following additional information shall be provided for any proposed charter or private primary and secondary school.

1. Timing. In order to allow sufficient time to secure required development order, building permit, and local business tax receipt, a special exception use application and fee must be filed with the Community Development Department at least nine (9) months before the start of the school year. This time requirement is not waivable.

2. Charter/accreditation. If a charter school, a copy of the School Board approved charter application and the charter agreement between the sponsor and the applicant shall be filed along with the application. If a private school, either a copy of approval from the applicable accrediting agency or a letter of acknowledgement that an application for accreditation has been filed.

3. Organizational structure. An organizational chart and explanation showing the hierarchical arrangement of lines of authority, communications, right and duties of the school organization.

4. Affidavit. A list of the governing board members/Board of Directors, Officers, Administrators and all individuals with a financial interest in the school that will interact with students, along
with affidavits from each stating whether or not that person was convicted of a crime within the last ten (10) years.

5. **Financial responsibility.** Evidence of financial responsibility.

6. **Prior history.** Evidence of any prior history of financial interest, ownership, management, or operation of a charter or private school, including its financial and educational success or failure.

7. **Prior jobs.** Evidence of past job and education experience showing that the Governing Board/Board of Directors, Officers, Administrators, its employees and any consultants (e.g., internal auditor, management company) are qualified to operate the school.

8. **Use.** Evidence of legal use of the property in question by applicant through a deed, contract or option to purchase or lease.

9. **Emergency management plan.** A conceptual site plan showing where the students would congregate in the event of an emergency. In addition, if a disaster should render the building uninhabitable, a plan showing how students would be accommodated elsewhere until the building is repaired and made habitable.

10. **Ingress/Egress.** A conceptual site plan showing the ingress and egress of pedestrians and all vehicles from the school site, and safety features necessary to protect the students on and within one thousand (1,000) lineal feet of the school site boundaries and a narrative explaining how student safety and off-premises private property rights will be assured at least thirty (30) minutes before and at least forty-five (45) minutes after the school hours of operation.

11. **Other.** Any other documentation or requirements that the Community Development Department, Fire Department or Building Official or other City Official deems relevant to the operation of such use or safety of the students or both.

b. **Site plan requirements.** A Certificate of Use shall not be issued until a site plan or site plan modification is approved consistent with these Land Development Regulations and consistent with the State Requirements for Educational Facilities (SREF) 2014 (or latest edition), as stated in the Florida Administrative Code. In addition, if the application is for a charter school, a copy of the site plan or site plan modification shall be provided to the School Board of Broward County, Florida staff for conformance with the applicable SREF.

c. **Off-site improvements.** If through the site plan or site plan modification process the City Engineer, Broward County or state transportation related agencies deem that off-site improvements are required, such as traffic signalization, signage, pedestrian and bicycle improvements, transit amenities, school crossings and zones, and turning lanes, such improvements and amenities must be constructed and approved before a Certificate of Use can be issued. At a minimum, the following factors shall be considered in determining the extent of the off-site improvements:

1. Whether the roadways provide adequate access and areas for safe bicycling and walking to the site; and
2. Whether median cuts, left and right turning lanes and storage lanes are available to facilitate access of buses, teachers, parents, students, and services; and
3. Whether school zone flasher installations are available in order to facilitate safe pedestrian access to the site; and
4. Whether the school site is connected to existing or planned residential developments by sidewalks, walkways, and crosswalks in order to facilitate safe pedestrian movement.

d. **Physical environment requirements.**
1. Safe Routes to School

(a) *Drop-off/pick-up area.* A student drop-off and pick-up area shall be depicted on the site plan, which area shall be consistent with the "Safe Routes to School Guide, Student Drop-off and Pick-up", which guide was developed by the Pedestrian and Bicycle Information Center.

(b) *School crossing guards.* Charter and private schools are required to and shall provide at their own expense school crossing guards required for the school that have been trained by certified instructors.

(c) *Plan for Vehicle Queuing.* A plan must be submitted clearly indicating the ingress and egress of vehicles to the site for drop off and pick up of students. The plan must insure that vehicle queuing will not block emergency vehicles, nor adversely affect neighboring properties, adjacent roadways or driveways.

2. Recreational facilities

(a) If the school proposes to use City facilities or parks to provide outdoor and recreational space, an agreement must be negotiated and entered into outlining the duties and responsibilities, location, times and maintenance. The City is under no obligation to enter into any such agreement.

(b) An annual impact fee for the use of the municipal facilities will be charged to the school in amount commensurate with the level of use of the facilities as determined by the municipality and payment will be made according to the MOU.

***

Section 4. Chapter 106 “Zoning” Article XV “Business Districts”, Division 2 “Master Business List”, Section 106-468 of the City of North Lauderdale’s Code of Ordinances, entitled “Master Business List”, is hereby amended as follows:

Sec. **106-468.** - Master business list.

***

- The master business list is as follows:

<table>
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<tr>
<th>Business listings</th>
<th>Prohibited</th>
<th>B-1 Neighborhood</th>
<th>B-2 Commercial</th>
<th>B-3 Commercial</th>
<th>B-4 Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schools, educational</td>
<td>*7, *19, 22</td>
<td></td>
<td>*7, *19, 22</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Schools, trade, vocational</td>
<td></td>
<td></td>
<td></td>
<td>*1, *7, *19, 22</td>
<td></td>
</tr>
</tbody>
</table>

{0084625.1 1820-7902871}
Section 5. It is the intention of the City Commission of the City of North Lauderdale, Florida that the provisions of this ordinance shall become and be made a part of the City of North Lauderdale Code of Ordinances. The sections of this ordinance may be re-numbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 6. 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 7. 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 8. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED on first reading by the City Commission of the City of North Lauderdale, Florida this ____ day of December, 2015.

PASSED and ADOPTED on second reading by the City Commission of the City of North Lauderdale, Florida this ____ day of ______________, 2015.

APPROVED AS TO FORM:

________________________________________
CITY ATTORNEY SAMUEL GOREN

________________________________________
MAYOR JACK BRADY

________________________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

________________________________________
PATRICIA VANCHERI, CITY CLERK

{00084625.1 1820-7902871}
Tonight we are presenting the first reading of an ordinance that will amend the Code to specifically address the location of charitable donation bins inside buildings unrelated to the business.

**BACKGROUND:**
During the Commission workshop on November 17, it was discussed that Broward County resource materials identified that “Small Item Donation Bins” are being placed within businesses throughout the County. As the Commission may remember on October 28th, 2014 an ordinance was passed requiring permits, registration and inspection of “Charitable Clothing Donation Bins”. The ordinance prohibited the placement of any charitable donation bins other than clothing bins. Staff acknowledges that this existing ordinance does not address the placement of donation bins indoors, therefore, in order to remain consistent and address this new type and location of donation bins, staff has prepared changes to the existing ordinance to include indoor clothing donation bins.

The Ordinance adopted on October 28, 2014 outlines a permitting process for the placement of clothing donation bins for charitable purposes only. The permit must be renewed annually. The responsibility for the maintenance of the bins is placed upon the charitable organization and the property owner where the bin is located. The Ordinance also specifies the type of commercial property where each bin can be placed, controlling the number. The ordinance effectively reduced the number of outdoor donation bins, however it did not contemplate indoor bins.

Tonight we are presenting a minor amendment to the ordinance to address indoor donation bins before they proliferate and potentially generate some of the same type of maintenance concerns the outdoor bins previously caused.

**RECOMMENDATION:**
The City Administration recommends approval on first reading of the attached ordinance amending Sections 106-3 “Definitions” and 106-206 “Charitable Clothing Bins” related to indoor donation bins.
ORDINANCE NO. ______________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 106 OF THE CITY’S CODE OF ORDINANCES, ENTITLED “ZONING”; SPECIFICALLY AMENDING ARTICLE V, ENTITLED “GENERAL SUPPLEMENTARY REGULATION” BY AMENDING SECTION 106-206 (C) ENTITLED “DONATION BINS”; and SECTION 106-206 (F) (4) “PLACEMENT OF CHARITABLE DONATION BINS PROVIDING FOR FINDINGS AND INTENT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Lauderdale, Florida (“City”) recognizes the need for charitable donation bins and philanthropic causes; and

WHEREAS, in the City limits the outdoor bins have been deemed a public nuisance, due to being found in unsuitable conditions; and

WHEREAS, there is a new trend to place small item donation bins inside establishments; and

WHEREAS, the City Commission has determined a need to address the placement of indoor donations bins in the City; and

WHEREAS, the purpose of this Ordinance is to provide for proper regulation, placement and documenting of these charitable donations bins located inside commercial establishments to ensure public safety mitigate nuisances caused by and allow for the placement of such bins.

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

Section 1: Chapter 106 of the City’s Code of Ordinances entitled “Zoning”; Specifically Section 3 “Definitions” is hereby amended to include the following:
***

**Small Item Donation bin.** A receptacle or container designed or intended for the collection and temporary storage of small items other than clothing.

***

**Section 2:** Chapter 106 of the City’s Code of Ordinances entitled “Zoning”; Specifically Section 206 ‘Charitable Clothing Bins” is hereby amended as follows:

***

(c) **Donation bins.** Donation bins for purposes other than the collection of clothing as outlined herein are prohibited this includes small item donation bins unrelated to the business.

***

(8) Donation clothing bins located inside of a commercial building or location of a not for profit entity must meet the requirements of Section 106-206 of the Code.

**Section 3:** It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the City’s Code of Ordinances.

**Section 4:** That all ordinances and resolutions or parts of ordinances and resolutions in conflict herewith, be and the same are hereby repealed, to the extent of such conflict.

**Section 5:** That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

**Section 6:** That this Ordinance shall become effective immediately upon the date of adoption.

PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE SECOND AND FINAL READING, THIS _____ DAY OF __________________________, 2015.

____________________________________
MAYOR JACK BRADY

ATTEST:
____________________________________
VICE MAYOR DAVID HILTON

____________________________________
PATRICIA VANCHERI, CITY CLERK

APPROVED AS TO FORM:

____________________________________
SAMUEL S. GOREN, CITY ATTORNEY
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission

FROM: Ambreen Bhaty, City Manager

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

DATE: December 15, 2015

SUBJECT: Resolution authorizing staff to apply for a grant through the Complete
Streets and Other Localized Initiatives Program with the Broward Metropolitan Planning Organization (MPO).

Tonight we are requesting Commission authorization to apply for a grant from the Broward MPO Complete Streets and Other Localized Initiatives Program. This is a streetscape improvement program that provides up to 1.5 million dollars in funding for local roadway enhancements.

BACKGROUND:
On November 17, 2015 staff presented four different projects that could be funded through the MPO grant to the City Commission for their consideration. The Commission selected the greenway/park project located at the cul-de-sac on the north side of Southgate Boulevard and 81st Avenue. Since that meeting, staff from Public Works, Parks and Recreation, City Manager’s Office and Community Development have met and discussed the development plan. An outside landscape architect was contacted to create a conceptual plan that will be presented to the Commission in January prior to the submission of the grant application.

The proposed project entails improved signalization of the intersection of Southgate Boulevard and 81st Avenue to provide a four-way signal. Keeping in mind that there are two residential developments adjacent to this site, amenities for all members of the families are being considered. These amenities may include a tot lot for younger children, basketball hoop for older children, small shelter with picnic table, exercise stations, bike racks, improved vehicular parking and lighting. A buffer for the adjacent neighborhoods will be created. Once a preliminary plan is received, staff will work with the City’s elected officials for the area to hold a neighborhood meeting and get input from the residents. These ideas will be used to finalize a plan for presentation to the Commission and inclusion in the grant application.

Tonight, we are requesting approval of the attached Resolution authorizing the City Manager to take the necessary steps to prepare a proposal and submit a grant application to the Broward County MPO prior to the deadline of January 15, 2016.
RECOMMENDATION:

The City Administration recommends Commission’s consideration and adoption of the attached resolution enabling the City Manager to take necessary steps to apply for the Complete Streets and Other Localized Initiatives Program from the Broward MPO and to execute the grant award agreements and take all necessary actions to implement the approved programs, including but not limited to extensions of time, line-item budget amendments, and program modifications, when funding becomes available.
RESOLUTION NO. ____________________

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

WHEREAS, the City Manager and the City’s professional planning staff continuously monitor and review the City’s Land Use Regulations and Comprehensive Land Use Plan to ensure appropriate development in the City; and,

WHEREAS, the City has reviewed its Land Development Regulations and Comprehensive Plan concerning complete and safe streets; and acknowledges the need for improvements within target areas supported by the transportation element of the comprehensive plan’s goals, objectives and policies; and,

WHEREAS, in 2015, the City received technical assistance from national safe routes to school partnership regarding strategies and best practices for safe and complete streets; and

WHEREAS, on October 28th, 2015, the City staff attended a Broward MPO meeting regarding the requirements for submittal of mentioned grant provides funding for projects related to safe routes and complete streets; and

WHEREAS, on November 17, 2015, the City staff presented potential projects for funding by the Complete Streets grants and received direction from the Commission to pursue funding for the project located at the intersection of Southgate Boulevard and 81st Avenue; and

WHEREAS, Commission hereby approves the submittal of said application to fund the street and park improvements at the above identified intersection.

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 apply for and to file such documents as may be reasonably required to obtain funding in an amount up to $1.5 million and to take appropriate actions to execute grant award agreements and to take all necessary actions, including, but not limited to extensions of time, line-item budget amendments, and program modifications to implement approved programs with regard to the Complete Street and Other Localized Initiatives grant.

SECTION 3. 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 listed in Section 2.

SECTION 4. This Resolution shall become effective upon adoption.


____________________________________
MAYOR JACK BRADY

____________________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

____________________________________
PATRICIA VANCHERI, City Clerk

APPROVED AS TO LEGAL FORM
BY CITY ATTORNEY:

____________________________________
SAMUEL S. GOREN, ESQUIRE
CITY OF NORTH LAUDERDALE
FINANCE DEPARTMENT
MEMORANDUM

To: Honorable Mayor and City Commission

From: Ambreen Bhatti, City Manager

By: Susan Nabors, Director of Finance

Date: December 15, 2015

Subject: Intent Resolution – Water and Sewer Special Assessment

BACKGROUND:

The City is considering the levy of a new water and sewer special assessment starting with the fiscal year beginning October 1, 2016. This special assessment is under consideration to fund repairs, enhancements, and improvements to the City’s water and sewer utility system. Please be advised that the areas such as Lakeview Cove apartments, Courtyards of Broward, Broadview Pompano Park and commercial areas (annexed in 2004) will not be included in this assessment program as these areas are not serviced by the city’s water and utility system.

Adding this item to the 2016/2017 tax bill would shift the revenue from Ad Valorem taxes to a special assessment, thus freeing up General Fund dollars and uniformly assessing property owners for the costs. This assessment will be noticed and collected through the annual tax bill as provided by Florida Statutes. The City is required to adopt an Intent Resolution prior to January 1, 2016 in order to impose this assessment.

Adopting this resolution does not commit the City to the assessment. However, adopting it meets the requirements of the Florida Statutes if the City approves the assessment for Fiscal Year 2016/2017. The method and the amount of the assessment will be determined in the future. This item will be brought back at a future date with staff recommendations for Commission’s discussion and action. Tonight, the Commission’s approval of the intent resolution is requested which will enable the City to move forward with a water and sewer special assessment beginning October 1, 2016.

RECOMMENDATION:

The Administration recommends Commission’s consideration and approval of the attached resolution setting forth the City’s intent to levy a water and sewer special assessment beginning October 1, 2016.
CITY OF NORTH LAUDERDALE

RESOLUTION NO. ________________

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

WHEREAS, the City Commission of the City of North Lauderdale, Florida (the "City") intends to impose a Special Assessment to fund repairs, enhancements, and improvements to the City's Water and Sewer Utility System; and

WHEREAS, in accordance with Section 197.3632(3)(a), Florida Statutes, the City advertised its intent to use the Uniform Method for the Levy, Collection, and Enforcement of Non-Ad Valorem Assessments ("Uniform Method") for the collection of the Special Assessment, commencing with the Fiscal Year beginning October 1, 2016, weekly in a newspaper of general circulation for four (4) consecutive weeks preceding the public hearing held the day hereof. Proof of publication of such hearing is attached hereto as Exhibit "B"; and

WHEREAS, the City Commission held a duly-advertised public hearing prior to the adoption of this Resolution; and
WHEREAS, pursuant to Section 197.3632, Florida Statutes, as amended, the City Commission of the City of North Lauderdale desires to set forth its intent to use the Uniform Method to fund repairs, enhancements, and improvements to the City's Water and Sewer Utility System serving those properties located within the municipal boundaries of the City more particularly described in Exhibit "A," attached hereto and incorporated herein, because this method provides an economical and efficient process for such special assessments to be collected annually, commencing in November 2016; and

WHEREAS, the City Commission of the City of North Lauderdale, Florida, directs the City Clerk to provide copies of this Resolution to the Broward County Property Appraiser, the Broward County Revenue Collection Division (which serves as the Tax Collector for Broward County), and the Florida Department of Revenue on or prior to January 1, 2016;

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

Section 1. The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the City Commission.

Section 2. Commencing with the Fiscal Year beginning on October 1, 2016, and with the tax statement mailed for such Fiscal Year, the City intends to use the Uniform Method authorized in Section 197.3632, Florida Statutes, as amended, for collecting the Special Assessment to fund the costs of repairing, enhancing and improving the City's Water and Sewer Utility System serving those properties located within the municipal boundaries of City, more particularly described in Exhibit "A," attached hereto and made a part hereof.

Section 3. The City hereby determines that the levy of the Special Assessment is needed to fund the repairs, enhancements, and improvements to the City's Water and Sewer Utility System within the incorporated area of the City legally described in Exhibit "A" hereto.
Section 4. Upon adoption, the City Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Broward County Revenue Collection Division (which serves as the Tax Collector for Broward County), and the Broward County Property Appraiser by January 1, 2016.

Section 5. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. 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 7. This Resolution shall become effective immediately upon its passage and adoption.


__________________________
MAYOR JACK BRADY

__________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

__________________________
PATRICIA VANCHERI, City Clerk

APPROVED AS TO LEGAL FORM
BY CITY ATTORNEY:

__________________________
SAMUEL S. GOREN, ESQ.
CITY OF NORTH LAUDERDALE
RESOLUTION NO. __________

EXHIBIT "A"

MAP/LEGAL DESCRIPTION OF BOUNDARIES OF AREA OF THE CITY OF NORTH LAUDERDALE SUBJECT TO THE SPECIAL ASSESSMENT

WATER/SEWER SERVICE LIMITS - CITY OF NORTH LAUDERDALE

WATER/SEWER SERVICE AREA

DECEMBER 2015
DESCRIPTION
WATER\SEWER SERVICE AREA
CITY OF NORTH LAUDERDALE

The Water\Sewer Service Area of the City of North Lauderdale is a portion of Sections 1, 2, 3, 10 and 11, all of Township 49 South, Range 41 East and also is a portion of Section 6 and 7, all of Township 49 South, Range 42 East, said Water\Sewer Service Area being more particularly described as follows:

BEGIN at the Northeast corner of Parcel “B” of the plat of OUT LADY QUEEN OF HEAVEN CEMETARY PLAT, as recorded in Plat Book 152, Page 21 of the Public Records of Broward County, Florida;

THENCE on assumed bearing of S89° 22’00” W along the North line of said Parcel “B”, a distance of 1207.89 feet to the West line of said Parcel ‘B’, said line also being the East line of OAKLAND HILLS 7TH SECTION, as recorded in Plat Book 81, Page 30, of the Public Records of Broward County, Florida;

THENCE S 01° 11’43” W along the said East line a distance of 713.22 feet to the South line of said OAKLAND HILLS 7TH SECTION;

THENCE S89° 22’00” W along the said South line a distance of 1126.38 feet to a line being 320.00 feet East of and parallel with the West line of said OAKLAND HILLS 7TH SECTION;

THENCE N 01° 42’30” W along the said parallel line a distance of 712.99 feet to the North line of said OAKLAND HILLS 7TH SECTION;

THENCE S89° 22’00” W along the said North line a distance of 319.46 feet to a line being 115.00 feet East of and parallel with the West line of said Section 6, Township 49 South, Range 42 East;

THENCE N 01° 42’30” W along the said parallel line a distance of 1529.19 feet to the South right-of-way line of S.W. 8th Court as per the plat of “SERINO PARK SECTION 3”, as recorded in Plat Book 81, Page 46, of the Public Records of Broward County, Florida;

THENCE S 88° 17’30” W a distance of 115.00 feet to the said West line of Section 6, Township 49 South, Range 42 East, said line also being the East line of Section 1, Township 49 South, Range 41 East;

THENCE continue S 88° 17’30” W a distance of 85.00 feet to a line being 85.00 feet West of and parallel with the said East line of Section 1, Township 49 South, Range 41 East;

THENCE N 01° 42’30” W along the said parallel line a distance of 342.15 feet to the North line of Tract E, as per the plat of A SUBDIVISION OF SEC.1, TWP. 49S., RGE 41E, as recorded in Plat Book 26, Page 21, of the Public Records of Broward County, Florida, SAID LINE ALSO
BEING THE North line of the plat of KELLY PLAT, as recorded in Plat Book 136, Page 38, of the Public Records of Broward County, Florida;

THENCE S 89° 40’42” W along the North line a distance of 2555.30 feet to the East line of Tract D of said A SUBDIVISION OF SEC.1, TWP. 49S., RGE 41E;

THENCE N 01° 41’01” W along the said East line a distance of 660.89 feet to the North line of Tract D, said line also being the North line of the plat of KIMBERLY VILLAGE-SECTION THREE, as recorded in Plat Book 70, Page 13, of the Public Records of Broward County, Florida;

THENCE S 89° 39’14” W along the said North line a distance of 2586.23 feet to a line being 53.00 feet East of and parallel with the West line of said Section 1, Township 49 South, Range 41 East;

THENCE N 01° 39’49” W along the said parallel line a distance of 2274.51 feet to the North line of said Section 1;

THENCE S 89° 43’47” W along the said North line a distance of 53.02 feet to the Northwest corner of said Section 1, Township 49 South, Range 41 East;

THENCE S 89° 52’59” W along the said North line of Section 2, Township 49 South, Range 41 East, a distance of 4180.80 feet to the Southeast corner of said Section 34, Township 48 South, Range 41 East. Said point also being the Southeast corner of the plat of NORTH LAUDERDALE VILLAGE SECTION FIVE, as recorded in Plat Book 109, Page 25, of the Public Records of Broward County, Florida;

THENCE N 01° 07’53” W along the said East line a distance of 572.62 feet to the North line said NORTH LAUDERDALE VILLAGE SECTION FIVE, said line also being the South right-of-way line of South Florida Water Management District Canal C-14 (Pompano Canal);

THENCE S 89° 00’39” W along the said South right-of-way line a distance of 2257.30 feet;

THENCE S 01° 15’23” E a distance of 534.16 feet to the North line of Section 3, Township 49 South, Range 41 East;

THENCE N 89° 51’19” W along the said North line a distance of 158.42 feet to the Northwest corner of Tract1, Section 3, Township 49 South, Range 41 East, as per the plat of FORT LAUDERDALE TRUCK FARMS, as recorded in Plat Book 4, Page 31, of the Public Records of Broward County;

THENCE S 01° 39’25” E along the West line of Tracts 1, 8, 9, 16 and 17 of said Section 3, Township 49 South, Range 41 East, as per the plat of FORT LAUDERDALE TRUCK FARMS, a distance of 7231.57 feet to the South line of Said Section 3, said line also being the North line of Section 10, Township 49 South, Range 41 East;
THENCE S 89° 32’11” W along the said North line of Section 10, a distance of 1320.07 feet to the Northwest corner of Tract 2, Section 10, Township 49 South, Range 41 East, as per the plat of FORT LAUDERDALE TRUCK FARMS;

THENCE S 01° 26’23” E along the West line of Tracts 2 and 7 of said Section 10, Township 49 South, Range 41 East, as per the plat of FORT LAUDERDALE TRUCK FARMS, a distance of 2641.44 feet to the South line of the North One-Half (N 1/2) of said Section 10;

THENCE N 89° 32’28” E along the said South line a distance of 1320.11 feet to the West line of Tract 9, Section 10, Township 49 South, Range 41 East, as per the plat of FORT LAUDERDALE TRUCK FARMS;

THENCE S 01° 26’20” E along the said West line a distance of 1321.62 feet to the Southwest corner of said Tract 9;

THENCE N 89° 32’33” E along the said South line of said Tract 9 a distance of 1320.01 feet to the East line of the South One-Half (S 1/2) of said Section 10, Township 49 South, Range 41 East;

THENCE N 01° 26’20” W along the said East line a distance of 1321.65 feet to the Northeast corner of the South One-Half (S 1/2) of said Section 10, said point also being the Northwest corner of the South One-Half (S 1/2) of said Section 11, Township 49 South, Range 41 East; said point to be referred to later in this description as Point “A”

THENCE N 89° 33’30” E along the North line of the said South One-Half (S 1/2) of Section 11 a distance of 1318.60 feet to the East line Tract 12 of said Section 11, Township 49 South, Range 41 East, as per the plat of FORT LAUDERDALE TRUCK FARMS;

THENCE S 01° 30’21” E along the said East line a distance of 40.00 feet to a line being 40.00 feet South of and parallel with the said North line of the South One-Half (S 1/2) of said Section 10;

THENCE N 89° 33’30” E along the said parallel line a distance of 3960.03 feet to the East line of the South One-Half (S 1/2) of said Section 11, Township 49 South, Range 41 East;

THENCE N 01° 30’24” W along the said East line a distance of 40.01 feet to the Northeast corner of said South One-Half (S 1/2) of said Section 11, said point also being the Southwest corner of North One-Half (N 1/2) of said Section 12, Township 49 South, Range 41 East;

THENCE continue N 01° 30’24” W along the West line of the said North One-Half (N 1/2) of Section 12, a distance of 2639.98 feet to the Northwest corner of said North One-Half (N 1/2) of Section 12;
THENCE N 89° 34′48″ E along the North line of the said North One-Half (N 1/2) of Section 12, a distance of 5281.75 feet to the Northeast corner of said North One-Half (N 1/2) of Section 12;

THENCE S 01° 30′03″ E along the East line of the said North One-Half (N 1/2) of Section 12, a distance of 2624.40 feet;

THENCE N89° 33′52″ E a distance of 79.42 feet to the East right-of-way line of State Road 7 (S.R. 7), said point also being the Westerly right-of-way line of the Florida Turnpike\Sunshine State Parkway for the purposes of this description;

THENCE N 37° 00′06″ E along the said Westerly right-of-way line of the Florida Turnpike\Sunshine State Parkway, a distance of 2309.70 feet;

THENCE N 33° 21′59″ E continuing along the said Westerly right-of-way line of the Florida Turnpike\Sunshine State Parkway, a distance of 404.37 feet;

THENCE N 33° 16′28″ E continuing along the said Westerly right-of-way line of the Florida Turnpike\Sunshine State Parkway, said line also being the East line of Parcel “A” and the East line of Parcel “B” of said plat of OUT LADY QUEEN OF HEAVEN CEMETARY PLAT, as recorded in Plat Book 152, Page 21, of the Public Records of Broward County, a distance of 728.47 feet;

THENCE N 37° 01′48″ E continuing along the said Westerly right-of-way line of the Florida Turnpike\Sunshine State Parkway and the said East line of Parcel “B” a distance of 200.00 feet;

THENCE N 40° 50′39″ W continuing along the said Westerly right-of-way line of the Florida Turnpike\Sunshine State Parkway and the said East line of said Parcel “B” a distance of 770.29 feet to the a line being 25.00 feet East of and parallel with the East line of said Parcel “B” of the plat of OUT LADY QUEEN OF HEAVEN CEMETARY PLAT;

THENCE N 00° 56′19″ W along the said parallel line a distance of 1499.74 feet to the Easterly extension of the North line of said Parcel “B”;

THENCE S 89° 22′00″ W along the said Easterly extension, a distance of 25.00 feet to the POINT OF BEGINNING.

LESS THE FOLLOWING DESCRIBED PARCEL KNOWN AS COURTYARDS OF BROWARD:

COMMENCE at the previously described Point “A”;

THENCE N 01° 26′20″ W along the West line of the North One-Half (N 1/2) of said Section 11, Township 49 South, Range 41 East, a distance of 890.81 feet;
THENCE N 88° 33’40” E a distance of 25.00 feet to the East right-of-way line of S.W. 81st Avenue, said line being 25.00 feet East of and parallel with the said West line of the North One-Half (N 1/2) of Section 11, said point being the POINT OF BEGINNING;

THENCE N 01° 26’20” W along the said East right-of-way line a distance of 835.00 feet;

THENCE N 88° 33’40” E a distance of 46.87 feet to a point of curvature of a tangent curve concave to the North;

THENCE Easterly and Northeasterly along the arc of said curve to the left, having a central angle of 45° 00’00” and a radius of 60.00 feet for and arc distance of 47.12 feet to a point of tangency;

THENCE N 43° 33’40” E a distance of 236.69 feet;

THENCE S 46° 26’20” E a distance of 785.68 feet to a point of curvature of a tangent curve concave to the Northeast;

THENCE Southeasterly and Easterly along the arc of said curve to the left, having a central angle of 45° 05’46” and a radius of 60.00 feet for and arc distance of 47.22 feet to a point of tangency;

THENCE N 88° 27’54” E a distance of 13.85 feet;

THENCE S 01° 32’06” W a distance of 36.00 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of N 01° 32’06” E;

THENCE Westerly and Southwesterly along the arc of said curve to the left, having a central angle of 44° 43’01” and a radius of 60.00 feet for and arc distance of 46.83 feet to a point of tangency;

THENCE S 43° 44’52” W a distance of 812.68 feet;

THENCE N 46° 15’08” W a distance of 227.90 feet to a point of curvature of a tangent curve concave to the Southwest;

THENCE Northwesterly and Westerly along the arc of said curve to the left, having a central angle of 45° 11’12” and a radius of 60.00 feet for and arc distance of 47.32 feet to a point of tangency;

THENCE S 88° 33’40” W a distance of 46.72 feet to the POINT OF BEGINNING;

Said land constitutes the Water\Sewer Service Area of the City of North Lauderdale, Broward County, Florida.
CITY OF NORTH LAUDERDALE
RESOLUTION NO. __________

EXHIBIT "B"

PROOF OF PUBLICATION

SUN-SENTINEL
Published Daily
Fort Lauderdale, Broward County, Florida
Boca Raton, Palm Beach County, Florida
Miami, Miami-Dade County, Florida

STATE OF FLORIDA

COUNTY OF: BROWARD/ PALM BEACH/ MIAMI-DADE

Before the undersigned authority personally appeared
MARK KUZNITZ, who on oath says that he or she is a duly authorized representative of the SUN-SENTINEL, a DAILY newspaper published in BROWARD/ PALM BEACH/ MIAMI-DADE Count, Florida; that the attached copy of advertisement, being a Legal Notice in:

The matter of 11745- Other Legal Notices

City of North Lauderdale
Notice of Intent

Was published in said newspaper in the issues of: Nov 17, 2015; Nov 24, 2015; Dec 01, 2015; Dec 08, 2015

3727485

Affiant further says that the said SUN-SENTINEL is a newspaper published in said BROWARD/ PALM BEACH/ MIAMI-DADE County, Florida, and that the said newspaper has heretofore been continuously published in said BROWARD/ PALM BEACH/ MIAMI-DADE County, Florida, each day and has been entered as second class matter at the post office in BROWARD County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation, any discount, rebate, commission or refund, for the purpose of securing this advertisement for publication in the said newspaper.

Signature of Affiant
Sworn to and subscribed before me this: December 08, 2015.

Karen Goldberg
Signature of Notary Public

Name of Notary, Type, Printed, or Stamped
Personally Known (X) or Produced Identification ( )

NOTICE OF INTENT TO USE UNIFORM METHOD FOR THE COLLECTION OF A NON-AD VALOREM TAX ASSESSMENT

The City Commission of the City of North Lauderdale hereby provides notice, per Section 197.363(36), Florida Statutes, of its intent to use the Uniform Method of Collecting Non-Ad Valorem Special Assessments to be levied upon property within the boundaries of the City of North Lauderdale for funding repairs, improvements, and enhancements to the City’s Water and Sewer Utility System, commencing with the fiscal year beginning on October 1, 2016. The City Commission of the City of North Lauderdale will entertain the offering of a resolution assenting to use the Uniform Method of Collecting such Assessments authorized by Section 197.363(36), Florida Statutes, at a public meeting to be held at 6:00 pm on Tuesday, December 15, 2015 at City Commission Chambers of North Lauderdale, 711 Southwest 47th Avenue, City of North Lauderdale, Florida 33312. In the event of unsatisfied or disputed account, the City Commission of the City of North Lauderdale will render to the owner of the property a legal description and geographic depiction of the real property subject to the assessment. All interested persons are invited to attend.

Anyone wishing to appeal any decision made by the City Commission, with respect to this matter, will need a record of such proceedings for the purpose of applying for relief in a court of competent jurisdiction.
To: Honorable Mayor and City Commission  
From: Ambreen Bhatti, City Manager  
By: Susan Nabors, Director of Finance  
Date: December 15, 2015  
Subject: Amendment - Cash and Investment Management Advisory Agreement  

BACKGROUND:  
The City entered into a Cash and Investment Management Advisory Agreement with Davidson Fixed Income Management, Inc. effective October 22, 2009. The Advisor currently invests approximately $37 million of City funds in accordance with the City’s investment policy.  

In reviewing the advisory agreement, it was determined the existing fee structure was high compared to fees currently charged to other local municipalities. New lower rates were negotiated with Davidson Fixed Income Management, Inc. and an amendment to the contract was drafted.  

Amendment No. 1 to the Cash and Investment Management Advisory Agreement will become effective January 1, 2016. Anticipated annual savings from the amended fee structure is $18,500 per year - approximately 45% less than current rates.  

RECOMMENDATION:  
The Administration recommends Commission’s consideration and approval of the attached resolution authorizing the execution of Amendment No. 1 to the Cash and Investment Management Advisory Agreement with Davidson Fixed Income Management, Inc. to set forth an amended fee structure for cash and investment management advisory services.
CITY OF NORTH LAUDERDALE

RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AMENDMENT NO. 1 TO THE CASH AND INVESTMENT MANAGEMENT ADVISORY AGREEMENT BETWEEN THE CITY OF NORTH LAUDERDALE AND DAVIDSON FIXED INCOME MANAGEMENT, INC. FOR INVESTMENT ADVISORY SERVICES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City entered into a Cash and Investment Management Advisory Agreement with Davidson Fixed Income Management, Inc. effective October 22, 2009; and

WHEREAS, the City has negotiated an amended fee schedule with Davidson Fixed Income Management, Inc. for providing investment advisory services; and

WHEREAS, the amended fee schedule will become effective January 1, 2016; and

WHEREAS, Amendment No. 1 is attached hereto as Exhibit “A”; and

WHEREAS, the Director of Finance recommends approval of Amendment No. 1 to the Cash and Investment Management Advisory Agreement; and

WHEREAS, the City Commission of the City of North Lauderdale, Florida deems it to be in the best interests of the citizens and residents of the City of North Lauderdale to approve Amendment No. 1 between the City of North Lauderdale, Florida and Davidson Fixed Income Management, Inc., effective January 1, 2016, for an amended fee schedule for providing investment advisory services to the City of North Lauderdale.
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AS FOLLOWS:

Section 1. The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the City Commission.

Section 2. The appropriate City officials are hereby authorized to execute Amendment No. 1 between the City of North Lauderdale, Florida, and Davidson Fixed income Management, Inc., attached hereto as Exhibit “A”, with a new fee schedule effective January 1, 2016.

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

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

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


________________________________________
MAYOR JACK BRADY

________________________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

________________________________________
PATRICIA VANCHERI, City Clerk

APPROVED AS TO LEGAL FORM BY CITY ATTORNEY:

________________________________________
SAMUEL S. GOREN, ESQ.
EXHIBIT "A"

Amendment No. 1

This Amendment No. 1 (“Amendment”) is entered into by and between the City of North Lauderdale (“City”) and Davidson Fixed Income Management, Inc. (“Investment Advisor”).

Whereas, City engaged Investment Advisor to provide services under the terms and conditions of a Cash and Investment Management Advisory Agreement dated October 22, 2009 (the “Contract”);

Whereas, the City and Investment Advisor hereby agree to amend the Contract as follows:

1) Fees: This section of the Contract is amended and revised to reflect a new fee structure to read as follows:

Fees – In consideration of the services performed by the ADVISOR, the CITY agrees to pay the ADVISOR an investment advisory fee. The annualized fee for providing investment advisory services for the CITY shall be as follows:

<table>
<thead>
<tr>
<th>Monthly Average Balance</th>
<th>Annualized Fee</th>
</tr>
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<tbody>
<tr>
<td>$0 to $50,000,000</td>
<td>6 (.06%) basis points annually</td>
</tr>
<tr>
<td>$50,000,001 to $100,000,000</td>
<td>5 (.05%) basis points annually</td>
</tr>
<tr>
<td>Over $100,000,000</td>
<td>4 (.04%) basis points annually</td>
</tr>
</tbody>
</table>

For example, if the portfolio averaged $30,000,000 for a month, the monthly fee calculation would be:

\[
\frac{MV \text{ on the 1st day of the month} + MV \text{ on last day of the month}}{2} \times 0.0006 \times 12 = 1,500
\]

Fees will be calculated and payable at the end of the each month. Assets deposited in the SBA pool or section 163 Local Government Investment Pools (“LGIPs”) will be excluded from the above fee calculation.

The ADVISOR will forward to CITY’s AGENT its bills for services based on the above calculation. The CITY will be provided a duplicate copy of all monthly bills forwarded to the AGENT. The AGENT is hereby authorized and directed to pay all such bills as presented monthly, charging amounts thereof to the custody account and the CITY agrees to take whatever other actions may be required by the AGENT to pay such bills. To the extent income is insufficient to pay such fees, the fees shall accrue and be paid when liquid funds become available. Any discrepancy between the monthly agent fee calculation and actual fee charged by the agent will be reconciled monthly.

2) The effective date of Amendment No. 1 is January 1, 2016.

3) Effect of Amendment: Except to the extent the Contract is modified by this Amendment, the terms and provisions of the Contract shall remain unmodified and in full force and effect. In the event of a conflict between the terms of the Contract and the terms of this Amendment, the terms of this Amendment shall govern and prevail.
Amendment No. 1

AGREED TO AND ACCEPTED:

DAVIDSON FIXED INCOME MANAGEMENT, INC.

__________________________________________
Signature

__________________________________________
Printed or Typed Name

__________________________________________
Title

________________________
Date


AGREED TO AND ACCEPTED:

CITY OF NORTH LAUDERDALE, FL

__________________________________________
Signature

__________________________________________
Printed or Typed Name

__________________________________________
Title

________________________
Date
Save the Date

36th Annual

Aging and Disability Resource Center

Presents

Board/Advisory Council Installation Dinner

Thursday, January 21, 2016
Woodlands Country Club • Tamarac, FL 33319

Honoring
Robert Beck, Partner at Adams St. Advocates
Andrea Busada, Director, Broward County Elderly and Veterans Services

Full Fair Share Milestone Donations:
Sunrise, 30 Years
Lauderdale-By-the Sea and Tamarac, 20 Years
Lighthouse Point, 10 Years.

Complimentary Bar & Hors d’oeuvres
6:00 - 7:00 p.m.
7:00 - 10:00 p.m. Dinner & Awards

$75 per person $750 for a table of 10

Sponsorship & Advertising Rates Available

For more information, please call 954-745-9567
Visit the ADRC www.adrcbroward.org
Thursday, January 21, 2016

Installation Dinner
Board of Advisory Council
36th Annual

company at the
requests the pleasure of your
The Arooswide Council on Aging
Visit the ADRC on the Web
954-743-9567
For more information, please call
(see enclosed response card)
Sponsorship & Advertising Rates
$750 for a Table of 10
$75 per Person
7:00 - 10:00 P.M.
Dinner & Awards
6:00 - 7:00 P.M.
Complimentary Bar & Hors d'oeuvres
Tamarac, Florida 33319
4600 Woodlands Boulevard
WWW.adrc.broward.org

Robert Beck
Partner, Adams St. Advocates
Legislative Advocate

Andrea Busada
Director, Broward County Elderly & Veterans Services
Project Personality

City of Lighthouse Point — 10 Years
City of Tamarac — 20 Years
Town of Lauderdale-by-the-Sea — 20 Years
Broward County Commission — 20 Years
City of Sunrise — 30 Years
Municipalities and County
Full Fair Share Milestone

Tamarac Country Club
4600 Woodlands Boulevard
WWW.adrc.broward.org