CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, JULY 14, 2015

Budget Workshop – 5:00 p.m.

REGULAR MEETING – 6:00 p.m.

AMENDED AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – COMMISSIONER WOOD

2. ROLL CALL

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. June 30, 2015

4. PRESENTATIONS

a. Legislative Update – Representative Hazelle Rogers

b. American Heart Association’s “2015 Mission: Lifeline EMS Bronze Level Recognition Award” to North Lauderdale Fire Department (Battalion Chief Bill McGrath and Dr. Antonio Gandia, Medical Director)

c. “Fit Friendly Award” to City from American Heart Association (Donna Byrne)

d. City of North Lauderdale 2015 “Playful City USA” Award (Mike Sargis)
5.  PUBLIC DISCUSSION

6.  BUDGET RELATED ITEMS

   a. RESOLUTION - Adoption of a Tentative Millage Rate for the General Operating Budget for Fiscal Year 2015/2016

      ▪ Motion, second and vote to read
      ▪ Attorney reads title
      ▪ Staff presentation (Rene Gonzalez)
      ▪ Commission motion and second to adopt
      ▪ Commission discussion
      ▪ Commission vote

   A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ADOPTING A TENTATIVE MILLAGE RATE OF 7.5000 FOR GENERAL OPERATING BUDGET PURPOSES FOR FISCAL YEAR 2015/2016 PROVIDING FOR THE ESTABLISHMENT OF AND SETTING FORTH THE DATE, TIME AND PLACE OF THE FIRST PUBLIC HEARING TO FORMALLY ADOPT THE FISCAL YEAR 2015/2016 MILLAGE RATE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

   b. RESOLUTION – Comprehensive Pay and Classification Plan - Fiscal Year 2016

      ▪ Motion, second and vote to read
      ▪ Attorney reads title
      ▪ Staff presentation
      ▪ Commission motion and second to adopt
      ▪ Commission discussion
      ▪ Commission vote

   A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, REPEALING RESOLUTION 14-07-6073 WHICH RESOLUTION DID ADOPT THE CITY OF NORTH LAUDERDALE COMPREHENSIVE PAY AND CLASSIFICATION PLAN AND RESOLUTION 14-10-6100 WHICH RESOLUTION DID AMEND THE COMPREHENSIVE PAY AND CLASSIFICATION PLAN FOR FISCAL YEAR 2015, AS AMENDED FROM TIME TO TIME, AND HEREBY ESTABLISHING A REVISED PAY AND CLASSIFICATION PLAN FOR FISCAL YEAR 2016 COMMENCING ON OCTOBER 1, 2015; PROVIDING FOR THE ESTABLISHMENT OF NEW CLASSIFICATIONS; PROVIDING FOR CONFLICTS; AND, PROVIDING AN EFFECTIVE DATE.
7. **ORDINANCES SECOND READING**

a. **Ordinance – Second Reading – VAR 15-01 – Dana Lifshitz – 1314 SW 74 Ave**

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

**AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING VARIANCES FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-304 (E) (1) TO PERMIT 16.5 FEET SETBACK FROM A PROPERTY LINE, AS OPPOSED TO THE 20 FEET REQUIRED BY THE CODE; PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; AND, PROVIDING AN EFFECTIVE DATE.**

b. **Ordinance – Second Reading – Proposed Fee Schedule Revision (Appendix F)**

- Building Permit and Related Fees”

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

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING APPENDIX F, OF THE CITY OF NORTH LAUDERDALE CODE OF ORDINANCES, ENTITLED "FEES", BY AMENDING ARTICLE I, SECTION 3 ENTITLED "BUILDING PERMIT AND RELATED FEES" (19) “ELECTRICAL PERMITS” TO PROVIDE FOR REVISIONS TO THE FEE FOR WIRELESS ALARM SYSTEMS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**
c. **Ordinance – Second Reading - Proposed Fee Schedule Revision (Appendix F)**

   Sec. 54- “Lien Information, Recording and Satisfaction Fees”

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING APPENDIX F, OF THE CITY OF NORTH LAUDERDALE CODE OF ORDINANCES, ENTITLED "FEES", BY AMENDING ARTICLE II, ENTITLED, "OTHER FEES AND CHARGES", SECTION 54 ENTITLED “LIEN INFORMATION, RECORDING AND SATISFACTION FEES” TO PROVIDE FOR REVISIONS TO THE FEE FOR LIEN SEARCHES AND PREPARATION AND RECORDING OF LIENS AND LIEN SATISFACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

d. **Ordinance – Second Reading – Privilege Fee**

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 70, ENTITLED “UTILITIES” OF THE CODE OF ORDINANCES OF THE CITY OF NORTH LAUDERDALE TO CREATE SECTION 70-8 TO BE ENTITLED “PRIVILEGE FEE” TO PROVIDE FOR THE IMPOSITION OF A FEE FOR THE USE OF PUBLICLY OWNED PROPERTY BY THE WATER AND SEWER UTILITY FUND; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.
Second Reading – Amending Sec. 2-32 “Meetings”

Establishing Commission Meeting Times

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 2, ENTITLED “ADMINISTRATION”, ARTICLE II, ENTITLED “GOVERNING BODY”, DIVISION 1, SECTION 2-32 ENTITLED “MEETINGS”, TO ESTABLISH THAT REGULAR MEETINGS OF THE CITY COMMISSION SHALL BEGIN AT 6:00 P.M.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

8. 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 - Payment to Broward Sheriff’s Office - Youth Basketball Program

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND AUTHORIZING THE EXPENDITURE OF $5,580.00 TO THE BROWARD SHERIFF’S OFFICE TO COVER THE SHERIFF’S FEE FOR THE 2015 YOUTH BASKETBALL PROGRAM AND, PROVIDING AN EFFECTIVE DATE.

b. RESOLUTION - Professional Services Agreement – Firepower Displays Unlimited LLC – Fireworks Vendor

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN ACCEPTABLE 5-YEAR AGREEMENT WITH FIREPOWER DISPLAYS UNLIMITED LLC TO SERVE AS THE OFFICIAL FIREWORKS PROVIDER FOR THE CITY OF NORTH LAUDERDALE; AND PROVIDING AN EFFECTIVE DATE.
c. **RESOLUTION - Picnic Tables/Garbage Cans for Hampton Pines Park**

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE EXPENDITURE OF $38,466.80 TO PILOT ROCK/RJ THOMAS MF. COMPANY FOR THE PURCHASE OF PICNIC TABLES AND GARBAGE CANS FOR HAMPTON PINES PARK. FUNDING IS AVAILABLE IN THE 2014-2015 PARKS AND RECREATION DEPARTMENT CAPITAL BUDGET 3117071-563100; AND PROVIDING FOR AN EFFECTIVE DATE.

9. **OTHER BUSINESS**

a. **RESOLUTION - Extending the Zoning In Progress Order**

- 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, AMENDING RESOLUTION 15-01-6139 BY EXTENDING THE ZONING-IN-PROGRESS FOR AN ADDITIONAL THREE MONTHS, UP TO AND INCLUDING OCTOBER 31, 2015, RELATING TO REVIEW OF COMMUNITY FACILITY (CF) USES WITHIN THE CITY; APPROVING AND AUTHORIZING THE CITY ADMINISTRATION TO CONDUCT SUCH REVIEW; PROVIDING FOR A TIME PERIOD FOR THE REVIEW; PROVIDING FOR LIMITATIONS ON ISSUANCE OF LICENSES AND PERMITS DURING THE TIME OF THE REVIEW; PROVIDING THAT THE ADOPTION OF THIS RESOLUTION COMMENCES THE AMENDMENT PROCESS FOR AMENDMENTS TO THE CITY’S CODE OF ORDINANCES RELATING TO CF USES WITHIN THE CITY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

b. **ORDINANCE – First Reading - Extending Moratorium on Community Facility (CF) Uses**

- 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 COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ORDINANCE 15-02-1308; EXTENDING THE MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS FOR COMMUNITY FACILITY (CF) USES WITHIN THE CITY UNTIL OCTOBER 31, 2015; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

c. **SUBJECT - Hampton Pines Park – Rental Boat Dock Replacement**
   
i. **RESOLUTION – Authorizing Agreement with JMH Marine, Inc./Accudock**
   
   ▪ Motion, second and vote to read
   ▪ Attorney reads title
   ▪ Staff presentation (Mike Sargis)
   ▪ 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 OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH JMH MARINE, INC./ACCUDOCK IN AN AMOUNT NOT TO EXCEED $73,976.00 FOR THE REMOVAL AND INSTALLATION OF A NEW BOAT DOCK AT HAMPTON PINES PARK; PROVIDING FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.

   ii. **RESOLUTION – Authorizing Reserve Expenditure to JMH Marine, Inc./Accudock**
   
   ▪ Motion, second and vote to read
   ▪ Attorney reads title
   ▪ Staff presentation (Mike Sargis)
   ▪ Commission motion and second to adopt
   ▪ Commission discussion
   ▪ Commission vote

   A RESOLUTION OF THE CITY OF NORTH LAUDERDALE AUTHORIZING A RESERVE EXPENDITURE OF $12,000 TO JMH MARINE, INC./ACCUDOCK. FUNDING IS AVAILABLE IN THE PARKS AND RECREATION BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

10. REPORTS

11. COMMISSION COMMENTS
12. CITY MANAGER COMMENTS
   
a. Broward 100 (Mike Sargis)
   
b. Upcoming Events
   • Friday – July 17 – Free Movie – “Paul Blart Mall Cop 2” - at the Acquatic Center – 7:00 pm to 10 pm
   • Saturday – July 25 – Household Hazardous Waste Disposal – City Hall – 9:00 am to Noon
   • Wednesday - July 29 – 7:00 pm -Summer Camp Talent Show → Broward College North Campus Omni Auditorium

13. CITY ATTORNEY COMMENTS

14. ADJOURNMENT
CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, JUNE 30, 2015

MINUTES

The North Lauderdale City Commission met on Tuesday, June 30, 2015 at the Municipal Complex. The meeting convened at 6:00 p.m.

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Moyle 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
   Jacob Horowitz
   City Clerk Patricia Vancheri

3. APPROVAL OF MINUTES

   a. June 9, 2015 – Commissioner Wood moved to approve the Minutes as submitted. Seconded by Vice Mayor Graziose. Minutes approved unanimously by voice vote.

4. PRESENTATIONS

   a. Certificate of Recognition was presented to Douglas Frankow for receiving the President’s Volunteer Service Award from the Tamarac Veteran’s Association Facility for his dedication as a volunteer at the facility.

   b. Rene Gonzalez, Acting Finance Director, acknowledged receipt of the Government Finance Officers Association’s Distinguished Budget Presentation Award for Fiscal Year beginning October 1, 2014 to City of North Lauderdale - Finance Dept. Mr. Gonzalez commented that the award was a result of team work from all departments
5. **PROCLAMATIONS**

   a. **Parks and Recreation Month – July** – Clerk read proclamation.

6. **PUBLIC DISCUSSION**

   **Beverly Harvey** — Ms. Harvey is Co-Pastor with her husband at a church at 1401 S State Road. She commented that they are currently worshipping at this location and advised that they do not have a business tax receipt and have been in the location since May of 2014. She asked for special consideration regarding the lease and business license. City Manager Bhatty responded that there is a moratorium in place for CF uses and they would also need a special exception use permit which cannot be issued for a new church while a moratorium is in effect, so the City cannot entertain any new requests at this time.

   **Michael Calkins** – 8214 SW 13 St – Mr. Calkins has been a resident for 38 years. He addressed some concerns about safety issues at the curve of SW 13 Street and SW 83rd Avenue. Mr. Calkins petitioned for getting speed bumps and striping at the curve because of accidents and speeding throughout this curve. City Manager Bhatty commented that the City has a Committee which includes BSO, Public Works and the Fire Dept. who will analyze the area to see what can be done for this area and recommended that Mr. Calkins meet with them. Mr. Calkins also inquired about laws regarding multi-families living in one single family residence and multi vehicles parking in yards and along the street. City Manager Bhatty said this is a violation that is difficult to prove, but Code Department can address some of these issues.

   **Mary Calkins** – Spoke about busses, lawn service trucks and other vehicles that are parking illegally on the streets and yards. She also commented on how people are putting out their bulk pickup on days that do not have pickup and it looks bad in the neighborhood when it is out there so long. City Manager commented that the Code dept. can be reached until sunset and on the weekends to be notified of any issues; also BSO can be contacted with regard to the vehicles illegally parked.

7. **BUDGET MATTERS**

   a. **RESOLUTION – Preliminary Fire/Rescue Special Assessment Rate**

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

A **RESOLUTION** **OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF NORTH LAUDERDALE, FLORIDA; ESTABLISHING THE ESTIMATED RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.
Rene Gonzalez, Acting Finance Director, presented the item based on the backup memorandum. He said this item is a result of a study done by Government Services Group which is done every five years for fire assessments. This is the last of the five years and the rates have been calculated in a fair manner. Mr. Gonzalez stated that the residential rate represents a $22.00 increase per year from $156 to $178. The multi-family rate represents a $48 increase for the year. Mr. Gonzalez advised that the resolution establishes the date of the hearing for the final fire assessment resolution as Friday, September 11, 2015. Commissioner Wood moved to approve. Seconded by Vice Mayor Graziose. No Commission discussion. All in favor by voice vote.

RESOLUTION NO. 15-06-6181 PASSED AND APPROVED UNANIMOUSLY

b. RESOLUTION – Preliminary Solid Waste Assessment Rate

Commissioner Hilton moved to read. Seconded by Commissioner Moyle. Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES AND FACILITIES AND PROGRAMS IN THE CITY OF NORTH LAUDERDALE, FLORIDA; PROVIDING FOR PURPOSE AND DEFINITIONS; PROVIDING FOR LEGISLATIVE DETERMINATIONS; ESTABLISHING THE ESTIMATED RATE FOR THE RESIDENTIAL SOLID WASTE COLLECTION SERVICES ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015; DIRECTING THE PREPARATION OF A RESIDENTIAL SOLID WASTE COLLECTION SERVICES SPECIAL ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

Rene Gonzalez, Acting Finance Director, presented the item based on the backup memorandum. He stated that this resolution establishes a special assessment rate for the collection of residential solid waste. Mr. Gonzalez said this has been a very successful program for the collection of this service through the Broward County property appraiser tax bill. The rates will remain the same as the previous year, at $216.02 for the period beginning October 1, 2015 through September 30, 2016. Commissioner Hilton moved to approve. Seconded by Commissioner Moyle. No Commission discussion. All in favor by voice vote.

RESOLUTION NO. 15-06-6182 PASSED AND APPROVED UNANIMOUSLY

8. ORDINANCES SECOND READING

a. Ordinance – Second Reading – Amendment to Section 78-55 “Providing for the Removal of Members”
Vice Mayor Graziose moved to read. Seconded by Commissioner Wood. 
Attorney read: 

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 78, ARTICLE III- PLANNING AND ZONING BOARD, SECTION 78-55 OF THE CODE OF ORDINANCES OF THE CITY OF NORTH LAUDERDALE TO AMEND LANGUAGE PERTAINING TO THE REMOVAL OF MEMBERS PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development Director, presented the item based on the backup memorandum. She stated this ordinance is being presented for second reading and adoption to revise Sec. 78-55, relating to the Planning and Zoning Board, and changing the language from three absences in a twelve month period to three “unexcused absences” in a twelve month period. The ordinance was approved on first reading at the Commission meeting on June 9, 2015. The board members shall notify staff liaison a minimum of 24 hours in advance of an expected absences in order for it to be an excused absence. The proposed language was reviewed with the Planning and Zoning Board at their June meeting. Staff recommends consideration and approval of this ordinance on second reading. Public hearing opened. No one spoke. Commissioner Moyle moved to approve. Seconded by Commissioner Wood. No Commission discussion. All in favor by voice vote.

ORDINANCE NO. 15-06-1311 PASSED AND APPROVED UNANIMOUSLY

9. CONSENT AGENDA

No items were removed from consent. Commissioner Moyle moved to read. Seconded by Commissioner Hilton. 
Attorney read: 

a. RESOLUTION – Appointing Donna Luzadder to the Code Enforcement Board

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPOINTING DONNA LUZADDER AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY VICE MAYOR JERRY GRAZIOSE); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 15-06-6183
b. RESOLUTION – Appointing Ortis M. Pyronneau to the Planning & Zoning Board

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA APPOINTING ORTIS M. PYRONNEAU (SPONSORED BY COMMISSIONER WOOD) AS A REGULAR MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 15-06-6184

c. RESOLUTION - BIDERA Auction Services

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, PURSUANT TO SECTION 2-36 OF THE CITY CODE OF ORDINANCES, APPROVING A NON-EXCLUSIVE AGREEMENT, EXHIBIT “A”, WITH BIDERA, LLC FOR THE SALE OF THE CITY’S SURPLUS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SERVICES SUBJECT TO APPROVAL AS TO FORM AND LEGAL SUFFICIENCY BY THE CITY ATTORNEY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION NO. 15-06-6185

d. RESOLUTION - Amendment #3 - Contract with the Staffing Connection for School Crossing Guard Services

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT #3 TO THE ORIGINAL AGREEMENT FOR CROSSING GUARD SERVICES WITH STAFFING CONNECTION TO RENEW THE ORIGINAL CONTRACT FOR 2 YEARS THROUGH AUGUST 31, 2017; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION NO. 15-06-6186

e. RESOLUTION - Surplus of Public Works/Utilities Equipment

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, DECLARING A 2003 FORD F150 SUPER CAB (VIN# 1FTRX17213NB39142) SURPLUS AND ALLOW FOR THE PROPER CITY OFFICIAL TO SIGN THE TITLE OF THE VEHICLE TO THE FLORIDA LEAGUE OF CITIES,
OUR INSURANCE CARRIER, IN LIEU OF $7,760.90; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 15-06-6187

Commissioner Moyle moved to approve the consent agenda as read. Seconded by Commissioner Hilton. All in favor by voice vote.

CONSENT AGENDA PASSED AND APPROVED UNANIMOUSLY

At this time, Vice Mayor Graziose introduced the new member of the Code Enforcement, Donna Luzadder, who was present in the audience.

10. OTHER BUSINESS

a. ORDINANCE – First Reading – VAR 15-01 – Dana Lifshitz – 1314 SW 74 Ave

Commissioner Wood moved to read. Seconded by Commissioner Moyle.

Attorney read:

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING VARIANCES FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-304 (E) (1) TO PERMIT 16.5 FEET SETBACK FROM A PROPERTY LINE, AS OPPOSED TO THE 20 FEET REQUIRED BY THE CODE; PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; AND, PROVIDING AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development, presented the item based on the backup memorandum. The applicants, Dana and Avraham Lifshitz were present. Ms. Reed-Holguin stated that the applicant recently purchased the property at 1314 SW 74 Avenue which had an existing 273 square foot addition on the rear of the property, which was built without a permit by the previous owner. Upon receiving a citation from the Code Division, the applicant submitted a permit for this addition. During plan review process it was determined that this was encroaching on the required 20 foot setback by 3.5 feet. Therefore a variance of the 3.5 is being requested by the applicant to allow the existing 16.5 foot rear setback where a 20 foot setback is required to accommodate the addition. The Planning and Zoning Board, at their meeting in May, asked for additional research to see if this type of variance was ever previously granted, and one case was found from 1999 where a variance was granted. On June 2nd, the Planning and Zoning Board heard the item again with this information and it was approved by a vote of 6-1. Ms. Reed-Holguin provided some facts regarding the request and it was determined that with the 16.5 feet they do not encroach on the canal easement. Staff recommends Commission’s consideration and approval of the first reading of the attached Ordinance. Commissioner Moyle commented that it was unfair that a new owner had to correct the previous owner’s issue. Mr. Lifshitz commented that they just enclosed the Florida Room and you cannot see the addition so they did not know of
the violation. Vice Mayor Graziose made a motion to approve with the two conditions outlined in staff memorandum. Mr. Lifshitz agreed to the two conditions as outlined. Motion was seconded by Commissioner Wood. All in favor by voice vote. Ms. Reed-Holguin commented that the item has been advertised for second reading at the next Commission meeting and applicant has been asked to re-submit his plans for review.

PASSED AND APPROVED UNANIMOUSLY ON FIRST READING

b. ORDINANCE - First Reading - Proposed Fee Schedule Revision (Appendix F)  
Basic Permit Label Fee for Installation of Wireless Alarm Systems

Commissioner Wood moved to read. Seconded by Commissioner Hilton.

Attorney read:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING APPENDIX F, OF THE CITY OF NORTH LAUDERDALE CODE OF ORDINANCES, ENTITLED "FEES", BY AMENDING ARTICLE I, SECTION 3 ENTITLED "BUILDING PERMIT AND RELATED FEES" (19) "ELECTRICAL PERMITS" TO PROVIDE FOR REVISIONS TO THE FEE FOR WIRELESS ALARM SYSTEMS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development, presented the item based on the backup memorandum. She indicated that in February of 2014 the City amended its building permit fee schedule based on a study performed by Calvin Giordano & Associates. At that time, a new fee was added to cover installation of wireless alarm systems replacing hardwired systems. The base permit fee was $106. In 2013 state legislature mandated that effective January 1, 2015, permits would no longer be required for wireless alarm systems, but instead, a uniform basic permit label would be issued by the local enforcement agency and the cost statewide would be $55. The fee schedule was amended to be consistent with the state, therefore decreasing our fee. During recent legislation the term wireless system was defined to include wireless burglar alarms and smoke detectors that are not hardwired. The fee was once again decreased to $40 effective July 1, 2015. Tonight the ordinance is before the Commission on first reading to once again amend the fee schedule to be consistent with the state. Commissioner Hilton moved to adopt. Seconded by Commissioner Wood. No discussion. All in favor by voice vote.

PASSED AND APPROVED UNANIMOUSLY ON FIRST READING

c. ORDINANCE - First Reading - Proposed Fee Schedule Revision (Appendix F)  
Sec. 54- “Lien Information, Recording and Satisfaction Fees”

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

Attorney read:
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING APPENDIX F, OF THE CITY OF NORTH LAUDERDALE CODE OF ORDINANCES, ENTITLED "FEES", BY AMENDING ARTICLE II, ENTITLED, "OTHER FEES AND CHARGES", SECTION 54 ENTITLED “LIEN INFORMATION, RECORDING AND SATISFACTION FEES” TO PROVIDE FOR REVISIONS TO THE FEE FOR LIEN SEARCHES AND PREPARATION AND RECORDING OF LIENS AND LIEN SATISFACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development, presented the item based on the backup memorandum. She stated that a service is provided to parties that own or are interested in purchasing property within North Lauderdale. The current cost of a lien search is $40 and a lien satisfaction letter is $50. Staff recommends increasing these fees by $5 each as the processes have become very time consuming as the number of liens have increased and the number of properties owned by commercial entities such as banks generates more attaching liens. On average, 130 requests are received each month for lien searches, and the number that proceeds to settlement seems to have more than doubled over last year. There are numerous personnel involved part-time in this process, in addition to their primary function and this additional revenue will be used to compensate staff involved in the initial steps in both processes thereby improving the efficiency. The fee increase would be effective upon adoption of this ordinance and Commission’s approval is being sought on first reading. Commissioner Wood moved to adopt. Seconded by Commissioner Hilton. All in favor by voice vote.

PASSED AND APPROVED UNANIMOUSLY ON FIRST READING

d. RESOLUTION - Grant Application for Residential Mitigation Construction Program (RCMP) funding through the Florida Division of Emergency Management

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA OR HER DESIGNEE, TO APPLY FOR AND TO FILE SUCH DOCUMENTS AS MAY BE REASONABLY REQUIRED FOR AVAILABLE RESIDENTIAL CONSTRUCTION MITIGATION PROGRAM COMPETITIVE GRANT PROGRAM FOR THE MAXIMUM GRANT AMOUNT OF $194,000 FROM THE 2015-2016 FLORIDA LEGISLATURE APPROPRIATION FROM THE FLORIDA HURRICANE CATASTROPHE FUND TO INCLUDE THE RESIDENTIAL CONSTRUCTION MITIGATION PROGRAM TO PREVENT LOSSES AND REDUCE THE COST OF DISASTERS BY RETROFITTING PROPERTIES PER THE FLORIDA BUILDING CODE AND LOCAL MITIGATION STRATEGY; PROVIDING THAT THE CITY
MANAGER OR HER DESIGNEE SHALL BE AUTHORIZED TO EXECUTE THE
GRANT AWARD AGREEMENT 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, presented the item based on the backup memorandum. She stated that this grant is for a maximum of $194,000 and will allow the Community Development Department to continue retrofitting the homes of residents in order to make those homes more resistant to wind storms. The application deadline is August 3rd. Ms. Reed-Holguin stated that we have successfully received three grants in the past from the agencies and have been able to assist 42 homeowners through the grants received. Recently the State came down to meet with City Staff and discussed the success of our program. There is money left over from other cities that have not been able to spend their money and we will be getting an additional $15,000 this year. Ms. Reed-Holguin stated they are happy about that and have heard from other cities that our City is being used as a model in their cities. Sandy Lila in the Community Development Dept. has been doing a great job with the residents, the contractors and adhering to the requirements. Upon Commission’s approval of the attached resolution, and submittal of the application, it is anticipated that another 14 residents will be helped. Commissioner Moyle moved to adopt. Seconded by Commissioner Wood. No discussion. All in favor by voice vote.

RESOLUTION NO. 15-06-6188 PASSED AND APPROVED UNANIMOUSLY

e. RESOLUTION – Interlocal Agreement with the Broward County
Environmental Licensing and Building Permitting Division to Contract:
Emergency/Non-Guaranteed Supplemental Support Services

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH
LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY
MANAGER TO ENTER INTO THE INTERLOCAL AGREEMENT, ATTACHED
HERETO, BY AND BETWEEN THE CITY OF NORTH LAUDERDALE, FLORIDA
AND BROWARD COUNTY, FLORIDA FOR EMERGENCY/ NON GUARANTEED
SUPPLEMENTAL SUPPORT SERVICES TO BE PERFORMED BY THE BROWARD
COUNTY ENVIRONMENTAL LICENSING AND BUILDING PERMITTING
DIVISION OF THE ENVIRONMENTAL PROTECTION AND GROWTH
MANAGEMENT DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.
Tammy Reed-Holguin, Community Development, presented the item based on the backup memorandum. The City currently has an Interlocal agreement with Broward County and they provide our building inspectors and plan reviewers. Tonight, a separate contract is being presented, for the provision of the services over and above the services contracted for, in the event of an emergency including a natural disaster. The County would prioritize emergency services to the City in the event of an occurrence and having a contract in place will enable the City to get faster assessment service and to begin recovery process. The hourly rates in this contract are consistent with our building contract and can be adjusted up to 5% annually, but we would receive notice from the County by May. The contract before the Commission tonight is a five year contract and the attached resolution authorizing and directing the City Manager to enter into an agreement with Broward County is before the Commission for consideration and approval.

Commissioner Wood moved to adopt. Seconded by Commissioner Moyle. No discussion. All in favor by voice vote.

RESOLUTION NO. 15-06-6189 PASSED AND APPROVED UNANIMOUSLY

f. SUBJECT - Foreclosure of Property located at 1500 SW 68 Way

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

MOTION: To authorize City Attorney’s Office to move forward with foreclosure action against property located at 1500 SW 68 Way.

Tammy Reed-Holguin presented the item based on the backup memorandum. She advised that this is a single family home that has been vacant since about 2005 when the owner passed away. The City has a total of 17 valid liens against the property, totaling well over a million dollars. The City has been maintaining the property for a long period of time, incurring a lot of costs. The Broadview/Pompano Park Homeowner’s Association has requested that all appropriate action be taken to correct the code and safety issues or to have the property demolished. Ms. Reed-Holguin stated that the owner lives out of state and has not been addressing the issues. Wells Fargo recently satisfied their mortgage on the property, which allows the City to obtain clear title if it is foreclosed. City Attorney presented this case to the Special Magistrate on May 20, 2015 on behalf of the City, and it was established that the City’s liens are properly recorded, remain unpaid and more than 3 months have elapsed since they were recorded in the public record and the property is not homesteaded. The Special Magistrate determined that the statutory requirements of Chapter 162 and code requirements to authorize foreclosure proceedings have been met and an Order was issued authorizing the foreclosure action. Staff recommends Commission’s authorization to move forward. Vice Mayor Graziose moved to adopt. Commissioner Hilton seconded. No discussion. All in favor by voice vote. MOTION APPROVED UNANIMOUSLY
g. RESOLUTION - RFP #15-05-348 – Disaster and Debris Management Services

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


George Krawczyk, Assistant Public Works Director, presented the item based on the backup memorandum. He stated that an RFP was put out for a company that comes in and removes debris after disaster events. The RFP was advertised and four bidders came to the pre-bid meeting and two bidders responded with a proposal package for review. Mr. Krawczyk outlined the ranking criteria and advised that the evaluation committee was comprised of a representative from the Finance Department, Community Development Department, Public Works Department and the Purchasing Supervisor from Margate. Each category was evaluated and the two most used bid items were chosen. The committee ranked and tallied up points and felt that Ceres had the best staffing, equipment and references for this type of event. Ceres won the bid based on the total of the categories and is recommended to be the first call in an event and DRC to be the secondary. The RFP states to follow all the FEMA guidelines and the contract will be sent to them for review to make sure it does. Commissioner Moyle moved to adopt. Seconded by Commissioner Wood. No discussion. All in favor by voice vote.

RESOLUTION NO. 15-06-6190 PASSED AND APPROVED UNANIMOUSLY

h. RESOLUTION - RFP #15-05-349 – Disaster/Debris Monitoring Services and Financial Recovery Assistance

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

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO A CONTRACT WITH WITT O’BRIEN’S PURSUANT TO RFP# 15-05-349 FOR DISASTER/DEBRIS MONITORING SERVICES AND FINANCIAL RECOVERY ASSISTANCE, IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE AGREEMENTS AND RFP# 15-05-349 DISASTER AND DEBRIS MANAGEMENT
George Krawczyk, Assistant Public Works Director, presented the item based on the backup memorandum. He stated that this RFP monitors the previous RFP company to ensure that we get reimbursement from FEMA and assists in the financial recovery part of the long process to get funds back. The RFP was advertised and only one respondent, Witt O’Brien’s, came to the pre-bid and submitted their proposal on June 16th. The evaluation committee, comprised of Finance Department, Public Works, Community Development and City of Margate Public Works Supervisor, still ranked the criteria and called references to verify their work. The committee also compared the pricing they submitted to Margate and Pembroke Pines to make sure they were on par and they were found to be within range and reasonable. Staff recommends awarding a contract to Witt O’Brien’s for disaster/debris monitoring services and financial recovery assistance. Commissioner Moyle moved to adopt. Seconded by Commissioner Hilton. No discussion. All in favor by voice vote.

RESOLUTION NO. 15-06-6191 PASSED AND APPROVED UNANIMOUSLY

i. RESOLUTION - Registration – Computer Software System

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO A MAINTENANCE AND LICENSE AGREEMENT WITH VERMONT SYSTEMS FOR A RECREATION PROGRAM REGISTRATION SOFTWARE SYSTEM; DIRECTING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

Mike Sargis, Parks and Recreation Director, presented the item based on the backup memorandum. Mr. Sargis commented that for the past 20 years the Parks and Recreation Department has been operating the registration and cash handling process without any type of enterprise or computer software program to track registrations, participants and fees paid. Currently it is being done through a 5 or 6 step process involving several different programs that track information that staff needs to deal with to generate reports, attendance sheets, etc. Mr. Sargis said they have been looking at programs that would be compatible with Munis and the enterprise system the City already has. Vermont Systems has a Rec Trac program that is used by 29 cities in the County and they are the leader in their industry. This program will streamline the registration process as well as the cash handling process. Mr. Sargis stated that the initial cost of the program is a little over $26,000, with $4,000 being for annual maintenance and $13,000 for training. Going forward the cost annually would be about $4,000 for maintenance. The program can be expanded to do on-line registration but for now we would start with the basic program.
Commissioner Moyle moved to approve. Seconded by Commissioner Hilton. No discussion. All in favor by voice vote.

RESOLUTION NO. 15-06-6192 PASSED AND APPROVED UNANIMOUSLY

j. ORDINANCE – First Reading – Privilege Fee

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 70, ENTITLED “UTILITIES” OF THE CODE OF ORDINANCES OF THE CITY OF NORTH LAUDERDALE TO CREATE SECTION 70-8 TO BE ENTITLED “PRIVILEGE FEE” TO PROVIDE FOR THE IMPOSITION OF A FEE FOR THE USE OF PUBLICLY OWNED PROPERTY BY THE WATER AND SEWER UTILITY FUND; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Rene Gonzalez, Acting Finance Director, presented the item based on the backup memorandum and a PowerPoint presentation. A copy of the presentation is available in the City Clerk’s office. Mr. Gonzalez explained that the privilege fee is a concept that is similar to a franchise fee and went over the details outlined in the presentation. He stated that they are proposing 10% of the revenue collected for water and sewer sales and the availability fees that the City provides its customers and will not result in any additional impact to residents. In the past, the utility fund was contributing this amount but it was part of an administrative fee. This will be now be calculated, prorated and accounted for like other department that is self-sustaining. The methodology will be consistent from year to year for better transparency. Mr. Gonzalez commented that the proposed ordinance before the Commission for consideration on first reading would become effective as of October 1, 2015. Commissioner Moyle moved to approve. Seconded by Commissioner Wood. No discussion. All in favor by voice vote.

PASSED AND APPROVED UNANIMOUSLY ON FIRST READING

k. ORDINANCE – First Reading – Amending Sec. 2-32 “Meetings” – Establishing Commission Meeting Times

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 2, ENTITLED “ADMINISTRATION”, ARTICLE II, ENTITLED “GOVERNING BODY”, DIVISION 1, SECTION 2-32 ENTITLED “MEETINGS”, TO ESTABLISH THAT REGULAR
MEETINGS OF THE CITY COMMISSION SHALL BEGIN AT 6:00 P.M.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Mayor Brady commented that item is based on the backup memorandum; no explanation necessary. Commissioner Moyle made a motion to adopt. Seconded by Vice Mayor Graziose. No discussion. All in favor by voice vote.

PASSED AND APPROVED UNANIMOUSLY ON FIRST READING

11. REPORTS

a. 8th Street Block Party – July 4th – 11:00 am to Midnight – Tammy Reed-Holguin, Community Development Director, reported that they have received the necessary maps, plans and petitions from residents. BSO and Fire Dept. has reviewed it and addressed any concerns. The noise ordinance will be adhered to and no noise will be made after 11:00 p.m.

b. Burnham Woods Block Party – November 14th - 10:00 am to 6:00 pm – Tammy Reed-Holguin stated that this event has been done for many years and is well organized. The necessary plans have been submitted early to get a consensus from the Commission as they have a lot of sponsors and want to get started working on it. BSO, Fire and Parks and Recreation Dept. have responded that the event is clear to proceed.

Commissioner Wood had a question regarding the 8th Street Block Party, which was answered by BSO Lt. Faer.

Mayor Brady commented that the Flakka presentation recently held by BSO was great and he would like to have another presentation to reach more people. City Manager Bhatty said they can reach out through the City’s PIO and try to target the middle and high school kids. She said BSO is helping her put a presentation together for the Broward County City Managers Association. Commission offered their consensus to proceed.

12. COMMISSION COMMENTS

a. Nominations and Motion to approve a voting delegate to represent the City of North Lauderdale at the Annual Business Session of the Florida League of Cities 89th Annual Conference in Orlando

Commissioner Hilton nominated Commissioner Moyle as the City’s delegate. Commissioner Wood seconded the motion. All in favor by voice vote.
b. Discussion and possible Motion to approve attendance at United Way’s Mayors Gala on Saturday, October 24, 2015 and for the purchase of individual tickets at $175 per attendee

Consensus was that they would consider who may want to go and individual tickets would be purchased.

Commissioner Graziose commented on some events that occurred in his district including fires and an emergency medical situation and thanked BSO and Fire Dept. for their services.

13. CITY MANAGER COMMENTS

   a. City Manager advised of upcoming events:
      • Saturday – July 4 – Fourth of July Firecracker 5K Run/Walk – 8:00 a.m.
      • Saturday – July 4 and Sunday – July 5 – 10:00 am to 6:00 pm - Free Swimming at Jerry Resnick Aquatic Center

14. CITY ATTORNEY COMMENTS

   Attorney Horowitz reminded the Commission of their filing requirements for the Financial Disclosure Statements.

15. ADJOURNMENT – There being no further business, the meeting adjourned and convened to the Water Control District meeting at 7:22 p.m.

   Respectfully submitted,

   Patricia Vancheri, City Clerk
FINANCE DEPARTMENT
MEMORANDUM

To: Honorable Mayor and City Commission
From: Ambreen Bhattiy, City Manager
By: René Gonzalez, Finance Director
Date: July 14, 2015
Subject: Adoption of a Tentative Millage Rate for the General Operating Budget for Fiscal Year 2015/2016

Pursuant to Florida Statute 200.065 (TRIM), Cities must advise the Property Appraiser of its proposed millage rate and the date of their first September budget hearing. As this rate establishes the tax base for future years and due to the uncertainty of future property tax legislation, the Administration recommends that the Commission maintain the operating millage rate at 7.5000. This millage rate is the same as previous year.

The Tentative Millage rate that is being considered for approval at tonight’s meeting will reflect the maximum millage rate the City may ultimately approve in September. At our September budget hearings, the Commission may lower, but not increase the tentative rate established at tonight’s meeting.

RECOMMENDATION:

The Administration recommends Commission’s consideration and approval of the attached Resolution establishing a tentative operating millage rate of 7.5000 and setting the first Public Hearing on this tentative millage rate and budget for Friday, September 11th, at 5:05 P.M. at City Hall, 701 SW 71st Avenue, North Lauderdale, Florida 33068-2395.
RESOLUTION NO.___________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ADOPTING A TENTATIVE MILLAGE RATE OF 7.5000 FOR GENERAL OPERATING BUDGET PURPOSES FOR FISCAL YEAR 2015/2016 PROVIDING FOR THE ESTABLISHMENT OF AND SETTING FORTH THE DATE, TIME AND PLACE OF THE FIRST PUBLIC HEARING TO FORMALLY ADOPT THE FISCAL YEAR 2015/2016 MILLAGE RATE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Florida Statute 200.065 (TRIM) it is the responsibility of the municipality’s governing body to advise the Property Appraiser of its roll back millage rate, proposed millage rate and setting forth the date, time and place of the first public hearing.

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

Section 1: That the foregoing “WHEREAS” clause is hereby ratified and confirmed as being true and correct and is hereby made a specific part of this Resolution upon adoption hereof.

Section 2: That the City Commission hereby adopts a tentative millage rate of 7.5000 for General Operating Budget purposes for Fiscal Year 2015/2016.

Section 3: That the City Commission of the City of North Lauderdale hereby sets September 11, 2015 at 5:05 P.M. at North Lauderdale City Hall Commission Chambers, 701 S.W. 71st Avenue, North Lauderdale, Florida, 33068-2395, as the date, time and place of the first Public Hearing to consider the tentative millage rate and proposed budget. Further, the City Commission shall set and announce the date and time of the second Public Hearing to consider the proposed millage rate and budget and shall announce said date and time at the end of the September 11, 2015 Public Hearing.

Section 4: That the City Manager of the City of North Lauderdale, or her designee, is hereby authorized and directed to submit form DR-420 Certification of Taxable Value to the Broward County Property Appraiser’s Office.

Section 5: That if any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Resolution.
Section 6: That 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: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 14th day of July, 2015.

APPROVED AS TO FORM:

_____________________________
CITY ATTORNEY SAMUEL GOREN

_____________________________
MAYOR JACK BRADY

_____________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

_____________________________
CLERK PATRICIA VANCHERI
CITY OF NORTH LAUDERDALE
HUMAN RESOURCES DEPARTMENT

TO: Mayor and Commission

FROM: Ambreen Bhatti, City Manager

BY: Jennifer Yarmitzky, Human Resources Manager

DATE: July 14, 2015

SUBJECT: Comprehensive Pay and Classification Plan - Fiscal Year 2016

Attached for your consideration and approval is the annual Comprehensive Pay and Classification Plan (“Plan”) for the 2016 fiscal year. The Plan outlines the job classifications and associated salary ranges and benefits provided to all employee groups with the exception of employees in part-time seasonal and on-call positions.

Each year, City staff reviews this Plan in an effort to determine if all positions are appropriately classified in terms of the competitive market and internal structure of the City. This determination establishes the salary range for each position with regard to:

- ranges of pay for other classes,
- relative difficulty and responsibility of positions in each class,
- availability of employees in particular occupational categories,
- prevailing rates of pay and benefits for similar positions in the tri-county area (Broward, Dade and Palm Beach) and
- financial position of the City and other economic considerations.

Included in this Plan is the formal implementation of the Commission’s and Administration’s goal of parity for salary adjustments among all employee groups. This represents achievement of the following milestones:

i. Salary Adjustments are through the adoption of the Comprehensive Pay Plan and are no longer included in individual bargaining unit contracts; and
ii. The continuation of parity for all employee groups by eliminating longevity, Merit increases and COLA through the adoption of the Plan.

The City Administration’s proactive “staff re-organization approach” over the past several years to address budgetary challenges has helped in the creation of this Plan. Approval and implementation of recommendations contained in this Plan for fiscal year 2015/16 will continue to control costs into the future. In addition, the City Administration has generated significant savings resulting from the implementation and adoption of the Collective Bargaining Agreements with the Federation of Public Employees (FPE) and the Metro Broward Professional Firefighters (MBPFF). Further, City Administration will continue the effective management of the Broward Sheriff’s Office (BSO) and other outsourced services contracts.
The Administration is recommending a salary adjustment of three (3) percent for all employee groups, effective October 1, 2015 due to the following reasons:

- On-going savings generated by elimination of longevity, Cola’s and Merit increases over the last ten years for all employee groups.
- Savings generated due to effective management of outsourced services.
- Significant reduction in positions due to Administration’s pro-active reorganization.
- Significant savings due to effective negotiation of union contracts.
- To assist in the retention of long-term quality employees and enable the City to be competitive within the Tri-County area.
- The current cost of living affecting the primary products and services our employees use on a day-to-day basis has increased in some cases, according to the latest numbers by the US Bureau of Labor Statistics.

In addition, this Plan is proposing that the 3% salary adjustment be prorated on a monthly basis for all probationary employees.

The attached Plan proposal is reflected in the City Manager’s Proposed Budget for the next fiscal year - beginning October 1, 2015.

Finally, the Administration recommends maintaining the current rates and levels of the employee benefit package as outlined in the attached Plan.

**RECOMMENDATION:**

The City Administration recommends Commission’s consideration and approval of the attached Resolution approving and adopting the City’s 2016 Fiscal Year Comprehensive Pay and Classification Plan as discussed above.
RESOLUTION NO. __________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, REPEALING RESOLUTION 14-07-6073 WHICH RESOLUTION DID ADOPT THE CITY OF NORTH LAUDERDALE COMPREHENSIVE PAY AND CLASSIFICATION PLAN AND RESOLUTION 14-10-6100 WHICH DID AMEND THE COMPREHENSIVE PAY AND CLASSIFICATION PLAN FOR FISCAL YEAR 2015, AS AMENDED FROM TIME TO TIME, AND HEREBY ESTABLISHING A REVISED PAY AND CLASSIFICATION PLAN FOR FISCAL YEAR 2016 COMMENCING ON OCTOBER 1, 2015; PROVIDING FOR THE ESTABLISHMENT OF NEW CLASSIFICATIONS; PROVIDING FOR CONFLICTS; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of North Lauderdale recognizes the need to update its Comprehensive Pay and Classification Plan, based on the recommendation of the City Manager, and desires to implement the revised plan effective October 1, 2015.

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

Section 1: That Resolution 14-07-6073, which Resolution did adopt the City of North Lauderdale’s Comprehensive Pay and Classification Plan, and Resolution 14-10-6100, which Resolution did amend the fiscal year 2015 Comprehensive Pay and Classification Plan, and as amended from time to time, is hereby repealed to provide for the establishment of a revised Comprehensive Pay and Classification Plan, attached hereto and incorporated herein as specifically as if set forth at length hereat, commencing on October 1, 2015.

Section 2: That all Resolutions, or parts of Resolutions, Ordinances or parts of Ordinances, in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

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

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 14th day of July, 2015.

APPROVED AS TO FORM:

_______________________________
CITY ATTORNEY SAMUEL S. GOREN

_______________________________
MAYOR JACK BRADY

_______________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

_______________________________
PATRICIA VANCHERI, CITY CLERK
SECTION 1. ESTABLISHMENT

A Comprehensive Pay and Classification Plan for the City of North Lauderdale (the “Pay Plan”), pertaining to all positions, including those that may be specified elsewhere in negotiated collective bargaining agreements or individual employment contracts, is hereby established.

SECTION 2. DEVELOPMENT OF SALARY ADJUSTMENT

The Pay Plan establishes salary ranges (grades) for each classification. Such established salary ranges of pay have been determined with due regard to ranges of pay for other classes, relative difficulty and responsibility of positions in the class, availability of employees in particular occupational categories, prevailing rates of pay for similar positions, the financial position of the City and other economic considerations. Appendix A - consisting of Schedule I, II, III & IV sets forth the ranges (grades) with minimum and maximum levels. Base pay is, by definition, the pay level within the pay grade for each position classification. For General, FPE and MBPFF employees the Pay Plan provides for a salary range, without regard to specific pay level within that range.

The City’s salary ranges have been compared to similar cities in regard to employee retention in Broward, Dade and Palm Beach Counties. As a result of this comparison, for FY 2016 schedules I, II and III, all position classifications reflect a 2.5% adjustment to the entry level salary range which has remained the same for the past three fiscal years. Adjusting the entry level salary range will assist the City to stay competitive and in line with the cost of living thereby providing the best possible services to residents. The maximum level salary ranges for FY 2016 for all scheduled I, II and III position classifications will remain the same as FY15. Finally, this pay plan reflects the current State hourly minimum wage for Grade 24 starting entry level range.

A salary adjustment of three (3) percent is being proposed for all permanent full-time general, management, FPE, MBPFF and permanent part-time employees effective October 1, 2015 including those employees that are at the maximum pay level of their current pay range. All probationary employees will receive the 3% salary adjustment on a prorated monthly basis.

SECTION 3. APPLICABILITY

All employees of the City of North Lauderdale, except as provided elsewhere, shall be compensated in accordance with this plan and the attached Schedules (I, II, III & IV), depending upon job classification.

The minimum annual rate of pay for the appropriate position classifications shall be paid to an employee upon original employment with the City of North Lauderdale. Part-time employees shall be paid at the minimum hourly rate within the pay plan.
When there is a demonstrated inability to recruit at the minimum rate of pay, or the applicant possesses exceptional qualifications warranting employment at a higher rate of pay, the City Manager may authorize a higher entry salary rate upon recommendation of the Department Head.

The City Manager may authorize an additional salary adjustment for existing employees based on extraordinary circumstances.

**SECTION 4. IMPLEMENTATION**

The new Comprehensive Pay and Classification Plan will be implemented effective October 1, 2015.

**SECTION 5. PERSONNEL CHANGES**

The following are the personnel changes that are being proposed by the City Administration:

(a) Create:

- **Community Development** – Create a Community Development Specialist position Grade 53. This position title already exists in the current plan however, after much review of the City’s operational, customer service and restructuring needs within the department, it has been determined that the addition of one Community Development Specialist will improve the operational structure of the department by providing greater customer assistance, efficient processing of planning & zoning applications, serving as a board liaison and updating the comprehensive plan and ordinances.

(b) Eliminate:

- **Community Development** – Eliminate the Office Assistant P/T position. The current part-time classification of this position is not fulfilling the needs of the department. Due to the many lien requests coming into the City and the staff time required to timely respond, a full-time technical position with broadened responsibilities including lien searches, lien settlements and building permit processing will be more productive and beneficial to the City. The current functions of the Office Assistant P/T position will be transferred over to an already existing vacant Administrative Clerk position. This is another step in the overall restructuring of the department in order to provide the best possible customer service in all areas and functions of the department.

(c) Reclassify:

- **No positions** are being re-titled in the proposed Plan.

(d) Title Change:

- **No positions** are being re-titled in the proposed Plan.
(e) Frozen:

Staff recommends continuation of the soft hiring freeze. All positions that are vacant or may become vacant during FY16 will be addressed on a case by case basis and may be unfrozen at the discretion of the City Manager with proper justification from the department head.

SECTION 6. PROMOTIONS

In the event of a promotion, employees will be placed in the new position’s pay range at a base pay level that does not exceed more than 15% of the base pay level they occupy in their current pay range unless prior approval has been obtained from the City Manager.

SECTION 7. DEMOTIONS

In the event of an involuntary demotion an employee will be placed in the same relative position for the lower position grade as he/she enjoyed in the previous classification, as long as the pay does not decrease more than 15% unless prior approval has been obtained from the City Manager. For a voluntary demotion, employee shall be placed at the same relative pay in the lower position grade as they enjoyed in the higher position grade as long as the current pay is within the pay range of the lower position. If the employee’s current pay is outside the pay range for the lower position, they will be placed at the maximum pay level for the lower position unless prior approval has been obtained from the City Manager.

SECTION 8. PART-TIME EMPLOYMENT

Part-time employees shall be paid the hourly wage as outlined in Schedule I, at the minimum unless otherwise recommended by the Department Director, and approved by the City Manager.

SECTION 9. BENEFITS/INCENTIVES

1. Health Insurance:

Administration recommends maintaining the City and Employee percentage contributions for the Group Health Insurance program.

2. Retirement Plans:

401a Pension - General and Management Employees: The Administration recommends maintaining the current pension contribution rates (14% City and 5% - 12% employee).

401a Pension - Federation of Public Employees: The Administration recommends maintaining the current pension contribution rates (14% City and 3.5% - 12% employee).

FRS Pension – Metro Broward Professional Firefighters Employees: The Administration recommends continued participation in the FRS. The current State of Florida required contribution rate is 25.04% (an increase from 19.82% to 22.04% City share and 3% (no change) employee).
3. 457 Deferred Compensation:

The Administration recommends maintaining the annual non-matching sum of $500.00 per year to the 457 plan, for general non-exempt full-time permanent employees, excluding union and contract employees. In addition, an employee may contribute up to $750.00 per year that the City matches on a dollar-for-dollar basis. Exempt level employees receive a dollar-for-dollar match up to $750.00.

4. Roth IRA:

The Administration recommends maintaining the Roth IRA Program that allows all employee groups covered by the Plan to invest a voluntary post-tax contribution into a Roth IRA account through payroll deduction. Contribution amounts will be in accordance with IRS guidelines. Currently, the 2015 annual contribution is $5,500 under age 50 and $6,500 over age 50. Employees that participate in the Roth IRA program will have access to their contributions without taxes or penalties. Since this is a voluntary employee only contribution, there is no fiscal impact to the City. Furthermore, it requires minimum administration by City staff.

5. Wellness Program:

Administration is recommending continuation of the Employee Wellness program. This program is administered in-house. The program includes on-site flu shots for all employees interested. Educational and motivating activities such as a walking challenge, healthy eating and exercise programs will be organized by in-house staff. The programs will be conducted using current resources available through our group health insurance when possible and should be accomplished through the funds budgeted.

6. Disability Insurance:

The City’s disability insurance program should be maintained at current levels.

7. Life Insurance:

The City’s life insurance program should be maintained at current levels.

8. Death, Disability and Dismemberment Insurance & Benefits:

The City’s Death, Disability and Dismemberment insurance programs should be maintained at current levels.

9. Flexible Spending Account:

Administration recommends continuation of the Flexible Spending Account which provides employees the ability to designate tax-deferred compensation for authorized personal expenses such as dependent care and medical expenses. The percentage of employees participating in this program continues to increase. The employee’s allowable medical FSA election will remain at the current level of $2,500. No fiscal impact to the General Fund.
# Appendix A - Schedule I

**CITY OF NORTH LAUDERDALE**  
CLASSIFICATION PLAN - 2016  
**Effective October 2015**

<table>
<thead>
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### Appendix A - Schedule I

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# Appendix A - Schedule I

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Appendix A - Schedule II

CITY OF NORTH LAUDERDALE
CLASSIFICATION PLAN - 2016
Effective October 2015

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<td>Fire Chief</td>
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<td>Information Systems Director</td>
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All Schedule II positions are FLSA Exempt, Contractual Positions
Appendix A - Schedule III

CITY OF NORTH LAUDERDALE
CLASSIFICATION PLAN - 2016
Effective October 2015

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Appendix A - Schedule IV

CITY OF NORTH LAUDERDALE
CLASSIFICATION PLAN - 2016
Effective October 2015

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<td>C3</td>
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All Schedule IV positions are grant related Contractual Positions
TO: Mayor and City Commission
FROM: Ambreen Bhatt, City Manager
BY: Tammy Reed-Holguin, Community Development Director
DATE: July 14, 2015
SUBJECT: Second Reading and Adoption: VAR- 15-01
1314 SW 74th Ave

Requesting a 3.5 foot variance to permit a 16.5 foot rear setback whereas a 20 foot rear setback is required per Section 106-304 (e) (1) of the City of North Lauderdale Code of Ordinances within a Residential Medium Density (RM-10) zoning district.

APPLICANT: Dana Lifshitz

BACKGROUND

The applicant, Dana Lifshitz, recently purchased the property at 1314 SW 74th Ave which had an existing 273 square feet addition built without a permit by the previous owner. The applicant is requesting a variance of 3.5 feet to allow the existing 16.5 foot rear setback whereas a 20 foot setback is required to accommodate this addition. The Commission approved the first reading of the Ordinance granting the variance at their meeting on June 30, 2015. We are bringing the item back tonight for consideration of adoption on second reading.

Upon receiving a citation from the Code division, the applicant submitted a permit for this addition. During the plan review process, it was determined that the addition is encroaching in the required 20 feet rear setbacks by 3.5 feet. The request for a variance of the rear setback is outlined in the table below:

<table>
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<tr>
<th>TYPE OF VARIANCE</th>
<th>CODE REQUIREMENTS</th>
<th>PROPOSED</th>
<th>VARIANCE REQUESTED</th>
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<td>Section 106-304 (e)(1) Setbacks</td>
<td>20 ft rear property setback</td>
<td>16.5ft rear property setback</td>
<td>3.5ft encroachment into rear setback</td>
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During the May 5th, 2015 Planning and Zoning Board meeting, this item was heard and tabled by the Board due to lack of sufficient evidence of the hardship needed for the variance. Staff was
asked to research other variances of this kind that had been previously approved and present to the Board as follow up.

Staff has reviewed available variance cases for previous years and identified one similar case where a variance was granted. Ordinance No. 99-6-978 of the City of North Lauderdale, Florida approved a variance for the property located at 8121 S.W 6th Court for a rear addition that was built prior to being permitted and infringed on the rear setback.

On June 2nd the item was brought back to the Planning and Zoning Board for consideration with the above information regarding previously approved variances. The item was approved by the Planning and Zoning Board with a vote of 6 - 1.

The City Commission approved the first reading of the ordinance to grant the variance on June 30, 2015.

**ANALYSIS AND FINDINGS**

Residential Medium Density Section 106-304 (e) (1) of the City Code requires a 20 foot wide rear setback between the property line and the residence. The applicant purchased the property with the existing addition and was subsequently notified that the addition was built without permits. Upon submitting building plans and permit applications to bring the property into compliance, it was identified that the addition is 3.5 feet into the rear setback, leaving 16.5 feet from the rear property line. Please bear in mind that there is a canal in the rear of the house, so the rear property line does not abut a neighboring property. Also, should the variance for a 16.5 rear setback be granted, the 15 foot canal maintenance easement is preserved.

Per the guidelines and criteria contained in Section 106-79 of the City Code, a variance shall not be granted unless the City’s governing body determines the following:

1. That special circumstances exist affecting the land involved preventing the reasonable use of such land.
2. That the circumstances, which cause the hardship, are peculiar to the property, such that they clearly constitute marked exceptions to other properties in the district.
3. That the hardship is not an economical hardship.
4. That the hardship is not self-created.
5. That the variance is the minimum variance that will make possible the reasonable use of the property and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Staff has reviewed the application in light of the guidelines and criterion listed above and determined that it reasonably meets the guidelines established for granting a variance, and will enable the reasonable use of this property. This determination is based upon the following facts:
• The current owner purchased the property with the existing addition and once notified of the violation, took the necessary steps to bring the property into compliance by submitting plans and permit applications.
• The property is located on a canal so there are no adjacent structures affected by the reduced rear setback.
• The property is subject to a 15 foot canal maintenance easement which will be maintained should the variance be granted as a 16.5 rear setback will remain.
• The owner is requesting the minimum variance to accommodate the existing addition.

Taking this analysis into consideration, Staff is confident that this is a minimal variance request and that the hardship is not self-created, and is not an economic hardship.

This variance application is being brought to the City Commission for review, discussion and approval. If the Commission concurs with this request, a motion is in order that the proposed variance be granted. This approval is subject to the following conditions:

1. That all applicable approvals by the City, County, State and other regulatory agencies be provided to the City of North Lauderdale prior to the issuance of permits.

2. That in the event the structure is to be rebuilt from scratch, or the size modified in any way to be larger the existing variance no longer applies to the property.

RECOMMENDATION:
The City Administration recommends City Commission’s consideration of adoption on second reading of the attached ordinance to grant a 3.5 foot variance to permit an existing 16.5 foot rear setback whereas a 20 foot rear setback is required per Section 106-304 (e) (1) of the City of North Lauderdale Code of Ordinances within a Residential Medium Density (RM-10) zoning district.
ORDINANCE NO. __________________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING VARIANCES FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 106-304 (E) (1) TO PERMIT 16.5 FEET SETBACK FROM A PROPERTY LINE, AS OPPOSED TO THE 20 FEET REQUIRED BY THE CODE; PROVIDING FOR STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICTS; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 106-304 (E) (1) of the City Code requires a minimum 20 feet rear setback from the rear property line; and

WHEREAS, Dana Lifshitz has applied for a variance to allow 17.5 feet rear setback from the rear property line; and

WHEREAS, the Planning and Zoning Board recommended approval of said variance request; and

WHEREAS, if the City Commission is desirous of granting the requested variances from the requirements of the aforecited Ordinance and associated Zoning Regulations and/or applicable provisions thereof to said legal titleholder(s) as they apply to the property in question.

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

Section 1: That pursuant to an application properly filed for variances from the requirements of, Section 106-304 (E) (1) of the North Lauderdale Code, variances are and the same are hereby granted from the requirements for the project located at 1314 SW 74th Ave, North Lauderdale, Florida.

Section 4: That the petitions for variances filed by the City of North Lauderdale are hereby granted to the City the same to inure to the benefit of the present and future titleholder(s) to said property.

Section 5: That all other requirements of the North Lauderdale Code of Ordinances and associated zoning regulations are not otherwise varied by the terms of this Ordinance and shall be in full force and effect and fully applicable to the property.
Section 6: That all applicable approvals by the City, County, State and other regulatory agencies are provided to the City of North Lauderdale prior to the issuance of permits and that the applicant meets all conditions set forth by said regulatory agencies, including but not limited to the City engineer and Broward County Traffic Engineering Department.

Section 7: That all Ordinances, or parts of Ordinances, Resolutions or parts of Resolutions, in conflict herewith be and the same are repealed to the extent of such conflict.

Section 8: That this Ordinance shall take effect immediately upon adoption.

PASSED on first reading by the City Commission of the City of North Lauderdale, Florida, this 30th day of June, 2015.

PASSED on second reading by the City Commission of the City of North Lauderdale, Florida, this ______ day of July, 2015.

APPROVED AS TO FORM:

___________________________________
CITY ATTORNEY SAMUEL S. GOREN

_________________________________
MAYOR JACK BRADY

___________________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

_________________________________
PATRICIA VANCHERI, CITY CLERK
April 2, 2015

City of North Lauderdale Community Development Department
North Lauderdale, Florida 33068

PROPERTY: 1314 SW 74th Avenue, North Lauderdale, Florida 33068
OUR FILE NO.: 15-116
OUR CLIENT NO.: 002448

Ladies and Gentlemen:

The undersigned has been retained to represent the interest of Mrs. Dana Lifshitz for the limited purpose of requesting a zoning variance pertaining to the above-referenced Property, the abbreviated legal description of which is NORTH LAUDERDALE VILLAGE SEC 6 98-40 B LOT 14 S1/2 BLK 5. This letter serves as an attachment to—and explanation of—the Variance Application filed by Mrs. Lifshitz. Mrs. Lifshitz purchased the referenced property on November 14, 2014, and was thereafter made aware that a prior unpermitted addition to the Property encroached upon the required setback from the property boundary.

Pursuant to § 106-304(e)(1) of the City of North Lauderdale Code of Ordinances, “[e]very plot whose principal use is residential shall have a rear yard not less than 20 feet in depth . . . .” Subsequent to purchasing the property from Fannie Mae out of foreclosure Mrs. Lifshitz while seeking to permit the unpermitted addition to the rear of the property learned that the property had was not in compliance with § 106-304(e)(1). A survey reveals that there is approximately three feet of encroachment.

City of North Lauderdale Code § 106-79(a) provides that under certain limited circumstances the City is willing to grant a variance to its Code. This section lays out five distinct principals that must be met in order to receive a variance. In response to each distinct determination required for approval of the variance under § 106-79(a), Mrs. Lifshitz offers the following:

(1) That special conditions and circumstances exist affecting the land, structure or building involved preventing the reasonable use of such land, structure or building.

As previously stated, Mrs. Lifshitz purchased the Property without notice of the unpermitted addition encroaching upon the required setback. The 13' x 21', 273 square foot addition constitutes 19.5% of the
structure's 1,397 square footage. A failure to grant the variance would require a modification to the existing addition, including the demolition and removal of some four (4) feet at the west side of the addition.

(2) That the circumstances which cause the hardship are peculiar to the property or to such a small number of properties that they clearly constitute marked exceptions to other properties in the district.

The fact that the unpermitted addition encroached within the required setback and that Mrs. Lifschitz took title to the property without notice of the condition is peculiar to such a small number of properties that such properties would clearly constitute the required "marked exception to other properties in the district."

(3) That the literal interpretation of the provisions of this chapter would deprive the applicant of a substantial property right that is enjoyed by other property owners in the district. It is of no importance whatever that the denial of the variance might deny to the property use in a more profitable way, or to sell it at a greater profit than is possible under the terms of this chapter.

The literal interpretation of the setback requirement would deprive the applicant of a substantial property right enjoyed by other property owners within the district by requiring that the applicant modify the existing addition, including the demolition and removal of some four (4) feet at the west side of the addition thereby reducing the living space by nearly 20%. Additionally, since acquiring the property Mrs. Lifschitz has undertaken numerous improvements to the property to rehab what was otherwise a dilapidated property within the City of North Lauderdale.

(4) That the hardship is not self-created or the result of mere disregard for, or ignorance of, the provisions of this chapter.

Mrs. Lifschitz purchased the Property without notice of the referenced deficiency, and was in no way responsible for the unpermitted addition or the resulting encroachment. Additionally, Mrs. Lifschitz's search of the property records included an examination of Broward County Plat Book 98, Page 40, which depicts only a fifteen foot (15') Lake Management Easement between the structure and waterline, but there is no reference to the twenty foot setback required by the code. Hence, the hardship was not self-created, nor the result of a disregard for or ignorance of the provisions of this chapter.

(5) That the variance is the minimum variance that will make possible the reasonable use of the property, and that the variance will be in harmony with the general purposes and intent of this chapter and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

The requested variance is for a single instance of allowing Mrs. Lifschitz to retain the addition which, along its twenty-one foot dimension, encroaches into the twenty foot setback requirement by an average of three feet and six inches. Additionally, the requested variance is concealed from visibility from SW 74th Avenue to the immediate east, and abuts a lake to the immediate west. Therefore, the requested variance is undetectable to all except code enforcement. As such, the variance is the minimum possible to allow her reasonable use of the property. Additionally, the variance is in no way injurious to the neighborhood or detrimental to the public welfare.
In closing, Mrs. Lifshitz respectfully requests that the Community Development Department grant the requested variance in light of the extenuating facts and circumstances as outlined herein. Should you have any additional questions or concerns regarding this request, please advise this office and we will respond to such requests immediately.

Very truly yours,

BENSON, Mucci & Weiss P.L.

[Signature]

Brian M. Abelow, Esq.
For the Firm

BMA/nf
During the most recent legislative session, the permit fee to install wireless alarm systems was decreased again, this time from $55.00 to $40.00. The Commission approved the first reading of the Ordinance at their last meeting and tonight we are presenting the ordinance for consideration of adoption on second reading to amend the City’s Fee Schedule to be consistent with the fee mandated by the Florida legislature.

As we previously discussed, in February 2014 the City amended its building permit fee schedule based on a study performed by Calvin, Giordano and Associates. The fees were increased slightly to cover the rising cost of performing plan reviews and inspections. A new fee was added to cover the installation of wireless alarm systems that was a relatively new type of alarm system replacing hard-wired systems. Consistent with the fee schedule, the base fee was $106 for the permit. The State Legislature mandated that effective January 1, 2015 permits would no longer be required for wireless alarm systems and only a uniform basic permit label would be issued by the local enforcement agency. The cost state-wide was $55.00 and the City amended its fee schedule effective January 1 decreasing the cost of the permit to be consistent with the State. The City adopted an ordinance reflecting this change per F.S. 553.793.

During the most recent legislative session, the term “wireless alarm system” was defined to include wireless burglar alarms and smoke detectors that are not hard-wired. The fee for a uniform basic permit label was once again decreased to $40.00 effective July 1, 2015.

We are presenting the attached Ordinance to include this fee change for consideration of adoption on second reading this evening. Approval will bring the City’s fee schedule into compliance with F.S. 553.793.

**RECOMMENDATION:**

The City Administration recommends Commission’s consideration of adoption on second reading of the proposed Ordinance to amend “Appendix F” of the City’s Code of Ordinances adjusting the building permit fee schedule for wireless alarm systems.
ORDINANCE NO. _____________________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING APPENDIX F, OF THE CITY OF NORTH LAUDERDALE CODE OF ORDINANCES, ENTITLED "FEES", BY AMENDING ARTICLE I, SECTION 3 ENTITLED "BUILDING PERMIT AND RELATED FEES" (19) "ELECTRICAL PERMITS" TO PROVIDE FOR REVISIONS TO THE FEE FOR WIRELESS ALARM SYSTEMS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature revised Florida Statute 553.793 reducing the fee for a basic permit label for a wireless alarm system to Forty Dollars and 00/100 Cents ($40.00); and

WHEREAS, the City Commission of the City of North Lauderdale (the "City") wishes to amend Appendix F, Article I, Section 3 of the Code of Ordinances to remain consistent with the maximum allowable fee per Florida Statute 553.793; and

WHEREAS, the City Commission of the City of North Lauderdale finds that such revision to the building permit fee to reflect recently approved changes by the Florida Legislature are in the best interest of the health, safety, and welfare of the citizens and residents of the City of North Lauderdale.

NOW, THEREFORE, BE IT ORDAINED 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 are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. The City Commission hereby accepts and adopts the changes approved by the Florida Legislature to F.S. 553.793 and authorizes revisions to the City’s Building Fee Schedule for consistency with said Statute.

Section 3. Appendix F of the Code of Ordinances, entitled "Fees", Article I, entitled, "Community Development Fee Schedule", Article 1 entitled “Generally”, Section 3 entitled “Building Permit and Related Fees”, (19) “Electrical Permits” of the Code of Ordinances of the City of North Lauderdale, be and the same is hereby amended as provided in Exhibit "A" to this Ordinance, which is attached hereto and incorporated herein by reference.

Section 4. Codification. It is the intention of the City Commission of the City of North Lauderdale that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Lauderdale, Florida.
Section 5. Severability. If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

Section 6. Conflicts. 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. Effective Date. This Ordinance shall become effective immediately upon 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 JERRY GRAZIOSE

________________________________
PATRICIA VANCHERI, CITY CLERK

APPROVED AS TO FORM:

________________________________
SAMUEL S. GOREN
CITY ATTORNEY
Sec. 3. Building permit and related fees.

(19) Electrical permits:

   c. Permits needed for electrical work include, but are not limited to,

   5. Low voltage-alarm system installation—minimum fee . . . $106 plus 1.95 percent of the value of the work.

      i. Residential: Basic permit label: Wireless alarm systems … $106.00$40.00

      ii. Beginning January July 1, 2015 a basic permit label system will be administered per F.S.553.793, per label per project per unit . . . $55.00

      iii. Commercial: minimum fee . . . $106 plus 1.95 percent of the value of the work.
The City of North Lauderdale
Community Development Department

TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Tammy Reed-Holguin, Community Development Director
DATE: July 14, 2015

SUBJECT: Second Reading and Adoption:
Proposed Fee Schedule Revision (Appendix F)
Sec. 54- “Lien Information, Recording and Satisfaction Fees”

The City provides a lien search and lien settlement service to parties who own or are interested in purchasing property within North Lauderdale. The current cost of a lien search is $40 and a lien satisfaction letter is $50. As discussed at the June 30th Commission meeting, we are proposing to increase each fee by $5, making them $45 for a lien search and $55 for a lien satisfaction letter. Tonight we are presenting an ordinance for adoption on second reading to amend the City’s Fee Schedule to cover the increased cost of providing these services.

On average, staff receives over 130 requests each month for lien searches. Not all of the requests continue to lien settlements, however, for those that do, the process entails additional research regarding compliance of the violation, determination of the status of the lien, i.e. whether it has been foreclosed, calculation of the settlement amount, identification of all attaching liens and calculation of the administrative and incurred cost of those liens, review and verification by a supervisor, and preparation of the lien settlement letter. The number that proceeds to settlement appears to have more than doubled from last year. There are numerous employees and management personnel involved part-time in the process in addition to their primary function with the City. This additional revenue will be used to compensate staff involved in the initial steps in both processes, thereby, improving the efficiency. The increased fee will be effective upon adoption of this ordinance.

We are presenting the attached Ordinance amendment for consideration of adoption on second reading this evening to amend “Appendix F” to increase the cost for lien searches and preparation and recording of liens and satisfactions.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and adoption on second reading of the proposed Ordinance to amend “Appendix F” of the City’s Code of Ordinances increasing the cost for lien searches and preparation and recording of liens and satisfactions.
ORDINANCE NO.  ______________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING APPENDIX F, OF THE CITY OF NORTH LAUDERDALE CODE OF ORDINANCES, ENTITLED "FEES", BY AMENDING ARTICLE II, ENTITLED, "OTHER FEES AND CHARGES", SECTION 54 ENTITLED “LIEN INFORMATION, RECORDING AND SATISFACTION FEES” TO PROVIDE FOR REVISIONS TO THE FEE FOR LIEN SEARCHES AND PREPARATION AND RECORDING OF LIENS AND LIEN SATISFACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City continues to experience a high volume of requests for lien searches and lien settlements; and

WHEREAS, as the number of liens on properties and the various entities who own properties has become more complex, the lien search and settlement processes have become more time-consuming; and

WHEREAS, the fee for lien-related services has not been increased since 2007 while the cost of providing the services has risen; and

WHEREAS, the City Commission of the City of North Lauderdale finds that such revision to the other charges and fees to accommodate the additional cost of providing the service are in the best interest of the health, safety, and welfare of the citizens and residents of the City of North Lauderdale.

NOW, THEREFORE, BE IT ORDAINED 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 are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Appendix F of the Code of Ordinances, entitled "Fees", Article II, entitled, "Other Fees and Charges", Section 54 entitled “Lien Information, Recording and Satisfaction Fees.”, of the Code of Ordinances of the City of North Lauderdale, be and the same is hereby amended as provided in Exhibit "A" to this Ordinance, which is attached hereto and incorporated herein by reference.

Section 3. Codification. It is the intention of the City Commission of the City of North Lauderdale that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Lauderdale, Florida.
Section 4.   Severability.  If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

Section 5.   Conflicts.  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 6.   Effective Date.  This Ordinance shall become effective immediately upon 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 JERRY GRAZIOSE

PATRICIA VANCHERI, CITY CLERK

APPROVED AS TO FORM:

____________________________________
SAMUEL S. GOREN
CITY ATTORNEY
Appendix F – Fees

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ARTICLE II. - OTHER FEES AND CHARGES

***

Sec. 54. - Lien information, recording and satisfaction fees.

The minimum fee referenced in section 2-223(a) is $40.00 $45.00. The minimum fee referenced in section 2-223(b) is $50.00 $55.00.
To: Honorable Mayor and City Commission
From: Ambreen Bhatty, City Manager
By: René D. Gonzalez, Finance Director
Date: July 14, 2015
Re: Second Reading: Privilege Fee

Update:
At the meeting of June 30, 2015, the City Commission passed the attached proposed Ordinance by unanimous vote on first reading. Tonight, we are presenting the Ordinance for consideration and approval on second reading.

As you know, the City maintains and operates a water and sewer system that utilizes publicly owned property. As part of this operation, the City incurs maintenance costs to assure the safe use of its streets, rights-of-way, and publicly owned properties utilized in furnishing water and sewer services to customers. Therefore, Staff is proposing to implement a “Privilege Fee” that could be transferred from the Water and Sewer Utility fund to the General fund to off-set this cost.

The Staff has determined that City’s Water and Sewer fund shall, as a reasonable compensation for its use of the publicly owned properties, pay the City’s General fund a privilege fee in the amount equal to ten (10%) percent of billed revenue computed based upon the water and sewer billed sales and availability fees. The fee will not be based upon other revenues, such as connection fees, penalties and other miscellaneous revenues. This privilege fee is not a payment in lieu of any other tax, fee, or assessment.

Please be advised that this fee is not an additional fee imposed on the residents or business customers as it does not increase the utility rates. This amount is paid from the water and sewer revenues already in place.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached Ordinance on second reading amending Chapter 70, entitled “Utilities” of the City’s Code of Ordinances to create Section 70-8 to be entitled “Privilege Fee” to provide for the imposition of a fee for the use of publicly owned property by the Water and Sewer Utility fund.
ORDINANCE NO. ______________________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 70, ENTITLED “UTILITIES” OF THE CODE OF ORDINANCES OF THE CITY OF NORTH LAUDERDALE TO CREATE SECTION 70-8 TO BE ENTITLED “PRIVILEGE FEE” TO PROVIDE FOR THE IMPOSITION OF A FEE FOR THE USE OF PUBLICLY OWNED PROPERTY BY THE WATER AND SEWER UTILITY FUND; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the water and sewer utility fund servicing the residents of the City of North Lauderdale utilizes publicly owned property, including easements and rights-of-way, in order to deliver sewer services throughout the City; and

WHEREAS, the water and sewer utility fund utilize publicly owned property for a multitude of purposes, including water and sewer lines, pump stations, water treatment plants, meters, manholes, maintenance, and repair; and

WHEREAS, the City of North Lauderdale incurs maintenance costs to assure the safe use of its streets, rights-of-way, and publicly owned properties, utilized by the water and sewer utility fund in furnishing services to customers; and

WHEREAS, the City Commission of the City of North Lauderdale has determined that a privilege fee of ten (10%) percent should be imposed on the water and sewer service (including availability fees), as reasonable compensation for the actual use of publicly owned property; and

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

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.
SECTION 2. Chapter 70, Article 1, Section 70-8 entitled “Privilege Fee”, is hereby created as follows:

Sec. 70-8. – Privilege Fee.

The City’s water and sewer utility fund shall, as compensation for its use of the public rights-of-way, pay the City a privilege fee in the amount equal to ten (10%) percent of billed revenue, which shall be computed based upon the water and sewer billed sales plus billed base availability fees, or in the amount as thereafter amended by resolution of the City Commission. For purposes of this section, the term revenue shall exclude other miscellaneous revenues, such as connection fees, penalties and other miscellaneous revenues collected by the City’s water and sewer utility fund. The water and sewer utility fund shall pay the privilege fee to the City on a monthly basis, with each payment being made not later than thirty (30) calendar days after the end of the subject month. This privilege fee is not a payment in lieu of any other tax, fee, or assessment.

SECTION 3. It is the intention of the City Commission of the City of North Lauderdale that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Lauderdale, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word “Ordinance” may be changed to “Section,” “Article”, or such other word or phrase in order to accomplish such intention.

SECTION 4. 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 remaining portions or applications remaining in full force and effect.

SECTION 5. 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 6. This Ordinance shall become effective October 1, 2015.

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

APPROVED AS TO FORM:

__________________________________
MAYOR JACK BRADY

__________________________________
SAMUEL S. GOREN
VICE MAYOR JERRY GRAZIOSE
CITY ATTORNEY

ATTEST:

__________________________________
PATRICIA VANCHERI
CITY CLERK
TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Patricia Vancheri, City Clerk
DATE: July 14, 2015

SUBJECT: Second Reading – Amending Sec. 2-32 “Meetings” Establishing Commission Meeting Times

Update:
At the meeting of June 30, 2015, the City Commission passed the attached proposed Ordinance by unanimous vote on first reading. Tonight, we are presenting the Ordinance for consideration and approval on second reading.

Background:
At the City Commission meeting on October 28, 2014, the Commission voted unanimously to implement a six (6) month trial period changing the meeting time of the two Commission meetings, from 5:30 p.m. on the first monthly meeting and 7:00 p.m. on the second monthly meeting to 6:00 p.m. for both meetings, to see if the time of the meetings made a difference in attendance by the residents and community. The trial period ended in June of 2015.

Since there has been no correspondence or complaints from the community to date, regarding the change of time, at the City Commission meeting on June 9, 2015, the Commission voted unanimously to continue to schedule both Commission meetings at 6:00 p.m. on a permanent basis.

The City Commission also authorized the City Attorney to draft the attached proposed Ordinance amending the City’s Code of Ordinances, Sec. 2-32 entitled “Meetings” which establishes meeting times.

RECOMMENDATION:
Commission’s consideration and approval on second reading of the attached ordinance amending Sec. 2-32 – “Meetings” – to establish new City Commission meeting times.
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 2, ENTITLED “ADMINISTRATION”, ARTICLE II, ENTITLED “GOVERNING BODY”, DIVISION 1, SECTION 2-32 ENTITLED “MEETINGS”, TO ESTABLISH THAT REGULAR MEETINGS OF THE CITY COMMISSION SHALL BEGIN AT 6:00 P.M.; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Administration has reviewed the City’s current Code of Ordinances; and

WHEREAS, pursuant to the Code of Ordinances, City Commission meetings are to begin at 7:00 p.m.; and

WHEREAS, the City implemented a six month pilot program during which it altered the start time of the City Commission meetings to 6:00 p.m. to gauge if the time change would impact attendance or public participation; and

WHEREAS, the City Commission finds it in the best interest of the City to amend the City’s Code of Ordinances to provide that City Commission meetings shall begin at 6:00 p.m. rather than 7:00 p.m.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AS FOLLOWS:
SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. Chapter 2, Article II, Division 1, Section 2-32 entitled “Meetings”, is hereby amended as follows:

Sec. 2-32. - Meetings.

(a) Regular. There shall be at least two regular meetings of the governing body each month. The regular meeting of the governing body shall be conducted at the Petta Building, City of North Lauderdale Municipal Complex, located at 701 SW 71st Avenue, North Lauderdale, Florida, 33068. The regular meetings shall be held on the second and last Tuesday of each month at 7:00 p.m.; however, the governing body by appropriate motion may change or cancel the date and time of the holding of the regular meetings of the governing body. If such a change is made, a notice of the holding of the meeting at a time or date different than 7:00 p.m. on the second or last Monday of each month shall be posted both inside and outside city hall and such other places as notices are regularly posted at least 24 hours prior to the holding of the meeting.

(b) Special; workshop. Special meetings or workshop meetings of the governing body may be called from time to time by the mayor or by a majority of the members of the governing body. A notice stating the date, time and place of such workshop meetings or special meetings of the governing body shall be posted at city hall at least 24 hours prior to the holding of such a meeting.

(c) To be public. Except as authorized by law, all meetings, regular, workshop or special, of the governing body shall be open to the public and all persons are hereby placed on notice for the terms of this section that all meetings, regular, workshop or special, of the city are public meetings and any person may attend at such meeting.

SECTION 3. It is the intention of the City Commission of the City of North Lauderdale that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Lauderdale, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word “Ordinance” may be changed to “Section,” “Article”, or such other word or phrase in order to accomplish such intention.
SECTION 4. 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 remaining portions or applications remaining in full force and effect.

SECTION 5. 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 6. This Ordinance shall become effective immediately upon its passage and adoption.


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

APPROVED AS TO FORM:

________________________________________
CITY ATTORNEY SAMUEL S. GOREN

________________________________________
MAYOR JACK BRADY

________________________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

________________________________________
CITY CLERK PATRICIA VANCHERI
In October 2001, the City entered into an agreement with the Broward Sheriff’s Office (BSO) for police services in North Lauderdale. During the negotiation process, the Sheriff and his representatives stressed that by merging with the Sheriff’s Office, the City would keep its hometown police feeling while seeing a vast improvement in public safety related services.

Along with the police service the Sheriff’s Office also agreed to work closely with the Parks and Recreation Department to run youth athletic programs in the City. The deputies assigned to the fields are from BSO’s Countywide Operations, and are not paid by the City as a part of our staffing contract with the Broward Sheriff’s Office.

The current year’s City Youth Basketball program has attracted 124 participants. The City charges $90 per participant for soccer, which covers all costs for the league. A portion of this fee ($45) goes to the Sheriff’s office to cover league operating costs. The Broward Sheriff’s Office completes background checks on all coaches in accordance with State Law and the City’s policies, purchases player uniforms, affiliation fees, provides accident insurance for all players, coaches, and umpires, and also provides a deputy at the field for every game and practice.

Funding to pay this fee is available in the program budget as it is taken from the program registration fee.

124 Participants @ $45.00 = $5,580.00

TOTAL AMOUNT OWED TO BSO $5,580.00

RECOMMENDATION:

The City Administration recommends Commission consideration and approval of the attached resolution authorizing the City to pay $5,580.00 to the Broward Sheriff’s Office to cover the Sheriff’s fee for the 2015 Youth Basketball program.
RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND AUTHORIZING THE EXPENDITURE OF $5,580.00 TO THE BROWARD SHERIFF’S OFFICE TO COVER THE SHERIFF’S FEE FOR THE 2015 YOUTH BASKETBALL PROGRAM AND, PROVIDING AN EFFECTIVE DATE.

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

Section 1: That the City Commission does hereby approve and authorize[s] the expenditure of $5,580.00 to the Broward Sheriff’s Office to cover the Sheriff’s fee for the 2015 Youth Basketball Program.

Section 2: Funding is available in the Program Budget.

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

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 14th day of July, 2015.

APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________________
MAYOR JACK BRADY

__________________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

__________________________________
CITY CLERK PATRICIA VANCHERI
CITY OF NORTH LAUDERDALE
PARKS AND RECREATION DEPARTMENT

TO: Mayor and City Commission

FROM: Ambreen Bhat, City Manager

BY: Michael Sargis, Parks and Recreation Director

DATE: July 14, 2015

SUBJECT: Professional Services Agreement – Firepower Displays Unlimited LLC – Fireworks Vendor

In February, 2011, the City Commission authorized the City Manager to enter into a professional services agreement with Firepower Displays Unlimited LLC for all firework shows in the City. Prior to that agreement, the Parks and Recreation Department switched firework vendors from one of the leaders in the field of fireworks to Firepower Displays Unlimited LLC, a small upstart company located in South Dade County. The main reason for the switch was that staff no longer was comfortable with the security of the shells the existing vendor was using.

Since contracting with Firepower Displays Unlimited LLC, the City has been extremely happy with the level of show they provide and we typically advertise our show as “The Best Fireworks Show in Broward County”. Despite growing into a top notch company, Firepower continues to provide an excellent service and outstanding show at North Lauderdale Days.

Since manufacturing and producing a fireworks show is a unique service not offered by many vendors, it was determined in 2011 by the City Attorney’s Office that we could have the Commission enter into a professional services agreement with Firepower Displays Unlimited LLC for the next 5 years.

The current 5-year agreement has expired with the conclusion of North Lauderdale Days 2015, and we are seeking Commission’s approval to authorize the City Manager or her designee to enter into an acceptable 5-year agreement with Firepower Displays Unlimited LLC for the annual North Lauderdale Day’s Fireworks Show in a yearly amount not to exceed $9,900 – same cost as previous years. Additionally, the agreement will allow staff to contract with Firepower Displays Unlimited LLC for any additional event/show that the City Commission may authorize in the future.

RECOMMENDATION:

The City Administration recommends Commission consideration and approval of the attached resolution authorizing the City Manager to enter into a 5-year agreement with Firepower Displays Unlimited LLC to serve as the official Fireworks provider for the City of North Lauderdale.
RESOLUTION NO. ____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN ACCEPTABLE 5-YEAR AGREEMENT WITH FIREPOWER DISPLAYS UNLIMITED LLC TO SERVE AS THE OFFICIAL FIREWORKS PROVIDER FOR THE CITY OF NORTH LAUDERDALE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1: That the City Commission does hereby approve and authorize the City Manager or her designee to enter into an acceptable 5-year agreement with Firepower Displays Unlimited LLC to be the official fireworks provider for the City of North Lauderdale.

Section 2: Each show will be based on funding approved by the City Commission in the annual Parks and Recreation Department budget, and that no show will exceed $9,900.00.

Section 3: The City Manager or her designee and the City Attorney are authorized to develop an acceptable agreement as outlined above.

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

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 14th day of July, 2015

APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL S. GOREN

_____________________________
MAYOR JACK BRADY

_____________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

__________________________________
CITY CLERK PATRICIA VANCHERI
AGREEMENT

THIS IS AN AGREEMENT, made this ____ day of ________, 2015, by and between:

THE CITY OF NORTH LAUDERDALE, FLORIDA, a municipal corporation organized and existing under the laws of the State of Florida, hereinafter referred to as "CITY"

and

FIREWORKS DISPLAYS UNLIMITED, LLC, a Florida Limited Liability Company, authorized to do business in the State of Florida, hereinafter referred to as "CONTRACTOR"

WITNESSETH:

WHEREAS, the CITY has requested and CONTRACTOR has agreed to provide the CITY with a fireworks display as a sole source provider; and

NOW, THEREFORE, in consideration of the mutual promises set forth herein, it is agreed by and between the CITY and CONTRACTOR as follows:

1.0 Services; Responsibilities, and Time For Performance.

1.1 CONTRACTOR hereby agrees to provide a fireworks display at the CITY’s request (the “Display”). The details of the Display shall be as set forth in Exhibit “A”, attached hereto and incorporated herein.

1.2 CONTRACTOR shall furnish all services, labor, equipment, and materials necessary and as may be required in the performance of this Agreement and all work performed under this Agreement shall be done in a professional manner.

1.3 If delivery and/or exhibition of the fireworks Display is postponed by reason of inclement weather, it shall be rescheduled to the date set forth by the CITY. The CITY agrees to engage CONTRACTOR in an effort to determine a mutually agreeable alternate date for the Display.

1.4 CONTRACTOR hereby represents to CITY, with full knowledge that CITY is relying upon these representations when entering into this Agreement with CONTRACTOR, that CONTRACTOR has the professional expertise, experience and manpower to perform the services to be provided by CONTRACTOR pursuant to the terms of this Agreement.
1.5 CITY agrees to provide facilities at which the performances shall occur, electrical service to meet CONTRACTOR’s specifications, security at the event, a medical unit if required, and all advertising for the event. CITY shall further be responsible for crowd security personnel, and provide proper parking supervision and insure adequate patrol of the safety zone as marked and secured by the CITY until the CONTRACTOR advises that such supervision is no longer necessary.

1.6 The CITY finds that CONTRACTOR’s services, goods, and materials are of a unique character not otherwise obtainable and shall be the CITY’s the sole source provider of fireworks during the terms of this contract.

2.0 Compensation and Method Of Payment.

2.1 CITY agrees to compensate CONTRACTOR for all services performed by CONTRACTOR pursuant to the provisions of this agreement, a fee not to exceed Nine Thousand Dollars Nine Hundred Dollars and 00/100 ($9,900.00), payable as follows:

2.1.1 A deposit of Four Thousand Five Hundred and 00/100 ($4,500.00) Dollars, shall be paid upon execution of the agreement. The balance of the price, or Five Thousand Four Hundred and 00/100 ($5,400.00) Dollars, shall be paid at the conclusion of the show.

2.1.2 In the event that the CITY fails to pay any sum when due under the terms of this agreement, CITY shall pay, in addition to such amount, interest at the rate of one and one half percent (1½ %) per month on the unpaid amount from the original due date.

2.2 CITY shall not be responsible for any additional payments unless the CITY executes a written amendment to this Agreement that provides for an increase in the consideration to be paid to the CITY.

2.3 In the event of cancellation without rescheduling of the performance, CITY will not be required to pay the balance of the monies owed.

2.4 As a sole source provider the CONTRACTOR shall be compensated according to the terms of contract for each Display provided as set forth in Exhibit A.

3.0 Term and Termination.

3.1 This Agreement may be terminated by either party for cause, or by the CITY for convenience. If the CITY terminates the contract for convenience less than fourteen (14) days from the date of the Display, CONTRACTOR shall be entitled to fifty percent (50%) of the contract price. If the show is canceled, the City shall be responsible for any permit, fire watch, or barge/tug fees, if applicable. Additionally, CITY will be responsible for lad in/loaf out expenses not to exceed
50% of the Display cost. If a show is stopped while in progress for any reason, CITY will responsible for the contract amount minus the cost of material not discharged. In the event that the CONTRACTOR abandoned this Agreement or causes it to be terminated, he shall indemnify the CITY against any loss pertaining to this termination up to the maximum contracted fee amount.

3.2 This Agreement shall take effect as of the date of execution as shown herein below and shall run for a period of 60 months.

4.0 **Indemnification.**

4.1 CONTRACTOR agrees to indemnify and hold harmless the CITY, its trustees, elected and appointed officers, agents, servants and employees, from and against any and all claims, demands, or causes of action of whatsoever kind or nature sustained by the CITY or any third party arising out of error, omission, or negligent act of CONTRACTOR, its agents, servants or employees in the performance of services under this Agreement, for all costs, losses and expenses, including but not limited to, damages to persons or property, judgments, and attorneys' and paralegal fees at both the trial and appellate levels arising out of or in connection with the services performed by the CONTRACTOR pursuant to this Agreement.

4.2 CONTRACTOR agrees to release the CITY from and against any and all liability and responsibility in connection with the above-mentioned matters. The CONTRACTOR further agrees not to sue or seek any money damages from CITY in connection with the above-mentioned matters.

4.3 The parties recognize that various provisions of this Agreement, including but not necessarily limited to this Section, provide for indemnification by the CONTRACTOR and that Section 725.06, Florida Statutes, requires specific consideration be given therefore. The parties therefore agree that the sum of Ten Dollars ($10), receipt of which is hereby acknowledged, is the specific consideration for such indemnities, and the providing of such indemnities is deemed to be part of the specifications with respect to the services to be provided by CONTRACTOR. Furthermore, the parties understand and agree that the covenants and representations relating to this indemnification provision shall serve the term of this Agreement and continue in full force and effect as to the party’s responsibility to indemnify.

5.0 **Independent Contractor.**

5.1 This Agreement does not create an employee/employer relationship between the parties. It is the intent of the parties that the CONTRACTOR is an independent contractor under this Agreement and not the CITY’s employee for all purposes, including but not limited to, the application of the Fair Labor Standards Act minimum wage and overtime payments, Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the provisions of the
Internal Revenue Code, the State Workers Compensation Act, and the State unemployment insurance law. The CONTRACTOR shall retain sole and absolute discretion in the judgment of the manner and means of carrying out CONTRACTOR's activities and responsibilities hereunder. The CONTRACTOR agree that it is a separate and independent enterprise from the CITY, that it has full opportunity to find other business, that it has made its own investment in its business, and that it will utilize a high level of skill necessary to perform the work. This Agreement shall not be construed as creating any joint employment relationship between the CONTRACTOR and the CITY and the CITY will not be liable for any obligation incurred by CONTRACTOR, including but not limited to unpaid minimum wages and/or overtime premiums.

6.0 Assignments; Amendments.

6.1 This Agreement, or any interest herein, shall not be assigned, transferred or otherwise encumbered, under any circumstances, by CONTRACTOR without the prior written consent of CITY. For purposes of this Agreement any sale or transfer of assets, stocks or worth of CONTRACTOR shall be deemed a prohibited assignment and will result in the automatic termination of this Agreement. However, this Agreement shall run to the CITY and its successors and assigns.

6.2 It is further agreed that no modification, amendment or alteration in the terms or conditions contained here shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

7.0 No Contingent Fees.

CONTRACTOR warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the CONTRACTOR to solicit or secure this Agreement, and that it has not paid or agreed to pay any person, company, corporation, individual or firm, other than a bona fide employee working solely for CONTRACTOR any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this Agreement. For the breach or violation of this provision, the CITY shall have the right to terminate the Agreement without liability at its discretion, to deduct from the contract price, or otherwise recover the full amount of such fee, commission, percentage, gift or consideration.

8.0 Notice.

Whenever any party desires to give notice unto any other party, it must be given by written notice, sent by registered United States mail, with return receipt requested, addressed to the party for whom it is intended and the remaining party, at the places last specified, and the places for giving of notice shall remain such until they shall have been changed by written notice in compliance with the
provisions of this section. For the present, the CONTRACTOR and the CITY designate the following as the respective places for giving of notice:

City: Ambreen Bhatti, City Manager
City of North Lauderdale
701 SW 71st Avenue
North Lauderdale, FL 33025
Phone: (954) 724-7041
Fax: (954) 720-2151

Copy To: Samuel S. Goren, City Attorney
Goren, Cherof, Doody, Ezrol, P.A.
3099 East Commercial Boulevard, Suite 200
Fort Lauderdale, Florida 33308
Phone: (954) 771-4500
Fax: (954) 771-4923

CONTRACTOR: Gary Avins
Firepower Display Unlimited, Inc.
14240 S.W. 256th Street
Princeton, FL 33032
Phone: (305) 258-8820
Fax: (305) 258-7093

9.0 **Binding Authority.**

9.1 Each person signing this Agreement on behalf of either party individually warrants that he or she has full legal power to execute this Agreement on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all provisions contained in this Agreement.

9.2 Michael Sargis, Assistant City Manager/Parks and Recreation Director shall be designated the CITY’s agent to whom all questions and inquiries shall be relayed. Michael Sargis shall have sole authority regarding all decisions regarding the delivery, scheduling, rescheduling, commencement, and termination of the Display.

10.0 **Headings.**

Headings herein are for the convenience of reference only and shall not be considered on any interpretation of this Agreement.
11.0 **Exhibits.**

Each Exhibit referred to in this Agreement forms an essential part of this Agreement. The exhibits if not physically attached should be treated as part of this Agreement and are incorporated herein by reference.

12.0 **Waiver.**

Failure of the CITY to insist upon strict performance of any covenant or condition of this Agreement, or to execute any right herein contained, shall not be construed as a waiver or relinquishment for the future of any such covenant, condition or right, but the same shall remain in full force and effect.

13.0 **Legal Representation.**

It is acknowledged that each party to this Agreement had the opportunity to be represented by counsel in the preparation of this Agreement and accordingly the rule that a contract shall be interpreted strictly against the party preparing same shall not apply herein due to the joint contributions of both parties.

14.0 **Severability.**

If any provision of this Agreement or application thereof to any person or situation shall to any extent, be held invalid or unenforceable, the remainder of this Agreement, and the application of such provisions to persons or situations other than those as to which it shall have been held invalid or unenforceable shall not be affected thereby, and shall continue in full force and effect, and be enforced to the fullest extent permitted by law.

15.0 **Governing Law.**

This Agreement shall be governed by the laws of the State of Florida with venue lying in Broward County, Florida.

16.0 **Extent of Agreement.**

This Agreement represents the entire and integrated agreement between the CITY and the CONTRACTOR and supersedes all prior negotiations, representations or agreements, either written or oral.

17.0 **Attorneys Fees.**

In the event that either party brings suit for enforcement of this Agreement, the prevailing party shall be entitled to attorney's fees and court costs in addition to any other remedy afforded by law.
18.0 GENERAL INSURANCE PROVISIONS.

18.1 The CONTRACTOR shall not commence work under this contract until he has obtained all insurance required under this paragraph and such insurance has been approved by the Risk Manager of the CITY nor shall the CONTRACTOR allow any Subcontractor to commence work on his sub-contract until all similar such insurance required of the subcontractor has been obtained and approved.

18.2 Certificates of insurance, reflecting evidence of the required insurance, shall be filed with the Risk Manager prior to the commencement of the work. These Certificates shall contain a provision that coverages afforded under these policies will not be canceled until at least thirty days (30) prior written notice has been given to the CITY. Policies shall be issued by companies authorized to do business under the laws of the State of Florida.

18.3 Policyholders and Financial Ratings must be no less than "A" and Class X respectively in the latest edition of "Bests Key Rating Guide", published by A.M. Best Guide.

18.4 Insurance shall be in force until all work required to be performed under the terms of the Contract is satisfactorily completed as evidenced by the formal acceptance by the CITY. In the event the insurance certificate provided indicates that the insurance shall terminate and lapse during the period of this contract, then in that event, the CONTRACTOR shall furnish, at least thirty (30) days prior to the expiration of the date of such insurance, a renewed certificate of insurance as proof that equal and like coverage for the balance of the period of the contract and extension thereunder is in effect. The CONTRACTOR shall not continue to work pursuant to this contract unless all required insurance remains in full force and effect.

18.5 REQUIRED INSURANCE.

COMPREHENSIVE GENERAL LIABILITY insurance to cover liability bodily injury and property damage. Exposures to be covered are: premises, operations, products/completed operations, and certain contracts. Coverage must be written on an occurrence basis, with the following limits of liability:

A. Bodily Injury
   1. Each Occurrence $3,000,000
   2. Annual Aggregate 3,000,000

B. Property Damage
   1. Each Occurrence 3,000,000
   2. Annual Aggregate 3,000,000
C. Personal Injury
Annual Aggregate 3,000,000

D. Property Damage Liability Insurance shall include Coverage for the following hazards: X - explosion, C - Collapse, U - underground.

19.0 **Workers Compensation.**

WORKERS COMPENSATION insurance shall be maintained during the life of this contract to comply with statutory limits for all employees, and in the case any work is sublet, the Contractor shall require subcontractors similarly to provide Workers Compensation Insurance for all the latter's employees unless such employees are covered by the protection afforded by the Contractor. The Contractor and his subcontractors shall maintain during the life of this policy Employers Liability Insurance. The following limits must be maintained:

A. Workers Compensation Statutory
B. Employer's Liability $500,000 per occurrence

19.1 The CONTRACTOR shall hold the CITY, its agents, and employees, harmless on account of claims for damages to persons, property or premises arising out of the operations to complete this contract and name the CITY as an additional insured under their policy.

19.2 The CITY reserves the right to require any other insurance coverage it deems necessary depending upon the exposures.
IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first written above.

CITY OF NORTH LAUDERDALE

ATTEST:

_________________  __________________
PATRICIA VANCHERI  AMBREEN BHATTY
CITY CLERK  CITY MANAGER

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

WITNESSES:

________________________
FIREWORKS DISPLAYS UNLIMITED, LLC

________________________
BY:_________________________
Print Name:_________________
Title:______________________
STATE OF ___________________)  
COUNTY OF ___________________)  

THE FOREGOING INSTRUMENT, was acknowledged before me, an officer duly authorized by law to administer oaths and take acknowledgments, personally appeared _________________________ as _________________________, of FIREWORKS DISPLAYS UNLIMITED, an organization, authorized to conduct business in the State of Florida, and acknowledged executed the foregoing Agreement as the proper official of FIREWORKS DISPLAYS UNLIMITED, LLC for the use and purposes mentioned in it and affixed the official seal of the corporation, and that the instrument is the act and deed of that corporation.

_________________________________  
NOTARY PUBLIC  

My Commission Expires:  

_________________________________  
Print or Type Name
EXHIBIT “A”

1. The Display shall be approximately 15 minutes long and shall incorporate an Opening, Main Body, and Grand Finale.

2. Michael Sargis shall convey to the CONTRACTOR the compilation of the show as it regards to the length, shells, and duration of Opening, Main Body, and Grand Finale.

   a. The total show shall include no less than:
      i. Cake Shots 61000
      ii. 2.5 inch Shells 48
          1. Assorted Fancy Flights
      iii. 3 inch Shells 830
          1. Assorted Color, Peonies, and Chrysanthemums
          2. Titanium Salutes
          3. Tigertails
          4. Comets
          5. Assorted Color and Crackling Effects
          6. Fancy Star Shells
          7. Spiderwebs
          8. Golden, Silver, Glittering Palm Trees
          9. Assorted Two Color Changing Chrysanthemums
         10. Assorted Color Brocades
      iv. 4 inch Mines 54
          1. Assorted Mines
      v. Giant Tourbillions w/Color and Report 2000
CITY OF NORTH LAUDERDALE
PARKS AND RECREATION DEPARTMENT

TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Michael Sargis, Assistant City Manager/Parks & Recreation Director

DATE: July 14, 2015

SUBJECT: Picnic Tables/Garbage Cans for Hampton Pines Park

As part of the annual evaluation of amenities and equipment in all 18 City parks, Staff determined that the picnic tables located in the open site and garbage cans throughout Hampton Pines Park need to be replaced. The existing tables are approximately 15 to 20 years old and starting to become maintenance issues such as replacing numerous main table supports, benches, and end caps.

In anticipation of replacing these items, the Department allocated funds in the 2015 fiscal year capital budget. Over the past few months, the staff researched various tables and garbage cans and determined that the recycled plastic tables are the best fit for this park. These tables are heavier than the typical aluminum picnic table so they will last longer and are harder to move by the park users throughout the open sites. Staff’s intention is to purchase 48 garbage cans; 12 (8’ tables) and 12 (8’ handicap accessible tables)

The recycled plastic tables and garbage cans are available for purchase from Pilot Rock/RJ Thomas Mfg. Company. The tables and cans are available off of the Federal GSA Contract #GS-07F-9714G, which allows municipalities to piggyback off of.

<table>
<thead>
<tr>
<th>ITEM</th>
<th>Unit Cost</th>
<th>Quantity</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>8' Recycled Table</td>
<td>$736.80</td>
<td>12</td>
<td>$8,841.60</td>
</tr>
<tr>
<td>8' Handicap Table</td>
<td>$705.60</td>
<td>12</td>
<td>$8,467.20</td>
</tr>
<tr>
<td>32 Gallon Recycled Cans</td>
<td>$247.20</td>
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<tr>
<td>Can Dome Lids</td>
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<td></td>
<td>$4,454.40</td>
</tr>
</tbody>
</table>

Sub Total $33,628.80
Shipping $4,838.00
TOTAL $38,466.80

Pilot Rock is a national parks and recreation amenity supplier that has provide picnic tables to the City in the past.

The total cost for the tables and garbage cans is $38,466.80 including shipping. Funding is available in the Parks and Recreation Department’s 2014/15 Capital Budget line item 3117071-563100.
**RECOMMENDATION:**

The City Administration recommends that Commission approves the attached resolution authorizing an expenditure not to exceed $38,466.80 to Pilot Rock/RJ Thomas Mfg Company for the purchase of picnic tables and garbage cans for Hampton Pines Park out of the 2014/15 Parks and Recreation Department Capital Budget 3117071-563100.
RESOLUTION NO. ____________

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE EXPENDITURE OF $38,466.80 TO PILOT ROCK/RJ THOMAS MF. COMPANY FOR THE PURCHASE OF PICNIC TABLES AND GARBAGE CANS FOR HAMPTON PINES PARK. FUNDING IS AVAILABLE IN THE 2014-2015 PARKS AND RECREATION DEPARTMENT CAPITAL BUDGET 3117071-563100; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of North Lauderdale, Florida has determined that a need exists to replace garbage cans and picnic tables at Hampton Pines Park; and

WHEREAS, the City intends to utilize bids from the GSA Contract #GS-07F-9714G to purchase these essential items; and

WHEREAS, the City of North Lauderdale has budgeted the necessary funds in the Department’s Capital 2014-15 Budget for Hampton Pines Park; and

WHEREAS, the City shall pay $38,466.80; and

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

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

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, THIS 14th DAY OF JULY, 2015.

APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________________
MAYOR JACK BRADY

__________________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

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

TO: Mayor and City Commission

FROM: Ambreen Bhatt, City Manager

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

DATE: July 14, 2015

SUBJECT: Resolution Extending the Zoning In Progress Order

The City Commission adopted Resolution 15-01-6139 on January 27, 2015 instituting zoning in progress relating to Community Facilities (CF) uses for six months until August 1. Tonight we are requesting City Commission’s approval of the attached resolution extending the zoning in progress for three months or at such time the study is complete and recommendations are presented to the Commission, but no later than October 31, 2015.

Adoption of the Resolution will extend the Zoning-in-Progress for three months while the study is completed and recommendations formulated. An Ordinance extending the moratorium is also being presented tonight for first reading. The ZIP will work in conjunction with the moratorium while allowing research and recommendations for modification(s) to come forward for consideration.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached Resolution extending the zoning in progress for three months to accommodate the study and review of CF Uses in all Zoning Districts.
RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING RESOLUTION 15-01-6139 BY EXTENDING THE ZONING-IN-PROGRESS FOR AN ADDITIONAL THREE MONTHS, UP TO AND INCLUDING OCTOBER 31, 2015, RELATING TO REVIEW OF COMMUNITY FACILITY (CF) USES WITHIN THE CITY; APPROVING AND AUTHORIZING THE CITY ADMINISTRATION TO CONDUCT SUCH REVIEW; PROVIDING FOR A TIME PERIOD FOR THE REVIEW; PROVIDING FOR LIMITATIONS ON ISSUANCE OF LICENSES AND PERMITS DURING THE TIME OF THE REVIEW; PROVIDING THAT THE ADOPTION OF THIS RESOLUTION COMMENCES THE AMENDMENT PROCESS FOR AMENDMENTS TO THE CITY'S CODE OF ORDINANCES RELATING TO CF USES WITHIN THE CITY; 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 from time to time recognizes the need to study and amend aspects of such; and,

WHEREAS, since 2003, the City has amended its Land Development Regulations and Comprehensive Plan concerning Community Facilities (CF) uses in the City; 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, based upon concerns raised by the City Commission at its January 13, 2015 meeting, the City Manager determined that there was a need 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, in accordance with Section 106-61, Code, on January 27, 2015, the City Commission adopted Resolution No. 15-01-6139 confirming the Administrative Order and instituting Zoning In Progress for six (6) months, and,

WHEREAS, City administration is requesting an additional three (3) months to complete the study and compile recommendations for consideration by the City Commission; and,
WHEREAS, it is recommended that zoning in progress remains in place during this time; and

WHEREAS, the City Commission finds that it is in the best interests of the City and its residents and property owners to allow the additional time to complete the study and formulate recommendations.

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 Commission amends Resolution 15-01-6139, and extends zoning in progress for an additional three (3) months in order to permit City administration to complete the review and study CF uses in all zoning districts in the City.

SECTION 3. The City Manager should provide recommendations relating to appropriate zoning districts no later than October 31, 2015, but in no event longer than the time needed to complete a comprehensive analysis of the issues relating to CF uses within the City.

SECTION 4. During the study period set forth in Section 3 above, no licenses or permits will be issued for CF uses within the City unless the City’s Community Development Department confirms that the application is on property currently zoned CF, has an approved site plan, and for which building permits have yet to be issued or are open and pending, as of the date of the Administrative Order, January 16, 2015; or, as permitted by Section 106-61(i) and (j) of the City’s Code of Ordinances.

SECTION 5. The City Commission hereby acknowledges that the adoption of this Resolution continues the amendment process for amending Chapter 106 of the City’s Zoning Code as those provisions related to CF uses within the City.

SECTION 6. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.
SECTION 8. This Resolution shall become effective upon adoption.


_____________________________
MAYOR JACK BRADY

_____________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

____________________________________
PATRICIA VANCHERI, City Clerk

APPROVED AS TO LEGAL FORM
BY CITY ATTORNEY:

____________________________________
SAMUEL S. GOREN, ESQUIRE
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: July 14, 2015

SUBJECT: Ordinance First Reading:
Extending Moratorium on Community Facility (CF) Uses

On February 24, 2015, the City Commission approved Ordinance No. 15-02-1308 instituting the moratorium on the issuance of building permits and local business tax receipts for Community Facility (CF) uses throughout the City effective through August 1, 2015. Tonight we are presenting an Ordinance for first reading to extend the moratorium for three months, but no later than October 31, 2015, to complete the study and compile recommendations for the Commission’s consideration.

BACKGROUND:
The current City Code of Ordinances limits non-commercial uses in commercial zoning districts. However, due to concerns raised by the Commission regarding the increase in number of non-commercial uses in commercial zoning districts and the impact they are having on the commercial properties and their users such as parking, safe access and co-location with businesses, staff was asked to re-assess this portion of the zoning code.

The previously approved ordinance imposed a moratorium on the approval of any applications or the issuance of any new licenses or permits for Community Facility uses for 180 calendar days from the date of its adoption. This moratorium will not apply to projects meeting all three criteria as outlined below prior to January 16th:

a. The application is for property which currently has a zoning designation of Community Facility (CF);

b. The project associated with the application has an approved site plan; and,

c. Either no building permits have been issued, or building permits are open and pending for the project.

This additional time will afford the City’s professional staff with an opportunity to fully review the CF uses and to research of recently adopted Ordinances in Broward County and other municipalities. At the conclusion of the study, staff will make recommendations for
amendments to the zoning code if applicable and present them to the Planning & Zoning Board for a recommendation and, subsequently, to the City Commission for consideration of adoption.

RECOMMENDATION:

The City Administration recommends City Commission’s consideration of the attached ordinance extending the moratorium for three months, but no later than October 31, on the issuance of building permits and local business tax receipts for CF uses throughout the City as defined in the Ordinance.
ORDINANCE NO. ______________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ORDINANCE 15-02-1308; EXTENDING THE MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS FOR COMMUNITY FACILITY (CF) USES WITHIN THE CITY UNTIL OCTOBER 31, 2015; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; 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 from time to time recognizes the need to study and amend aspects of such; and,

WHEREAS, since 2003, the City has amended its Land Development Regulations and Comprehensive Plan concerning Community Facilities (CF) uses in non-CF zoning districts in the City; 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, based upon concerns raised by the City Commission at its January 13, 2015, meeting, the City Manager determined that there is a need 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, City administration is requesting that the City Commission amend Ordinance 15-02-1308 by extending the moratorium for an additional three (3) months in order to permit City staff to complete the study and compile recommendations for consideration by the City Commission; and,

WHEREAS, the City Commission finds that it is in the best interests of the City and its residents and property owners to allow the additional time to complete the study and formulate recommendations.

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 are hereby made a specific part of this Ordinance. These clauses represent the legislative findings of the City Commission. It is the purpose and intent of this Ordinance to promote the health, safety and welfare of the residents of North Lauderdale.

SECTION 2. The City Commission hereby amends City Ordinance 15-02-1308, and extends the moratorium imposed 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 31, 2015. During the term of the moratorium, the City shall not accept or review any applications for licenses or permits for Community Facility uses, except for those that satisfy all of the following criteria as of January 16, 2015:

d. The application is for property which currently has a zoning designation of Community Facility (CF);

e. The project associated with the application has an approved site plan; and,
Either no building permits have been issued, or building permits are open and pending for the project.

SECTION 3. 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 4. All ordinances or parts of ordinances, resolutions or part of resolutions in conflict herewith are to the extent of such conflicts hereby repealed.

SECTION 5. This ordinance shall take effect immediately upon its passage.


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

CITY OF NORTH LAUDERDALE, FLORIDA

APPROVED AS TO FORM:  
MAYOR JACK BRADY

SAMUEL S. GOREN, CITY ATTORNEY  
VICE MAYOR JERRY GRAZIOSE

ATTEST:

PATRICIA VANCHERI, CITY CLERK
TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Michael Sargis, Parks and Recreation Director
DATE: July 14, 2015
SUBJECT: Hampton Pines Park – Rental Boat Dock Replacement

As you may recall, the Parks and Recreation Department was awarded a Land Water Conservation Fund Grant from the United States Department of the Interior in 2014 for renovations at the Hamptons Pines Park, totaling $400,000.00. This total included City’s match of 50% which comes to $200,000.00. The City’s match has been allocated in Fiscal Year 2015 Capital Improvement Plan Budget.

The grant is earmarked to replace the old boat dock; renovate existing bathrooms; expand trails; additional parking; replace old light poles with solar powered equipment and a new fence around the lake. The total project has been divided into different phases so that the park can remain open during renovations and the projects can be managed in a timely manner.

The first phase of the project was awarded in April, 2015 to CD Stroud Fence Company, (as the lowest RFP Bidder) for a new decorative PVC fence around the lake. This project will be completed before the end of this month.

At this time, the staff is prepared to move forward with the second phase of the project, which is the removal of the old dock and installation of a new boat dock. This dock will replace the approximately 35 year old dock. The vendor, ACCU-DOCK out of Pompano Beach, FL has been in business for almost 30 years, and is supplying all boat docks for the upcoming 2016 Summer Olympics in Brazil. Along with providing the docks for the upcoming Olympics, they are also the primary supplier of docks and supplies for the:

- National Park Services
- United States Coast Guard
- United States Navy
- Department Of Interior
- Fish and Wildlife Service
- United States Department Of Defense

The dock selected for Hampton Pines Park is a turned letter “E”, and is large enough to handle our current fleet plus future growth of rescue boats, paddle boats and water cycles. All docks will be custom made to meet the needs of the City. The cost of the boat dock is $73,976.00 and is eligible for purchase off the GSA Contract GS-07F-107BA. Upon issuance of the building
permit, the project will take approximately 90-days to complete with no interruption of service to the residents.

**RECOMMENDATION:**
The City Administration recommends Commission’s consideration and approval of the following two (2) resolutions:

1. Authorizing the City Manager or her designee to enter into an agreement between the City of North Lauderdale and JMH Marine/ACCU DOCK for the removal of the existing boat dock and the construction of a new boat dock at Hampton Pines Park in an amount not to exceed $73,976.00 utilizing the GSA Pricing - GS-07F-107BA.

2. Authorizing a reserve expenditure of $12,000.00 out of the Parks and Recreation Department’s General Fund and/or Capital Budget for unexpected expenditures for the dock at Hampton Pines Park.
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 JMH MARINE, INC./ACCUDOCK IN AN AMOUNT NOT TO EXCEED $73,976.00 FOR THE REMOVAL AND INSTALLATION OF A NEW BOAT DOCK AT HAMPTON PINES PARK; PROVIDING FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1: The City of North Lauderdale was awarded a Land Water Conservation Fund Grant, and

Section 2: The City of North Lauderdale wishes to utilizes from the GSA Bid and Contract GS-07F-107BA which allows for the piggyback purchase of docks and supplies, and

Section 3: That the City Manager or her designee, is authorized to enter into an agreement with JMH Marine Inc./AccuDock in amount not to exceed $73,976.00 for the removal and installation of a new boat dock at Hampton Pines Park.

Section 4: That the project cost of $400,000 is a 50/50 split between the City of North Lauderdale and the United States Department of the Interior LWCF Grant has been allocated in Fiscal Year 2015 Capital Improvement Plan Budget.

Section 5: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 14th day of July, 2015.

APPROVED AS TO FORM:

CITY ATTORNEY SAMUEL S. GOREN

MAYOR JACK BRADY

VICE MAYOR JERRY GRAZIOSE

ATTEST:

CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. ______________

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE
AUTHORIZING A RESERVE EXPENDITURE OF $12,000 TO JMH MARINE, INC./ACCUDOCK. FUNDING IS AVAILABLE IN THE PARKS AND RECREATION BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of North Lauderdale, Florida has determined that a need exists to remove and replace the boat dock at Hampton Pines Park; and

WHEREAS, the City intends to utilize bids from GSA Bid and Contract GS-07F-107BA which allows for the piggyback purchase of docks and supplies, and

WHEREAS, the City of North Lauderdale has budgeted funds in the Parks and Recreation Department Budget, and

WHEREAS, the reserve amount shall not be utilized unless additional work is required to complete the task of the resolution.

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

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

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, THIS 14th DAY OF JULY, 2015.

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR JACK BRADY

______________________________
VICE MAYOR JERRY GRAZIOSE

ATTEST:

______________________________
CITY CLERK PATRICIA VANCHERI
On-line access to contract ordering information, terms and conditions, up-to-date pricing, and the option to create an electronic delivery order is available through GSA Advantage!, a menu-driven database system. The INTERNET address for GSA Advantage! is http://www.gsaadvantage.gov


FSC Group: 1945

CONTRACT NUMBER: GS-07F-107BA

CONTRACT PERIOD: Jan 10, 2014 through Jan 9, 2019

For more information on ordering from Federal Supply Schedules click on the GSA Schedules link at www.gsa.gov

CONTRACTOR: JMH Marine, Inc
1790 SW 13th Court
Pompano Beach FL 33069-4715
Phone: (954) 785-7557
Fax: (954) 784-9144
E-Mail: christine@accudock.com
Website: www. Accudock.com

CONTRACTOR’S ADMINISTRATION SOURCE: Christine Catalano
Phone: 954-785-7557
E-Mail: christine@accudock.com
Website: www. Accudock.com

BUSINESS SIZE: Small Business

CUSTOMER INFORMATION:

1a. TABLE OF AWARDED SPECIAL ITEM NUMBERS (SINs)

<table>
<thead>
<tr>
<th>SIN</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>260-12</td>
<td>Floating Marine Barriers and Booms, Floats, Perimeter Floats, and Moorings - includes parts and accessories</td>
</tr>
</tbody>
</table>

1b. LOWEST PRICED MODEL NUMBER AND PRICE FOR EACH SIN:
(Government net price based on a unit of one)

<table>
<thead>
<tr>
<th>SIN</th>
<th>Model</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>260-12</td>
<td>5/16&quot; - 7X19 S/S CABLE</td>
<td>$1.67</td>
</tr>
</tbody>
</table>
3. **MINIMUM ORDER:** None

4. **GEOGRAPHIC COVERAGE:** Domestic, 50 states, Washington, DC, Puerto Rico, and US Territories

5. **POINT(S) OF PRODUCTION:** USA

6. **DISCOUNT FROM LIST PRICES:** 20.5%. Discounted prices shown on GSA Advantage. For calculation of the GSA Schedule price (price paid by customers ordering from the GSA Schedule, and the price to be loaded in to GSA Advantage), the contractor should deduct the appropriate basic discount from the list price and add the prevailingIFFrate to the negotiated discounted price (Net GSA price). The current IFF is .75% and should be calculated as follows: Negotiated price divided by (1 minus .0075) which equates to Negotiated price divided by 0.9925. Example: \((100,000 / 0.9925) = 100,755.67\)

7. **QUANTITY DISCOUNT(S):** None

8. **PROMPT PAYMENT TERMS:** Net 30 Days. **Information for Ordering Offices:** Prompt payment terms cannot be negotiated out of the contractual agreement in exchange for other concessions.

9a Government Purchase Cards are accepted at or below the micro-purchase threshold.

9b Government Purchase Cards are accepted above the micro-purchase threshold. Contact contractor for limit.

10. **FOREIGN ITEMS:** None

11a. **TIME OF DELIVERY:** 7-14 DARO

11b. **EXPEDITED DELIVERY:** Contact Contractor

11c. **OVERNIGHT AND 2-DAY DELIVERY:** Contact the Contractor for rates.

11d. **URGENT REQUIRMENTS:** Customers are encouraged to contact the contractor for the purpose of requesting accelerated delivery.

12. **FOB POINT:** Origin

13a. **ORDERING ADDRESS:** Same as Contractor's address.

13b. **ORDERING PROCEDURES:** For supplies and services, the ordering procedures, information on Blanket Purchase Agreements (BPA's) are found in FAR 8.405-3

14. **PAYMENT ADDRESS:** Same as Contractor's address.

15. **WARRANTY PROVISION:** SCW. Customer should contact contractor for a copy of the warranty.

15a. **RETURN/RESTOCKING POLICY:** None.

16. **EXPORT PACKING CHARGES:** Not applicable.

17. **TERMS AND CONDITIONS OF GOVERNMENT PURCHASE CARD ACCEPTANCE:** Accepted at, below and above the micro-purchase level.

18. **TERMS AND CONDITIONS OF RENTAL, MAINTENANCE, AND REPAIR (IF APPLICABLE):** N/A
19. TERMS AND CONDITIONS OF INSTALLATION (IF APPLICABLE): N/A.

20. TERMS AND CONDITIONS OF REPAIR PARTS INDICATING DATE OF PARTS PRICE LISTS AND ANY DISCOUNTS FROM LIST PRICES (IF AVAILABLE): N/A

20a. TERMS AND CONDITIONS FOR ANY OTHER SERVICES (IF APPLICABLE): N/A

21. LIST OF SERVICE AND DISTRIBUTION POINTS (IF APPLICABLE): N/A

22. LIST OF PARTICIPATING DEALERS (IF APPLICABLE): N/A

23. PREVENTIVE MAINTENANCE (IF APPLICABLE): N/A

24a. SPECIAL ATTRIBUTES SUCH AS ENVIRONMENTAL ATTRIBUTES (e.g. recycled content, energy efficiency, and/or reduced pollutants): N/A

24b. Section 508 Compliance for electronic and information technology (EIT): as applicable

25. DUNS NUMBER: 018338173

26. NOTIFICATION REGARDING REGISTRATION IN SYSTEM FOR AWARD MANAGEMENT (SAM) DATABASE: Contractor has an Active Registration in the SAM database.