CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, APRIL 12, 2016

REGULAR MEETING – 6:00 p.m.

AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Moyle.

2. ROLL CALL

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

3. APPROVAL OF MINUTES

a. March 29, 2016

4. PRESENTATIONS

a. BSO Recognitions
   • BSO Sergeant Patrick Bowden – Retirement
   • Hector Fajardo - BSO Deputy of the Year
   • Donaldson Georges – BSO Samaritan Award
   • Luis Batista, Mgr. Bravo Supermarket – BSO Special Recognition
   • Dylan Paradis, Mgr. Walmart – BSO Special Recognition

b. Boys & Girls Club Presentation (Rich Ouellette)

c. Gene Riley, City of North Lauderdale - Retirement

*****RECESS FOR REFRESHMENTS*****
5. PUBLIC DISCUSSION

6. 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 –2016 Amendment to Interlocal Agreement between Broward County and City of North Lauderdale providing for Division and Distribution of the proceeds of the Local Option Gas Tax Imposed by the Broward County Local Option Gas Tax Ordinance – (Six-Cent)**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING AND OTHERWISE AUTHORIZING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON BEHALF OF SAID CITY, TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED YEAR 2016 (SIX CENT) AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN NORTH LAUDERDALE AND BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL OPTION GAS TAX ORDINANCE; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

b. **RESOLUTION - 2016 Amendment to Interlocal Agreement between Broward County and City of North Lauderdale providing for Division and Distribution of the Proceeds from the Broward County Fifth Cent Additional Local Option Gas Tax on Motor Fuel for Transit.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING AND OTHERWISE AUTHORIZING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON BEHALF OF SAID CITY, TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED YEAR 2016 (FIFTH CENT) AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN NORTH LAUDERDALE AND BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND, PROVIDING AN EFFECTIVE DATE.
c. RESOLUTION - 2016 Amendment to Interlocal Agreement between Broward County and City of North Lauderdale providing for Division and Distribution of the Proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance – (Three-Cent)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING AND OTHERWISE AUTHORIZING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON BEHALF OF SAID CITY, TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED YEAR 2016 (THREE CENT) AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN NORTH LAUDERDALE AND BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND, PROVIDING AN EFFECTIVE DATE.

7. OTHER BUSINESS

a. ORDINANCE – First Reading - Providing for the Re-creation and Re-establishment of the Geographic Boundaries for Four (4) Election Districts in the City of North Lauderdale in Accordance with Section 3.2 of the City Charter

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Attorney Goren/Mike Stamm, FAU)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, PROVIDING FOR THE RE-CREATION AND RE-ESTABLISHMENT OF THE GEOGRAPHIC BOUNDARIES FOR FOUR (4) ELECTION DISTRICTS IN THE CITY OF NORTH LAUDERDALE IN ACCORDANCE WITH SECTION 3.2 OF THE CITY CHARTER; PROVIDING FOR THE REPEAL OF ORDINANCE NO. 12-07-1273; PROVIDING FOR FINDINGS AND CONCLUSIONS OF THE CITY COMMISSION; PROVIDING FOR THE IMPLEMENTATION OF REVISED ELECTION DISTRICTS TO BE EFFECTIVE FOR THE ELECTIONS TO BE HELD IN THE CITY OF NORTH LAUDERDALE, FLORIDA, COMMENCING AT THE GENERAL MUNICIPAL ELECTION IN NOVEMBER, 2016, AND THEREAFTER; PROVIDING A FORM OF REQUEST TO THE SUPERVISOR OF ELECTIONS OF BROWARD COUNTY, FLORIDA, TO IMPLEMENT THE REVISED PLAN ESTABLISHED PURSUANT TO THIS REDISTRICTING ORDINANCE AND TO CREATE FUNCTIONAL DISTRICTS CONSISTENT WITH THE IDENTIFICATION OF GEOGRAPHIC BOUNDARIES FOR ELECTION DISTRICTS; PROVIDING FOR THE ATTACHMENT OF ELECTION DISTRICT MAPS, CHARTS AND STREET ADDRESS DESCRIPTIONS, WHICH SHALL BE ATTACHED TO AND MADE A PART OF THIS ORDINANCE; PROVIDING FOR AUTHORIZATION AND
DIRECTION TO THE CITY MANAGER TO IMPLEMENT THE TERMS, CONDITIONS AND PROVISIONS OF THIS ORDINANCE TO BE EFFECTIVE FOR THE NEXT ENSUING GENERAL MUNICIPAL ELECTION OF NOVEMBER 2016; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

b. **RESOLUTION - Local Government Infrastructure Surtax**

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, BROWARD COUNTY, FLORIDA, IMPOSING A ONE CENT PER DOLLAR LOCAL GOVERNMENT INFRASTRUCTURE SURTAX ON ALL AUTHORIZED TAXABLE TRANSACTIONS OCCURRING WITHIN BROWARD COUNTY, FLORIDA, AS AUTHORIZED BY SECTION 212.055(2), FLORIDA STATUTES, PROVIDING THAT THE IMPOSITION OF THE SURTAX SHALL NOT BE EFFECTIVE UNLESS APPROVED AT A REFERENDUM ELECTION; PROVIDING THAT THE IMPOSITION SHALL BE EFFECTIVE BEGINNING JANUARY 1, 2017 AND SHALL CONTINUE UNTIL REPEALED; PROVIDING FOR DISTRIBUTION OF SURTAX REVENUES PURSUANT TO LAW; DIRECTING THE SUPERVISOR OF ELECTIONS TO HOLD A REFERENDUM ELECTION ON NOVEMBER 8, 2016; PROVIDING BALLOT LANGUAGE AND A BRIEF DESCRIPTION OF INFRASTRUCTURE CAPITAL PROJECTS; PROVIDING FOR ADOPTION OF A RESOLUTION DETAILING PROJECT EXAMPLES; PROVIDING FOR PUBLIC DISTRIBUTION OF THIS RESOLUTION; DIRECTING THE CITY CLERK TO ADVERTISE THE SPECIAL REFERENDUM ELECTION IN ACCORDANCE WITH STATE LAW OR COORDINATE SUCH ADVERTISEMENT IN ACCORDANCE WITH STATE LAW WITH THE SUPERVISOR OF ELECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

c. **ORDINANCE – First Reading – Establishing a Moratorium on Uses Including Gas and Oil Filling Stations, Auto Service Stations, Auto Repair and Service Stations, Garage Including Mechanical Service, and Convenience Stores**

- 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, ESTABLISHING A MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS AND THE PROCESSING OF QUASI-JUDICIAL AND ZONING ITEMS PERTAINING TO USES INCLUDING GAS AND OIL FILLING STATIONS, AUTO SERVICE STATIONS, AUTO REPAIR AND SERVICE STATIONS, GARAGE INCLUDING MECHANICAL SERVICE, AND CONVENIENCE STORES WITHIN THE CITY FOR TWELVE MONTHS AFTER THE ADOPTION OF THE ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR EXCEPTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

d. **ORDINANCE – First Reading – Ordinance for a Moratorium on the Approval or Issuance of Any New Licenses or Permits for Any Uses that Involve the Cultivation, Processing and Dispensing of Medical Marijuana**

- 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, ESTABLISHING A MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS FOR ANY USES THAT INVOLVE THE CULTIVATION, PROCESSING AND DISPENSING OF MEDICAL MARIJUANA WITHIN THE CITY FOR SIX MONTHS AFTER THE ADOPTION OF THE ORDINANCE; PROVIDING FOR THE RECOGNITION OF CURRENT LEGISLATION PENDING AND/OR APPROVED IN THE 2016 FLORIDA LEGISLATURE AFFECTING MEDICAL CANNABIS USE, DISPENSING AND THE LIKE; PROVIDING FOR THE PROTECTION OF THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS AND RESIDENTS OF THE CITY OF NORTH LAUDERDALE BY ADOPTING AND IMPLEMENTING THIS ORDINANCE; PROVIDING FOR CERTAIN FINDINGS AND CONCLUSIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

e. **RESOLUTION – Awarding Contract for the Gym at Fire Station 44**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (George Krawczyk)
- Commission motion and second to adopt
- Commission discussion
- Commission vote
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING THE BIDS FOR RFP 16-03-360 AND TO AWARD THE LOWEST RESPONSIVE BIDDER FITSAW CONSTRUCTION LLC A CONTRACT IN AN AMOUNT NOT TO EXCEED $37,365.00 FOR THE FIRE STATION #44 GYM PROJECT; AND PROVIDING AN EFFECTIVE DATE.

8. REPORTS

a. North Lauderdale Days (Mike Sargis)

9. COMMISSION COMMENTS

a. Discussion and possible motion to purchase a table for the ADRC 33rd Annual Dr. Nan S. Hutchison Broward Senior Hall of Fame Breakfast on Friday, May 6, 2016 at 9:00 a.m. at Woodlands Country Club (Mayor Brady)

b. Discussion and possible motion to approve attendance at the Broward League of Cities’ 59th Annual Gala Installation Dinner on Saturday, May 7, 2016 at Margaritaville, Hollywood (Mayor Brady)

10. CITY MANAGER COMMENTS

a. Upcoming Events

- Friday, April 15 – 7:00 am-9:30 pm – Movie Night on the Lawn of City Hall
- Saturday, April 16 – 8:00 am – North Lauderdale Days 5K

11. CITY ATTORNEY COMMENTS

12. ADJOURNMENT
The North Lauderdale City Commission met on Tuesday, March 29, 2016 at the Municipal Complex. The meeting convened at 6:00 p.m.

1. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Commissioner Graziose gave the invocation and led the pledge.

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

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

3. **APPROVAL OF MINUTES**

   a. **March 8, 2016** – Commissioner Graziose moved to approve the Minutes as submitted. Seconded by Commissioner Wood. *Minutes approved unanimously by voice vote.*

4. **PRESENTATIONS**

   a. **Government Finance Officers Association – Distinguished Budget Presentation Award for FY beginning October 1, 2015**

   Susan Nabors, Finance Director, stated that this Distinguished Budget Presentation Award is the highest distinction and the 22nd year that the City has received this award for the budget. It represents an achievement for the City as a whole as all departments assist in putting a budget together, and Ms. Nabors thanked all department members.
5. **PROCLAMATIONS** – The following Proclamations were read into the record:

a. **Child Abuse Prevention Month and “Wear Blue Day” – April 8** - Andrew Leone, Asst. Director of Communications and Outreach, Children’s Services Council of Broward County was present to receive the Proclamation. Mr. Leone thanked the Commission for the recognition.

b. **National Library Week – April 10-16** - Jill Sears, NL Branch Library Manager and Mary Roberts, President - Friends of the Library were present to receive the Proclamation.

c. **Welcome Home Vietnam Veterans Day** – Mike Sargis, Parks and Recreation Director, commented that the Commission previously directed the City to partner with the Department of Defense in a program to honor the Viet Nam Vets for their 50th Anniversary Commemoration. The goal of the program was to recognize the Vets and their families for their service to their country, as well as to educate a future generation of Americans of the sacrifices. May 29th and May 30th was recognized as “Welcome Home Vietnam Veterans Day”. A video presentation and slide show was also shown. Attorney Goren also read a Presidential Proclamation. Mr. Sargis read some interesting facts about the war and then Attorney Goren introduced each Veteran present this evening.

Mayor Brady called a recess and after a brief intermission the meeting resumed at 7:02 pm.

6. **PUBLIC DISCUSSION**

**Don Schlichtmann, 8141 SW 4 Place** – addressed his concerns about speeders on his street and asked the City to consider speed bumps. Mayor Brady explained the process for getting an analyses or traffic survey done and referred him to speak to Captain Faer, BSO.

7. **OTHER BUSINESS**

a. **RESOLUTION** - Approving and Ratifying the Notice of Intent (NOI) Executed by City Manager on March 9, 2016 instituting a Moratorium on Uses that involve the Cultivation, Processing and Dispensing of Medical Marijuana (cannabis) throughout the City

Commissioner Wood moved to read. Seconded by Commissioner Moyle.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, CONFIRMING AND RATIFYING THE CITY MANAGER’S NOTICE OF INTENT REGARDING THE IMPOSITION OF A MORATORIUM ON THE
ISSUANCE OF LOCAL BUSINESS TAX RECEIPTS AND BUILDING PERMITS FOR USES THAT INVOLVE THE CULTIVATION, PROCESSING AND DISPENSING OF MEDICAL MARIJUANA/CANNABIS WITHIN THE CITY AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO UNDERTAKE STUDY AND REVIEW OF THE CITY’S REGULATIONS REGARDING THE SAME; PROVIDING THAT THE ADOPTION OF THIS RESOLUTION SHALL COMMENCE THE IMPOSITION OF THE MORATORIUM PURSUANT TO SECTION 106-60 OF THE CITY’S CODE OF ORDINANCES, WHICH SHALL BE FURTHER EMBRACED THROUGH THE ADOPTION OF A SUBSEQUENT ORDINANCE AND SHALL RUN FOR SIX MONTHS AFTER ADOPTION OF SAID ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development Director, presented the item based on the backup memorandum. She indicated that Commission had authorized staff to prepare the NOI at the March 8th meeting. The moratorium imposed by the NOI ratified by the Commission by Resolution and affirmed by Ordinance, will afford the City’s professional staff the opportunity to fully review the City’s options with regard to regulation and uses that include the cultivation, processing and dispensing of medical marijuana. Staff will present the item to the Planning and Zoning Board on April 5th for recommendation and an Ordinance will be brought back for Commission’s consideration. **Commissioner Moyle moved to adopt.** Commissioner Wood asked if the State has put out any information regarding how this would be cultivated and what districts would allow it. Attorney Goren responded that the Bill was signed by the Governor on Friday. This Bill follows the “Charlotte’s Web” Bill that was filed last year and relates to people who are terminally ill. There will be state regulations regarding how many growers there may be allowed statewide. The Bill allows for local control and regulation, as well as distance separation options from other providers, schools and other facilities. Attorney Goren commented that staff and administration is studying the issue to see where this might occur and by adopting this moratorium, staff will have time to look into different zoning districts. **Motion on the floor was seconded by Vice Mayor Hilton. All in favor by voice vote.**

**RESOLUTION NO. 16-03-6273 PASSED AND ADOPTED UNANIMOUSLY**

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

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA 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 AN ESTIMATED GRANT OF $194,000 FROM THE 2016-2017 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 Director, presented the item based on the backup memorandum. Approval of this resolution will authorize the submittal of an application to the Florida Division of Emergency Management for Residential Construction Mitigation Program Grant in an estimated amount of $194,000. If approved, this Grant will allow the Community Development Department to continue retro-fitting homes to make them more resistant to wind and storms. The deadline for the application is May 5th. In the past, the City has won four of these grants and has assisted 55 homeowners. This year the Community Development Department is looking forward to being successful again this year. Commissioner Moyle moved to approve. Seconded by Commissioner Wood. All in favor by voice vote.

RESOLUTION NO. 16-03-6274 PASSED AND ADOPTED UNANIMOUSLY

c. RESOLUTION – Water Treatment Plant Transfer Pumps

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

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD TAC ARMATURE & PUMPS AN AMOUNT NOT TO EXCEED $47,490.00 FOR THE REFURBISHMENT OF (3) THREE WATER TRANSFER PUMPS AND TO APPROVE A WAIVER AS DECLARED IN SECTION 9.10 (c) OF THE CITY CHARTER; AND PROVIDING AN EFFECTIVE DATE.

Mike Shields, Public Works Director, stated that basically this is some refurbishment for some old pumps at the water plant that transfer from clear wells over to storage that eventually puts it out into the system. Trying to replace older pumps would take a lot of modification to existing piping, so in lieu of that, refurbishing existing pumps would be the best option. Commissioner Moyle moved to approve. Seconded by Vice Mayor Hilton. All in favor by voice vote. City Manager Bhatty interjected that typically they would go on the street, but since one pump is down, time is of the essence and they have gotten three bids, but would like a waiver of the requirement per Charter. City Manager stated they went with the lowest bidder for refurbishment, as two of the
bids were for new pumps which was not an option. **Commissioner Wood** made a motion to waive the process. Seconded by Vice Mayor Hilton. All in favor by voice vote.

**RESOLUTION NO. 16-03-6275 PASSED AND ADOPTED UNANIMOUSLY**

d. **RESOLUTION – Authorizing Purchase of 2016 Fleet Vehicles**

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD DUVAL FORD AN AMOUNT NOT TO EXCEED $160,000.00 FOR THE PURCHASE OF SEVEN (7) NEW FLEET VEHICLES USING THE FLORIDA SHERIFF’S ASSOCIATION STATE CONTRACT #15.13.0904/15.13.0904 PRICING STRUCTURE; AND PROVIDING AN EFFECTIVE DATE.**

Mike Shields, Public Works Director, every year the fleet needs to be updated by getting rid of old vehicles and purchasing new vehicles. He said typically they use the Sheriff’s contract or the State of Florida contract and sometimes local dealers if they will match or beat those contracts. This time they will be using the Sheriff’s contract. **Commissioner Moyle moved to approve. Seconded by Commissioner Wood. All in favor by voice vote.**

**RESOLUTION NO. 16-03-6276 PASSED AND ADOPTED UNANIMOUSLY**

e. **RESOLUTION – Authorizing Vehicle Surplus**

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

**A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA AUTHORIZING THE SURPLUS OF FOUR FORD PICK-UP TRUCKS AND UTILIZING THE SERVICES OF OUR CURRENT VENDOR BIDERA AUCTIONS AS BEING THE MOST APPROPRIATE METHOD OF DISPOSAL; AND PROVIDING AN EFFECTIVE DATE.**

Commissioner Wood asked do we know how much we will get at auction when they are disposed or do we get as much as possible? Mike Shields, Public Works Director, responded that it is a gamble, and when we auctioned the vehicles ourselves, we set a minimum. He said we have a right to refuse a bid if it is too low. City Manager Bhatty commented that the advantage of using this vendor is that they can open up to a larger customer base, in hopes of getting a better price. **Commissioner Wood moved to adopt. Seconded by Commissioner Graziose. All in favor by voice vote.**

**RESOLUTION NO. 16-03-6277 PASSED AND ADOPTED UNANIMOUSLY**
f. RESOLUTION - Broward League of Cities Board of Directors Appointments

Commissioner Moyle moved to read. Seconded by Commissioner Wood.

Attorney read:

A RESOLUTION OF THE NORTH LAUDERDALE CITY COMMISSION APPOINTING A DIRECTOR, AN ALTERNATE DIRECTOR AND A SECOND ALTERNATE TO THE BROWARD LEAGUE OF CITIES BOARD OF DIRECTORS; PROVIDING THAT A COPY OF THIS RESOLUTION BE SENT TO MARY LOU TIGHE, EXECUTIVE DIRECTOR OF THE BROWARD LEAGUE OF CITIES; AND PROVIDING AN EFFECTIVE DATE.

City Clerk commented that the current slate of officers was Mayor Jack Brady, Director; Commissioner Graziose, Alternate and Commissioner Wood, Second Alternate. Commissioner Moyle made a motion to keep the current slate of officers. Seconded by Vice Mayor Hilton. All in favor by voice vote.

RESOLUTION NO. 16-03-6278 PASSED AND ADOPTED UNANIMOUSLY

8. REPORTS - None

9. COMMISSION COMMENTS

Commissioner Graziose commented that he and Mayor Brady had the pleasure of representing the City at BSO’s award ceremony this afternoon. He commented that the Deputy of the Year was North Lauderdale’s Deputy Hector Fajardo. Also honored were a Security Specialist from Walmart and a Manager from Bravo. Commissioner Graziose asked that the City also recognize them on the next agenda

Commissioner Wood commented that the next South Florida Honor Flight would take place on Saturday, April 2 in Miami Airport. Clerk Vancheri commented that her 93 year old Mother-in-Law, Edith Vancheri, a WWII Army Nurse would be participating in the Honor Flight to Washington. Commissioner Wood also thanked City staff for the heartwarming presentation tonight in honor of the Viet Nam Vets.

Commissioner Moyle commented that he wished to honor his brother, Al, who passed away prematurely, from contracting Agent Orange disease, as a Viet Nam Vet as well.

Mayor Brady commented that BSO Sergeant Patrick Bowden will be retiring on April 7th. He was with BSO for 27 years and 29 years as Chief Petty Officer in the Navy and would like to honor him at the next meeting.
10. CITY MANAGER COMMENTS

City Manager Bhatty gave an update on the issue between the MPO and the County with regard to the One Cent Surtax proposal. She stated that Commissioner Graziose has been attending all the meetings as a representative of the City, and last week were presented with proposed resolution by the MPO’s Attorney, asking the Cities to approve the One Cent Surtax and she explained the disagreement on how the money was proposed to be used and the split. The Cities in Broward would have to approve a standard resolution and 51% of the population would have to agree to sponsor it. This question would be put on a ballot. City Manager Bhatty stated that the beauty of this would be that the cities would be entitled, by Florida Statute, to 60% of the revenue. Secondly, cities like North Lauderdale that have aging infrastructure, would benefit from this type revenue, since there is limited ad valorem tax from new growth as the City is built out. This type of surtax would apply to all residents countywide for infrastructure improvements to the cities. City Manager Bhatty said this may be a good option for the cities. All city managers will meet in Pompano Beach on Thursday to discuss it further and one elected official is requested to be in attendance from each city. Consensus of the Commission was for Commissioner Graziose to attend to represent North Lauderdale.

City Manager Bhatty also commented that 2-1-1 Broward would like to honor North Lauderdale as a participant at a breakfast meeting in May and would like two people to attend. Consensus of the Commission was to approve Tammy Reed-Holguin and City Manager Bhatty as attendees.

City Manager Bhatty also commented that, Gene Riley, Water Plant Operations Manager, long term employee of 27 years, would be retiring.

11. CITY ATTORNEY COMMENTS

City Attorney Goren commented that the Commission was provided a copy of the last legislation report which indicated which items were passed as law. He also commented that at the end of this meeting, the Commission will convene to the Recreation Foundation meeting.

12. ADJOURNMENT – There being no further business, the meeting adjourned at 7:32 p.m. and convened to the North Lauderdale Recreation Foundation.

Respectfully submitted,

Patricia Vancheri, City Clerk
The Mayor and City Commission recognizes your
dedicated, outstanding and loyal service in Law Enforcement.

Your contribution to the safety and welfare of Broward County residents as a Deputy Sheriff with such varied duties
including, but not limited to, Road Patrol; Selective Enforcement Team; Dignitary Protection Unit;
Field Force Unit; Gang Investigations Unit and School Resource Officer is acknowledged and much appreciated.

With 29 years as a retired Chief Petty Officer behind you; as well as a deployment to Desert Shield/Desert Storm;
a two-time deployment to Iraq as Chief-in-Charge of Security Operations for Convoys (2005-2008)
and 27 years in Law Enforcement, you are to be commended for your dedication to serve and protect.

We wish to especially thank you for your service to the
City of North Lauderdale and its community for the past three years.

Congratulations and Best Wishes on your retirement.

Mayor Jack Brady

Vice Mayor David G. Hilton
Commissioner Jerry Graziose
Commissioner Rich Moyle
Commissioner Lorenzo Wood

Given this 12th day of April, 2016

Mayor Jack Brady
Presented to

DEPUTY HECTOR FAJARDO

The City Commission of the City of North Lauderdale, Florida
is proud to acknowledge and congratulate you on your accomplishments and achievements.
We support the Broward County Sheriff’s Office for honoring you with the outstanding award as

BSO’S Deputy of the Year 2016

We thank you for your dedication and commitment to the citizens of North Lauderdale
and commend your efforts to keep our community safe and secure.

Mayor Jack Brady

Vice Mayor David Hilton
Commissioner Rich Moyle

Commissioner Jerry Graziose
Commissioner Lorenzo Wood

Given this 12th day of April, 2016

Mayor Jack Brady
The City Commission of the City of North Lauderdale, Florida is proud to acknowledge your display of bravery by putting your personal safety aside, exhibiting courage, moral fortitude and a desire to assist in the apprehension of a violent felon while performing your duties as a Security Guard.

We support the Broward County Sheriff’s Office for recognizing you with the outstanding honor of being presented the SHERIFF’S SAMARITAN AWARD

We thank you for your dedication and commitment to the citizens of North Lauderdale and commend your efforts to keep our community safe and secure.

Mayor Jack Brady
Vice Mayor David Hilton
Commissioner Rich Moyle
Commissioner Jerry Graziose
Commissioner Lorenzo Wood

Given this 12th day of April, 2016

Mayor Jack Brady
LUIS BATISTA, MANAGER
BRAVO SUPERMARKET
6039 Kimberly Blvd

We support the Broward County Sheriff’s Office in presenting you with the outstanding honor of

SHERIFF’S SPECIAL RECOGNITION AWARD

For donations of goods and services provided to our community throughout the year. Your contributions on Thanksgiving Day as well as donations to National Night Out has provided many meals to our families.

We appreciate your dedication and commitment to the community.

Mayor Jack Brady
Vice Mayor David Hilton
Commissioner Rich Moyle
Commissioner Jerry Graziose
Commissioner Lorenzo Wood

Given this 12th day of April, 2016

Mayor Jack Brady
DYLAN PARADIS, MANAGER
WALMART
7900 W. McNab Road

We support the Broward County Sheriff’s Office in presenting you with the outstanding honor of a

SHERIFF’S SPECIAL RECOGNITION AWARD

For Numerous donations of goods and services to our community throughout the year, including, but not limited to, National Night Out; the Holiday Toy Drive and numerous policing initiatives benefiting North Lauderdale families.

We appreciate your dedication and commitment to the Broward Sheriff’s Office, The City of North Lauderdale and its residents.

Mayor Jack Brady
Vice Mayor David Hilton
Commissioner Jerry Graziose
Commissioner Rich Moyle
Commissioner Lorenzo Wood

Given this 12th day of April, 2016

Mayor Jack Brady
TO: Honorable Mayor and City Commission

FROM: Ambreen Batty, City Manager

BY: Susan Nabors, Finance Director

DATE: April 12, 2016

SUBJECT: 2016 Amendment to Interlocal Agreement between Broward County and City of North Lauderdale providing for Division and Distribution of the proceeds of the Local Option Gas Tax Imposed by the Broward County Local Option Gas Tax Ordinance – (Six-Cent)

The City receives its allocation of local option gas taxes through an Interlocal Agreement with Broward County. The proceeds must be used for transportation expenditures. The County revises this tax revenue allocation to annually to reflect changes in the population of Broward municipalities.

The County’s revised gas tax allocation to municipalities, including that of the City’s, is reflected in the 2016 Amendment to Interlocal Agreement attached. The amendment covers allocation of the County’s original (six-cent) local option gas tax that provides for all Cities in Broward County to receive a total of 37.5% of the proceeds of six cents of gas tax. The City utilizes this revenue source for the maintenance and general improvements of the City’s roadways.

The City’s FY 2017 collection of local option gas taxes will be an allocation of 0.894281% based on the City’s population of 43,232, as stated in the most current edition of “Florida Estimates of Population,” published by the Bureau of Economics and Business Research, Population Division, University of Florida. FY 2015 revenue was $439,371 and the Administration anticipates approximately the same amount of revenue this year.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached resolution authorizing the City Manager to execute 2016 (six cent) Amendment to Interlocal Agreement between the City and the County and providing for division and distribution of the proceeds of the Local Option Gas Tax Imposed by the Broward County Local Option Gas Tax Ordinance.
RESOLUTION NO. ______________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING AND OTHERWISE AUTHORIZING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON BEHALF OF SAID CITY, TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED YEAR 2016 (SIX CENT) AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN NORTH LAUDERDALE AND BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL OPTION GAS TAX ORDINANCE; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1: That the City Commission of the City of North Lauderdale, Florida, accepts and authorizes the City Manager of the City of North Lauderdale, Florida, on behalf of said City, to execute and otherwise enter into the attached Year 2016 (six cent) Amendment to Interlocal Agreement between North Lauderdale and Broward County providing for the division and distribution of proceeds of the Local Option Gas Tax imposed by the Broward County Local Option Gas Tax Ordinance.

Section 2: That the City Manager of the City of North Lauderdale, Florida is hereby authorized to do all things necessary and expedient in order to effectuate the execution of the agreement described in Section 1 above, and to carry out the aims of this Resolution and said Agreement.

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 12th day of April, 2016.

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR JACK BRADY

______________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

______________________________
CITY CLERK PATRICIA VANCHERI
2016 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL OPTION GAS TAX ORDINANCE

This 2016 Amendment to Interlocal Agreement is entered into by and between Broward County, a political subdivision of the State of Florida (the “County”) and the municipalities executing a signature page bearing the above legend, each of which is a municipal corporation existing under the laws of the State of Florida (the “Municipalities”).

WHEREAS, Section 336.025(1)(a), Florida Statutes, authorizes the County to extend the levy of the six (6) cents local option gas tax upon every gallon of motor fuel and special fuel sold in Broward County for a period not to exceed thirty (30) years on a majority vote of the governing body of the County; and

WHEREAS, on June 14, 1988, the Board of County Commissioners enacted Ordinance No. 88-27, effective September 1, 1988, through August 31, 2018, pursuant to Section 336.025(1)(a), Florida Statutes, extending the levy of the six cent local option gas tax for thirty years and providing for a method of distribution of the proceeds of the tax; and

WHEREAS, pursuant to the ordinance, the method for distribution of the proceeds is the execution of an interlocal agreement with one or more of the municipalities representing a majority of the population of the incorporated area within the county which establishes the distribution formulas for dividing the proceeds of the tax among the County and all eligible municipalities within the County, as set forth in Section 336.025(3) (a) 1, Florida Statutes; and

WHEREAS, paragraph 4 of the Interlocal Agreement, as amended by the Addendum to the Interlocal Agreement and the prior amendments, requires annual adjustment of the population of the individual municipalities and unincorporated Broward County in accordance with the population figures set forth in the most current edition of "Florida Estimates of Population," published by the Bureau of Economics and Business Research, Population Division, University of Florida;

NOW, THEREFORE, for good and valuable consideration, the County and Municipalities agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as previously amended by the Addendum thereto and the prior amendments, is amended to read as follows:

2. Sixty-two and Five tenths percent (62.5%) of said Local Option Gas Tax proceeds shall be distributed to the County, and the remaining Thirty-seven and Five tenths percent (37.5%) shall be divided among and distributed to the eligible municipalities within the COUNTY as follows:
Population of Individual Municipality \( \times 37.5\% = \)

<table>
<thead>
<tr>
<th>Recipient</th>
<th>FY17 Percent Share of Proceeds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coconut Creek</td>
<td>1.170662%</td>
</tr>
<tr>
<td>Cooper City</td>
<td>0.686267%</td>
</tr>
<tr>
<td>Coral Springs</td>
<td>2.570852%</td>
</tr>
<tr>
<td>Dania</td>
<td>0.633891%</td>
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<tr>
<td>Davie</td>
<td>2.004604%</td>
</tr>
<tr>
<td>Deerfield Beach</td>
<td>1.585802%</td>
</tr>
<tr>
<td>Fort Lauderdale</td>
<td>3.622531%</td>
</tr>
<tr>
<td>Hallandale</td>
<td>0.794825%</td>
</tr>
<tr>
<td>Hillsboro Beach</td>
<td>0.038620%</td>
</tr>
<tr>
<td>Hollywood</td>
<td>2.997887%</td>
</tr>
<tr>
<td>Lauderdale-by-the-Sea</td>
<td>0.125272%</td>
</tr>
<tr>
<td>Lauderdale Lakes</td>
<td>0.707470%</td>
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<tr>
<td>Lauderhill</td>
<td>1.440775%</td>
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<td>Lazy Lake</td>
<td>0.000495%</td>
</tr>
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<td>Lighthouse Point</td>
<td>0.214262%</td>
</tr>
<tr>
<td>Margate</td>
<td>1.155314%</td>
</tr>
<tr>
<td>Miramar</td>
<td>2.732490%</td>
</tr>
<tr>
<td>North Lauderdale</td>
<td>0.894281%</td>
</tr>
<tr>
<td>Oakland Park</td>
<td>0.897550%</td>
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<td>Pembroke Pines</td>
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<tr>
<td>Plantation</td>
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<td>Pompano Beach</td>
<td>2.198056%</td>
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<td>Sea Ranch Lakes</td>
<td>0.013859%</td>
</tr>
<tr>
<td>Southwest Ranches</td>
<td>0.152846%</td>
</tr>
<tr>
<td>Sunrise</td>
<td>1.833368%</td>
</tr>
<tr>
<td>Tamarac</td>
<td>1.287971%</td>
</tr>
<tr>
<td>Weston</td>
<td>1.359750%</td>
</tr>
<tr>
<td>West Park</td>
<td>0.299921%</td>
</tr>
<tr>
<td>Wilton Manors</td>
<td>0.251537%</td>
</tr>
<tr>
<td><strong>Total Incorporated</strong></td>
<td><strong>37.500000%</strong></td>
</tr>
</tbody>
</table>

2. Paragraph 3 of the Interlocal Agreement, as previously amended by the Addendum thereto and the prior amendments, is amended to read as follows:
3. The population figures set forth herein are based on the most current edition of "Florida Estimates of Population," published by the Bureau of Economics and Business Research, Population Division, University of Florida. The population figures to be utilized in the formula described in Paragraph 2 of this Interlocal Agreement shall be adjusted annually based on the current "Florida Estimates of Population."

For the purpose of this Agreement, the following population figures are hereby agreed upon:

<table>
<thead>
<tr>
<th>Recipient</th>
<th>FY17 Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coconut Creek</td>
<td>56,593</td>
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<td>Cooper City</td>
<td>33,176</td>
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<td>124,282</td>
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<td>Dania</td>
<td>30,644</td>
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<td>Davie</td>
<td>96,908</td>
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<tr>
<td>Deerfield Beach</td>
<td>76,662</td>
</tr>
<tr>
<td>Fort Lauderdale</td>
<td>175,123</td>
</tr>
<tr>
<td>Hallandale</td>
<td>38,424</td>
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<td>Hillsboro Beach</td>
<td>1,867</td>
</tr>
<tr>
<td>Hollywood</td>
<td>144,926</td>
</tr>
<tr>
<td>Lauderdale-by-the-Sea</td>
<td>6,056</td>
</tr>
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<td>Lauderdale Lakes</td>
<td>34,201</td>
</tr>
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<td>Lauderhill</td>
<td>69,651</td>
</tr>
<tr>
<td>Lazy Lake</td>
<td>24</td>
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<td>Lighthouse Point</td>
<td>10,358</td>
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<tr>
<td>Margate</td>
<td>55,851</td>
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<tr>
<td>Miramar</td>
<td>132,096</td>
</tr>
<tr>
<td>North Lauderdale</td>
<td>43,232</td>
</tr>
<tr>
<td>Oakland Park</td>
<td>43,390</td>
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<tr>
<td>Parkland</td>
<td>28,128</td>
</tr>
<tr>
<td>Pembroke Park</td>
<td>6,236</td>
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<td>65,734</td>
</tr>
<tr>
<td>West Park</td>
<td>14,499</td>
</tr>
</tbody>
</table>
3. This 2016 Amendment to Interlocal Agreement shall be effective as of the date it is executed by the County after having previously been executed by eligible municipalities cumulatively representing a majority of the incorporated area population of the County.

4. Except to the extent amended, the Interlocal Agreement shall remain in full force and effect. In the event of any conflict between the terms of this 2016 Amendment and the Interlocal Agreement, as previously amended, the parties hereby agree that this 2016 Amendment shall control.

5. This 2016 Amendment may be executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.

6. In the event any provision within this 2016 Amendment to Interlocal Agreement is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective unless the County or any executing Municipality necessary to maintain the cumulative majority referenced in the preceding paragraph elects to terminate this Agreement. The election to terminate pursuant to this provision must be made within seven (7) days after such court ruling; provided, however, that if a timely notice appealing the court ruling is filed, the election shall be held in abeyance until the appeal is determined or dismissed.

[THE REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]
IN WITNESS WHEREOF, the parties have made and executed this 2016 Amendment to the Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action on March 8th, 2016, and MUNICIPALITY, signing by and through its ______________________, duly authorized to execute same.

COUNTY

ATTEST:

[Signature]
Broward County Administrator, as Ex-Officio Clerk of the Broward County Board of County Commissioners

BROWARD COUNTY, by and through its Board of County Commissioners

By: ________________________
Mayor

8th day of March 2016

Approved as to form by:
Joni Armstrong Coffey
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecooper: (954) 357-7641

By: ________________________
Andrew J. Meyers
Chief Deputy County Attorney

Date: 3/1/16
2016 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL OPTION GAS TAX ORDINANCE

CITY OF NORTH LAUDERDALE

WITNESSES: City of North Lauderdale

__________________________

__________________________

ATTEST:

By _____________________________

Jack Brady, Mayor

___ day of ____________________, 2016.

By _____________________________

Ambreen Bhatti, City Manager

___ day of ____________________, 2016

APPROVED AS TO FORM:

By _____________________________

Samuel S. Goren, City Attorney

(CORPORATE SEAL)
TO:  Honorable Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Susan Nabors, Finance Director
DATE: April 12, 2016

SUBJECT: 2016 Amendment to Interlocal Agreement between Broward County and City of North Lauderdale providing for Division and Distribution of the Proceeds from the Broward County Fifth Cent Additional Local Option Gas Tax on Motor Fuel for Transit.

The City receives its allocation of Motor Fuel Tax Credit through an Interlocal Agreement with Broward County. The amount that the City receives is based on sales of motor fuel as determined by a distribution formula. The County revises this tax revenue allocation annually to reflect changes in the population of Broward County municipalities.

The County’s revised Motor Tax Credit allocation to municipalities, including that of North Lauderdale, is reflected in the attached 2016 Amendment to Interlocal Agreement. The “transit gas tax” adopted in 2000 provides for the Cities to receive a total of 26% of the proceeds of the “fifth cent” of gas tax.

The City’s FY 2017 collection of the local option gas tax on Motor Fuel for Transit will be an allocation of 0.620035% based on the City’s population of 43,232 as stated in the most current edition of “Florida Estimates of Population,” published by the Bureau of Economics and Business Research, Population Division, University of Florida. FY 2015 was $45,692 and the administration anticipates approximately the same amount of revenue for this year.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached Resolution authorizing the City Manager to execute 2016 (fifth cent) Amendment to Interlocal Agreement between the City and the County and providing for division and distribution of the proceeds from the Broward County Fifth Cent Additional Local Option Gas Tax On Motor Fuel for Transit.
RESOLUTION NO. ____________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING AND OTHERWISE AUTHORIZING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON BEHALF OF SAID CITY, TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED YEAR 2016 (FIFTH CENT) AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN NORTH LAUDERDALE AND BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND, PROVIDING AN EFFECTIVE DATE.

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

Section 1: That the City Commission of the City of North Lauderdale, Florida, accepts and authorizes the City Manager of the City of North Lauderdale, Florida, on behalf of said City to execute and otherwise enter into the attached Year 2016 (fifth cent) Amendment to Interlocal Agreement between North Lauderdale and Broward County providing for the division and distribution of proceeds from the Broward County Fifth Cent Additional Local Option Gas Tax on Motor Fuel for Transit.

Section 2: That the City Manager of the City of North Lauderdale, Florida is hereby authorized to do all things necessary and expedient in order to effectuate the execution of the agreement described in Section 1 above, and to carry out the aims of this Resolution and said Agreement.

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 12th day of April, 2016.

APPROVED AS TO FORM:

___________________________________
CITY ATTORNEY SAMUEL S. GOREN

___________________________________
MAYOR JACK BRADY

___________________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

___________________________________
CITY CLERK PATRICIA VANCHERI
This 2016 Amendment to Interlocal Agreement is entered into by and between Broward County, a political subdivision of the State of Florida (the “County”) and the municipalities executing a signature page bearing the above legend, each of which is a municipal corporation existing under the laws of the State of Florida (the “Municipalities”).

WHEREAS, Section 336.025(1)(b), Florida Statutes, authorizes the counties to extend the levy of the additional local option gas tax upon every gallon of motor fuel sold in Broward County for a period not to exceed thirty (30) years on a majority vote of the governing body of the COUNTY; and

WHEREAS, on June 13, 2000, the Board of County Commissioners enacted Ordinance No. 2000-25, effective January 1, 2001, through December 31, 2031, pursuant to Section 336.025(1)(b), Florida Statutes, extending the levy of the fifth-cent local option gas tax for thirty years and providing for a method of distribution of the proceeds of the tax; and

WHEREAS, pursuant to said Ordinance, the method for distribution of the proceeds is the execution of an Interlocal Agreement with one or more of the municipalities representing a majority of the population of the incorporated area within the County which establishes the distribution formulas for dividing the proceeds of the tax among the County and all eligible municipalities within the County; and

WHEREAS, paragraph 4 of the Interlocal Agreement requires annual adjustment of the population of the individual municipalities and unincorporated Broward County in accordance with the population figures set forth in the most current edition of "Florida Estimates of Population," published by the Bureau of Economics and Business Research, Population Division, University of Florida;

NOW, THEREFORE, for good and valuable consideration, and pursuant to the authorization of paragraph (1) (b) of Section 336.025, Florida Statutes, the County and Municipalities agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as previously amended, including section 2.1.2, is hereby amended to read as follows:

2.1 Seventy-four percent (74%) of said proceeds shall be distributed to the County, from which amount the County will retain forty-eight percent (48%) of the total proceeds and will distribute twenty-six percent (26%) of the total proceeds to the municipalities through grant agreements for Community Shuttle Services. The remaining twenty-six percent (26%) shall be distributed to the eligible municipalities in the following manner:
### Population of Individual Municipality

**Total incorporated area Population**  
X 26.0000%

<table>
<thead>
<tr>
<th>Recipient</th>
<th>FY17 Population</th>
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<td>0.892993%</td>
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<td>Weston</td>
<td>65,734</td>
<td>0.942760%</td>
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<tr>
<td>West Park</td>
<td>14,499</td>
<td>0.207945%</td>
</tr>
<tr>
<td>Wilton Manors</td>
<td>12,160</td>
<td>0.174399%</td>
</tr>
</tbody>
</table>

**Total Incorporated**  
1,812,852  26.000000%

**Unincorporated Area**  
14,515

**Total County**  
1,827,367
The population figures set forth above are based on the figures contained in the document referred to as the “Florida Estimates of Population,” published on an annual basis by the Bureau of Economic and Business Research, Population Division, of the University of Florida. The population figures to be utilized in the formula described in this section, for the distribution of the Fifth Cent, shall be adjusted annually based on the current Florida Estimates of Population.

2.1.2 The other Twenty-six percent (26%) shall be distributed by the County to the Municipalities by grant agreement for Community Shuttle Services.

2. This 2016 Amendment to Interlocal Agreement shall be effective as of the date it is executed by the County after having previously been executed by eligible municipalities cumulatively representing a majority of the incorporated area population of the County.

3. In the event any provision within this 2016 Amendment to Interlocal Agreement is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective unless the County or any executing Municipality necessary to maintain the cumulative majority referenced in the preceding paragraph elects to terminate this Agreement. The election to terminate pursuant to this provision must be made within seven (7) days after such court ruling; provided, however, that if a timely notice appealing the court ruling is filed, the election shall be held in abeyance until the appeal is determined or dismissed.

4. Except to the extent amended, the Interlocal Agreement shall remain in full force and effect. In the event of any conflict between the terms of this 2016 Amendment and the Interlocal Agreement, as previously amended, the parties hereby agree that this document shall control.

5. This 2016 Amendment to Interlocal Agreement may be executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.

[THE REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]
IN WITNESS WHEREOF, the parties have made and executed this 2016 Amendment to the Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action on March 8th, 2016, and each MUNICIPALITY, signing by and through its ______________________, duly authorized to execute same.

COUNTY

ATTEST:

Broward County Administrator, as Ex-Officio Clerk of the Broward County Board of County Commissioners

BROWARD COUNTY, by and through its Board of County Commissioners

By ____________________________ Mayor

8th day of March, 2016

Approved as to form by:
Joni Armstrong Coffey
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By ________________
Andrew J. Meyers
Chief Deputy County Attorney

Date: 3/1/16
2016 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

CITY OF NORTH LAUDERDALE

WITNESSES:

______________________________
By _____________________________
Jack Brady, Mayor

______________________________
___ day of ________________, 2016.
Ambreen Bhatty, City Manager

ATTEST:

Patricia Vancheri, City Clerk

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _____________________________
Samuel S. Goren, City Attorney
TO: Honorable Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Susan Nabors, Finance Director

DATE: April 12, 2016

SUBJECT: 2016 Amendment to Interlocal Agreement between Broward County and City of North Lauderdale providing for Division and Distribution of the Proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance – (Three-Cent)

The City receives its allocation of “additional” local option gas taxes through an Interlocal Agreement with Broward County. The County revises this tax revenue allocation annually to reflect changes in the population of Broward County municipalities.

The County’s revised gas tax allocation to municipalities, including that of the City’s, is reflected in the attached 2016 Amendment to Interlocal Agreement. The “additional” (three-cent) local option gas tax adopted in 1993 (amended in 2008) provided for Cities to receive a total of 51.27% of three cents of gas tax. The proceeds may be used for transportation expenditures needed to meet the requirements of the capital improvement elements of the City's comprehensive plan.

The City’s FY 2017 collection of local option gas taxes will be an allocation of 1.222662% based on the City’s population of 43,232, as stated in the most current edition of “Florida Estimates of Population,” published by the Bureau of Economics and Business Research, Population Division, University of Florida. FY 2015 revenue was $270,302, and the Administration anticipates approximately the same amount this year.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached Resolution authorizing the City Manager to execute 2016 (three cent) Amendment to Interlocal Agreement between the City and the County and providing for division and distribution of the proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance.
RESOLUTION NO. _____________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING AND OTHERWISE AUTHORIZING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON BEHALF OF SAID CITY, TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED YEAR 2016 (THREE CENT) AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN NORTH LAUDERDALE AND BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND, PROVIDING AN EFFECTIVE DATE.

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

Section 1: That the City Commission of the City of North Lauderdale, Florida, accepts and authorizes the City Manager of the City of North Lauderdale, Florida, on behalf of said City to execute and otherwise enter into the attached Year 2016 (three cent) Amendment to Interlocal Agreement between North Lauderdale and Broward County providing for the division and distribution of proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance.

Section 2: That the City Manager of the City of North Lauderdale, Florida is hereby authorized to do all things necessary and expedient in order to effectuate the execution of the agreement described in Section 1 above, and to carry out the aims of this Resolution and said Agreement.

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 12th day of April, 2016.

APPROVED AS TO FORM:

___________________________________
CITY ATTORNEY SAMUEL S. GOREN

___________________________________
MAYOR JACK BRADY

___________________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

___________________________________
CITY CLERK PATRICIA VANCHERI
2016 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE

This 2016 Amendment to Interlocal Agreement is entered into by and between Broward County, a political subdivision of the State of Florida (the “County”) and the municipalities executing a signature page bearing the above legend, each of which is a municipal corporation existing under the laws of the State of Florida (the “Municipalities”).

NOW, THEREFORE, for good and valuable consideration, and pursuant to the authorization of paragraph (1) (b) 2 of Section 336.025, Florida Statutes, the County and Municipalities agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as previously amended, is hereby amended to read:

   2. Forty-eight and Seventy-three One-hundredths percent (48.73%) of the total proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance shall be distributed to the County and the remaining Fifty-one and Twenty-seven One-hundredths percent (51.27%) of the total proceeds shall be divided among and distributed to the eligible municipalities within the County as follows:

   Population of Individual Municipality x 51.27% =
   Total Incorporated Area Population

<table>
<thead>
<tr>
<th>Recipient</th>
<th>FY17 Percent Share of Proceeds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coconut Creek</td>
<td>1.600530%</td>
</tr>
<tr>
<td>Cooper City</td>
<td>0.938264%</td>
</tr>
<tr>
<td>Coral Springs</td>
<td>3.514869%</td>
</tr>
<tr>
<td>Dania</td>
<td>0.866655%</td>
</tr>
<tr>
<td>Davie</td>
<td>2.740694%</td>
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<tr>
<td>Deerfield Beach</td>
<td>2.168109%</td>
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<tr>
<td>Fort Lauderdale</td>
<td>4.952724%</td>
</tr>
<tr>
<td>Hallandale</td>
<td>1.086685%</td>
</tr>
<tr>
<td>Hillsboro Beach</td>
<td>0.052801%</td>
</tr>
<tr>
<td>Hollywood</td>
<td>4.098711%</td>
</tr>
<tr>
<td>Lauderdale-by-the-Sea</td>
<td>0.171272%</td>
</tr>
<tr>
<td>Lauderdale Lakes</td>
<td>0.967252%</td>
</tr>
<tr>
<td>Lauderhill</td>
<td>1.969828%</td>
</tr>
<tr>
<td>Lazy Lake</td>
<td>0.000679%</td>
</tr>
<tr>
<td>Lighthouse Point</td>
<td>0.292939%</td>
</tr>
<tr>
<td>Margate</td>
<td>1.579545%</td>
</tr>
<tr>
<td>Miramar</td>
<td>3.735860%</td>
</tr>
<tr>
<td>North Lauderdale</td>
<td>1.222662%</td>
</tr>
<tr>
<td>Oakland Park</td>
<td>1.227130%</td>
</tr>
<tr>
<td>Parkland</td>
<td>0.795499%</td>
</tr>
<tr>
<td>Pembroke Park</td>
<td>0.176363%</td>
</tr>
<tr>
<td>Recipient</td>
<td>FY17 Population</td>
</tr>
<tr>
<td>----------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Coconut Creek</td>
<td>56,593</td>
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<tr>
<td>Cooper City</td>
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<td>Coral Springs</td>
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<td>30,644</td>
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<td>Davie</td>
<td>96,908</td>
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<tr>
<td>Deerfield Beach</td>
<td>76,662</td>
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<td>175,123</td>
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<td>Lazy Lake</td>
<td>24</td>
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<td>Lighthouse Point</td>
<td>10,358</td>
</tr>
<tr>
<td>Margate</td>
<td>55,851</td>
</tr>
</tbody>
</table>

2. Paragraph 3 of the Interlocal Agreement, as previously amended, is hereby amended to read:

3. The population figures set out herein are based on the figures contained in the document referred to as the "Florida Estimates of Population," published on an annual basis by the Bureau of Economics and Business Research, Population Division, University of Florida. The population figures to be utilized in the formula described in Paragraph 2 of this Interlocal Agreement, for the division and distribution of the proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance, shall be adjusted annually based on the then-current "Florida Estimates of Population."

For the purpose of this Agreement, the following population figures are hereby agreed upon by the parties hereto:
<table>
<thead>
<tr>
<th>Place</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Miramar</td>
<td>132,096</td>
</tr>
<tr>
<td>North Lauderdale</td>
<td>43,232</td>
</tr>
<tr>
<td>Oakland Park</td>
<td>43,390</td>
</tr>
<tr>
<td>Parkland</td>
<td>28,128</td>
</tr>
<tr>
<td>Pembroke Park</td>
<td>6,236</td>
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<tr>
<td>Pembroke Pines</td>
<td>159,922</td>
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<tr>
<td>Plantation</td>
<td>87,496</td>
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<tr>
<td>Pompano Beach</td>
<td>106,260</td>
</tr>
<tr>
<td>Sea Ranch Lakes</td>
<td>670</td>
</tr>
<tr>
<td>Southwest Ranches</td>
<td>7,389</td>
</tr>
<tr>
<td>Sunrise</td>
<td>88,630</td>
</tr>
<tr>
<td>Tamarac</td>
<td>62,264</td>
</tr>
<tr>
<td>Weston</td>
<td>65,734</td>
</tr>
<tr>
<td>West Park</td>
<td>14,499</td>
</tr>
<tr>
<td>Wilton Manors</td>
<td>12,160</td>
</tr>
<tr>
<td><strong>Total Incorporated</strong></td>
<td><strong>1,812,852</strong></td>
</tr>
<tr>
<td><strong>Unincorporated Area</strong></td>
<td><strong>14,515</strong></td>
</tr>
<tr>
<td><strong>Total County</strong></td>
<td><strong>1,827,367</strong></td>
</tr>
</tbody>
</table>

3. This 2016 Amendment to Interlocal Agreement shall be effective as of the date it is executed by the County after having previously been executed by eligible municipalities cumulatively representing a majority of the incorporated area population of the County.

4. In the event any provision within this 2016 Amendment to Interlocal Agreement is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective unless the County or any executing Municipality necessary to maintain the cumulative majority referenced in the preceding paragraph elects to terminate this Agreement. The election to terminate pursuant to this provision must be made within seven (7) days after such court ruling; provided, however, that if a timely notice appealing the court ruling is filed, the election shall be held in abeyance until the appeal is determined or dismissed.

5. Except to the extent amended, the Interlocal Agreement shall remain in full force and effect. In the event of any conflict between the terms of this 2016 Amendment and the Interlocal Agreement, as previously amended, the parties agree that this 2016 Amendment shall control.

6. This 2016 Amendment to Interlocal Agreement may be executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.
IN WITNESS WHEREOF, the parties have made and executed this 2016 Amendment to the Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action on March 8th, 2016, and each MUNICIPALITY, signing by and through its ______________, duly authorized to execute same.

COUNTY

ATTEST:

Broward County Administrator, as Ex-Officio Clerk of the Broward County Board of County Commissioners

BROWARD COUNTY, by and through its Board of County Commissioners

By __________________________
Mayor

8th day of March, 2016

Approved as to form by:
Joni Armstrong Coffey
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By __________________________
Andrew J. Meyers
Chief Deputy County Attorney

Date: 3/1/16
2016 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE

CITY OF NORTH LAUDERDALE

WITNESSES:

________________________________
By _____________________________
Jack Brady, Mayor

ATTEST:

________________________________
By _____
Ambreen Bhatti, City Manager

(CORPORATE SEAL)

APPROVED AS TO FORM:

________________________________
By _____________________________
Samuel S. Goren, City Attorney
Before you tonight for consideration, on first reading, is an ordinance providing for the re-creation and re-establishment of the geographic boundaries of four election districts in the City of North Lauderdale.

According to Section 3.2 (e) of the City’s Charter, the Commission must review its district map every four years, beginning in 2004 with the assistance of a consultant from a four-year university. Dr. Schultz assisted the City last in 2012 when Ordinance No. 12-07-1273 was adopted providing for four districts.

On March 31, 2016 the City entered into a contract with Florida Atlantic University, and Michael Stamm, SURP Adjunct Professor, for consultant services and to once again review the boundaries to provide equal population, compact and proportional districts drawn within logical, natural boundaries of neighborhoods. Tonight, Mr. Stamm will make a presentation outlining the results of the district analysis and a recommendation based on the findings. A copy of the analysis is available in the City Clerk’s office.

Based on Commission’s consideration of the results of the analysis, the Ordinance presented tonight provides for the approval on first reading and authorizes the City Administration to transmit a certified copy of the Ordinance after second reading and adoption along with all pertinent documentation to the Supervisor of Elections of Broward County.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval on the first reading of the attached Ordinance providing for the re-creation and re-establishment of the geographic boundaries for four (4) election districts in the City of North Lauderdale in accordance with Section 3.2 of the City Charter.
ORDINANCE NO. 2016-_____________________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, PROVIDING FOR THE RE-CREATION AND RE-ESTABLISHMENT OF THE GEOGRAPHIC BOUNDARIES FOR FOUR (4) ELECTION DISTRICTS IN THE CITY OF NORTH LAUDERDALE IN ACCORDANCE WITH SECTION 3.2 OF THE CITY CHARTER; PROVIDING FOR THE REPEAL OF ORDINANCE NO. 12-07-1273; PROVIDING FOR FINDINGS AND CONCLUSIONS OF THE CITY COMMISSION; PROVIDING FOR THE IMPLEMENTATION OF REVISED ELECTION DISTRICTS TO BE EFFECTIVE FOR THE ELECTIONS TO BE HELD IN THE CITY OF NORTH LAUDERDALE, FLORIDA, COMMENCING AT THE GENERAL MUNICIPAL ELECTION IN NOVEMBER, 2016, AND THEREAFTER; PROVIDING A FORM OF REQUEST TO THE SUPERVISOR OF ELECTIONS OF BROWARD COUNTY, FLORIDA, TO IMPLEMENT THE REVISED PLAN ESTABLISHED PURSUANT TO THIS RE-DISTRICTING ORDINANCE AND TO CREATE FUNCTIONAL DISTRICTS CONSISTENT WITH THE IDENTIFICATION OF GEOGRAPHIC BOUNDARIES FOR ELECTION DISTRICTS; PROVIDING FOR THE ATTACHMENT OF ELECTION DISTRICT MAPS, CHARTS AND STREET ADDRESS DESCRIPTIONS, WHICH SHALL BE ATTACHED TO AND MADE A PART OF THIS ORDINANCE; PROVIDING FOR AUTHORIZATION AND DIRECTION TO THE CITY MANAGER TO IMPLEMENT THE TERMS, CONDITIONS AND PROVISIONS OF THIS ORDINANCE TO BE EFFECTIVE FOR THE NEXT ENSUING GENERAL MUNICIPAL ELECTION OF NOVEMBER 2016; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 3.2 of the City Charter of the City of North Lauderdale, Florida, relates to the composition, eligibility and election of City Commission members and provides for the creation of election districts; and

WHEREAS, Section 3.2(e) of the City Charter requires the City, every four (4) years, to contract with a four (4) year college or university or educational research institution located within the State of Florida to coordinate the review and preparation of election districts which shall be of equal population, compact, proportional and logically related to the natural internal boundaries of the neighborhoods of the City; and
WHEREAS, on or about March 31, 2016, the City engaged Florida Atlantic University (“FAU”), a four (4) year university or educational research institution located within the State of Florida, to review the City’s election districts and coordinate the preparation of redistricting options in accordance with Section 3.2 of the City Charter; and

WHEREAS, FAU conducted a thorough and comprehensive review of the City’s districts, considering a number of factors including, but not limited to, future growth, minority representation, and continuity, and determined that the City’s existing elections districts were in balance and consistent with the requirements of law; and

WHEREAS, the City Commission, after considering the input of its expert FAU consultants and the public, it has determined that adopting the redistricting option attached hereto as Exhibit “A”, to be effective for the November 2016 general municipal election, is in the best interests of the citizens and residents of the City.

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. Ordinance No. 12-07-1273 is hereby repealed in its entirety and replaced by this Ordinance.

Section 3. (a) The City Commission specifically finds and determines that the City, through its Administration, has complied with Charter Section 3.2(e) wherein geographic boundaries have been designated, prepared and identified, by and pursuant to a contract between the City of North Lauderdale and Florida Atlantic University, which qualifies as a four (4) year college or university or educational research institution located within the State of Florida selected by the
City Commission of the City of North Lauderdale, and

(b) The City Commission hereby ratifies, confirms and adopts the findings, conclusions, and recommendations prepared by FAU, attached hereto as Exhibit “A” and incorporated herein by reference.

Section 4. The City Commission further finds, determines and concludes that the State of Florida Election Code, Chapters 97 and 106, Florida Statutes, as amended, specifically applies to the City's implementation of revised election districts in the City of North Lauderdale, consistent with this Ordinance and the revised Charter Sections therein amended.

Section 5. (a) The City Commission further acknowledges the requirements of Sections 101.001 and 101.002, Florida Statutes, as amended, as the same is presently constituted, or as may be later amended, which specifies that the Board of County Commissioners of Broward County, Florida, upon recommendation and approval of the Supervisor of Elections of Broward County, Florida, shall have the power and authority to alter or create new election districts or precincts.

(b) Based upon the requirements of Section 101.001 and 101.002, Florida Statutes, the City Administration is further authorized and directed to transmit a certified copy of this Ordinance along with such maps, charts, graphic descriptions and street addresses for the revised election districts adopted herein, to the Supervisor of Elections of Broward County, Florida within such time as may be necessary and required to implement the terms, conditions and provisions of the election districts adopted and promulgated by this Ordinance for the next General Municipal Election of November 2016.
Section 6. The City Commission further recognizes and concludes that in compliance with Section 101.001 and 101.002, Florida Statutes, and other applicable Sections of the State of Florida Election Code, that precincts in the City of North Lauderdale shall be altered, modified or increased to conform to the requirements imposed for district elections and for the creation, division, abolition or consolidation of the boundaries of election districts, pursuant to General Law only and this implementing Ordinance.

Section 7. The City of North Lauderdale, through its City Commission and City Administration, hereby formally requests the Supervisor of Elections of Broward County, Florida to implement the plan of election districts established by this Ordinance and to create such functional election districts pursuant to this Ordinance as may be consistent with the State of Florida Election Code and the terms, conditions and provisions of this Ordinance.

Section 8. Conflicts. All ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. 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, and that the Sections of this Ordinance may be renumbered, relettered and the word "ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

Section 10. 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 11. Effective Date. This Ordinance shall take effect immediately upon adoption.

PASSED ON FIRST READING BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA THIS ___ DAY OF ________________, 2016.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA THIS ___ DAY OF __________, 2016.

______________________________________
MAYOR JACK BRADY

ATTEST:

PATRICIA VANCHERI, City Clerk

VICE MAYOR DAVID G. HILTON

APPROVED AS TO FORM:

______________________________________
SAMUEL S. GOREN, City Attorney
As you may know, Florida Law allows local governments to impose local option surtaxes to meet their needs through a County-wide referendum process. The two such discretionary surtaxes that have been under discussion for a few months now are the County initiated Regional Transportation System Surtax and the Local Government Infrastructure Surtax. The Broward Metropolitan Planning Organization (BMPO) formed a Surtax subcommittee consisting of elected officials from various cities to discuss surtax options and initiate action. After numerous meetings, the BMPO proposed for the County to adopt a Transportation Surtax Resolution by April 5, 2016 that would distribute surtax revenues between the municipalities (based upon population) and the County. However, the County Commission to-date has not been able to adopt such a resolution due to disagreement on the percentage of revenue distribution between the cities and the County.

In the meantime, the Broward Metropolitan Planning Organization has also been meeting and discussing with the cities the option of imposing a one-cent local Government Infrastructure Surtax, which is authorized in Section 212.055(2) of Florida Statutes. This option would allocate 60% of the revenues to the cities and 40% to the County and would allow greater flexibility to the cities to utilize the generated revenues on infrastructure projects other than transportation. This process requires an adoption of uniform resolutions by the governing bodies of municipalities representing a majority of the County’s population establishing the rate of the surtax and calling for a referendum on the surtax. The levy of the surtax shall be placed on the ballot and will take effect only if approved by a majority of the electors of the county voting in the referendum on the surtax.

The BMPO has provided a template for the attached uniform resolution that complies with the statutory requirements of State Statute Section 2112.055(2) F.S. and needs to be adopted by the middle of April 2016 so the surtax option can be placed on the November 2016, ballot

**RECOMMENDATION:**

The City Administration recommends City Commission’s consideration and approval of the attached Resolution supporting the imposition of a one cent Local Government Infrastructure Surtax on all authorized taxable transactions occurring within Broward County, Florida, and calling for a referendum on the surtax.
RESOLUTION NO. 2016-____________

Local Government Infrastructure Surtax

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, BROWARD COUNTY, FLORIDA, IMPOSING A ONE CENT PER DOLLAR LOCAL GOVERNMENT INFRASTRUCTURE SURTAX ON ALL AUTHORIZED TAXABLE TRANSACTIONS OCCURRING WITHIN BROWARD COUNTY, FLORIDA, AS AUTHORIZED BY SECTION 212.055(2), FLORIDA STATUTES, PROVIDING THAT THE IMPOSITION OF THE SURTAX SHALL NOT BE EFFECTIVE UNLESS APPROVED AT A REFERENDUM ELECTION; PROVIDING THAT THE IMPOSITION SHALL BE EFFECTIVE BEGINNING JANUARY 1, 2017 AND SHALL CONTINUE UNTIL REPEALED; PROVIDING FOR DISTRIBUTION OF SURTAX REVENUES PURSUANT TO LAW; DIRECTING THE SUPERVISOR OF ELECTIONS TO HOLD A REFERENDUM ELECTION ON NOVEMBER 8, 2016; PROVIDING BALLOT LANGUAGE AND A BRIEF DESCRIPTION OF INFRASTRUCTURE CAPITAL PROJECTS; PROVIDING FOR ADOPTION OF A RESOLUTION DETAILING PROJECT EXAMPLES; PROVIDING FOR PUBLIC DISTRIBUTION OF THIS RESOLUTION; DIRECTING THE CITY CLERK TO ADVERTISE THE SPECIAL REFERENDUM ELECTION IN ACCORDANCE WITH STATE LAW OR COORDINATE SUCH ADVERTISEMENT IN ACCORDANCE WITH STATE LAW WITH THE SUPERVISOR OF ELECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Broward County and the municipalities of Broward County are presently without sufficient revenues to adequately fund the infrastructure needs within the County and are without sufficient fiscal resources to adequately fund infrastructure and equipment to address transportation and safety needs to benefit the local economy and the citizens of Broward County and the municipalities within Broward County; and

WHEREAS, the provision of adequate and efficient infrastructure facilities upon which the public depends on a day to day basis is a matter of great public concern to the citizens of Broward County and the City of North Lauderdale; and

WHEREAS, Section 212.055(2), Florida Statutes, entitled “Local Government Infrastructure Surtax”, (the “Infrastructure Surtax Law”) authorizes the imposition of a 0.5 percent or 1.0 percent local government infrastructure surtax upon transactions occurring within Broward County that are taxable pursuant to Chapter 212, Florida Statutes, subject to referendum approval; and

WHEREAS, the Infrastructure Surtax Law provides that “if the governing bodies of the municipalities representing a majority of the county’s population adopt uniform resolutions establishing the rate of the surtax and calling for a referendum on the surtax, the levy of the surtax shall be placed on the ballot and shall take effect if approved by a majority of the electors of the county voting in the referendum on the surtax”; and
WHEREAS, moneys received from the local government infrastructure surtax may be utilized to finance, plan, construct, renovate and improve needed infrastructure, establish an economic development trust fund, provide public safety vehicles, equipment and infrastructure, acquire land for public recreation, conservation or the protection of natural resources, improve infrastructure to address transportation and safety needs to benefit the local economy and the citizens of Broward County and the municipalities within Broward County, and such infrastructure projects will be for the use and benefit of the citizens of Broward County and municipalities within Broward County; and

WHEREAS, a brief description of the projects to be funded with revenues from the proposed infrastructure surtax is set forth in the ballot language contained in this Resolution, while a more specific project listing will be contained in a Resolution adopted by the City Commission of the City of North Lauderdale with the purpose of and intent of stating specific identified public infrastructure projects which would be specific projects to be funded from the revenues derived from the surtax; and

WHEREAS, the City of North Lauderdale being a municipality representing a portion of the majority of the population of Broward County and together with other municipalities in Broward County representing a majority of the County’s population, has the power and authority, pursuant to Section 212.055(2)(a)1, Florida Statutes, to impose the local government infrastructure surtax, subject to approval at a referendum election and to call for the referendum election on the surtax; and

WHEREAS, Section 212.055, Florida Statutes, requires voter approval in a referendum election prior to imposition of the local government infrastructure surtax.

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

Section 1. Legislative Findings/Recitals. The above recitals are hereby adopted by the City Commission of the City of North Lauderdale as its legislative findings relative to the subjects and matters set forth in this Resolution.

Section 2. Authorization. This Resolution is specifically authorized by Section 212.055(2), Florida Statutes, and other applicable Florida law.

Section 3. Imposition of Local Government Infrastructure Surtax. There is hereby imposed a one cent per dollar local governmental infrastructure surtax upon all authorized taxable transactions occurring within Broward County from January 1, 2017 until the surtax is repealed.

Section 4. Distribution of Surtax Revenues. In accordance with Section 212.055(2), Florida Statutes, the Florida Department of Revenue shall distribute the proceeds of the revenues of the surtax hereby imposed in accordance with Section 218.62, Florida Statutes, or pursuant to interlocal agreement as set forth at Section 212.055(2)(c), Florida Statutes.

Section 5. Referendum Election.

(a) The surtax imposed in Section 3 of this Resolution shall not take effect unless and until approved by a majority of the electors of Broward County voting in a referendum election on the surtax.
Upon receipt of this Resolution and uniform resolutions adopted by municipalities within Broward County representing a majority of the county’s population, the Supervisor of Elections of Broward County is hereby directed to hold such referendum election on November 8, 2016.

(c) The Supervisor of Elections of Broward County shall cause the following question to be placed on the ballot:

**BROWARD COUNTY 1 CENT SALES SURTAX TO FUND INFRASTRUCTURE IMPROVEMENTS**

To provide the funding for necessary public capital projects, Broward County and Broward cities require additional revenue. The proposed revenue source is a 1 cent (1.0¢) per dollar sales surtax on taxable transactions occurring within Broward County. These revenues would be used for funding public projects and improvements such as the renovation, reconstruction and construction of roads, streets, pedestrian safety projects, transportation projects, public buildings and associated capital facilities and equipment throughout Broward County.

_____ FOR THE 1-CENT SALES TAX

_____ AGAINST THE 1-CENT SALES TAX

(d) A Resolution adopted by the City Commission of the City of North Lauderdale shall generally identify the public specific projects within the City of North Lauderdale, which would be funded by the surtax imposed herein subject to voter approval. A certified copy of said Resolution shall be provided to the Board of County Commissioners of Broward County and to each municipality within Broward County by the City Clerk, and that Resolution and this Resolution shall be made generally available to the public.

**Section 6. Advertisement.** The City Clerk shall ensure that notice of this referendum shall be advertised in accordance with the provisions of Section 100.342, Florida Statutes, or coordinate with the Supervisor of Elections relative to the publication of the advertisement. Proof of publication shall be provided to the City Manager.

**Section 7. Implementing Actions.** The City Manager is hereby authorized to take any actions necessary to implement the aims of this Resolution.

**Section 8. Severability.** If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, it is the intent of the City Commission that such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application and, to this end, the provisions of this Resolution are declared severable.

**Section 9. Conflicts.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.
Section 10. Distribution of Resolution. The City Clerk is directed to distribute this Resolution to the Board of County Commissioners for Broward County, the Broward County League of Cities, the Broward County Supervisor of Elections, and each of the municipalities in Broward County.

Section 11. Effective Date.

(a) The surtax imposed herein shall be effective beginning January 1, 2017, if approved in the referendum election to be held on November 8, 2016.

(b) This Resolution shall take effect immediately upon adoption.

PASSED AND DULY ADOPTED at the meeting of the City Commission of the City of North Lauderdale, Florida, on the _____ day of _______________, 2016.

APPROVED AS TO LEGAL FORM:

_____________________________
CITY ATTORNEY SAMUEL S. GOREN

_____________________________
MAYOR JACK BRADY

_____________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

_____________________________
PATRICIA VANCHERI, CITY CLERK
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: April 12, 2016
SUBJECT: First Reading: Ordinance for a Moratorium on Uses Including Gas and Oil Filling Stations, Auto Service Stations, Auto Repair and Service Stations, Garage Including Mechanical Service, and Convenience Stores

Tonight we are presenting on Ordinance for your consideration on first reading that will institute a moratorium on the issuance of building permits and local business tax receipts for oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service, and convenience stores uses throughout the City.

BACKGROUND:
The City has seen an influx in the number of gas stations and convenience stores. North Lauderdale currently has 14 gas stations with conveniences stores within its 5.2 square miles of City limits. There are another 9 stand-alone convenience stores. With limited commercial space left, diversity in uses would be more beneficial for the residents and the economic vitality of the City. A review of commercial uses in relation to the goals of redevelopment in the City’s Comprehensive Plan will identify needed amendments to the zoning code to support these goals.

Resolution No. 16-03-6270 was adopted by the Commission on March 8th confirming the City Manager’s Administrative Order issued February 29, 2016 that instituted Zoning-in-Progress while this study is undertaken. Adoption of the attached ordinance imposes a moratorium on the approval of any applications or the issuance of any new licenses or permits for uses including gas and oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service, and convenience stores 12 months from the date of adoption. At the conclusion of the study, staff will make recommendations for amendments to the zoning code if applicable and present them to the Planning and Zoning Board and City Commission for consideration.

On April 5th, 2016 the Planning and Zoning Board met and made a recommendation for approval of the ordinance enacting the moratorium to the City Commission.
RECOMMENDATION:

The City Administration recommends City Commission’s consideration of adoption of the attached ordinance on first reading instituting a moratorium on the issuance of building permits and local business tax receipts for oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service, and convenience stores uses throughout the City.
ORDINANCE NO.________________________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ESTABLISHING A MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS AND THE PROCESSING OF QUASI-JUDICIAL AND ZONING ITEMS PERTAINING TO USES INCLUDING GAS AND OIL FILLING STATIONS, AUTO SERVICE STATIONS, AUTO REPAIR AND SERVICE STATIONS, GARAGE INCLUDING MECHANICAL SERVICE, AND CONVENIENCE STORES WITHIN THE CITY FOR TWELVE MONTHS AFTER THE ADOPTION OF THE ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR EXCEPTIONS 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 insure appropriate development in the City, and from time to time recognizes the need to study and amend aspects of such; and,

WHEREAS, following an executive retreat, the City created redevelopment corridors along major thoroughfares and identified uses, architectural designs and site development strategies that support the redevelopment of the corridors;

WHEREAS, the City has amended its Comprehensive Plan supporting the redevelopment in these overlay districts and major corridors; and,

WHEREAS, it has been found that the Land Development Regulations, in some instances, are incompatible with or non-supportive of the redevelopment of these corridors; and,

WHEREAS, the City has seen an influx of applications for uses pertaining to gas stations, automobile service and repair and convenience stores; and

WHEREAS, there are currently (14) fourteen licensed gas stations and (9) nine stand-alone convenience stores with the 3.8 square miles of the City limits; and

WHEREAS, it is the City’s desire to diversify the uses on the limited commercial property remaining in the City to strengthen the redevelopment efforts; and

WHEREAS, based upon this data and concerns raised by the City Commission during previous meetings, the City Manager has determined that there is a need to conduct a review of uses related to gasoline dispensing, automobile service and convenience stores, or a combination of these uses, within the City; and,
WHEREAS, on February 29, 2016, the City Manager issued an Administrative Order, pursuant to Section 106-61 of the City’s Code, announcing Zoning- in-Progress relating to gas and oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service and, convenience stores in zoning districts throughout the City; and,

WHEREAS, Section 106-61, Code, provides that upon the issuance of an Administrative Order by the City Manager, the matter must be placed on the agenda for the next City Commission meeting for review and adoption of a resolution confirming the Administrative Order, and,

WHEREAS, the City Commission confirmed the Administrative Order at the March 8th 2016 City Commission meeting by resolution and directed City staff to review the zoning matters relating to gas and oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service and convenience stores in zoning districts throughout the City, as such is in the best interests of the City and its residents and property owners.

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 incorporated herein by this reference.

SECTION 2. The City Commission confirms the February 29, 2016, Administrative Order, and authorizes the City Manager to review and study uses including gas and oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service and convenience stores in all zoning districts in the City.

SECTION 4. The City Commission hereby declares a moratorium shall be immediately imposed on the approval of any applications for site plans, rezoning, sign waivers, or special exception use permits or the issuance of any new licenses or permits during the term of the moratorium for the above-named uses within the City unless the City’s Community Development Department confirms that the application has a previously 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, February 29, 2016; or, as permitted by Section 106-61(i) and (j) of the City’s Code of Ordinances.

SECTION 3. The City Manager should provide recommendations relating to appropriate zoning districts no later than twelve (12) months from the date of adoption of this resolution, but in no event longer than the time needed to complete a comprehensive analysis of the issues relating to gas and oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service and food take-out, retail (convenience stores) uses within the City.
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 validity of the remaining portions or applications remaining in full force and effect.

SECTION 5. All ordinances or parts of ordinances, resolutions or part of resolutions in conflict herewith are to the extent of such conflicts hereby repealed.

SECTION 6. This ordinance shall take effect immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE FIRST READING, THIS __________ DAY OF _________________, 2016.


___________________________________
MAYOR JACK BRADY

___________________________________
VICE MAYOR DAVID G. HILTON

APPROVED AS TO FORM:

____________________________
SAMUEL S. GOREN, CITY ATTORNEY

ATTEST:

____________________________
PATRICIA VANCHERI, CITY CLERK
ADMINISTRATIVE ORDER
CITY OF NORTH LAUDERDALE

TO: CITY ADMINISTRATION AND DEPARTMENT HEADS
FROM: AMBREEN BHATTY, CITY MANAGER
DATE: February 29, 2016

SUBJECT: REVIEW OF USES INCLUDING GAS AND OIL FILLING STATIONS, AUTO SERVICE STATIONS, AUTO REPAIR AND SERVICE STATIONS, GARAGE INCLUDING MECHANICAL SERVICE AND FOOD TAKE-OUT, RETAIL (CONVENIENCE STORES) IN ZONING DISTRICTS THROUGHOUT THE CITY

I, AMBREEN BHATTY, WITH POWERS VESTED IN ME AS THE CITY MANAGER OF NORTH LAUDERDALE, HEREBY ISSUE AN ADMINISTRATIVE ORDER TO REVIEW USES INCLUDING GAS AND OIL FILLING STATIONS, AUTO SERVICE STATIONS, AUTO REPAIR AND SERVICE STATIONS, GARAGE INCLUDING MECHANICAL SERVICE AND FOOD TAKE-OUT, RETAIL (CONVENIENCE STORES) IN ALL ZONING DISTRICTS THROUGHOUT THE CITY AND TO REVIEW THE ZONING CODE AS IT PERTAINS TO THESE USES INCLUDING, BUT NOT LIMITED TO, SECTIONS 106-657 AND 106-648 OF THE CITY’S CODE OF ORDINANCES. AS A RESULT, ZONING IN PROGRESS IS IN PLACE WHILE THE CITY STAFF REVIEWS AND PREPARES RECOMMENDATIONS PERTAINING TO THE ZONING REGULATIONS REGARDING USES INCLUDING GAS AND OIL FILLING STATIONS, AUTO SERVICE STATIONS, AUTO REPAIR AND SERVICE STATIONS, GARAGE INCLUDING MECHANICAL SERVICE AND FOOD TAKE-OUT, RETAIL (CONVENIENCE STORES).

AMBREEN BHATTY, CITY MANAGER  2-29-16
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, CONFIRMING THE FEBRUARY 29, 2016 ADMINISTRATIVE ORDER ISSUED BY THE CITY MANAGER RELATING TO REVIEW OF USES INCLUDING GAS AND OIL FILLING STATIONS, AUTO SERVICE STATIONS, AUTO REPAIR AND SERVICE STATIONS, GARAGE INCLUDING MECHANICAL SERVICE, AND FOOD TAKE-OUT, RETAIL (CONVENIENCE STORES) IN ZONING DISTRICTS THROUGHOUT 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 FOR LIMITATIONS ON THE PROCESSING OF QUASI-JUDICIAL AND ZONING ITEMS PERTAINING TO THESE USES; PROVIDING THAT THE ADOPTION OF THIS RESOLUTION COMMENCES THE AMENDMENT PROCESS FOR AMENDMENTS TO THE CITY'S CODE OF ORDINANCES RELATING TO THE ABOVE-MENTIONED 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, the City created redevelopment corridors along major thoroughfares and identified uses, architectural designs and site development strategies that support the redevelopment of the corridors;

WHEREAS, the City has amended its Comprehensive Plan supporting the redevelopment in these overlay districts and major corridors; and,

WHEREAS, it has been found that the Land Development Regulations, in some instances, are incompatible with or non-supportive of the redevelopment of these corridors consistent with the amendments to the City’s Comprehensive Plan; and,

WHEREAS, the City has seen an influx of applications for uses pertaining to gas stations, automobile service and repair, and food take-out retail (convenience stores); and
WHEREAS, there are currently (14) fourteen licensed gas stations and (9) nine stand-alone convenience stores with the 5.2 square miles of the City limits; and

WHEREAS, it is the City’s desire to diversify the uses on the limited commercial property remaining in the City to strengthen the redevelopment efforts; and

WHEREAS, based upon this data and concerns raised by the City Commission previous meetings, the City Manager has determined that there is a need to conduct a review of uses related to gasoline dispensing, automobile service and convenience stores, or a combination of these uses, within the City; and,

WHEREAS, on February 29, 2016, the City Manager issued an Administrative Order, pursuant to Section 106-61 of the City’s Code, announcing zoning in progress relating to gas and oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service and food take-out, retail (convenience stores) in zoning districts throughout the City; and,

WHEREAS, Section 106-61, Code, provides that upon the issuance of an Administrative Order by the City Manager, the matter must be placed on the agenda for the next City Commission meeting for review and adoption of a resolution confirming the Administrative Order, and,

WHEREAS, the City Commission believes that the February 29, 2016, Administrative Order should be confirmed, and that City staff should review the zoning matters relating to gas and oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service and food take-out, retail (convenience stores) in zoning districts throughout the City, as such is in the best interests of the City and its residents and property owners.

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 confirms the February 29, 2016, Administrative Order, and authorizes the City Manager to review and study uses including gas and oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service and food take-out, retail (convenience stores) in all zoning districts in the City.

SECTION 3. The City Manager should provide recommendations relating to appropriate zoning districts no later than twelve (12) months from the date of adoption of this resolution, but in no event longer than the time needed to complete a comprehensive analysis of the issues relating to gas and oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service and food take-out, retail (convenience stores) uses within the City.
SECTION 4. During the study period set forth in Section 3 above, no licenses or permits will be issued nor applications for site plans, rezoning, sign waivers, or special exception use permits will be accepted by City staff for the above-named uses within the City unless the City’s Community Development Department confirms that the application has a previously 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, February 29, 2016; 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 commences the amendment process for amending Chapter 106 of the City’s Zoning Code as those provisions related to uses including gas and oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service and food take-out, retail (convenience stores) 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.


APPROVED AS TO FORM:

[Signatures]

CITY ATTORNEY SAMUEL S. GOREN

MAYOR JACK BRADY

VICE MAYOR DAVID G. HILTON

ATTEST:

[Signature]

CITY CLERK PATRICIA VANCHEER
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: April 12, 2016

SUBJECT: First Reading: Ordinance for a Moratorium on the Approval or Issuance of Any New Licenses or Permits for Any Uses that Involve the Cultivation, Processing and Dispensing of Medical Marijuana

Tonight we are presenting on Ordinance for your consideration on first reading that will institute a moratorium on the approval or issuance of any new licenses or permits that involve the cultivation, processing and dispensing of medical marijuana (cannabis).

On March 29th, 2016, the City Commission approved a resolution ratifying the “Notice of Intent” (NOI) to institute the moratorium being presented tonight. This action was triggered by the approval of House Bill 1313 regarding the medical use of Cannabis for terminally ill patients by both the House and the Senate and subsequently signed by Governor Scott. Staff is requesting your consideration of the attached ordinance to adopt a moratorium on the issuance of new licenses or permits for any uses that involve the cultivation, processing and dispensing of medical marijuana within the City for six months after the adoption of the ordinance.

Background:
Given the uncertainty of the impact the implementation of the regulations will have on the community, and in an effort to administratively expedite this process, on March 9, 2016 the City Manager executed the NOI to impose a moratorium on the issuance of local business tax receipts and building permits for uses that involve the cultivation, processing and dispensing of medical marijuana (cannabis) throughout the City.

Resolution No. 16-03-6273 was adopted by the City Commission on March 29th confirming the City Manager’s Administrative Order that instituted Zoning-in-Progress while the study is undertaken. The ordinance being considered tonight will re-affirm the zoning-in-progress and institute a moratorium. The moratorium will be in place for a six month period providing time for the professional staff to fully review the City’s options with regards to regulation of uses that include the cultivation, processing and dispensing of medical marijuana (cannabis). At the conclusion of the study, staff will make recommendations for amendments to the zoning code if applicable and present them to the Planning and Zoning Board and City Commission for consideration.
On April 5th, 2016 the Planning and Zoning Board met and made a recommendation to forward the attached ordinance enacting the moratorium to the City Commission for consideration.

**RECOMMENDATION:**

The City Administration recommends City Commission’s consideration of adoption of the attached ordinance on first reading instituting a moratorium on the issuance of new licenses or permits for any uses that involve the cultivation, processing and dispensing of medical marijuana (cannabis) within the City for six months after the adoption of the ordinance.
ORDINANCE NO. ______________________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ESTABLISHING A MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS FOR ANY USES THAT INVOLVE THE CULTIVATION, PROCESSING AND DISPENSING OF MEDICAL MARIJUANA WITHIN THE CITY FOR SIX MONTHS AFTER THE ADOPTION OF THE ORDINANCE; PROVIDING FOR THE RECOGNITION OF CURRENT LEGISLATION PENDING AND/OR APPROVED IN THE 2016 FLORIDA LEGISLATURE AFFECTING MEDICAL CANNABIS USE, DISPENSING AND THE LIKE; PROVIDING FOR THE PROTECTION OF THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS AND RESIDENTS OF THE CITY OF NORTH LAUDERDALE BY ADOPTING AND IMPLEMENTING THIS ORDINANCE; PROVIDING FOR CERTAIN FINDINGS AND CONCLUSIONS; 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, the City recognizes the recent adoption of House Bill 1313 by 2016 Florida legislature subsequently signed into law by Governor Scott affecting medical cannabis use, dispensing and the like; and

WHEREAS, based upon the adoption of this Bill and concerns raised by the City Commission at previous meetings, the City Manager has determined that there is a need to conduct a review of uses related to medical cannabis use, dispensing and the like or a combination of these uses, within the City; and,

WHEREAS, on March 9th, 2016, the City Manager issued an Administrative Order, pursuant to Section 106-61 of the City’s Code, announcing zoning in progress relating to medical cannabis use, dispensing and the like in zoning districts throughout the City; and,

WHEREAS, the City Commission confirmed at the March 29th 2016 City Commission meeting by resolution, recognizing that the moratorium will afford the administrative City staff time to review the zoning matters relating to medical cannabis use, dispensing and take into account the actions being taken on a state-wide level, as such is in the best interests of the City and its residents and property owners.

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 confirms the March 9th, 2016, Administrative Order, and authorizes the City Manager to review and study uses pertaining to medical cannabis use, dispensing and the like in all zoning districts in the City.

SECTION 3. The City Manager should provide recommendations relating to uses pertaining to medical cannabis use, dispensing and the like in all zoning districts in the City no later than six (6) months from the date of adoption of this resolution, but in no event longer than the time needed to complete a comprehensive analysis of the issues relating to medical cannabis use, dispensing and the like within the City.

SECTION 4. The City Commission hereby declares a moratorium shall be immediately imposed on the approval, issuance or acceptance by Community Development staff of any applications for licenses, permits, site plans, rezoning, sign waivers, or special exception use permits as of the date of the Administrative Order, March 9th, 2016; or, as permitted by Section 106-61(i) and (j) of the City’s Code of Ordinances.

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

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

SECTION 7. This ordinance shall take effect immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE FIRST READING, THIS ___________ DAY OF __________________, 2016.

PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE SECOND AND FINAL READING, THIS ___ DAY OF __________________, 2016.

APPROVED AS TO FORM:

_________________________  MAYOR JACK BRADY

_________________________  SAMUEL S. GOREN, CITY

_________________________  VICE MAYOR DAVID HILTON

ATTEST:

_________________________  PATRICIA VANCHERI, CITY CLERK
RESOLUTION NO. 16-03-6273

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, CONFIRMING AND RATIFYING THE CITY MANAGER’S NOTICE OF INTENT REGARDING THE IMPOSITION OF A MORATORIUM ON THE ISSUANCE OF LOCAL BUSINESS TAX RECEIPTS AND BUILDING PERMITS FOR USES THAT INVOLVE THE CULTIVATION, PROCESSING AND DISPENSING OF MEDICAL MARIJUANA/CANNABIS WITHIN THE CITY AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO UNDERTAKE STUDY AND REVIEW OF THE CITY’S REGULATIONS REGARDING THE SAME; PROVIDING THAT THE ADOPTION OF THIS RESOLUTION SHALL COMMENCE THE IMPOSITION OF THE MORATORIUM PURSUANT TO SECTION 106-60 OF THE CITY’S CODE OF ORDINANCES, WHICH SHALL BE FURTHER EMBRACED THROUGH THE ADOPTION OF A SUBSEQUENT ORDINANCE AND SHALL RUN FOR SIX MONTHS AFTER ADOPTION OF SAID ORDINANCE; PROVIDING FOR CONFLICTS; 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 the same; and

WHEREAS, the City Manager has issued a Notice of Intent (NOI), dated March 9, 2016, specifically authorizing and directing City staff to undertake study and review of the City’s regulations regarding uses related to the cultivation, processing and dispensing of medical marijuana (cannabis) within the City; and

WHEREAS, the City Manager, subject to the approval and ratification by the City Commission pursuant to this resolution, has imposed a moratorium on the issuance of local business tax receipts and building permits for uses related to the cultivation, processing and
dispensing of medical marijuana pursuant to Section 106.60 of the City’s Code of Ordinances; and

WHEREAS, such a moratorium will enable the City’s professional staff to properly study the issues and dangers associated with the licensing of businesses related to the cultivation, processing and dispensing of medical marijuana (cannabis); and

WHEREAS, the City recognizes the existence of current legislation pending and/or approved in the 2016 Florida legislature affecting medical cannabis use, dispensing and the like; and

WHEREAS, this moratorium will further afford the City with an opportunity to consider all actions being taken on a state-wide level; and

WHEREAS, the City Commission approves of and confirms the City Manager’s Notice of Intent and hereby finds that the ratification of the same is in the best interests of the citizens and residents of the City.

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. That the City Commission confirms and ratifies the City Manager’s March 9, 2016 Notice of Intent to impose a moratorium on the issuance of local business tax receipts and building permits to entities associated with the cultivation, processing and distribution of medical marijuana (which includes low-THC cannabis and medical cannabis) within the City, pursuant to Section 106.60 of the City’s Code of Ordinances. The City Commission hereby further affirms that such a moratorium shall be formally imposed through the adoption of a subsequent ordinance.
SECTION 3. That the City Commission hereby directs the City Manager to study and review regulations pertaining to the cultivation, processing and dispensing of medical marijuana (cannabis) within the City, to monitor the current legislation approved in the 2016 Florida Legislature and sent to the Governor for signature affecting medical cannabis use, dispensing and the like and to report back to the City Commission regarding the same.

SECTION 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. 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 6. This Resolution shall become effective immediately upon adoption.


MAYOR JACK BRADY

VICE MAYOR DAVID HILTON

ATTEST:

PATRICIA VANCHERI, City Clerk

APPROVED AS TO LEGAL FORM:

SAMUEL S. GOREN, City Attorney
ADMINISTRATIVE ORDER
CITY OF NORTH LAUDERDALE

TO: CITY ADMINISTRATION AND DEPARTMENT HEADS

FROM: AMBREEN BHATTY, CITY MANAGER

DATE: MARCH 9, 2016

SUBJECT: REVIEW OF ZONING REGULATIONS PERTAINING TO USES THAT INCLUDE THE CULTIVATION, PROCESSING AND DISPENSING OF MEDICAL MARIJUANA THROUGHOUT THE CITY

I, AMBREEN BHATTY, WITH POWERS VESTED IN ME AS THE CITY MANAGER OF NORTH LAUDERDALE, HEREBY ISSUE AN ADMINISTRATIVE ORDER TO REVIEW AND CONSIDER REGULATIONS PERTAINING TO THE ISSUANCE OF LOCAL BUSINESS TAX RECEIPTS AND BUILDING PERMITS TO USES RELATED TO THE CULTIVATION, PROCESSING AND DISPENSING OF MEDICAL MARIJUANA THROUGHOUT THE CITY. AS A RESULT, ZONING IN PROGRESS IS IN PLACE PURSUANT TO SECTION 106.61 WHILE THE CITY STAFF REVIEWS AND PREPARES RECOMMENDATIONS PERTAINING TO ZONING REGULATIONS REGARDING THE CULTIVATION, PROCESSING AND DISPENSING OF MEDICAL MARIJUANA.

AMBREEN BHATTY, MANAGER

DATE
As part of the City’s Facility Maintenance Plan, Fire Station 44 sleeping quarters were renovated recently. In moving to the next project at the station, which had not seen any significant improvements since it was built, the Fire Department requested that a gym area be upgraded. The scope of work would include conversion of three interior offices on the east side of the station to accommodate a much larger area for new state of the art equipment. This equipment will be covered by the same grant that was used for the gym at Fire Station #34.

Working with the City’s Architectural Consultant, Walters Zackria and Associates, the construction plans and the bid package were prepared to include demolition of interior walls of three small rooms to create one big space; patch and painting of walls; installation of ceiling tiles; removal of carpeting; and new air conditioning.

Subsequently, the bid package was advertised in the Sun-Sentinel on March 20 and 27, 2016 along with the posting of the bid on the City’s solicitations portion of the website. A mandatory pre-bid meeting was held on March 30, 2016 where three prospective vendors attended.

Tonight, the staff is presenting the three bids from contractors who responded to Bid #16-03-360. Following are the three vendors and prices submitted:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>RBK Builders, Inc.</td>
<td>$ 49,320.00</td>
</tr>
<tr>
<td>Encop Inc.</td>
<td>$ 53,076.00</td>
</tr>
<tr>
<td>Fitsaw Construction</td>
<td>$ 37,365.00</td>
</tr>
</tbody>
</table>

Based on the bid quotes listed above, Fitsaw Construction is the lowest and most responsible, responsive vendor for the renovation of the gym at the Fire Station 44. Therefore, staff recommends awarding the contract to Fitsaw Construction and proceeding with the project.

Please be advised that the construction is scheduled to begin after all permits are obtained with the completion date of 60 days from the time the permits are issued.
RECOMMENDATION:

The City Administration recommends City Commission’s consideration and approval of the attached Resolution authorizing the City Manager or her designee to accept the bids for RFP 16-03-360 and to award the lowest responsive bidder Fitsaw Construction a contract in an amount not to exceed $37,365.00 for the Fire Station #44 Gym project.
RESOLUTION NO. ___________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING THE BIDS FOR RFP 16-03-360 AND TO AWARD THE LOWEST RESPONSIVE BIDDER FITSAW CONSTRUCTION LLC A CONTRACT IN AN AMOUNT NOT TO EXCEED $37,365.00 FOR THE FIRE STATION #44 GYM PROJECT; 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 accept the rankings listed below of the RFP 16-03-360 recognizing Fitsaw Construction as the lowest, and the most responsible, responsive bidder for the renovation of Fire Station 44 Gym project.

Section 2: That the official rankings are as follows:

<table>
<thead>
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</tr>
</tbody>
</table>

Section 3: That the City Commission awards the project to the lowest response bidder Fitsaw Construction LLC for an amount not to exceed $37,365.00.

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 12th day of April, 2016.

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR JACK BRADY

______________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

______________________________
CITY CLERK PATRICIA VANCHERI
<table>
<thead>
<tr>
<th>Bid Items</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>FIRE STATION 4A INTERIOR EXERCISE ROOM</td>
<td>$7,787</td>
</tr>
<tr>
<td>RFP # 16-03-360</td>
<td>$14,275</td>
</tr>
<tr>
<td>Demolition</td>
<td>$2,800</td>
</tr>
<tr>
<td></td>
<td>$5,600</td>
</tr>
<tr>
<td></td>
<td>$7,000</td>
</tr>
<tr>
<td></td>
<td>77</td>
</tr>
</tbody>
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