AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Lorenzo Wood

2. ROLL CALL

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

3. APPROVAL OF MINUTES

   a. April 12, 2016

4. PRESENTATIONS

   a. BSO Sgt. Patrick Bowden – Retirement Recognition

5. PROCLAMATIONS

   a. Public Service Recognition Week

   b. Municipal Clerks

   c. National Day of Prayer

6. PUBLIC DISCUSSION
7. QUASI-JUDICIAL ITEMS

a. **SUBJECT:** SEU 16-01 Holistic Health Center N, Inc
   5561 N. State Road 7 (JMD Plaza)

   Special exception use permit to allow a massage establishment as a primary use in accordance with Section 106-468 of the Master Business List in a Community Business (B-2) zoning district.

   APPLICANT: Nageb A. Salha

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

   **MOTION:**
   To approve the proposed Special Exception Use Permit subject to the six (6) conditions outlined in staff memorandum.

b. **SUBJECT:** Amendment to SEU 12-05
   Sweet Pea Food Cart
   7562 Southgate Blvd (Teleperformance)

   Amendment to a Special Exception Use permit to extend the hours of operation for the outdoor vendor at Teleperformance to 8AM to 6PM located in a Community Business (B-2) Zoning District.

   APPLICANT: Teleperformance

   - All interested parties wishing to speak on this item are sworn in
   - Staff presentation (Tammy Reed-Holguin)
   - Public Hearing opened
   - Public comments
   - Public Hearing closed
   - Commission discussion
   - Commission motion and vote
MOTION:
To approve the amendment to SEU 12-05 to allow the extended hours of operation from 8 am to 6 pm for the Permanent Outdoor Vendor (Sweet Pea Food Cart) at Teleperformance subject to the conditions outlined in the staff’s memorandum.

8. ORDINANCES SECOND READING

 a. **Ordinance – Second Reading – 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**

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, 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.

 b. **Ordinance – Second Reading – 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.

c. Ordinance – Second 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)
- 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 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.

9. OTHER BUSINESS

a. **RESOLUTION - Payment to Broward Sheriff’s Office - Youth Baseball Program**
   - Motion, second and vote to read
   - Attorney reads title
   - Staff presentation (Mike Sargis)
   - Commission motion and second to adopt
   - Commission discussion
   - Commission vote

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND AUTHORIZING THE EXPENDITURE OF $6,075.00 TO THE BROWARD SHERIFF’S OFFICE TO COVER THE SHERIFF’S FEE FOR THE 2016 YOUTH SOCCER PROGRAM AND, PROVIDING AN EFFECTIVE DATE.

b. **RESOLUTION - Kimberly Boulevard Gravity Sewer Lateral Rehabilitation**
   - 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, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD LMK PIPE RENEWAL LLC FOR AN AMOUNT NOT TO EXCEED $140,253.00, USING THE CITY OF PLANTATION CONTRACT ITB 042-14 FOR THE LATERAL LINING ON THE WEST SIDE OF KIMBERLY BOULEVARD; AND PROVIDING AN EFFECTIVE DATE.
c. **RESOLUTION – Mainline and Lateral Lining in Lift Station #10 Basin**

- 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, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD HINTERLAND GROUP, INC. FOR AN AMOUNT NOT TO EXCEED $249,425.00, USING THE PALM BEACH CONTRACT WUD 12-063 FOR THE CONTINUATION OF THE SANITARY SEWER REHABILITATION PROJECT; AND PROVIDING AN EFFECTIVE DATE.

d. **RESOLUTION - Calling the General Municipal Election for November 8, 2016**

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, CALLING AND PROVIDING FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON THE 8TH DAY OF NOVEMBER, 2016, TO PROVIDE FOR THE ELECTION OF TWO COMMISSIONERS, ONE FROM DISTRICT “C” AND ONE FROM DISTRICT “D”; PROVIDING FOR TIMES OF SAID ELECTION; PROVIDING FOR A QUALIFYING PERIOD; PROVIDING FOR POLLING PLACES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

10. **REPORTS**

11. **COMMISSION COMMENTS**

12. **CITY MANAGER COMMENTS**
   a. Alpha 250 Update

13. **CITY ATTORNEY COMMENTS**

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

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

2. **ROLL CALL** – Clerk called roll. **All present.**
   
   Mayor Jack Brady  
   Vice Mayor David G. Hilton  
   Commissioner Jerry Graziose  
   Commissioner Rich Moyle  
   Commissioner Lorenzo Wood  
   City Manager Ambreen Bhatti  
   City Attorney Samuel S. Goren  
   Deputy City Clerk Elizabeth Garcia-Beckford

3. **APPROVAL OF MINUTES**
   
   a. **March 29, 2016** – Commissioner Wood moved to approve the Minutes as submitted. Seconded by Vice Mayor Hilton. **Minutes approved unanimously by voice vote.**

4. **PRESENTATIONS**
   
   a. **BSO Recognitions** – Captain Brian Faer presented Certificates of Recognition from the City to the following recipients and gave a brief narration on the accomplishments or services which resulted in the recognition:
      - **BSO Sergeant Patrick Bowden – Retirement** (Not present)
      - **Hector Fajardo - BSO Deputy of the Year**
      - **Donaldson Georges – BSO Samaritan Award** (Not present)
      - **Luis Batista, Mgr. Bravo Supermarket – BSO Special Recognition**
      - **Dylan Paradis, Mgr. Walmart – BSO Special Recognition**

   Captain Faer also introduced Sergeant Spears as a new officer to District 15.
b. **Boys & Girls Club Presentation** - Rich Ouellette and members of the Boys & Girls Club Culinary Program presented a plaque for gratitude to the City and the Broward Sheriff’s Office for their support over the many years by providing necessary funding. Mr. Ouellette indicated that between 1,500 and 1,600 members are served each year; 400 per day during the school year; 600-plus during the summer. They are one of 11 Clubs in Broward County that serves a total of 12,500 kids. To meet a budget and serve the kids in North Lauderdale, much fund-raising is needed and they appreciate the Support of North Lauderdale and Broward Sheriff’s office.

c. **Senator Chris Smith** – Mayor Brady introduced Senator Smith and stated that he has served for 16 years in both the House and the Senate, and commented that he has helped the City immensely with legislation, especially with our Law Enforcement Assessment. Senator Smith has been recognized for his work in local government and most recently awarded the 2015 Legislative Appreciation Award from the Florida Association of Intergovernmental Relations. Mayor Brady outlined some of Senator Smith’s accomplishments and extended many thanks for what he has accomplished for our city and for his future accomplishments.

Dave Ericks, Ericks Consultants, lobbyist for the City, commented on Senator Smith’s legislative career and stated that he has been a great representative and friend to the City of North Lauderdale.

Senator Smith stated that it has been a pleasure representing the City for many years in the legislature to advocate for getting dollars into the budget, and was disappointed when most of it didn’t make it through the government. He also commented that this year they made tremendous stride with the law enforcement assessment and implored the City to continue to advocate for that issue and that bill. Senator Smith said about 30 other cities around the state are having concerns about providing law enforcement and hopes that the City will continue the fight for cities that are small, with bare bones and have a need for this special assessment and that it has a chance to make it through. He thanked the City for working with him on this and other issues through the years. Senator Smith also reported that one project that did make it through legislation this year to benefit North Lauderdale was Automatic Meter Readers (ARM) that made it through the budget for $250,000.

d. **Gene Riley, City of North Lauderdale – Retirement** – Mr. Riley was hired by the City in 1988 as the Chief Treatment Plant Operator. City Manager Bhatty reported that he has been certified in water and waste water treatment for over 44 years and for many years was an instructor in teaching this industry to new employees. He also taught many in-house safety classes as head of the City’s Safety Committee. City Commission, Administration and Staff congratulated Mr. Riley on his retirement after 37 years of service to the City. Mike Shields, Public Works Director, also commented that Mr. Riley was intense about the water industry and took great pride in his profession to provide quality water to North Lauderdale.

At this point a short recess was called after which the remainder of the agenda resumed.

5. **PUBLIC DISCUSSION** – No one spoke.
6. **CONSENT AGENDA**

No items were pulled from consent. Commissioner Moyle moved to read. Attorney read:

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.

RESOLUTION NO. 16-04-6279

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.

RESOLUTION NO. 16-04-6280

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.

RESOLUTION NO. 16-04-6281

Commissioner Moyle moved to approve the consent agenda as read. Seconded by Vice Mayor Hilton. CONSENT AGENDA APPROVED UNANIMOUSLY BY VOICE VOTE.

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

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

Attorney read:

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;
Dr. Jesse Saginor, PI and Michael Stamm, Jr., GIS Analyst & Project Manager, from Florida Atlantic University’s Center for Urban & Environmental Solutions were present to provide a PowerPoint presentation to the Commission based on the District Analysis service provided in accordance with the City Charter for designating geographic boundaries for Commission districts. A copy of the presentation is on file in the City Clerk’s office. Dr. Saginor commented that one of the requirements of the charter is that every four years a review of the districts must be done to ensure that the districts are of equal population; compact and proportional; logically related to the internal boundaries of the neighborhoods within the City and no more than 10% off from the average size of the districts. Also taken into consideration is future development. Michael Stamm commented that they first looked at the existing districts as of 2011, which was based on the 2010 census data. He indicated that this current districting was a result of a census data set which was created specifically for apportionment. They looked at data and projects to determine what growth the City had since 2011. Also, a projection analysis was done with regard to future development. Mr. Stamm indicated that the analysis was done based on population criteria; geographic criteria; political-geographical criteria; and the 2010 census data. He reported that an update done since the 2010 census found that additional population and possible future development and new population, would still keep within the 10% variance for the districts as the districts are close to the same size as they were a couple of years ago. The districts still have room to grow should new projects develop. Based on the analysis and findings, Mr. Stamm indicated that the district configuration is sound and within variance; districts have room to grow and that there are no changes needed to the City’s current Commission District Map. Therefore the recommendation is that the City pass an ordinance to establish that the current districts remain intact with no re-districting recommended and that the current map is compliant with the Charter. Mr. Stamm commented that should this ordinance pass tonight, the second reading will take place on April 26.

Commissioner Moyle moved to adopt. Seconded by Commissioner Wood. All in favor by voice vote.

ORDINANCE PASSED UNANIMOUSLY ON FIRST READING.

b. RESOLUTION - Local Government Infrastructure Surtax

Mayor Brady passed the gavel and made a motion to table this item until after the City’s Strategic Planning Workshop on April 16th. Commissioner Moyle seconded the motion. Clerk called the vote. Commissioner Graziose – NO. Commissioner Moyle – YES. Commissioner Wood – YES. Vice Mayor Hilton – YES. Mayor Brady – YES.

MOTION TO TABLE PASSES ON A 4-1 VOTE. Commissioner Graziose dissenting.

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.

THIS ITEM WAS TABLED TO TIME UNCERTAIN.

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

Commissioner Wood moved to read. Seconded by Commissioner Moyle.

Attorney read:

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.

Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. She indicated that the City currently has 14 gas stations with convenience stores and another 9 stand-alone convenience stores within its 5.2 square miles of City limits. With limited commercial space left, diversity in uses would be more beneficial for the residents and economic vitality of the City. Resolution No. 16-03-6270 was adopted by the Commission on March 8th confirming the City Manager’s Administrative Order issued February 29th that instituted Zoning-in-Progress while this study is being undertaken. Staff recommends a moratorium be in place for 12 months while the study is undertaken. On April 5th the Planning & Zoning Board met and made a recommendation to the City Commission for approval of this ordinance enacting a moratorium. Staff recommends consideration and adoption of this ordinance on first reading. Commissioner Moyle moved to adopt. Seconded by Commissioner Wood. All in favor by voice vote.

ORDINANCE PASSED UNANIMOUSLY ON FIRST READING
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

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

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.

Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. She indicated that on March 29, 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. The moratorium will be for a period of six months or such time that staff comes back with recommendations to the City Commission if less. Given the uncertainty of the impact the regulations will have on the community, and in an effort to administratively expedite this process, on March 9th the City Manager executed the NOI to impose the moratorium. Resolution No. 16-03-6273 was adopted by the Commission on March 29th confirming the City Manager’s Administrative Order that instituted Zoning-in-Progress. On April 5th the Planning & Zoning Board met and made a recommendation to the City Commission for approval of this ordinance enacting a moratorium. Staff recommends consideration and adoption of this ordinance on first reading. Commissioner Wood moved to adopt. Seconded by Vice Mayor Hilton. All in favor by voice vote.

ORDINANCE PASSED UNANIMOUSLY ON FIRST READING

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

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

George Krawczyk, Assistant Public Works Director, presented the item based on backup memorandum. He stated that this project is for work on the East side of the Station. In preparation for an equipment grant that the Fire Department won from FEMA, they will be getting a room ready that is large enough to accommodate that new equipment. Mr. Krawczyk explained the project which was reviewed by Walters Zackria and Associates, Architects. The project was advertised accordingly; a mandatory pre-bid was held which was attended by three vendors, who submitted their bids. The lowest bidder, Fitsaw Construction has done work for the City in the past and the project is within their scope of work. Staff recommends an award of a contract to Fitsaw Construction for this project. Commissioner Moyle moved to approve. Seconded by Commissioner Wood. All in favor by voice vote.

RESOLUTION NO. 16-04-6283 PASSED AND ADOPTED UNANIMOUSLY

8. REPORTS

a. North Lauderdale Days – City Manager Bhatty commented that this report will be presented on Saturday at the Strategic Planning Workshop since Mr. Sargis was unable to attend the meeting this evening.

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 presented the item. Commissioner Moyle moved to approve the purchase. Seconded by Vice Mayor Hilton. Motion approved unanimously by voice vote.

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 presented the item. Commissioner Moyle moved to approve the purchase. Seconded by Vice Mayor Hilton. Motion approved unanimously by voice vote.

Commissioner Wood thanked Captain Faer for the Gun Buy Back program put on by BSO on Saturday. He also commended the Boys & Girls Club for their program held on Saturday which taught the kids about a lot of different vocations and apprentice programs. Mayor Brady also commented that the event was their 2016 General Construction Career Day. He said the kids love it and they did a fantastic job; there was over 400 young people there.
City Manager Bhatty commented that BSO bought back 41 guns at the Gun Buy Back event.

Commissioner Graziose commented on the last phase of the neighborhood improvement project started in his district today. 68th Avenue between Bailey Road and McNab was closed to start re-digging the canal. The projected time frame for this project was about a year.

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

Resident Jack, 6761 SW 10 St., also commented that the Boys & Girls apprentice program was great for the kids.

11. CITY ATTORNEY COMMENTS

Attorney Goren commented that the Broward League of Cities will be conducting their annual ethics conference and seminars on May 13 from 9:00 - 1:00 and June 24 from 9:00 – 1:00 and his law firm will be making some of the presentations. He also commented that the Charter Review Commission, that he will represent this year, will have four sub-committees, one of which is the Ethics, and the first organizational meeting will be April 18th.

Dave Ericks, Ericks Consultant, also commented that he has been happy to represent the City at the legislative session again this year. He said unfortunately the law enforcement assessment did not go through this year although it went further. Ericks did say that more cities are interested in this type of assessment as well. Candice Ericks spoke about the session and stated that Rep. Hazelle Rogers is a fierce fighter and also Sen. Smith, was able to get some things passed in the budget. Next year there will be new representation. They will update after the election.

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

Respectfully submitted,

Elizabeth Garcia-Beckford, Deputy City Clerk
Transcribed by Patricia Vancheri, City Clerk
WHEREAS: Every day, residents of North Lauderdale and people throughout the City directly benefit from the dedication and commitment of City of North Lauderdale employees, those public servants and unsung heroes that keep North Lauderdale running; and

WHEREAS: City of North Lauderdale employees represent numerous occupations and trades, possess a broad array of skills and expertise and put these to use with efficiency and integrity for everyone in our City; and

WHEREAS: The consistency and institutional knowledge of City of North Lauderdale employees offers continuity of service across years and is essential to the smooth functioning of our City for the benefit of the residents; and

WHEREAS: Many of the City of North Lauderdale employees, including our police officers and firefighters risk their safety and, in some cases, their lives to service the people of the City of North Lauderdale; and

WHEREAS: We all owe a substantial debt of gratitude to the City of North Lauderdale employees;

NOW, THEREFORE, We, the City Commission of the City of North Lauderdale, Florida hereby announce and proclaim to all residents that May 1-7, 2016, is Public Service Recognition Week. All residents are encouraged to recognize the accomplishments and contributions of City of North Lauderdale employees and the extent to which we all rely upon and benefit from their service.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of North Lauderdale to be affixed this 26th day of April, 2016.

_________________________
MAYOR JACK BRADY
Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

Whereas, The Municipal Clerk serves as the information center on functions of local government and community; and

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations; and

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

Now, Therefore, we, the Mayor and Commission of the City of North Lauderdale, do recognize the week of May 1 through May 7, 2016 as Municipal Clerks Week

and further extend appreciation to our Municipal Clerk, Patricia Vancheri, and Deputy Clerk, Elizabeth Garcia-Beckford and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 26th day of April, 2016

____________________________________
MAYOR JACK BRADY
PROCLAMATION

NATIONAL DAY OF PRAYER

WHEREAS, the 65th observance of the National Day of Prayer will be held on Thursday, May 5, 2016, with the theme “Wake Up America” emphasizing the need for individuals, corporately and individually, to pray, choosing Isaiah 58 as the scripture for this year: “Shout it aloud, do not hold back. Raise your voice like a trumpet”.

WHEREAS, a National Day of Prayer has been part of our country’s heritage since it was declared by the First Continental Congress in 1775 and the United States Congress in 1952 approved a Joint Resolution setting aside a day each year to pray in our nation; and

WHEREAS, the United States Congress, by Public Law 100-307, as amended, affirms that it is essential for us as a nation to pray and directs the President of the United States to set aside and proclaim the first Thursday of May annually as a National Day of Prayer; and

WHEREAS, National Day of Prayer calls on all people of different faiths in the United States to pray for the nation and its leaders; and

WHEREAS, prayer brings communities together and can be a wellspring of strength and support and all of us have the freedom to pray and exercise our faiths openly as our laws protect these God-given liberties; and

WHEREAS, on May 5, 2016, the National Day of Prayer, houses of worship, community gatherings, in our homes, and in neighborhoods all across our country prayers will be offered in recognizing and giving thanks for the freedom to practice our faith as we see fit, whether individually or in fellowship.

NOW, THEREFORE, We, the City Commission of the City of North Lauderdale, Florida hereby proclaim May 5, 2016 as the

NATIONAL DAY OF PRAYER

and urge all of the residents of our City to honor this observance.

Dated this 26 day of April, 2016.

__________________________________________
MAYOR JACK BRADY
TO: Mayor and City Commission  
FROM: Ambreen Bhat, City Manager  
BY: Tammy Reed Holguin, Community Development Director  
DATE: April 26, 2016  
SUBJECT: SEU 16-01 Holistic Health Center N, Inc  
5561 N. State Road 7 (JMD Plaza)  

Special exception use permit to allow a massage establishment as a primary use in accordance with Section 106-468 of the Master Business List in a Community Business (B-2) zoning district.  

APPLICANT: Nageb A. Salha  

Nageb A. Salha, owner of Holistic Health Center N, Inc, has applied for a Special Exception Use permit (SEU) to allow massage services as a primary use in a B-2 Zoning District, in accordance with Section 106-468 of the City’s Zoning Code entitled Master Business List. The applicant has obtained licensure through the State for the operation of a massage establishment. This particular bay in the shopping center has been vacant therefore; a new business opening in this space must comply with all current zoning regulations.  

**Background**  
The applicant is proposing to operate the business in JMD Plaza located at 5561 N. SR 7 within the City’s 441/SR7 Mixed Use Redevelopment Overlay District. The specific extent of the anticipated use is explained in Attachment A of this report.  

Staff has reviewed the proposed request in light of the guidelines and criteria contained in Section 106-156 Special Exception Uses of the City Code, and determined that the application meets the criteria for allowing the massage establishment as a primary use. This location appears to be able to accommodate any anticipated effect on access, traffic generation and road capacities caused by the use for which the special exception permit is being requested. The proposed use does not create any additional impact upon the capacity of utilities, or public services, and conforms to the goals, objectives, policies and land uses established by the City’s code of ordinances.  

**Economic Analysis**  
The economic impact would be beneficial to the City of North Lauderdale, since the bay has been vacant. Furthermore, the massage establishment would be a welcome addition by increasing
the viability of the City to offer more spa and health services. The business would be along the State Road 7 corridor, which will help to further the City’s objectives to redevelop the area.

**Traffic/ Parking Analysis**
This center was built to provide parking based on previous City Codes. Article VI, Section 106-223 of the current City ordinance requires 3 parking spaces for this massage establishment according to 1 space for every 250 square feet of health and body clubs, total being 750 square feet for this bay. The center has 30 parking spaces. The applicant is proposing that their business hours of operation will be 10 am to 11 pm Monday through Saturday and 10 am to 10 pm Sunday. It is incumbent on the applicant to demonstrate that there is adequate parking for the business prior to further consideration of the request for the Special Exception Use permit.

On April 5th, 2016 at the regularly scheduled Planning and Zoning Board meeting, the Board moved to recommend approval of the special exception use request to the City Commission subject to the six conditions below.

**RECOMMENDATION:**

If the City Commission concurs with this request and the Planning and Zoning Board’s recommendation, a motion is in order to approve the proposed Special Exception Use Permit subject to the following conditions:

1. That the applicant complies with all applicable codes of the City regarding the development and operation of a massage establishment as the primary use.
2. That the applicant adheres to the hours of operation stated in the letter of intent.
3. That all terms, conditions, and provisions imposed by the City Commission, Planning and Zoning Board, and staff, including all life, health, and safety Codes pertaining to this facility are met prior to commencing, and during operation.
4. In the event that outside parking problems arise as a result of the operation of this establishment, such as noise, parking, traffic and/or other nuisances, the applicant makes all improvements required to mitigate these nuisances so as not to negatively impact adjacent commercial and residential area.
5. Applicant shall obtain proper approvals such as Certificate of Occupancy and Local Business Tax Receipt from the City.
6. The applicant shall obtain the proper licensure from all other governmental agencies, including but not limited to, State of Florida license for a massage establishment prior to the issuance of the local business tax receipt and opening the business to customers.
TO WHOM IT MAY CONCERN

HOLISTIC HEALTH CENTER N, INC. IS A FLORIDA CORPORATION. ADDRESS: 5561 N SATE RD 7 TAMARAC, FL 33319. TEL: 954-991-2020. DR_SAL2003@YAHOO.COM

MANAGER: NAGEB A. SALHA. HEALTH PRACTITIONER. I AM NOT A LICENSED MASSAGE THERAPIST. HOLISTIC HEALTH CENTER N, INC WILL BE DOING BUSINESS AS: TURKISH SPA AND MASSAGE.

I WILL BE USING THE FACILITY AS A MASSAGE THERAPY. I WILL BE HIRING LICENSED MASSAGE THERAPIST BY THE STATE OF FLORIDA.

TIME OF OPERATION: M-S 10:00 AM TILL 11:00 PM & SUN 11:00 AM TILL 10:00 PM.

IF YOU HAVE ANY QUESTIONS OR CONCERNS PLEASE DO NOT HESITATE TO CALL US AT BUSINESS TEL ABOVE OR BY E-MAIL: dr_sal2003@yahoo.com

Nageb A. Salha

TEL: 954:991-2020
February 2, 2016

To: City of North Lauderdale

RE: Special Exemption

To Whom It May Concern:

The Landlord approves the use of Holistic Health Care N, Inc. for a Turkish Spa and Massage to lease the space at 5561 N State Road 7, North Lauderdale, FL 33309.

Sincerely,

Kristine Clobes
Office Manager
As you may recall, in September 2012, Teleperformance applied for a Special Exception Use permit to allow a permanent outdoor vendor at their site located at 7562 Southgate Boulevard. The vendor known as “Sweet Pea Food Cart” proposed to prepare and sell food and drink items to the employees and customers at Teleperformance. The City worked closely with both the applicant and the vendor regarding the location in the rear of the property, operating hours and all other items to insure conformance to the City Code. The applicant is requesting an amendment to this previously approved Special Exception Use permit (SEU 12-05) to allow this outdoor vendor to extend hours of operation that are currently 11 AM to 5 PM to 8 AM to 6PM Monday through Friday. The extended hours will allow them to serve breakfast in the morning and dinner for an additional evening hour. This request is made in accordance with Article IV Businesses, Division 3 Outdoor Vendors, Sections 86-151 through 86-155 that allows permanent outdoor vendors subject to specific restrictions and requiring the applicant to obtain a special exception use permit.

It is anticipated that the plaza will be able to accommodate any effect on access, traffic generation, road capacities and parking needs caused by the use for which the special exception use permit is being amended. The applicant will be required to provide for the mitigation of any additional impact upon the capacity of utilities, or public services, and to conform to the goals, objectives, policies and land uses established by the City’s Code of Ordinances as a condition of approval of the extended hours of operation.

The outdoor vendor has indicated that this will be beneficial to his business as he sees a high demand for breakfast customers and wishes to grow his business. Teleperformance
has endorsed this request by submitting the application and co-signing on the letter of intent to amend the special exception use request hours of operation to 8am to 6pm. All other previous conditions of approval of the SEU will remain in place as listed below.

**RECOMMENDATION:**

The City Administration recommends Commission’s consideration and approval of the proposed amendment to the SEU permit subject to the following conditions:

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

2. In the event that any problems arise as a result of the operation of this establishment, such as noise, parking, traffic and/or other nuisances, the applicant shall make all improvements required to mitigate these nuisances so as not to negatively impact adjacent commercial/residential areas.

3. Applicant shall obtain proper approval such as Local Business Tax Receipt from the City and any outside agencies such as the County Health Department.

4. That all applicable City and Florida Building Codes regarding such an operation shall be met.

5. Hours of operation are Monday to Fridays from 8:00 A.M. to 6:00 P.M. The applicant must return to the City Commission should the need arise to change the hours of operation.

**MOTION:**

If the Commission concurs with this request, a motion is in order to approve the amendment to SEU 12-05 to allow the extended hours of operation from 8 am to 6 pm for the permanent Outdoor Vendor “Sweet Pea Food Cart” at Teleperformance subject to the conditions outlined in the staff’s memorandum.
City of North Lauderdale
Community Development Department

SPECIAL EXCEPTION USE APPLICATION

APPLICANT NAME: Sweet Pea (Joe Passalacqua)

Mailing Address: 5873 NW 110th Ave.
               Coral Springs, FL 33065
Telephone: (954) 851-9835

PROPERTY OWNER: Teleperformance, USA

Mailing Address: 7562 Southgate Blvd
                 North Lauderdale, FL 33068

Telephone: 

Location of Special Exception requested: 7562 Southgate Blvd, 33068

Name of Business: Sweet Pea

Current Use:

Please explain nature, extent, scope and purpose of proposed use: Extending hours of operation for already approved SEU to 3am to 6am.

Applicant Signature: Date: 4/18/16

PLEASE NOTE:
If Applicant is NOT the owner of the parcel of land for which this special exception use application is filed, an affidavit by the owner or owner's representative must be filed with this application. The owner's affidavit must acknowledge the above signed applicant, the use for which the special exception use is being filed and the specific location of the proposed activity.

BELOW TO BE COMPLETED BY THE COMMUNITY DEVELOPMENT DEPARTMENT

Special Exception Application Fee = $550.00 per exception Date Paid: 4/18/16 Received By: AF

Please check type of SEU permit applied for:

☐ Alcoholic/Nightclub Use ☐ Bingo/Assembly Hall Use ☐ After Hours Use ☐ Other: Extending hours of SEU

TOTAL PAID $550.00

Planning & Zoning Board Meeting: 4/18/16 Recommendation: ☐ Approve ☐ Deny

Identify any conditions and/or stipulations recommended or basis for denial:

City Commission Meeting: 4/26/16 Action Taken: ☐ Approve ☐ Deny
To whom it may concern,

This letter is in regard to the hours of operations for Sweet Pea at Teleperformance located at 7562 Southgate boulevard, North Lauderdale 33068. Sweet Pea has been located onsite since December 2011. They run their business with the utmost professionalism, courtesy to our employees and management staff, and hold a high standard to the quality of the fresh food. They also have been instrumental in satisfying our high demand for food on premise. It is by our recommendation that Sweet pea extend their hours of operations from 8am to 6pm Monday through Friday. If there are any questions please feel free to contact me.

Dennis Morgan  
VP of Operations, North Lauderdale  
Teleperformance USA

T 1-954-734-6748  
M 1-954-325-5308  
North Lauderdale, FL USA  
Dennis.morgan@teleperformance.com
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission
FROM: Ambreen Bhaty, City Manager
BY: Tammy Reed - Holguin, Community Development Director
DATE: April 26, 2016
SUBJECT: Second Reading and Adoption: 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, the staff is presenting an Ordinance for your consideration for adoption on second 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. This Ordinance was presented at the Commission meeting on April 12th and approved on first reading.

BACKGROUND:
The City has seen an influx in the number of gas stations and convenience stores. North Lauderdale currently has 14 gas stations with convenience 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.
The City Commission approved the Ordinance on first reading on April 12th. Tonight we are presenting the Ordinance for second reading and adoption.

RECOMMENDATION:

The City Administration recommends City Commission’s adoption on second reading of the attached ordinance 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.
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 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 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 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 ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE SECOND AND FINAL 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
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 TAKEOUT, 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 106-467 AND 106-468 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 TAKEOUT, RETAIL (CONVENIENCE
STORES).

AMBREEN BHATTY, CITY MANAGER

DATE
RESOLUTION NO. 16-03-6270

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.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, THIS 8th DAY OF MARCH, 2016.

APPROVED AS TO FORM:

CITY ATTORNEY SAMUEL S. GOREN

MAYOR JACK BRADY

VICE MAYOR DAVID G. HILTON

ATTEST:

CITY CLERK PATRICIA VANCHERI
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 26, 2016

SUBJECT: Second Reading and Adoption: 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, the staff is presenting the attached Ordinance for your consideration for adoption on second 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). This Ordinance was presented at the Commission meeting on April 12th and approved on first reading.

Background:
House Bill 1313 regarding the medical use of Cannabis for terminally ill patients was approved recently by both the House and the Senate and subsequently signed by Governor Scott. 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.
The City Commission approved the Ordinance on first reading on April 12th. Tonight we are presenting the Ordinance for second reading and adoption.

**RECOMMENDATION:**

The City Administration recommends City Commission’s consideration of adoption on second reading of the attached ordinance 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 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.


[Signature]
MAYOR JACK BRADY

[Signature]
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
At the City Commission meeting on April 12, 2016, the City Commission adopted the proposed Ordinance, on first reading, providing for the re-creation and re-establishment of the geographic boundaries of four election districts in the City of North Lauderdale. Florida Atlantic University, and Michael Stamm, SURP Adjunct Professor, reviewed the boundaries to provide equal population, compact and proportional districts drawn within logical, natural boundaries of neighborhoods. Mr. Stamm made a presentation which outlined the results of the district analysis and based on the findings made a recommendation to the Commission that no changes are needed to the City Commission’s District Map. The PowerPoint presentation is on file and available for review in the City Clerk’s office.

Based on Commission’s consideration of the results of the analysis, the Ordinance presented tonight provides for approval 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 second 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.
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
The City Commission hereby ratifies, confirms and adopts the findings, conclusions, and recommendations prepared by FAU, which were presented by PowerPoint presentation at the City Commission meeting held on April 12, 2016 and incorporated herein by reference. A copy of the presentation is on file with the City Clerk’s office.

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 my 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 12th DAY OF APRIL, 2016.

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

ATTEST:

MAYOR JACK BRADY

PATRICIA VANCHERI, City Clerk

VICE MAYOR DAVID G. HILTON

APPROVED AS TO FORM:

SAMUEL S. GOREN, City Attorney
TO: Mayor and City Commission  
FROM: Ambreen Bhatti, City Manager  
BY: Michael Sargis, Parks and Recreation Director  
DATE: April 26, 2016  
SUBJECT: Payment to Broward Sheriff’s Office - Youth Baseball Program

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

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

The current year’s City Youth Baseball program has attracted 135 participants. The City charges $90 per participant for baseball, which covers all costs for the league. A portion of this fee ($45) goes to the Sheriff’s office to cover league operating costs. The Broward Sheriff’s Office completes background checks on all coaches in accordance with State Law and the City’s policies, purchases player uniforms, affiliation fees, provides accident insurance for all players, coaches, and umpires, and also provides a deputy at the field for every game and practice.

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

135 Participants @ $45.00 = $6,075.00
TOTAL AMOUNT OWED TO BSO $6,075.00

RECOMMENDATION:

The City Administration recommends Commission consideration and approval of the attached resolution authorizing the City to pay $6,075.00 to the Broward Sheriff’s Office to cover the Sheriff’s fee for the 2016 Youth Baseball program.
RESOLUTION NO. ______________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND AUTHORIZING THE EXPENDITURE OF $6,075.00 TO THE BROWARD SHERIFF’S OFFICE TO COVER THE SHERIFF’S FEE FOR THE 2016 YOUTH BASEBALL PROGRAM AND, PROVIDING AN EFFECTIVE DATE.

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

Section 1: That the City Commission does hereby approve and authorize the expenditure of $6,075.00 to the Broward Sheriff’s Office to cover the Sheriff’s fee for the 2016 Youth Baseball Program.

Section 2: Funding is available in the Program Budget.

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

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 26th 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
TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Mike Shields, Public Works/Utilities Director
    George Krawczyk, Assistant Public Works/Utilities Director

DATE: April 26, 2016

SUBJECT: Kimberly Boulevard Gravity Sewer Lateral Rehabilitation

As you may recall, the Commission approved allocation of $2,000,000 in the Fiscal Year 2016 Budget to implement phases of sewer lining projects in an effort to continue lowering the lift station run times and the transmission quantity of the sewage going to the county. The first areas identified for this improvement project were Kimberly Boulevard and the lift station #9 basin. As a result, the sewer main gravity line under Kimberly Boulevard has been completed. The next phase of the project is to resurface the roadway starting from the west end and is scheduled for this summer. However, prior to starting the paving project, staff recommends lining the laterals.

Keeping in mind the intent of starting the resurfacing project this summer when the schools are out, staff is proposing to use LMK Pipe Renewal LLC, as the vendor to do the work on lateral lining project. LMK Pipe Renewal LLC, the lowest responsive bidder through the Plantation contract ITB 042-14, was contacted and the vendor agreed to piggyback off of the Plantation contract. Based upon the Plantation contract specifications and the rate structure, the total cost for the Kimberly project is determined to be $140,253.00. LMK is a local vendor and has done work for the City in the past. The vendor is available and has agreed to conduct this work per City’s schedule.

RECOMMENDATION:

The City Administration recommends that the City Commission approve the attached resolution authorizing the City Manager or her designee to award LMK Pipe Renewal LLC an amount not to exceed $140,253.00 for the lateral lining on the west side portion of Kimberly Boulevard.
RESOLUTION NO. ____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD LMK PIPE RENEWAL LLC FOR AN AMOUNT NOT TO EXCEED $140,253.00, USING THE CITY OF PLANTATION CONTRACT ITB 042-14 FOR THE LATERAL LINING ON THE WEST SIDE OF KIMBERLY BOULEVARD; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1: That the City will accept the piggy-back bid off the City of Plantation Contract ITB 042-14 for pricing and scope of work of similar nature.

Section 2: That the City Commission of the City of North Lauderdale, Florida authorizes the City Manager or her designee to accept the bid from LMK Pipe Renewal LLC.

Section 3: That the funding for this project, in an amount not to exceed $140,253.00, has been appropriated in fiscal year 2016 - account number 4013939-546590.

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 26th day of April, 2016.

APPROVED AS TO LEGAL FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR JACK BRADY

______________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

______________________________
PATRICIA VANCHERI, CITY CLERK
PROPOSAL

LMK Pipe Renewal LLC
1131 NW 55th Street
Fort Lauderdale, Florida 33309
(954) 772-2075 office  •  (954) 772-2076 fax  •  (954) 448-4181 cell  •  Email: John@lmkpipe.com

Submitted To:  
City of North Lauderdale
701 SW 71st Ave
North Lauderdale, FL 33068
Attn: Mr. George Krawczyk, P.E.

Date: March 24, 2016
Phone: (954) 567-4756
Fax: ____________________________
Cell#: (954) 850-4854
email: jkrawczyk@northlauderdale.org

Project: L5#14 - Kimberley Blvd between 81st Ave and Rock Island Road

Authorized Signature: ____________________________________________
John Rinehart

Note: This proposal may be withdrawn if not accepted within 30 days.

We hereby submit prices to furnish and install the following items:

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>QTY</th>
<th>UNIT</th>
<th>PRICE</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bid Item 3-1 - CLIP Lining, 8 to 15-inch full circle main connection 4&quot; or 6&quot; x 4.5mm lateral piping, minimum 10 LF of lateral (all depths).</td>
<td>27</td>
<td>EA</td>
<td>2,875.00</td>
<td>77,625.00</td>
</tr>
<tr>
<td>2</td>
<td>Bid Item 3-4 - Lateral Liner 4&quot; &amp; 6&quot; x 4.5mm pipe, beyond 10 linear feet (all depths), (estimated at 20% per lateral)</td>
<td>891</td>
<td>LF</td>
<td>33.00</td>
<td>29,403.00</td>
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<tr>
<td>3</td>
<td>Bid Item 3-10 - Sewer main cleaning and TV inspection (8-inch through 10-inch)</td>
<td>4,136</td>
<td>LF</td>
<td>1.25</td>
<td>5,170.00</td>
</tr>
<tr>
<td>4</td>
<td>Bid Item 3-12 - Sewer lateral TV from main w/ P&amp;T Camera (up to 30 feet)</td>
<td>27</td>
<td>EA</td>
<td>165.00</td>
<td>4,455.00</td>
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<tr>
<td>5</td>
<td>Bid Item 3-15 - Cleanout installation in grass area, 3-inch to 6-inch gravity pipe, depths up to 5-feet. (includes restoration)</td>
<td>27</td>
<td>EA</td>
<td>850.00</td>
<td>22,950.00</td>
</tr>
<tr>
<td>6</td>
<td>Bid Item 3-20 - Bypass pumping (8-inch and 15-inch sewer)</td>
<td>1</td>
<td>EA</td>
<td>250.00</td>
<td>250.00</td>
</tr>
<tr>
<td>7</td>
<td>Bid Item 3-23 - Traffic control - daily charge for arrow board.</td>
<td>10</td>
<td>Day</td>
<td>40.00</td>
<td>400.00</td>
</tr>
</tbody>
</table>

• Quoted prices taken from ITB# 042-14, City of Plantation.

Total: $ 140,283.00

Terms & Conditions: ITB No. 042-14
1) Unit price proposal, payment shall be based on city approved installed quantities.
2) Liner to be installed as per manufacturer's specifications.
3) Owner to provide access to the site and pump station control/monitoring for efficiencies.
4) Main and lateral TV survey done in WHI/Can V-8 format with reports, submitted on a DVD or flash drive.

Acceptance of Proposal—the above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Authorized Signature: X

Date of Acceptance: ____________________________

Any transmission of documents pertaining to this project through the use of a facsimile machine now or in the future is hereby permissible.

Original copy to LMK Pipe Renewal LLC. Other copies must include this proposal as terms of our agreement.
<table>
<thead>
<tr>
<th>Line #</th>
<th>Estimate #</th>
<th>LS</th>
<th>MH</th>
<th>to</th>
<th>MH</th>
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<th>Size</th>
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Total: 27, 4,136
TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Mike Shields, Public Works/Utilities Director
    George Krawczyk, Assistant Public Work/Utilities Director

DATE: April 26, 2016

SUBJECT: Mainline and Lateral Lining in Lift Station #10 Basin

As you are aware, the City’s infrastructure improvement plan includes lining of sewer pipes in areas with high lift station run times and also where roadway paving projects are planned. The next area of focus determined upon staff’s review and analysis are the mainlines and laterals of the lift station #10 basin. This basin is along 83rd Avenue which has high run times due to the close proximity of the canal. Funding for this project is available in the $2,000,000 allocated in the Fiscal year 2016 sewer lining rehabilitation plan in an effort to continue lowering the run times and transmission of sewage to the county.

Staff conducted research and discovered that the Palm Beach County Commission recently awarded Amendment No. 2 to the original Lining Wastewater Gravity Lines and Manhole Rehabilitation Contract (WUD 12-063A) for a similar scope of work and project size with Hinterland Group, Inc. The general conditions and pricing are in effect until April 14th, 2017. Staff believes that this vendor is the lowest and the most responsive bidder as indicated in Palm Beach County’s contract. Therefore, staff is recommending to piggy back off the Palm Beach’s current amended contract (WUD 12-063A) and award the contract to Hinterland Group Inc. in an amount not to exceed $249,425.00 for the continuation of the City’s sanitary sewer rehabilitation project.

RECOMMENDATION:

The City Administration recommends that the City Commission approves the attached Resolution authorizing the City Manager or designee to award Hinterland Group, Inc. for an amount not to exceed $249,425.00 using the Palm Beach County contract WUD 12-063 for the continuation of the sanitary sewer rehabilitation project.
RESOLUTION NO. _________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD HINTERLAND GROUP, INC. FOR AN AMOUNT NOT TO EXCEED $249,425.00, USING THE PALM BEACH CONTRACT WUD 12-063 FOR THE CONTINUATION OF THE SANITARY SEWER REHABILITATION 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 will accept the piggy-back bid off the City of Palm Beach Contract WUD 12-0653 for pricing and scope of work of similar nature.

Section 2: That the City Commission of the City of North Lauderdale, Florida authorizes the City Manager or her designee to accept the bid from Hinterland Group, Inc.

Section 3: That the funding for this project, in an amount not to exceed $249,425.00, has been appropriated in fiscal year 2016 - account number 4013939-546590.

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 26th day of April, 2016.

APPROVED AS TO LEGAL FORM:

__________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________
MAYOR JACK BRADY

__________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

__________________________
PATRICIA VANCHERI, CITY CLERK
## Estimate

**Hinterland Group, Inc.**
992 W. 15th Street
Riviera Beach, 33404

### Address
City of North Lauderdale
701 SW 71 AvEnue
North Lauderdale, Fl 33068

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<td>Line Item 61 - Install T-Liner in 6” to 12” Sewer Mains with 4” to 6” Sewer Laterals (include 25’ of lateral at all depths)</td>
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All pricing based off of Current Annual PBC Continuing Contract for Wastewater Gravity Lines & Manhole Rehabilitation WUD 12-063

| Total | $249,425.00 |

Accepted By

Accepted Date
To: Mayor and City Commission
From: City Clerk Patricia Vancheri
Date: April 26, 2016
Subject: Calling the General Municipal Election for November 8, 2016

As per State Statutes and the City of North Lauderdale’s Code of Ordinances, the City Commission is required to adopt a Resolution calling a General Municipal Election and setting forth the date of the election, the polling places where the election will be held and the opening and closing time of the polling locations. The candidate qualifying period begins at noon on Monday, June 20, 2016 and ends at noon on Friday, June 24, 2016. During the thirty days prior to the beginning of qualifying, notice of the General Election must appear in a newspaper of general circulation two times.

Recommendation:
City Commission’s approval of the attached Resolution calling for a General Municipal Election to be held on November 8, 2016 and advising of the candidate qualifying dates.
RESOLUTION NO.________________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, CALLING AND PROVIDING FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON THE 8TH DAY OF NOVEMBER, 2016, TO PROVIDE FOR THE ELECTION OF TWO COMMISSIONERS, ONE FROM DISTRICT “C” AND ONE FROM DISTRICT “D”; PROVIDING FOR TIMES OF SAID ELECTION; PROVIDING FOR A QUALIFYING PERIOD; PROVIDING FOR POLLING PLACES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the terms of office for Commissioner Rich Moyle representing District “C” and Commissioner David Hilton representing District “D”, respectively, expire in November, 2016; and

WHEREAS, by virtue of said expiration of terms, there will be vacancies created requiring the calling of an election for a Mayor and two Commissioners to fill said vacancies for four year terms; and

WHEREAS, the City Commission finds that calling for a general municipal election to be held on November 8, 2016 is in the best interests of the citizens and residents of the City of North Lauderdale.

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

Section 1. The foregoing “WHEREAS” clauses are true and correct and expressly made a part hereof.

Section 2. That the City Commission of the City North Lauderdale, Florida hereby calls for a General Municipal Election to be held on the 8th day of November, 2016 to fill vacancies caused by the expiration of terms of office for the for Commissioners representing District “C” and District “D”.

Section 3. That the polls shall be open to voters from 7:00 a.m. until 7:00 p.m. on the date of the election.

Section 4. That qualifying for candidates shall begin at noon on Monday, June 20, 2016 and end at noon on Friday, June 24, 2016.

Section 5. All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.
Section 6. If any section, sentence, clause, or phrase of this resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

Section 7. This Resolution shall become effective upon its passage and adoption by the City Commission.

PASSED AND ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 26 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