CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, MAY 10, 2016
REGULAR MEETING – 6:00 p.m.

AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Vice Mayor David Hilton

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 26, 2016

4. PRESENTATIONS

   a. Creek Technical Academy – Jill Ridinger, Magnet Coordinator

   b. Recognition of North Lauderdale resident Brian Patrick for receipt of Scholarship to Kansas State University

5. PROCLAMATIONS

   a. National Mental Health Awareness Month / Broward Housing Solutions® Day – Lisa Vecchi

   b. Emergency Medical Services Week – Chief Turpel/Deputy Chief Sweet

6. PUBLIC DISCUSSION
7. CONSENT AGENDA

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

a. **RESOLUTION – Re-Appointing Aletrice Darcel Mann to the Code Enforcement Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING ALETRICE DARCEL MANN WHO RESIDES AT 812 E. PALM RUN DRIVE, AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY COMMISSIONER LORENZO WOOD); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

b. **RESOLUTION - Re-Appointing Lawrence Milligan to the Code Enforcement Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING LAWRENCE MILLIGAN WHO RESIDES AT 313 SW 78 TERRACE, AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY MAYOR JACK BRADY); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

c. **RESOLUTION – Re-Appointing Christine McKay to the Planning and Zoning Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING CHRISTINE McKay WHO RESIDES AT 7303 FOREST BOULEVARD (SPONSORED BY MAYOR BRADY) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.
d. **RESOLUTION - Re-Appointing Diana M. Farrar to the Housing Authority Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA RE-APPOINTING DIANA M. FARRAR (SPONSORED BY VICE MAYOR DAVID HILTON) AS A REGULAR MEMBER OF THE NORTH LAUDERDALE HOUSING AUTHORITY; AND PROVIDING AN EFFECTIVE DATE.

8. **OTHER BUSINESS**

a. **RESOLUTION - T-Mobile Cell Tower**

- 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 AND DIRECTING THE CITY MANAGER OR DESIGNEE, TO EXECUTE AN ACCEPTABLE LEASE AGREEMENT APPROVED BY THE CITY ATTORNEY’S OFFICE BY AND BETWEEN THE CITY OF NORTH LAUDERDALE AND T-MOBILE SOUTH, LLC FOR THE PURPOSE OF LOCATING, PLACING, ATTACHING, INSTALLING, OPERATING AND MAINTAINING A CELLULAR TOWER AND SITE AT THE JACK BRADY SPORTS COMPLEX LOCATED AT 881 ROCK ISLAND ROAD; AND PROVIDING AN EFFECTIVE DATE.

b. **SUBJECT: Sign Waiver SWAV 16-03**

   Arena Shoppes - 7300 W. McNab Rd.

To allow:

- Two monument signs 256 square feet each, whereas Section 94-16(b)(2)(a) of the City Code allows 76.6 square feet of freestanding signage.
- Lettering not to exceed 23 ½ inches in height, whereas Section 94-16(b)(2)(d) of the City Code allows for 16 inches maximum letter height within a B-2 General Business zoning district.

**APPLICANT:** Sebastian Roiter, Arena Capital Holdings, LLC.

- Motion, second and vote to read
- Attorney reads title
MOTION: To approve Sign Waiver SWAV 16-03 to allow two monument signs size and letter height size, subject to the condition that all applicable codes of the City regarding the installation of signs shall be adhered to and the terms, conditions and provisions imposed by the City Commission, Planning and Zoning Board, and staff shall be met.

c. **SUBJECT – SPEV 16-01 – Bethel Worship Center Community Block Party and Health Fair**

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

MOTION: To approve “The Bethel Worship Center Community Block Party and Health Fair”, to be held on Saturday, July 23rd, 2016, from 10:00 A.M. to 4:00 P.M. at the Bethel Worship Center subject to the conditions listed in Staff’s memorandum.

d. **RESOLUTION - Resolution Establishing the Rate of Local Government Infrastructure Surtax and calling for a Referendum on the Surtax**

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

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

9. REPORTS

10. COMMISSION COMMENTS

   a. Discussion and possible motion to authorize advertisement in Quality Cities Conference issue and authorizing attendance at the 90th Annual Florida League of Cities Conference August 18-20 at the Diplomat Resort & Spa in Hollywood, FL

11. CITY MANAGER COMMENTS

   a. Discussion and direction from the Commission to prepare an Ordinance Instituting Inspection and Licensing of Single Family Rental Properties

12. CITY ATTORNEY COMMENTS

13. ADJOURNMENT
CITY OF NORTH LAUDERDALE
COMMISSION MEETING
TUESDAY, APRIL 26, 2016

MINUTES

The North Lauderdale City Commission met at the Municipal Complex on Tuesday, April 26, 2016. The meeting convened at 6:00 p.m.

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Lorenzo Wood 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 Bhatty
   City Attorney Samuel S. Goren
   City Clerk Patricia Vancheri

3. APPROVAL OF MINUTES

   a. April 12, 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 Sgt. Patrick Bowden – Retirement Recognition

Lt. Beckman introduced Sgt. Bowden to recognize his retirement from Broward Sheriff’s Office after 28 years of service in law enforcement. Sgt. Bowden’s many accomplishments over those years as an officer, included, but was not limited to serving our country for a combined 29 years in the United States Navy and Reserves, including a tour during Operation Desert Storm in 1990 and two tours in Iraq as the Chief in charge of Security Force Operations from 2005-2008. Lt. Beckman stated that this is a well-deserved retirement for Sgt. Bowden.
5. **PROCLAMATIONS** – Clerk Vancheri read the following Proclamations.
   
   a. Public Service Recognition Week  
   b. Municipal Clerks  
   c. National Day of Prayer

6. **PUBLIC DISCUSSION**

   **Emerson James**, SW 6 Court, commented that he has been a 27 year resident and has been watching things deteriorate badly with regard to crime stretching from 5th Court to 7th Court. Mr. James commented that the neighborhood used to have beautiful lawns, no fences, but now there are more fences, less beautiful lawns and they are fearful to take a walk due to hot spots of criminal elements in the community. Mr. James said he wants to stay in the neighborhood, but people have moved because of the deterioration and safety issues. Mr. James also commented that there is an issue with pit bulls and other dogs in the neighborhood. He commented that he would like these issues addressed. Mayor Brady replied that there is a leash law in North Lauderdale and commented that they will have BSO look into the concerns.

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

   Commissioner Moyle moved to read. Seconded by Commissioner Wood. Attorney Goren read the item and Tammy Reed-Holguin, Community Development Specialist and Nageb A. Salha, the applicant were duly sworn. Ms. Reed-Holguin presented the item based on the backup memorandum. She indicated that Mr. Salha has obtained licensure through the State and has applied for the special exception use permit for the massage establishment. This particular bay in the shopping center has been vacant for some time and any new business opening in this space must comply with all current zoning regulations. Staff has reviewed the proposed request and in light of the guidelines and criteria contained in Section 106-156 Special Exception Uses of the City Code and has determined that the application meets the criteria for allowing the massage establishment as a primary use. The City Code requires three parking spaces for this establishment. Hours of operation will be 10 am to 11 pm Monday through Saturday and 10 am to 10 pm on Sunday. On April 5th the Planning and Zoning Board recommended approval of the SEU to the City Commission subject to the six (6) conditions listed in staff memorandum. Applicant, Najeb A. Salha, commented that he resides in Tamarac, having come from California,
and has a doctorate degree in natural medicine and three different degrees and has been trained in chiropractic and acupuncture. He stated he has been doing this business for over 25 years, working in many countries all over the world, but has chosen to open a business and own a home in this area.

Commissioner Graziose moved to approve the proposed Special Exception Use Permit subject to the six (6) conditions outlined in staff memorandum. Applicant agreed voluntarily to the conditions listed in the staff memorandum. Commissioner Moyle seconded. Motion passed unanimously on voice vote.

At this point Mayor Brady introduced State Representative Gwyndolen Clarke-Reed who thanked the Commission for the opportunity to have represented this district in Tallahassee for the past 8 years. She commented that she is looking to be elected to the Senate by running for District 34. Rep. Clarke-Reed stated that she has worked so well with the City Manager and the Commission, and even though they were not able to bring forth all of the things that the Commission wanted, hopefully what they did bring to North Lauderdale will move the City along and make it a better place. She said she is looking to continue to do great things in North Lauderdale and hopes to meet everyone in the Senate. Mayor Brady thanked Rep. Clarke-Reed for a good job over the past eight years.

Resumed agenda:

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

Commissioner Moyle moved to read. Seconded by Commissioner Graziose. Attorney Goren read the item and Tammy Reed-Holguin, Community Development Specialist and Joseph Passalacqua, the applicant, were duly sworn. Ms. Reed-Holguin presented the item based on the backup memorandum. She indicated that in September 2012 Teleperformance applied for a Special Exception Use permit to allow a permanent outdoor vendor at their site. The vendor, “Sweet Pea Food Cart” proposed to prepare and sell food to employees and customers at Teleperformance. The City worked closely with the applicant and vendor at that time regarding the location, hours of operation and other items of conformance with the City code. Tonight the applicant is requesting an amendment to the previously approved special exception permit to allow the extension of hours of operation changing from 11 am - 5 pm to 8 am – 6 pm Monday through Friday. The additional hours will allow the serving of breakfast in the morning with an additional dinner hour in the evening. This request is made in accordance with the section of the Code that allows permanent outdoor vendors subject to specific restrictions and requiring the
applicant to obtain a special use permit. City Administration recommends Commission’s consideration and approval of the proposed amendment subject to the five (5) conditions listed in staff memorandum. Dennis Morgan, from Teleperformance and the applicant, Joseph Passalacqua were present for any questions. Public hearing opened. No one spoke.

Commissioner Moyle moved 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. Seconded by Commissioner Graziose. Mr. Passalacqua voluntarily agreed to the five conditions recommended by staff. No Commission discussion. Motion approved unanimously by voice vote.

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

Commissioner Wood moved to read. Seconded by Commissioner Graziose.

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 Specialist, presented the item based on backup memorandum. She stated the item is before the Commission for consideration and adoption on second reading. Ms. Reed-Holguin stated that the item was before the Commission on April 12th for first reading and was adopted. As discussed at the last meeting, there has been an influx of the number of gas stations and convenience stores in North Lauderdale; there is currently 14 gas stations with convenience stores within our 5 square miles. There are another 9 stand-alone convenience stores. Since the City has limited commercial space left, we are looking for a diversity of uses and a moratorium to be put in place while a study is being done to bring back recommendations to the Planning and Zoning Board and subsequently to the City Commission for any changes to the City code. On April 5th, the Planning and Zoning Board also recommended approval of this Ordinance, as the Commission did on April 12th on first reading. Commission approval is being sought on second reading and adoption. Public hearing opened.
No one spoke. Commissioner Graziose moved to adopt. Seconded by Commissioner Moyle. No discussion. Motion approved unanimously by voice vote.

ORDINANCE NO. 16-04-1326 PASSED AND ADOPTED UNANIMOUSLY

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

Commissioner Graziose 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 Specialist, presented the item based on backup memorandum. She stated the item is before the Commission for consideration and adoption on second reading. Ms. Reed-Holguin commented that this item was before the Commission on April 12th and approved on first reading. The House Bill 1313 regarding the medical use of Cannabis for terminally ill patients was approved by both the House and Senate and subsequently signed by Governor Scott. Given the uncertainty of the impact the implementation of the regulations will have on the community it is being recommended that a moratorium be put in place for a six month period of time to allow a study as to what other communities may be doing and what the impact may be on our City. Ms. Reed-Holguin stated that recommendations will be made for amendments to the zoning code if appropriate and present them to the Planning and Zoning Board, then back to the City Commission for consideration. The moratorium was approved by the Planning and Zoning Board on April 5th and on first reading by Commission on April 12th; upon adoption, the moratorium would be in place for six months. Commissioner Moyle moved to adopt. Seconded by Commissioner Wood. There was no public discussion and no Commission discussion. Motion approved unanimously by voice vote.

ORDINANCE NO. 16-04-1327 PASSED AND ADOPTED UNANIMOUSLY
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

Commissioner Wood 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 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.

Michael Stamm, GIS Analyst and Project Manager, and Dr. Jesse Saginor, PI, from Florida Atlantic University presented this item based on the backup memorandum and a PowerPoint presentation which is available for review in the City Clerk’s office. Mr. Stamm commented that a thorough analysis was done of the election districts and in terms of their recommendation and in best interests of the City and the Commission, it was recommended to keep the districts as they are today. The districts are sound and in compliance with the City’s Charter and Ordinances. Attorney Goren commented that the reports and the PowerPoint recommendation which is made a part of the record during the first reading are also made a part of the second reading and any findings and recommendations made are consistent with the findings of the professional staff from FAU. Commissioner Moyle moved to approve. Seconded by Commissioner Graziose. No public comment. No Commission discussion. Motion approved unanimously by voice vote.

ORDINANCE NO. 16-04-1328 PASSED AND ADOPTED UNANIMOUSLY
9. OTHER BUSINESS

a. RESOLUTION - Payment to Broward Sheriff’s Office - Youth Baseball Program

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, 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.

Mike Sargis, Parks and Recreation Director, commented that part of the youth programs are done in partnership with the Broward Sheriff’s office and approximately three times a year this request is made; it does not have anything to do with the existing contract with the Sheriff’s office. This represents payment for costs incurred for security coverage at the baseball fields; awards and background checks. Commissioner Wood moved to approve. Seconded by Commissioner Moyle. No discussion. Motion approved unanimously by voice vote.

RESOLUTION NO. 16-04-6284 PASSED AND ADOPTED UNANIMOUSLY

b. RESOLUTION - Kimberly Boulevard Gravity Sewer Lateral Rehabilitation

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, 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.

George Krawczyk, Assistant Public Works Director, presented the item based on backup memorandum. He said with regard to the on-going lining project for our sewer infrastructure, this portion is going to be from 81st Avenue to Rock Island on the Kimberly Blvd. west side portion, staying in line with the paving of that road. The City has worked with LMK Pipe Renewal in the past and their work is known. The City of Plantation just went out to bid for this type of work, therefore, we are using the specifications of that bid. Commissioner Moyle moved to adopt. Seconded by Commissioner Wood. Motion approved unanimously by voice vote.

RESOLUTION NO. 16-04-6285 PASSED AND ADOPTED UNANIMOUSLY
c. RESOLUTION – Mainline and Lateral Lining in Lift Station #10 Basin

Commissioner Wood moved to read. Commissioner Moyle seconded.

Attorney read:

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.

George Krawczyk, Assistant Public Works Director, presented the item based on backup memorandum. He said this portion is basically the continuation of mainline and lateral lining in Lift Station #10 Basin which is south of Lift Station #9 which was just completed. Mr. Krawczyk stated that this vendor pricing was a little lower and after a reference check and a review of videos of work that they have done, staff feels that they would do a good job and we would piggy-back off a County project. Commissioner Wood moved to adopt. Seconded by Commissioner Moyle. All in favor by voice vote.

RESOLUTION NO. 16-04-6286 PASSED AND ADOPTED UNANIMOUSLY

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

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

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, 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.

Commissioner Wood moved to approve. Seconded by Vice Mayor Hilton. No discussion. All in favor by voice vote.

RESOLUTION NO. 16-04-6287 PASSED AND ADOPTED UNANIMOUSLY
10. REPORTS - None

11. COMMISSION COMMENTS

Commissioner Graziose – commented that the MPO has gathered 25 projects around Broward County; has been out to Linear Park and through a rating process rated this as project #8 out of 10 that they feel they can fund. Between now and November, MPO staff and/or FDOT will meet with City Staff to find out if there is any right-of-way problems and determine proceeding with the project. He also reported that he attended a School Board District Meeting to see if there was any discussion about North Lauderdale, but nothing came up. Commissioner Graziose commented that he asked that North Lauderdale be districted with Margate and Coconut Creek. He also thanked Parks and Recreation department for North Lauderdale Days.

Commissioner Wood – Reiterated that North Lauderdale Days and the fireworks were good. Also, he commented on attending the FLC Race, Equality and Leadership Summit which was very informative and enlightening. Commissioner Wood also commented about the PR problem with the Forum not having any North Lauderdale coverage. Discussion ensued regarding the masthead of the current Forum; distribution; and coverage of North Lauderdale events. Commissioner Wood and Mr. Sargis commented that we are getting positive press from the Sun-sentinel, but not the Forum. Commissioner Moyle suggested getting businesses to advertise in the Forum. Commissioner Graziose stated that his district was never included in the Forum and they did not get distribution of it. After some discussion, Commission’s consensus was to allow Mr. Sargis and City Manager Bhatty to schedule a meeting with the Editor of the Forum to discuss the issues.

12. CITY MANAGER COMMENTS

a. Alpha 250 Update – City Manager Bhatty mentioned that Attorney Goren prepared a memo which the Commission should have. She commented that she attended a meeting regarding the Alpha 250 property and the future sale of that property by the County. Ms. Bhatty reported that Commissioner Beam Furr has suggested that the sale be delayed for a year and a study be done to determine what potential zoning options this property can be used for with regard to regional solid waste recycling purposes. It was agreed that Broward County would pay for the study and the original negotiating team would still be involved in the selection of the consultant for the study, the scope of the study and other issues pertaining to solid waste. The cities consensus was to delay the sale for a year. The County will have to agree; and then an amendment will have to be executed by the cities.

City Manager Bhatty asked for the Commission’s consensus to send a congratulatory letter from the City to Rep. Hazelle Rogers for the end of her term. Consensus was for Mayor Brady to sign the letter.
13. CITY ATTORNEY COMMENTS

Attorney Goren gave an update on the proposed Infrastructure Surtax Resolution and commented on the percentage of participation; Sunrise has it on their agenda tonight; and the County had a meeting today, but at this time the results were unknown as to the proposed Transportation Surtax. He spoke on the events that will occur over the next few weeks regarding proposed Interlocal agreements that may needed to join the cities to get these items on the ballot by the June deadline. A special meeting of the MPO is scheduled for May 5th to discuss this issue. Attorney Goren explained the process further and recommended the Commission adopt a motion to take this item, which was previously tabled, off the table to a time certain at the May 10th Commission meeting for discussion and possible action. Mayor Brady passed the gavel and made a motion to take the item off the table to be placed on the May 10th Agenda. Commissioner Moyle seconded the motion. Motion passed unanimously by voice vote.

Attorney Goren reported that there is an ethics training boot camp coming up on May 13th.

14. ADJOURNMENT – There being no further discussion, the meeting adjourned at 7:26 pm.

Respectfully submitted,

Patricia Vancheri, City Clerk
WHEREAS, For more than 20 years, the nonprofit Broward Housing Solutions® has provided quality, permanent and affordable housing specifically for people with mental illness across Broward County; and

WHEREAS, Broward Housing Solutions® provides homes to 350 residents at 19 owned and operated properties and landlord partner complexes across Broward County, including 10 residents and their families in the City of North Lauderdale;

WHEREAS, The organization owns and operates one property in North Lauderdale;

WHEREAS, Broward Housing Solutions® offers housing to all age groups, including programs for young people aging out of foster care, adults, families, veterans and seniors citizens; and

WHEREAS, Eighty-eight percent of Broward Housing Solutions®’ residents are formerly homeless; and

WHEREAS, Stable housing results in stable mental health, preventing incarcerations and hospitalizations, thereby saving our community $1.2 million each year; and

WHEREAS, In partnership with mental health service providers, Broward Housing Solutions®, ensures the stability, recovery, and reintegration of the residents it serves; and

WHEREAS, Broward Housing Solutions® enables people with mental illness to live independently with dignity and hope.

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

NATIONAL MENTAL HEALTH AWARENESS MONTH

and May 10, 2016 as

Broward Housing Solutions® Day

Dated this ____day of _________2016

___________________________________
MAYOR JACK BRADY
WHEREAS, Emergency Medical Services is a vital public service; and

WHEREAS, the members of Emergency Medical Services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, Emergency Medical Services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

WHEREAS, the Emergency Medical Services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public and other out of hospital medical care providers; and

WHEREAS, the members of Emergency Medical Services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

NOW, THEREFORE, We, the City Commission of the City of North Lauderdale, Florida hereby proclaim the week of May 15-21, 2016 as

EMERGENCY MEDICAL SERVICES WEEK
“EMS STRONG”

in recognition of this event and encourage the community to observe this week with appropriate programs, ceremonies and activities.

Dated this 10th day of MAY, 2016

_____________________________________
MAYOR JACK BRADY
RESOLUTION NO. ____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING ALETRICE DARCEL MANN WHO RESIDES AT 812 E. PALM RUN DRIVE, AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY COMMISSIONER LORENZO WOOD); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, Aletrice Darcel Mann’s term of office will expire on May 31, 2016; and

WHEREAS, Commissioner Wood recommends the re-appointment of Aletrice Darcel Mann; and

WHEREAS, Ms. Mann wishes to continue to serve on the Code Enforcement Board; and

WHEREAS, the City Commission is desirous of ratifying said appointment.

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

Section 1: That Aletrice Darcel Mann be and the same is hereby re-appointed to a three year term as a regular member of the North Lauderdale Code Enforcement Board.

Section 2: That Ms. Mann shall serve in said capacity until May 31, 2019 or until resignation, whichever comes first.

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 10th day of May, 2016.

APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________________
MAYOR JACK BRADY

__________________________________
VICE MAYOR DAVID G. HILTON

__________________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. _________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING CHRISTINE McKay WHO RESIDES AT 7303 FOREST BOULEVARD (SPONSORED BY MAYOR BRADY) AS A MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Christine McKay’s term of office expired on May 31, 2016; and

WHEREAS, Christine McKay is willing to continue to serve on the Planning & Zoning Board; and

WHEREAS, Mayor Brady sponsors Ms. McKay’s re-appointment; and

WHEREAS, the City Commission desires to ratify said recommendation.

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

Section 1. That Christine McKay is hereby re-appointed to a three year term as a regular member of the North Lauderdale Planning & Zoning Board to serve in said position from May 31, 2016 until May 31, 2019 or until resignation, whichever comes first.

Section 2. That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 10th day of May, 2016.

APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL GOREN

__________________________________
MAYOR JACK BRADY

__________________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

__________________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. ______________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-APPOINTING LAWRENCE MILLIGAN WHO RESIDES AT 313 SW 78 TERRACE, AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY MAYOR JACK BRADY); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, Lawrence Milligan’s term of office will expire on May 31, 2016; and

WHEREAS, Mayor Brady recommends the re-appointment of Lawrence Milligan; and

WHEREAS, Mr. Milligan wishes to continue to serve on the Code Enforcement Board; and

WHEREAS, the City Commission is desirous of ratifying said appointment.

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

Section 1: That Lawrence Milligan be and the same is hereby re-appointed to a three year term as a regular member of the North Lauderdale Code Enforcement Board.

Section 2: That Mr. Milligan shall serve in said capacity until May 31, 2019 or until resignation, whichever comes first.

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 10th day of May, 2016.

APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________________
MAYOR JACK BRADY

__________________________________
VICE MAYOR DAVID G. HILTON

__________________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. ______________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA RE-APPOINTING DIANA M. FARRAR (SPONSORED BY VICE MAYOR DAVID HILTON) AS A REGULAR MEMBER OF THE NORTH LAUDERDALE HOUSING AUTHORITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Diana Farrar’s term of office is expiring on May 31, 2016; and

WHEREAS, Diana Farrar is willing to continue to serve on the Housing Authority Board; and

WHEREAS, Vice Mayor David Hilton recommends the re-appointment of Diana Farrar; and

WHEREAS, the City Commission is desirous of ratifying said appointment.

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

Section 1: That Diana Farrar, be and the same is hereby re-appointed as a regular member of the North Lauderdale Housing Authority.

Section 2: That Diana Farrar shall serve in said capacity through May 31, 2019 or until resignation.

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 10th day of May, 2016.

APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________________
MAYOR JACK BRADY

__________________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

__________________________________
PATRICIA VANCHERI, CITY CLERK
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: May 10, 2016
SUBJECT: T-Mobile Cell Tower

Over the past several months, staff has been working with representatives of T-Mobile for the installation of a cell tower at the old Nextel cell tower site at the Jack Brady Sports Complex located at 881 Rock Island Road. The tower was decommissioned and our lease and agreement terminated with Nextel a few years ago.

The terms of the new agreement with T-Mobile, which has been reviewed by the City Attorney’s office, is similar to City’s past and current cell tower lease agreements with other vendors.

Key points of this Agreement are:

- Initial term of 15 years with two (2) additional five (5) year renewal periods.
- An initial $48,886.34 for the first year with a built-in 5% annual increase.
- City’s right for co-location with other vendors and right to all revenues generated.

RECOMMENDATION:

The City Administration recommends City Commission’s consideration and approval of the attached Resolution authorizing the City Manager or her designee to execute an acceptable Lease Agreement approved by the City Attorney’s office by and between the City of North Lauderdale and T-Mobile South, LLC for the purpose of locating, placing, attaching, installing, operating and maintaining a cellular tower and site at the Jack Brady Sports Complex located at 881 Rock Island Road.
RESOLUTION NO. _______________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OR DESIGNEE, TO EXECUTE AN ACCEPTABLE LEASE AGREEMENT APPROVED BY THE CITY ATTORNEY’S OFFICE BY AND BETWEEN THE CITY OF NORTH LAUDERDALE AND T-MOBILE SOUTH, LLC FOR THE PURPOSE OF LOCATING, PLACING, ATTACHING, INSTALLING, OPERATING AND MAINTAINING A CELLULAR TOWER AND SITE AT THE JACK BRADY SPORTS COMPLEX LOCATED AT 881 ROCK ISLAND ROAD; 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 authorize and direct the City Manager and/or designee to negotiate and execute an acceptable lease agreement by and between the CITY OF NORTH LAUDERDALE and T-MOBILE SOUTH, LLC for the purpose of locating, placing, attaching, installing, operating and maintaining a cellular tower at the Jack Brady Sports Complex located 881 Rock Island Road.

Section 2: That this Resolution shall take effect immediately upon adoption

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 10th day of May, 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 Bhaty, City Manager

BY: Tammy Reed - Holguin, Community Development Director

DATE: May 10, 2016

SUBJECT: Sign Waiver SWAV 16-03

Arena Shoppes - 7300 W. McNab Rd.

To allow:

- Two monument signs 256 square feet each, whereas Section 94-16(b)(2)(a) of the City Code allows 76.6 square feet of freestanding signage.
- Lettering not to exceed 23 ¼ inches in height, whereas Section 94-16(b)(2)(d) of the City Code allows for 16 inches maximum letter height within a B-2 General Business zoning district.

APPLICANT: Sebastian Roiter, Arena Capital Holdings, LLC.

Background

Arena Shoppes Capital Holdings, LLC is proposing to redevelop the vacant old Wal-Mart property on the south side of McNab Road, west of Rock Island Road at 7300 W McNab Road. The City Commission approved the site plan on February 9, 2016, however the sign waiver requests were not submitted in time for consideration. The Wal-Mart building is approximately 116,000 square feet and the strip plaza is 37,197 square feet. Based on the square footage of both buildings only 76.6 square feet in total monument sign face area is allowed by City Code. The applicant is requesting two monument signs to advertise 17 individual tenant spaces as shown in the backup attachment figure A. One sign will face Rock Island Road and the other on McNab Road. Both monument signs will include advertising space for the strip plaza stores on South end of the property as well as for the new Arena shops.

The applicant indicated that approval of this request is necessary to business operations and would provide favorable exposure to their business and the strip plaza along the McNab Road and Rock Island corridor. The specific details of the request are contained in the attachments and made a part of this report. There is an existing agreement on file with the City in place between the strip plaza and the Arena Shoppes to allow signage for both properties on the subject monument signs.
Section 94-43 of the sign code makes a provision where the City recognizes that the commercial areas located adjacent to McNab Road and Rock Island are established business areas serving a regional population base and that certain requirements of the sign code may not be applicable. The City Commission, therefore upon recommendation of the Planning and Zoning Board, may waive the requirements of the sign code.

It is always the staff’s objective to review any application in the best interest of business viability and success. Staff also has the responsibility to review the aesthetic and other impacts of any signage in the City.

The Planning and Zoning Board met on May 3, 2016 and approved the item for recommendation to the City Commission.

**Staff Analysis**

Taking into consideration that both signs are approximately 50 feet from the crown or middle of the roadway on Rock Island and McNab Road and they provide signage for the entire development, Staff feels that the requested sign waivers are reasonable. The criteria that staff uses to consider sign waivers includes how far the business sits from the roadway, if there are any obstructions to see the store from the road, if signage other than the wall sign is available and can be used additionally, and if the larger letter size does not increase the size of the sign beyond that which is allowed by Code in terms of square footage. In this case there are obstructions limiting the visibility of the monument signs. The applicant has worked with Broward County tree preservation office and has chosen to keep the established trees along McNab Road. These trees have been in existence since the building of the first occupant and are now fully grown. As discussed by the Planning & Zoning Board, the trees must be maintained by a licensed arborist and properly cared for to insure the visibility of the subject monument signs. This condition is part of the approved landscape plan and site plan. The old Wal-Mart building sits over 830 feet from the Rock Island Road and the strip plaza sits over 630 feet from McNab Road, making the wall signs not easily seen by customers traveling along either corridor.

Staff is presenting the item before you tonight after several revisions by the applicant while working with staff to get the sign within reasonable request. Arena Shoppes has reduced the size of the monument signs and the letter heights to remain consistent with the other plazas along the McNab and Rock Island corridor. The monument sizes along both corridors range from 80 square feet for smaller plazas to 240 square feet for larger plazas, therefore the request presented by Arena Shoppes remains consistent with the other plazas in providing adequate signage for the development.

**RECOMMENDATION:**

If the City Commission concurs with recommendation to approve the applicant’s request and finds that the proposed signs would benefit the customers and the business, then a motion is in order to approve waivers for the monument signs size and the letter height size. The approval would be subject to the condition that all applicable codes of the City regarding the installation of
signs shall be adhered to and the terms, conditions and provisions imposed by the City Commission, Planning and Zoning Board, and staff shall be met.
RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING A SIGN WAIVER REQUEST FOR TWO MONUMENT SIGNS THAT ARE 256 SQUARE FEET IN SIGN AREA WHERE 76.6 SQUARE FEET MAXIMUM ARE ALLOWED BY SECTION 94-16 (B) (2) (a) WITH LETTERS NOT TO EXCEED 23 ¼ INCHES HIGH WHERE A MAXIMUM OF 16 INCH HIGH LETTERS ARE ALLOWED BY SECTION 94-16 (B) (2) (d) FOR ARENA SHOPPES LOCATED AT 7300 W. MCNAB ROAD NORTH LAUDERDALE, FLORIDA, WITHIN A GENERAL BUSINESS (B-2) ZONING DISTRICT.

WHEREAS, Section 94-43, of the City's Sign Code, allows the City Commission the option to waive the requirements of the sign code relating to commercial areas adjacent to Rock Island Road, Southgate Boulevard, State Road 7, McNab Road and S.W. 81st Avenue; and

WHEREAS, Arena Shoppes is located at the vacant Wal-MART plaza at 7300 W. McNab Road. as shown in figure A, North Lauderdale, Florida; and

WHEREAS, Arena Shoppes feels that the provisions of the sign code for letter size and overall square footage allowed on a monument sign is inadequate for their needs; and

WHEREAS, Arena Shoppes, is requesting a sign waiver to allow the installation and maintenance of two monument signs with up to 23 1/4 inch high letters for the main tenants whereas a maximum of 16 inch high letters are allowed by Section 94-16 (B) (2) (d); and

WHEREAS the proposed signs are 256 square feet each where 76.6 square feet are allowed per Section 94-16 (B)(2)(a) within a General Business (B-2) zoning district; and

WHEREAS, the Planning and Zoning Board recommended approval of said request at their meeting on May 3rd, 2016.

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

Section 1: That the waiver of the sign code be and the same are hereby granted to Arena Shoppes to allow the installation and maintenance of two monument signs with 23 1/4 inch high letters whereas a maximum of 16 inch high letters are allowed by Section 94-16 (B) (2) (d) within a General Business (B-2) Zoning District.

Section 2: That the waiver of the sign code be and the same are hereby granted to Arena Shoppes to allow the installation and maintenance of a two wall signs 256 square feet each whereas a maximum of 76.6 square feet are allowed by Section 94-16 (B) (2) (a) within a General Business (B-2) Zoning District.
Section 3: That the waiver granted by this Resolution shall not excuse the applicant from compliance with each and every term, condition and provision of the City's Sign Code, the Code of Ordinances of the City of North Lauderdale, Florida, the conditions outlined in the staff’s memorandum for approval, as well as the obtainment of the necessary permits.

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 10th day of May 2016.

APPROVED AS TO FORM:

________________________________
CITY ATTORNEY SAMUEL GOREN

________________________________
MAYOR JACK BRADY

________________________________
VICE MAYOR DAVID HILTON

ATTEST:

________________________________
CITY CLERK PATRICIA VANCHERI
SIGN WAIVER □  LANDSCAPE WAIVER □  OTHER WAIVER □

APPLICANT: Arena Shoppes LLLP  
Phone: 786-354-1150

Mailing Address: 3550 Biscayne Blvd, Suite 501
City: Miami  
State: FL  
Zip: 33137

PROPERTY OWNER (If different from above):
Mailing Address:  
City:  
State:  
Zip:  
Phone:  

- Location of Special Exception Requested: 7300 W McNab Road (Old Walmart Building)
- Name of Business: Arena Shoppes  
Current Use: Shopping Center
- Please explain nature, extent, scope and purpose of proposed use:
  Concurrent with our development plan of splitting the Old Walmart building into 8 tenants and improving the property overall, the owner wishes to better the view corridors for the sign and improve for the tenants use. Tenants include Ross, Falles, Dollar Tree, Rainbow, Lucky me, and Youfit.

Applicant Signature:  
Date: 03/29/2016

BELOW FOR COMMUNITY DEVELOPMENT USE ONLY

Waiver Fee: $150.00 each
Paid / /  
Received By:

Planning & Zoning Board Meeting:  /  /  Recommendation: □ Approve  □ Deny
Identify any conditions or stipulations recommended or basis for denial:

City Commission Meeting:  /  /  Recommendation: □ Approve  □ Deny
Identify any conditions or stipulations recommended or basis for denial:
To whom it may concern,

Arena Shoppes LLLP, as owner and developer of the property located at 7300 W Mcnab Road, North Lauderdale, FL 33069 is requesting a Sign waiver modification for the property as part of its redevelopment of the Old Walmart Box.

Attached please find the proposed Monument Sign for the Property. We are requesting a sign waiver for the Height and SQFT for the Monuments Sign in the property as we reconfiguring the Old Walmart box on Mcnab Road into 7 Tenants, therefore additional space is required as the old monument sign in the property is only configured for one Tenant.

Additionally, the new proposed Monument sign will match the updated look of the building currently being redeveloped giving tenants opening stores in the Old Walmart Building exposure, as well as the tenants that will be opening stores on the small shops.

Kindly,

Sebastian J Roiter

Arena Shoppes, LLLP
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission

FROM: Ambreen Bhatty, City Manager

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

DATE: May 10, 2016

SUBJECT: SPEV 16-01
BETHEL WORSHIP CENTER COMMUNITY BLOCK PARTY AND
HEALTH FAIR ON SATURDAY, JULY 23, 2016

Bethel Worship Center is requesting permission to hold a community block party and health fair on Saturday July 23, 2016, from 10:00 a.m. to 4:00 p.m., on church grounds located at 6060 Kimberly Boulevard in North Lauderdale. The event will include activities such as a bounce house, massages, music, and various giveaways. Food such as chicken, hot dogs and hamburgers will be cooked and provided onsite. Various vendors will be there from the local community. Specific details of the proposed event are set forth in Attachment A, which is made a part of this report.

The request is being submitted for the City Commission’s approval in accordance with Section 6-28 of the City Code of Ordinances requiring the governing body to approve such special events.

At this time, the applicant is confident that all permits/items necessary to conduct a safe and successful special event can be secured in a timely manner. City Commission approval will be subject to compliance with all City and County codes, including the conditions associated with the application. The indemnity agreement and certificates of insurance are on file with the Community Development Department.

The applicant understands that under no circumstances would the City permit the event to proceed unless and until all applicable codes are met. These codes must be met prior to the event’s opening and shall be continually adhered to while the event is open to the public.

This request will be reviewed by Parks and Recreation, Community Development, Fire Department and BSO. The applicant is continuing to coordinate with each department.
RECOMMENDATION
Based on the foregoing, it is recommended that the City Commission approve a motion authorizing this event subject to the following conditions:

1. Applying for and securing all applicable permits.
2. Conformance with all Public Safety and Fire Rescue requirements.
3. Fully executed indemnification/hold harmless agreement.
4. Adequate liability insurance of $1,000,000 with the company naming the City of North Lauderdale as an additional insured.
5. That all other applicable codes of the City regarding special events shall be adhered to and the terms, conditions and provisions imposed by the City Commission and Staff shall be met.

If the Commission concurs with this request, a motion is in order:

MOTION:

To approve “The Bethel Worship Center Community Block Party and Health Fair”, to be held on Saturday, July 23rd, 2016, from 10:00 A.M. to 4:00 P.M. at the Bethel Worship Center subject to the conditions listed in Staff’s memorandum.
April 29, 2016

Mr. Andrew Disbury  
City of North Lauderdale  
Code Compliance  
701 SW 71st Avenue  
North Lauderdale, Florida 33068

To Mr. Andrew Disbury:

Bethel Worship Center is having a Community Block Party and Health Fair on Saturday, July 23rd, 2016. This event is the same as we did in years past. Enclosed is the completed Special Event Form, the check for $106.00 and the layout for the event. The time of the event will be from 10:00 a.m. to 4:00 p.m. We will have food, massages, a bounce house, music, giveaways, various vendors, etc.

Should you have any questions, please do not hesitate to contact me.

Thank you for your assistance in this matter. It is greatly appreciated.

In Service for Christ  

[Signature]  
Rev. Denise Dalrymple, Esq.  
Minister of Administration and Finance
City Of North Lauderdale
Community Development Department

SPECIAL EVENT APPLICATION

Applicant Name: Bethel Worship Center
Mailing Address: 6060 Hembury Blvd, North Lauderdale, Fl 33068
Property Owner: [If different from Applicant]
Mailing Address: Same as above
Telephone: (954) 972-3331

Location of Special Event: 6060 Hembury Blvd, North Lauderdale, Fl 33068
Name of Business: Bethel Worship Center
Current Use: Church
Please Explain Nature, Extent, Scope & Purpose of Proposed Use:
Community Black Party and Health Fair

Applicant Signature: ______________________
Date: 4/29/16

PLEASE NOTE:
If Applicant is not the owner of the parcel of land for which this special event application is filed, an affidavit by the owner of 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 event is being filed and the specific location of the proposed activity.

BELOW TO BE COMPLETED BY THE COMMUNITY DEVELOPMENT DEPARTMENT
Special Event Application Fee - $165
Paid: 4/29/14
Received By: [Signature]

City Commission Meeting: [ ] [ ] Action Taken: [ ] Approve [ ] Deny
Identify any conditions or stipulations for approval or basis for denial:

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# Certificate of Liability Insurance

**ACORD**

**BETHEWOR**

**Date (MM/DD/YYYY):** 4/26/2016

**Client: 23199**

**Producer:** Cypress Insurance Group  
**Address:** PO Box 9328  
**City:** Fort Lauderdale, FL 33310-9328  
**Phone/FAX:** 954 771-0300/FAX: 954 772 9424  
**Email:** Joyce@CypressInsurance.com  
**Insurer:** Philadelphia Indemnity Ins Co  
**IN0008**

**Insured:** Bethel Worship Center  
**Address:** 6060 Kimberly Blvd., North Lauderdale, FL 33068

**Cov. Number:** 10056

**Certifying:** Joyce Simpson

**Revisions:**

**Certificate Number:**

**Revision Number:**

**Coverages:**

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**Certification:**

City of North Lauderdale  
701 SW 71 Ave.  
North Lauderdale, FL 33068

**Cancellation:**

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

**Authorized Representative:**

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As you may know, Florida Law allows local governments to impose local option surtaxes to meet their needs through a County-wide referendum process. The two such discretionary surtaxes that have been under discussion for a few months now are the County initiated Regional Transportation System Surtax and the Local Government Infrastructure Surtax. The Broward Metropolitan Planning Organization (BMPO) formed a Surtax subcommittee consisting of elected officials from various cities to discuss surtax options and initiate action. After numerous meetings, the BMPO proposed for the County to adopt a Transportation Surtax Resolution by April 5, 2016 that would distribute surtax revenues between the municipalities (based upon population) and the County. However, there have been numerous disagreements between the Cities and the County on the distribution of funds as well as the flexibility on utilizing these funds.

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

The BMPO has provided a template for the attached uniform resolution that complies with the statutory requirements of State Statute Section 2112.055(2) F.S. and needs to be adopted by the governing bodies of municipalities representing a majority of the County’s population by the end of May 2016 so the surtax option can be placed on the November 2016, ballot. To date, cities representing more than 80% of the County population have adopted the Resolutions.

While the County is still pushing for the County Transportation Surtax, the cities and the BMPO are fully supporting the Infrastructure surtax only. At the last BMPO meeting held on May 5, 2016, the Board rescinded its previous vote of approval for the Transportation Surtax and moved forward to support the Infrastructure Surtax only. In addition, direction was given to staff to review all approved municipal Infrastructure Resolutions to ensure compliance with statutory requirements and transmit those resolutions to the Supervisors of Elections. Staff was also
directed to develop a Standardized Educational Campaign template for municipalities to use to educate residents about the infrastructure Surtax, which would also include some transportation related improvements.

RECOMMENDATION:

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

Local Government Infrastructure Surtax

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 5. Referendum Election.

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

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

BROWARD COUNTY 1 CENT SALES SURTAX TO FUND INFRASTRUCTURE IMPROVEMENTS

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

FOR THE 1-CENT SALES TAX

AGAINST THE 1-CENT SALES TAX

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

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

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

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

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

Section 11. Effective Date.

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

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

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

APPROVED AS TO LEGAL FORM:

___________________________________
CITY ATTORNEY SAMUEL S. GOREN

___________________________________
MAYOR JACK BRADY

___________________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

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PATRICIA VANCHERI, CITY CLERK