CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, OCTOBER 11, 2016

REGULAR MEETING – 4:30 p.m.

AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Graziose

2. ROLL CALL

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

3. APPROVAL OF MINUTES
   a. September 28, 2016

4. PRESENTATIONS
   a. 35th Anniversary of ICMA recognition to City of North Lauderdale on behalf of Florida County and City Managers Association (Horace McHugh, CAO for Plantation/Video)

5. PROCLAMATIONS
   a. Recognizing Florida City Government Week – October 16-22

   b. Cub Scout Pack #208 – “Webelos 1” and “Webelos 2” – Question and Answer Session with City Commission in conjunction with City Government Week

   c. Recognizing October as National Community Planning Month and Presentation of Certificates of Appreciation to Planning and Zoning Board Members
6. PUBLIC DISCUSSION

7. ORDINANCES SECOND READING

a. Ordinance – Second Reading – Extending Moratorium on the Issuance of any new Licenses or Permits for Uses that Involve the Cultivation, Processing and Dispensing of Medical Marijuana/Cannibas

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ORDINANCE 16-04-1327, ADOPTED ON APRIL 26, 2016; EXTENDING THE MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS FOR USES THAT INVOLVE THE CULTIVATION, PROCESSING AND DISPENSING OF MEDICAL MARIJUANA/CANNABIS WITHIN THE CITY FOR UP TO AN ADDITIONAL SIX MONTHS, BUT IN NO EVENT LONGER THAN THE TIME NEEDED FOR THE CITY ADMINISTRATION TO COMPLETE A COMPREHENSIVE ANALYSIS OF THE ISSUES RELATED TO THE REGULATION MEDICAL MARIJUANA USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

8. OTHER BUSINESS

a. RESOLUTION – Appointment of Diana Farrar to Code Enforcement Board

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPOINTING DIANA FARRAR AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY VICE MAYOR DAVID G. HILTON); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.
b. **RESOLUTION - Ratification of Federation of Public Employees (FPE) Collective Bargaining Agreement**

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


9. REPORTS
   a. [2016 Holiday Parade Options](#) (Mike Sargis)
   b. Parks and Recreation Update (Mike Sargis)

10. COMMISSION COMMENTS

11. CITY MANAGER COMMENTS
   a. [PACE Workshop – Tuesday, October 18 – 6:00 pm – 7:30 pm – Municipal Complex](#)
   b. Set new date for Town Hall Meeting regarding Penny Surtax

12. CITY ATTORNEY COMMENTS

13. ADJOURNMENT
CITY OF NORTH LAUDERDALE

COMMISSION MEETING

WEDNESDAY, SEPTEMBER 28, 2016

MINUTES

The North Lauderdale City Commission met at the Municipal Complex on Wednesday, September 28, 2016. The meeting convened at 6:00 p.m.

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Mayor Brady gave the invocation and let 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 Bhatto
   City Attorney Samuel S. Goren
   City Clerk Patricia Vancheri

3. APPROVAL OF MINUTES

   a. September 14, 2016 – Commissioner Wood moved to approve the Minutes as submitted. Seconded by Vice Mayor Hilton. Motion approved unanimously by voice vote.

4. BUDGET RELATED MATTERS

   a. ORDINANCE – Second Reading – Adopting Ad Valorem Tax Rate FY 2016/17

   Attorney read:

ALL PURPOSES; PROVIDING FOR CONFLICTS; AND, PROVIDING AN EFFECTIVE DATE.

Susan Nabors, Finance Director, presented the item based on the backup memorandum and stated that over the last few months, City Commission has worked with Administration to prepare a budget for FY 2016/2017. In order to implement that comprehensive fiscal year budget, two separate ordinances will be enacted. The first ordinance pertains to the City’s millage rate and the second is for adoption of the City’s budget. Ms. Nabors indicated that both ordinances were approved by the City Commission on September 14, 2016 and they are being presented tonight for second reading and final adoption. She said, as originally discussed at the July 12th workshop, Administration has proposed that the City Commission set the millage operating rate at 7.5 mils which is the same as last year. This rate is 10.65 percent more than the roll back rate of 6.778. Ad valorem property taxes provide approximately 30% of the City’s general fund revenue. The funding is viable to provide City services as outlined in the proposed budget. Per City Charter, in order to adopt the operating millage rate, approval is needed by at least four City Commissioners for a supermajority vote. The ordinance approving Administration’s recommended budget provides for spending limitations on various City funds that are in the proposed budget and the final budget will reflect any and all modifications approved by the Commission. City Manager Bhaty reiterated that the 10.65% increase in the roll-back rate ties into the property value increases in the City which is good news for North Lauderdale as property values are going up and was the highest increase in Broward County.

Public hearing opened. No one from the public spoke. Commissioner Wood moved to adopt. Seconded by Commissioner Moyle. Clerk polled Commission. Commissioner Graziose – Yes; Commissioner Moyle – Yes; Commissioner Wood – Yes; Vice Mayor Hilton – Yes; Mayor Brady – Yes. Motion passed unanimously.

ORDINANCE NO. 16-09-1338 PASSED AND APPROVED UNANIMOUSLY

b. ORDINANCE – Second Reading – Adopting Budget for Fiscal Year 2016/17

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

Attorney read:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ADOPTING THE ATTACHED ANNUAL BUDGET, AS THE CITY OF NORTH LAUDERDALE’S FINAL BUDGET FOR THE 2016/17 FISCAL YEAR, ALLOCATING, APPROPRIATING, AND AUTHORIZING EXPENDITURES IN ACCORDANCE WITH AND FOR THE PURPOSES AS STATED IN SAID BUDGET, EXCEPTING CERTAIN APPROPRIATIONS AND EXPENDITURES REQUIRING FURTHER CITY COMMISSION ACTION AND/OR AUTHORIZATION; AUTHORIZING BUDGETARY CONTROL BY DEPARTMENTAL FUND TOTAL FOR ALL APPROPRIATIONS EXCEPT FOR AMOUNTS ALLOCATED FOR CAPITAL OUTLAY ITEMS; PROVIDING FOR THE AUTHORIZATION OF ALL BUDGETED EMPLOYMENT POSITIONS AND THE AUTHORIZATION FOR THE CITY MANAGER TO MAKE TEMPORARY APPOINTMENTS TO BUDGETED
Susan Nabors, Finance Director, presented the item based on the backup memorandum. She stated that the City Commission approved the first reading of the budget ordinance on September 14, 2016 and tonight it is presented for second reading and final adoption. Ms. Nabors stated that on July 12th and again at tonight’s workshop, the millage rate was set at 7.5 and the budget was developed around that millage rate. The general fund operating budget will increase from $28.1 million dollars to $29.6 million dollars for FY 2016/17. Ms. Nabors highlighted some of the primary sources of the change in the general fund of a $906,000 increase in the funding of capital projects such as one-time projects including field lighting; Boulevard of Champions wall; street lights with signage; entryway signs; increase in the BSO contract and a new roof at the Somerset Prep School. She also indicated an increase from $52.0 million to $55.2 million, which is a 6.1% increase overall, represents general fund items just mentioned, plus a one-time I.T. capital purchase and enterprise fund contractual increases. Administration recommends approval and adoption of this ordinance on final reading to adopt the FY 2016/17 budget. Public hearing opened. No one spoke. Commissioner Moyle moved to approve. Seconded by Commissioner Wood. Clerk called polled. Commissioner Moyle – Yes; Commissioner Wood – Yes; Vice Mayor Hilton – Yes; Commissioner Grazioso – Yes; and Mayor Brady – Yes. Motion passed unanimously.

ORDINANCE NO. 16-09-1339 PASSED AND APPROVED UNANIMOUSLY
5. PRESENTATIONS

a. American Heart Association Platinum Fit-Friendly Company Award 2016 -
Wendy Davis, a representative from the American Heart Association, stated it is an honor to announce that the City of North Lauderdale is recognized as a “Fit-Friendly” worksite in Broward County. She stated this is an annual award given to companies who have committed to making the health and wellness of its employees a priority and is intended to be a catalyst for positive change in workplaces across America and here in South Florida. Being recognized at the platinum level shows that the City offers all employees physical activities and support at the worksite and has increased the numbers of healthy eating options available; promotes a culture of wellness and embraces at least ten or more criteria as outlined by the American Heart Association in the areas of physical activity, nutrition and culture. Ms. Davis stated that being a fit friendly worksite shows that the leaders here in North Lauderdale are trailblazers who have adopted the spirit of the initiative and drive to help improve the wellness of its employees. Jennifer Yarmitzky stated that they couldn’t have achieved this without the support of Administration and Commission and will continue to promote employee wellness programs. City Manager Bhatty commented that some of the highlights of the employee wellness programs included the opening of a gym using some vacant space, along with some grants for equipment; a weight-watchers program and 5K Walk/Run events; and health fairs attended by vendors offering massage and other health related information and services.

6. PROCLAMATIONS

a. Domestic Violence Awareness Month – October
Clerk read proclamation. Jo-Ann Anstett, a Therapy and Advocacy Manager for Women in Distress stated that they appreciate the Proclamation and support to end domestic violence.

b. National Breast Cancer Awareness Month – October
Clerk read proclamation. No representative was present.

c. National School Lunch Week – October 10-14
Clerk read proclamation. No representative was present. Commissioner Wood commented that the school he works at provides free and reduced lunch, as well as other cities throughout the County, and for the record wanted to comment on recent failures of some schools regarding inspections. He stated that school cafeterias are inspected like any restaurant. They work under tight budgets, have low staffing and tirelessly to get food prepared and keep a clean kitchen often without air conditioning often under inhumane conditions. He commented that as we move forward with this proclamation he will be sharing it with the cafeteria manager at his school. He wanted to let parents know, in light of the recent news that the schools will work with the School Board to rectify the problems.

7. PUBLIC DISCUSSION – No one signed up.
8. QUASI-JUDICIAL ITEMS

a. ORDINANCE – Second Reading – VAR - 16-03 Easy Self Storage
Folio # 49411280020 W. McNab Road and Avon Lane
APPLICANT: SS McNab LLC

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

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING
AND GRANTING VARIANCES FROM THE NORTH LAUDERDALE CODE OF
ORDINANCES, SECTION 106-490 (10) REGARDING OVERALL BUILDING HEIGHT
WHERE 45 FEET IS ALLOWED AND 53 FEET 6 INCHES IS BEING REQUESTED;
SECTION 106-184 REGARDING FENCE AND WALL HEIGHT TO PERMIT AN 8 FEET
WALL AND FENCE WHERE 6 FEET HEIGHT IS ALLOWED; PROVIDING FOR
STIPULATIONS AND CONDITIONS; PROVIDING THAT PROVISIONS NOT VARIED
BY THIS ORDINANCE REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR
CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Attorney Goren read both items pertaining to applicant, Easy Self Storage, and advised that both
would be considered separately. Those persons present to represent the applicant were duly
sworn by Attorney Goren. Tammy Reed-Holguin, Community Development Director, presented
the two items based on backup memorandum. She indicated that to accommodate the
construction of a storage facility, the applicant is requesting two variances, which are being
presented for second reading. Ms. Reed-Holguin indicated that the variance is requested to
conceal the air conditioning unit on top and to also increase the architectural interest of building
an arch to mirror the structure of nearby outparcels. The fence and wall variance of two feet is
requested for both safety and aesthetic reasons. Ms. Reed-Holguin said with this variance it is
still lower than the building and is proportional to the structures on the site and still provides
safety on the property. The Commission did approve both variance on first reading on
September 14, 2016. Staff is seeking approval on second reading subject to the three (3)
conditions listed in the backup memorandum. Public hearing opened. No one spoke. Ken
Carlson, Architect, 1066 W. Newport Center Dr., Deerfield Beach, and Tom Richerson, Owner,
previously sworn, addressed the Commission. Mr. Carlson stated they have enjoyed working
with staff to enhance and secure the building and agree to the conditions outlined by staff.
Commissioner Moyle moved to adopt. Seconded by Commissioner Graziose. Motion was
unanimously approved by voice vote.

ORDINANCE NO. 16-09-1340 PASSED AND APPROVED UNANIMOUSLY
b. SUBJECT – Final Site Plan Approval SPR 16-02

Easy Self Storage
Folio # 49411280020 East of Avon Lane on South side of McNab Rd

Final Site plan approval to construct 100,000 square foot self-
storage facility in a light industrial (M-1) zoning district.

APPLICANT: Kenneth Carlson, SS McNab, LLC.

Attorney Goren commented that this next item is concurrent with the variance. Tammy Reed-Holguin stated that this is the second reading for approval of the site plan; the preliminary site plan was approved on September 14, 2016 by the City Commission. Since that last meeting, a couple of things that Commission requested, were worked with between Staff, the Applicant and the Architect. Those items were the color scheme of the building and the continuation of the sidewalk to the south end of the property. They are reaching out to Walmart to see if they will pick up the remainder to connect it from their property. These changes will be included in the final site plan if approved tonight. Mr. Carlson stated the color samples were being provided and they agree with the twelve conditions listed in staff memorandum. Public hearing opened. No one spoke. Commissioner Wood moved to approve the final site plan, subject to the twelve (12) conditions listed in staff memorandum. Vice Mayor Hilton seconded the motion. Motion passed unanimously by voice vote.

9. ORDINANCES SECOND READING

a. Ordinance – Second Reading – Moratorium on Issuance of Building Permits or Development Orders for the Installation of or Siting of any Wireless Communications Facility as Defined Under Section 365.172, Florida Statutes, in any Public Rights-of-Way or any Location in the City

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

Attorney read:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ESTABLISHING A MORATORIUM UNTIL APRIL 1, 2017 ON THE ISSUANCE OF BUILDING PERMITS, OR DEVELOPMENT ORDERS FOR THE INSTALLATION OF OR SITING OF ANY WIRELESS COMMUNICATIONS FACILITY, AS DEFINED UNDER SECTION 365.172, FLORIDA STATUTES, IN ANY PUBLIC RIGHTS-OF-WAY OR IN ANY LOCATION WITHIN THE CITY OF NORTH LAUDERDALE, FLORIDA; 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. Staff is seeking approval and adoption on second reading for the institution of this moratorium. Commission approved the ordinance on first reading on September 14, 2016,
and if approved tonight the moratorium would be put into place until April, 2017 or sooner if staff can bring back an ordinance for consideration prior to that. Public hearing opened. No one spoke. Attorney Goren interjected that on the Planning and Zoning Board level and on first reading, with regard to the regulations that regulate these kinds of facilities, and not knowing exactly what those are, this will be helpful to have time to study this and make recommendations for amendments to the zoning code, if applicable. **Commissioner Wood moved to approve. Seconded by Commissioner Graziose. Motion approved unanimously by voice vote.**

**ORDINANCE NO. 16-09-1341 PASSED AND APPROVED UNANIMOUSLY**

b. **Ordinance – Second Reading - Amendment to Appendix F Fee Schedule Related to Residential Units**

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

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING APPENDIX F TO THE CITY’S CODE OF ORDINANCES, “FEE SCHEDULE” TO CLARIFY THE FEES FOR THE BUSINESS TAX RECEIPT AND THE PROCESSING AND INSPECTION OF RESIDENTIAL RENTAL UNITS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. She stated that several meetings ago, Commission passed an ordinance which would include inspections and licensing fees for single family residences. In the implementation of that ordinance, and review with staff, it was noticed that there was some language in the Code that may be misinterpreted by people. Ms. Reed-Holguin said that to explain, the intent is to keep the fee minimal for these property owners and just enough to cover the cost to the City which is why the inspections are kept in-house by staff. In clarification, Ms. Reed-Holguin stated that if a person owns a duplex, for example, the fee that they would pay would be one fee, not $32 for each side, but $32 for the building. In the event that two different people own a side of the duplex, then each one would pay the $32. It is not the City’s intent to overburden with additional fees. This would just be a clarification. Public hearing opened. No one spoke. **Commissioner Graziose moved to approve. Seconded by Vice Mayor Hilton.** Commissioner Wood asked if the owners of single family homes are receptive to this. Ms. Reed-Holguin replied that they have had a great response in terms of notices sent out and persons coming in to fill out the applications that the Local Business Tax Specialist is assisting with. Commissioner Wood commented that he is in favor of this ordinance to keep our city and the renters safe. **Motion passed unanimously by voice vote.**

**ORDINANCE NO. 16-09-1342 PASSED AND APPROVED UNANIMOUSLY**
10. CONSENT AGENDA

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

   a. RESOLUTION – Sign Waiver - SWAV 16-04 - Easy Storage
      McNab Road and Avon Lane Folio # 494111280020

      *(This item was heard and approved unanimously by Motion at the City Commission meeting on September 14, 2016 and is being presented for ratification of the Resolution this evening)*

      A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING A SIGN WAIVER REQUEST FOR TWO WALL SIGNS WITH LETTERS NOT TO EXCEED 31 INCHES HIGH WHERE A MAXIMUM OF 16 INCH HIGH LETTERS ARE ALLOWED BY SECTION 94-16 (C) (2) (c) FOR EASY SELF STORAGE LOCATED AT FOLIO #494111280020 NORTH LAUDERDALE, FLORIDA, WITHIN A LIGHT INDUSTRIAL (M-1) ZONING DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

      RESOLUTION NO. 16-09-6314

   b. RESOLUTION – Appointment of Enjoli Paul to the Planning & Zoning Board

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

      Ms. Paul was present and was introduced at this time. She stated she is honored to be appointed to the Board and graciously accepts the position.

      RESOLUTION NO. 16-09-6315

   c. RESOLUTION - Contract Renewal for Pump Station Maintenance Services, LLC

      A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO RENEW THE CONTRACT WITH PUMP STATION MAINTENANCE SERVICES, LLC FOR THE CITY’S 29 PUMP STATIONS MAINTENANCE FOR ONE ADDITIONAL YEAR BEGINNING OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2017; AND PROVIDING AN EFFECTIVE DATE.

      RESOLUTION NO. 16-09-6316
d. RESOLUTION – Dedication of Kingdom Hall of Jehovah’s Witness Water Main

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BY AND BETWEEN THE CITY AND KINGDOM HALL OF JEHOVAH’S WITNESSES TO ACCEPT DEDICATION OF THE WATER MAINS ON THE JEHOVAH’S WITNESS PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 16-09-6317

e. RESOLUTION – Employee Group Insurance (Life, Long Term Disability & Short Term Disability) Renewal - Fiscal Year (FY) 2016/17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER, OR HER DESIGNEE ON BEHALF OF THE CITY TO ENTER INTO A ONE YEAR CONTRACT WITH METLIFE FOR THE PURCHASE OF GROUP LIFE, SHORT TERM DISABILITY AND LONG TERM DISABILITY INSURANCE COVERAGE; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION NO. 16-09-6318

f. RESOLUTION - Flexible Spending Account Plan

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BY AND BETWEEN THE CITY AND AMERIFLEX AND AUTHORIZING COLONIAL INSURANCE TO ADMINISTER A FLEXIBLE SPENDING ACCOUNT PROGRAM FOR THE EMPLOYEES OF NORTH LAUDERDALE; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 16-09-6319

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

CONSENT AGENDA UNANIMOUSLY APPROVED

11. OTHER BUSINESS

a. RESOLUTION - Sign Waiver - SWAV 16-05
   ROSS - 7300 W. McNab Rd.

Commissioner Wood moved to read. Seconded by Vice Mayor Hilton.
Attorney read:
Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. She stated that the Ross store will be the anchor tenant at the new Arena Shoppes located at 7300 W. McNab Road. The site plan for this project was approved by City Commission on February 9, 2016; however the sign waiver request was not complete for submission at that time. Ms. Reed-Holguin commented that with regard to this request, staff has historically approved larger letters with the condition that the overall square footage of the sign not exceed the linear square footage of the building. In this instance the linear footage is 150 feet allowing them to have one wall sign up to 150 sq. feet. The name and tag line total 183.3 square feet. Ross is also asking for three smaller wall signs bringing the requested sign area to 207.3 square feet; 57.3 square feet over the code requirement, therefore the a waiver for the maximum square footage of the signs is being requested. Ms. Reed-Holguin commented that they take into consideration how far the business sits from the road; if there are obstructions and if other signage is available, including monument signs; and if the larger letter size does not increase the size of the sign beyond the square footage allowed. Ross does sit 800 feet from the roadway on Rock Island Road and they do have additional signage on two monument signs. Ms. Reed-Holguin stated that the sign company has worked to reduce the size of the wall signs from what was originally requested and this remains consistent with other stores that sit about the same distance. The Planning and Zoning Board approved the sign waiver for the 58 and 34 inch high letters and the increase of square footage of the sign on September 6, 2016. Staff recommends approval of the attached resolution. Sergio Bertot with Professional Signs was present to represent for Ross stores. He commented that they originally submitted a request for 72 inch letters that is standard for all Ross stores in the nation and they would like to have the 72 inches, but the City compared their request to Walmart which has 66 inches. Mr. Bertot said they would like to have their typical 72 inch, but will accept the 58 if it cannot be done. Attorney Goren commented that he had attended the Planning and Zoning Board meeting and the request for the larger letters was made, but they approved staff’s recommendation for the lesser size. However, Commission could consider other options through staff recommendation. Mr. Bertot stated they would like the 72, but would accept the 58 so as not to have to go through the process again. Ms. Reed-Holguin replied that the 58 was approved for recommendation and that with the Walmart, they sit farther back from the road and have a much larger store, so the larger letters are within the square footage allowed by code. The 58 and 34 inch size is not within the square footage, so they also are requesting a waiver for the square footage. Also, with Walmart, not all the letters are 66 inches; just the W and the L and the T. Ross is asking for all of the name to be 58 and the tag line to be all 38. City Manager Bhatty reiterated that they are closer to the road and you have to consider the aesthetics of the frontage of the building and in addition
they have the monument signs. She said they will still have adequate visibility based on the frontage of the building. Commissioner Wood stated that with regard to what the code standards are staff has already recommended the 58 and with the signage of the monuments on McNab Road and Rock Island there will be a lot of visibility, and it should stay aesthetically pleasing to the plaza and he would like to stay with staff’s recommendation. **Commissioner Moyle moved to approve. Seconded by Vice Mayor Hilton.** Commissioner Graziose pointed out that with the tag line, they are requesting 34 which is more than double what the code allows, so he feels comfortable with this. **All in favor by voice vote.**

**RESOLUTION NO. 16-09-6320 PASSED AND APPROVED UNANIMOUSLY**

b. **ORDINANCE - First Reading - Extending Moratorium on the Issuance of any new Licenses or Permits for Uses that Involve the Cultivation, Processing and Dispensing of Medical Marijuana/Cannibas**

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

Attorney read:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ORDINANCE 16-04-1327, ADOPTED ON APRIL 26, 2016; EXTENDING THE MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS FOR USES THAT INVOLVE THE CULTIVATION, PROCESSING AND DISPENSING OF MEDICAL MARIJUANA/CANNABIS WITHIN THE CITY FOR UP TO AN ADDITIONAL SIX MONTHS, BUT IN NO EVENT LONGER THAN THE TIME NEEDED FOR THE CITY ADMINISTRATION TO COMPLETE A COMPREHENSIVE ANALYSIS OF THE ISSUES RELATED TO THE REGULATION MEDICAL MARIJUANA USES; 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. On April 26, 2016 the City Commission approved an ordinance instituting a moratorium pertaining to the uses that involve medical marijuana. The ordinance being presented tonight on first reading is to extend the moratorium for six months, but in no event longer than the time needed to complete the study and compile recommendations for Commission’s approval. House Bill 1313 regarding the medical use of Cannabis for terminally ill patients was approved by the House and the Senate and signed into law by Governor Scott during the last legislative session. Regulations pertaining to the medical marijuana industry is still in flux at this time and a new ballot question related to this usage will be on the November 8th general election ballot. The Florida Legislature is considering a number of initiatives related to this use and City Staff continues to monitor these initiatives and track legislation adopted by neighboring communities. The extension of the moratorium will provide time to monitor the results of the referendum and any regulations adopted by surrounding communities. **Vice Mayor Hilton moved to adopt. Seconded by Commissioner Wood. All in favor by voice vote. Second reading will be advertised for City Commission meeting on October 11th.**
c. ORDINANCE – First Reading – Amendment to the Service Fee for Bad/Dishonored Payments

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING APPENDIX F, OF THE CITY OF NORTH LAUDERDALE CODE OF ORDINANCES, ENTITLED "FEES", BY AMENDING ARTICLE II, ENTITLED, "OTHER FEES AND CHARGES", SECTION 53 ENTITLED “SERVICE FEE FOR DISHONORED CHECKS” AND SECTION 2-222 ENTITLED “SERVICE FEE FOR BAD CHECKS” TO PROVIDE FOR REVISIONS TO THE FEE FOR DISHONORED PAYMENTS TO BE CONSISTENT WITH THE PROVISIONS OF SECTION 166.251 OF THE FLORIDA STATUTES, AS PERIODICALLY AMENDED; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

Susan Nabors, Finance Director, presented this item based on backup memorandum. She indicated that periodically the City receives payments from customers that are not honored by their bank due to insufficient funds. The City is charged a fee for each returned payment and there are also administrative costs associated with the processing and collection on these payments. Ms. Nabors commented that the State allows government agencies to charge customers a service fee for dishonored payments and the last time the City updated the service fee was in 1992. Per the City’s Sec. 53 of Appendix “F”, Section 2-222, the rate imposed at that time was $20 per returned item, or an amount of up to 5% of the face value of the worthless check, whichever was greater. At that time, this rate was consistent with Florida Statutes Section 166.251. Currently, that Florida Statute allows the governing body to adopt a tiered rate for services fees for dishonored payments. Staff recommends Commission’s approval on first reading of an ordinance to amend Appendix “F” and to allow City Administration to annually review this fee structure as needed to be consistent with Florida Statutes. Commissioner Graziose moved to adopt. Seconded by Vice Mayor Hilton. No discussion. All in favor by voice vote. Second reading of the ordinance will be advertised for City Commission meeting on October 25th.

d. RESOLUTION - Contract Renewal for Westway Towing Services, LLC

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ADOPTING THE ATTACHED RESOLUTION AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN EXTENDED AGREEMENT WITH WESTWAY TOWING, INC. BASED UPON THE TERMS AND CONDITIONS AS OUTLINED IN BID #13-09-5992 AND ACCEPTING THE PROPOSED RATE STRUCTURE AND FRANCHISE FEE AS LISTED IN ATTACHMENT A; AND PROVIDING AN EFFECTIVE DATE.
George Krawczyk, Public Works/Utilities Director, presented the item based on backup memorandum. He indicated that Westway has served the City since 2013 and as discussed in the Commission’s strategic workshop, staff was commissioned to negotiate a renewal. Westway was agreeable to renew and the terms are pursuant to the original bid #13-06-342 with regard to services for an additional three years ending September 30, 2019. Mr. Krawczyk said some of the key points of this agreement would be the franchise fee that the City receives went up from $27,000 to $35,000. The attachment shows the tow rate structure and class A tows will go up 33% and other categories by an average of 25% which seems fair and is agreeable with staff. Commissioner Moyle moved to adopt. Seconded by Commissioner Wood. No Commission discussion. All in favor by voice vote.

RESOLUTION NO. 16-09-6321  PASSED AND APPROVED UNANIMOUSLY

e. RESOLUTION – Employee Group Health, Vision and Dental Insurance Renewal Fiscal Year (FY) 2016/17

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A RENEWAL CONTRACT BY AND BETWEEN THE CITY OF NORTH LAUDERDALE AND THE FLORIDA LEAGUE OF CITIES FOR EMPLOYEE GROUP INSURANCE BENEFITS AS OUTLINED IN SECTION 1 OF THIS RESOLUTION FOR FISCAL YEAR 2016/17; AND PROVIDING AN EFFECTIVE DATE.

Jennifer Yarmitzky, Human Resources Manager, presented the item based on backup memorandum. She stated this item is the renewal of employee group health, vision and dental insurance. As highlighted earlier in the workshop, the health, vision and prescriptions will remain the same under United Healthcare and there is a change from United Healthcare Dental to Delta Dental. This change will show enhancements in benefit providers and lower out of pocket costs. The premiums for health, vision and prescriptions will remain unchanged from last year and premiums for the dental insurance will see a decrease. The same contribution rates are proposed for the benefits and the City’s portion has been budgeted. Commissioner Wood moved to adopt. Seconded by Vice Mayor Hilton. All in favor by voice vote.

RESOLUTION NO. 16-09-6322  PASSED AND APPROVED UNANIMOUSLY

f. RESOLUTION - Florida League of Cities Insurance Contract Renewal Fiscal Year (FY) 16/17 - General/Professional Liability, Automobile Liability/Physical Damage, Property and Workers’ Compensation

Commissioner Graziose moved to read. Seconded by Commissioner Wood. Attorney read:
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN ACCEPTABLE AGREEMENT BY AND BETWEEN THE CITY AND THE FLORIDA LEAGUE OF CITIES FOR THE CITY’S GENERAL LIABILITY, AUTOMOBILE, PROPERTY AND WORKERS’ COMPENSATION INSURANCE COVERAGE FOR FISCAL YEAR 2016/17, PROVIDING FOR A PREMIUM OF NOT MORE THAN $638,538 AND PROVIDING AN EFFECTIVE DATE.

Jennifer Yarmitzky, Human Resources Manager, presented the item based on backup memorandum. She stated this item is the renewal of the City’s General Liability, Automobile, Property and Worker’s Compensation Insurance. The renewal proposal from the Florida League of Cities came in at a total decrease of $9,393 and a return of premium of $28,016 during FY 2016/17. Ms. Yarmitzky commented on the process involving what worker’s compensation insurance premiums are based on and asked that in the event, after an audit, the City has underpaid premiums, for workers’ comp only, that the City Manager be authorized under her authority to pay any amount up to $25,000, or if the difference is more, the item will be presented to Commission for approval. This information is included in the memorandum and the resolution. Commission Moyle moved to approve. Seconded by Vice Mayor Hilton. All in favor by voice vote.

RESOLUTION NO. 16-09-6323 PASSED AND APPROVED UNANIMOUSLY

12. REPORTS – None

13. COMMISSION COMMENTS

   a. Broward League of Cities
      • Motion to approve Membership Dues - $3,668.00
      • Discussion and possible motion to approve additional donation toward the BLC Scholarship Program

City Clerk commented that this item is the annual dues and consideration of a donation of $500.00, same as last year, toward the BLC Scholarship Program. Vice Mayor Hilton moved to approve payment of the membership dues along with the donation of $500. Seconded by Commissioner Wood. Motion passed unanimously by voice vote.

Mayor Brady commented that there would be an annual Sickle Cell Walk on November 19, 2016 at Hampton Pines Park and advised to save the date. He mentioned that Teleperformance was contacted and may like to work on this. The details would be determined.

Vice Mayor Hilton commented on a prayer breakfast event he attended over the weekend for one of the local churches and also attended a Sickle Cell Association banquet. He said the Sickle Cell Association is close to his heart and appreciates that the City supports the walk. The City was honored at the banquet for their continued support. An honoree of the Association and a
resident of North Lauderdale commented, during her acceptance speech spoke highly of the City and wished other cities were like North Lauderdale.

Commissioner Graziose reported on the County’s Graffiti Task Force, which North Lauderdale was the driving force for, and the efforts of the cities to address this effort to clean up the electrical boxes and traffic signs. He also gave an update of the bike lane on Bailey Road. Also, an update was reported on the boundary of Silver Lakes Middle School which was submitted to the School Board today. Graziase also reported on the new certificates for the ambulance carriers in Broward County. City Manager Bhatty also commented that they are looking into the option of wrapping those FPL traffic boxes and the County has outlined the process and this will be an upcoming project.

14. CITY MANAGER COMMENTS

a. Update - One Penny Surtax Initiative – City Manager Bhatty skipped this as the details were shared in the shop, however for the benefit of the public, she mentioned that there will be a Town Hall meeting on October 5th at 7:00 p.m. at City Hall to educate the residents about this initiative.

WALKON ITEM: City Manager Bhatty commented that they are in negotiations with BSO however, the current contract expires on September 30th so they are presenting a resolution to extend the current contract on a month to month basis until negotiations are wrapped up.

Attorney Goren read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA AUTHORIZING SIGNING OF THE 3rd AMENDMENT WITH THE BROWARD SHERIFF’S OFFICE FOR POLICE SERVICES; PROVIDING FOR THE ALLOCATION OF FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

RESOLUTION NO. 16-09-6325 PASSED AND APPROVED UNANIMOUSLY
15. CITY ATTORNEY COMMENTS

a. RESOLUTION – City Attorney Contract Renewal

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE MAYOR OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON BEHALF OF THE CITY, TO EXECUTE AND TO OTHERWISE ENTER INTO THE ATTACHED INDEPENDENT CONTRACTOR PROFESSIONAL SERVICES EMPLOYMENT CONTRACT BY AND BETWEEN THE CITY OF NORTH LAUDERDALE AND SAMUEL STUART GOREN, A MEMBER OF THE LAW FIRM OF GOREN, CHEROF, DOODY & EZROL, P.A., PURSUANT TO WHICH CONTRACT THE CITY DOES EMPLOY SAMUEL STUART GOREN, A MEMBER OF THE LAW FIRM OF GOREN, CHEROF, DOODY & EZROL, P.A., AS "CITY ATTORNEY" FROM OCTOBER 1, 2016 TO SEPTEMBER 30, 2017 AUTHORIZING THE MAYOR TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION, AND, PROVIDING FOR AN EFFECTIVE DATE.

Attorney Goren commented that this will be his 38th contract with the City and it has been his honor and privilege to have had this position in the City. The Commission and City Manager each reflected their accolades and appreciation to Attorney Goren and thanked him for all his support and the support of his law firm.

RESOLUTION NO. 16-09-6324 PASSED AND APPROVED UNANIMOUSLY

Attorney Goren also reiterated to the Commission about their ethics training requirements.

16. ADJOURNMENT – There being no further business, the meeting adjourned at 7:40 p.m. and convened to the North Lauderdale Recreation Foundation meeting.

Respectfully submitted,

Patricia Vancheri, CMC, City Clerk
PROCLAMATION

FLORIDA CITY GOVERNMENT WEEK

WHEREAS, city government is the government closest to most citizens, and the one with the most direct daily impact upon its residents; and

WHEREAS, city government is administered for and by its citizens, and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, city government officials and employees share the responsibility to pass along their understanding of public services and their benefits; and

WHEREAS, Florida City Government Week is a very important time to recognize the important role played by city government in our lives; and

WHEREAS, this week offers an important opportunity to spread the word to all the citizens of Florida that they can shape and influence this branch of government which is closest to the people; and

WHEREAS, the Florida League of Cities and its member cities have joined together to teach students and other citizens about municipal government through a variety of different projects and information; and

WHEREAS, our city wants to also use this week to emphasize the importance of volunteering and giving back because volunteering strengthens communities, solves problems and improves lives; and

WHEREAS, Florida City Government Week offers an important opportunity to convey to all the citizens of Florida that they can shape and influence government through their civic involvement and positively impact lives by volunteering.

WHEREAS, The City of North Lauderdale encourages all citizens, government officials and employees to do everything possible to ensure that this week is recognized and celebrated accordingly; to volunteer to improve lives in this community; encourage educational partnerships between city government and schools.

NOW THEREFORE, be it resolved that the City of North Lauderdale does supports and encourage all city governments to actively promote and sponsor

FLORIDA CITY GOVERNMENT WEEK

Dated this 11th day of October, 2016.

MAYOR JACK BRADY
TO: Ambreen Bhatti, City Manager
FROM: Elizabeth Garcia-Beckford, Deputy Clerk
DATE: October 11, 2016
SUBJECT: Boy Scout Visit & Florida City Government Week

During the City Commission Meeting, two groups of Cub Scouts, Den #8 and Den #9 from Pack #208 will present a question to the City Commission regarding challenges the officials encounter in running the city. This will allow the Cub Scouts to fulfill a requirement that enables them to progress to the next rank to become a Boy Scout. Their visit will also coincide with Florida City Government Week which is October 16-22, 2016. The Florida League of Cities encourages each city to participate in an effort to educate their residents and other groups as to the different functions and services of city government as well as its impact to their communities.
Proclamation

Community Planning Month

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories, and

WHEREAS, The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our settlements and environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of the City of North Lauderdale; and

WHEREAS, We recognize the many valuable contributions made by professional community and regional planners of the City of North Lauderdale and extend our heartfelt thanks for the continued commitment to public service by these professionals.

NOW, THEREFORE, BE IT RESOLVED THAT, the month of October 2016 is hereby designated as COMMUNITY PLANNING MONTH in the City of North Lauderdale in conjunction with the celebration of National Community Planning Month.

Dated this 11th day of October, 2016

_________________________________
MAYOR JACK BRADY
Presented to

WILLIAM ALBRIGHT

The Mayor and City Commission of the City of North Lauderdale, Florida commend you for volunteering your time and efforts by serving on the

PLANNING AND ZONING BOARD

We deeply appreciate your commitment for the best interests of the City and its citizens.

Mayor Jack Brady

Vice Mayor David G. Hilton

Commissioner Jerry Graziose

Commissioner Rich Moyle

Commissioner Lorenzo Wood

Given this 11th day of October, 2016
Presented to

ALETRICE MANN

The Mayor and City Commission of the City of North Lauderdale, Florida commend you for volunteering your time and efforts by serving on the

PLANNING AND ZONING BOARD

We deeply appreciate your commitment for the best interests of the City and its citizens.

Mayor Jack Brady

Vice Mayor David G. Hilton
Commissioner Jerry Graziose

Commissioner Rich Moyle
Commissioner Lorenzo Wood

Given this 11th day of October, 2016
City of North Lauderdale
Certificate of Appreciation

Presented to

CHRISTINE MCKAY

The Mayor and City Commission of the City of North Lauderdale, Florida commend you for volunteering your time and efforts by serving on the

PLANNING AND ZONING BOARD

We deeply appreciate your commitment for the best interests of the City and its citizens.

Mayor Jack Brady

Vice Mayor David G. Hilton  Commissioner Jerry Graziose

Commissioner Rich Moyle  Commissioner Lorenzo Wood

Given this 11th day of October, 2016
Presented to

ALEX ORTIZ

The Mayor and City Commission of the City of North Lauderdale, Florida commend you for volunteering your time and efforts by serving on the

PLANNING AND ZONING BOARD

We deeply appreciate your commitment for the best interests of the City and its citizens.

Mayor Jack Brady

Vice Mayor David G. Hilton

Commissioner Jerry Graziose

Commissioner Rich Moyle

Commissioner Lorenzo Wood

Given this 11th day of October, 2016
Presented to

WILLIAM SESSNER

The Mayor and City Commission of the City of North Lauderdale, Florida commend you for volunteering your time and efforts by serving on the

PLANNING AND ZONING BOARD

We deeply appreciate your commitment for the best interests of the City and its citizens.

Mayor Jack Brady

Vice Mayor David G. Hilton

Commissioner Jerry Graziose

Commissioner Rich Moyle

Commissioner Lorenzo Wood

Given this 11th day of October, 2016
Presented to

BARBARA THOMAS

The Mayor and City Commission of the City of North Lauderdale, Florida commend you for volunteering your time and efforts by serving on the PLANNING AND ZONING BOARD.

We deeply appreciate your commitment for the best interests of the City and its citizens.

Mayor Jack Brady

Vice Mayor David G. Hilton

Commissioner Jerry Graziose

Commissioner Rich Moyle

Commissioner Lorenzo Wood

Given this 11th day of October, 2016
Presented to

BRANDON WRIGHT

The Mayor and City Commission of the City of North Lauderdale, Florida commend you for volunteering your time and efforts by serving on the 

PLANNING AND ZONING BOARD

We deeply appreciate your commitment for the best interests of the City and its citizens.

Mayor Jack Brady

Vice Mayor David G. Hilton          Commissioner Jerry Graziose

Commissioner Rich Moyle              Commissioner Lorenzo Wood

Given this 11th day of October, 2016
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: October 11, 2016

SUBJECT: Second Reading and Adoption:
Ordinance Extending Moratorium on the Issuance of any new Licenses or Permits for Uses that Involve the Cultivation, Processing and Dispensing of Medical Marijuana/Cannibas

Tonight, staff is presenting an Ordinance for your consideration of adoption on second reading that will extend the moratorium on the issuance of any new licenses or permits for uses that involve the cultivation, processing and dispensing of medical marijuana/cannibas for six months, but in no event longer than the time needed to complete the study and compile recommendations for the Commission’s consideration.

BACKGROUND:
On April 26, 2016, the City Commission approved Ordinance No. 16-04-1327 instituting the moratorium in response to the approval of House Bill 1313 regarding the medical use of Cannabis for terminally ill patients. The regulations pertaining to the medical marijuana industry are still in flux at this time. A new ballot question related to medical marijuana usage will be on the November 8th general election ballot. Also, the Florida Legislature has continued to consider a number of initiatives related to this use. The City’s professional planning staff continues to monitor these initiatives and track legislation adopted by neighboring communities. The extension of the moratorium will provide the time to monitor the results of the referendum and any regulations adopted by surrounding communities.

The City Commission approved the Ordinance on first reading on September 28, 2016. Tonight we are presenting the Ordinance for second reading and adoption.

RECOMMENDATION:
The City Administration recommends City Commission’s consideration of adoption of the attached Ordinance on second reading extending the moratorium for six months on the issuance of building permits and local business tax receipts for uses that involve the cultivating, processing, and dispensing of medical marijuana/cannabis throughout the City.
ORDINANCE NO. ________________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ORDINANCE 16-04-1327, ADOPTED ON APRIL 26, 2016; EXTENDING THE MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS FOR USES THAT INVOLVE THE CULTIVATION, PROCESSING AND DISPENSING OF MEDICAL MARIJUANA/CANNABIS WITHIN THE CITY FOR UP TO AN ADDITIONAL SIX MONTHS, BUT IN NO EVENT LONGER THAN THE TIME NEEDED FOR THE CITY ADMINISTRATION TO COMPLETE A COMPREHENSIVE ANALYSIS OF THE ISSUES RELATED TO THE REGULATION MEDICAL MARIJUANA USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 26, 2016, the City Commission adopted Ordinance No. 16-04-1327 (the “Ordinance”), thereby approving a moratorium on the approval or issuance local business tax receipts and building permits for uses that involve the cultivation, processing, and dispensing of medical marijuana/cannabis within the City of North Lauderdale (the “City”); and

WHEREAS, the Ordinance further directed the City Manager to undertake a study and review of regulations related to such uses within the City; and

WHEREAS, a referendum related to medical marijuana usage is on the November 8, 2016 general election ballot, and the outcome of the referendum may impact the City’s interest and efforts in regulating such uses; and

WHEREAS, the Florida Legislature has continued to consider a number of initiatives related to the usage of medical marijuana; and

WHEREAS, the City Manager and the City’s professional planning staff is continuing to review and monitor appropriate regulations related to the medical marijuana industry and has recommended a six month extension to the City’s moratorium in an effort to continue with these efforts; and
WHEREAS, such an extension will afford the City an opportunity to examine this issue in the context of the outcome of the November 8, 2016 referendum; and

WHEREAS, the City Commission finds that extending the moratorium on the approval or issuance local business tax receipts and building permits for uses that involve the cultivation, processing, and dispensing of medical marijuana/cannabis within the City 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 are hereby made a specific part of this Ordinance. These clauses represent the legislative findings of the City Commission. It is the purpose and intent of this Ordinance to promote the health, safety and welfare of the residents of North Lauderdale.

SECTION 2. The City Commission hereby amends City Ordinance 16-04-1327, adopted on April 26, 2016, and extends the moratorium imposed on the approval or issuance local business tax receipts and building permits for uses that involve the cultivation, processing, and dispensing of medical marijuana/cannabis within the City for up to six (6) months but in no event longer than the time needed to complete a comprehensive analysis of the issues related to medical marijuana/cannabis usage. During the term of the moratorium, the City shall not accept or review any applications for licenses or permits for such uses.

SECTION 3. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.
SECTION 4. All ordinances or parts of ordinances, resolutions or part of resolutions in conflict herewith are to the extent of such conflicts hereby repealed.

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


CITY OF NORTH LAUDERDALE, FLORIDA

APPROVED AS TO FORM: ___________________________  MAYOR JACK BRADY

SAMUEL S. GOREN, CITY ATTORNEY  VICE MAYOR DAVID G. HILTON

ATTEST:

______________________________  PATRICIA VANCHERI, CITY CLERK
RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPOINTING DIANA FARRAR AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY VICE MAYOR DAVID G. HILTON); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, a vacancy exists on the Code Enforcement Board; and

WHEREAS, Vice Mayor David Hilton recommends the appointment of Diana Farrar to fill said vacancy with a member from his district; 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 appointed as a regular member of the North Lauderdale Code Enforcement Board.

Section 2: That she shall serve in said capacity until May 31, 2017.

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 11th day of October, 2016.

APPROVED AS TO FORM:

____________________________
CITY ATTORNEY SAMUEL S. GOREN

____________________________
MAYOR JACK BRADY

____________________________
VICE MAYOR DAVID HILTON

ATTEST:

____________________________
CITY CLERK PATRICIA VANCHERI
CITY OF NORTH LAUDERDALE  
HUMAN RESOURCES DEPARTMENT

TO: Honorable Mayor and Commission
FROM: Ambreen Bhatti, City Manager
BY: Jennifer Yarmitzky, Human Resources Manager
DATE: October 11, 2016
SUBJECT: Ratification of Federation of Public Employees (FPE) Collective Bargaining Agreement

On February 25, 2014, the Commission adopted Resolution No. 14-02-6032 authorizing the City Manager to execute the collectively bargained agreement (CBA) with the Federation of Public Employees (FPE). The term of the CBA was October 1, 2013 through September 30, 2016.

On July 21, 2016 the negotiating teams for the City and the FPE met to discuss proposed contract changes submitted by the FPE. There was one subsequent meeting between the two negotiating teams on August 12, 2016. A proposed contract was drafted incorporating minimal changes to the prior CBA. FPE representative, Jack Marziliano advised the City that FPE negotiating team was in agreement with the proposed CBA between the City of North Lauderdale and FPE.

The FPE members voted and accepted the proposed Agreement on Friday, September 30, 2016 (see attached September 30, 2016 letter from Jack Marziliano). Highlights of the proposed changes are outlined below:

<table>
<thead>
<tr>
<th>ARTICLE</th>
<th>CURRENT LANGUAGE</th>
<th>PROPOSED LANGUAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Article 14, Section 5 Pay Plan</td>
<td>Section 5. Bargaining unit employees will be covered by the wage and benefit provisions of the City Comprehensive Pay Plan. The Comprehensive Pay Plan is subject to annual modification by the City Commission. The base wage increase for fiscal year 2013-2014 (year one of this Collective Bargaining Agreement) is three percent (3%). The base wage increases for fiscal years 2014-2015 (year two of this Agreement) and 2015-2016 (year three of this Agreement) will be unilaterally established by the City Commission when the Commission sets the budget for each of those fiscal years. In each year of this Agreement, bargaining unit employees shall receive the same base wage increases as general employees.</td>
<td>Section 5. Bargaining unit employees will be covered by the wage and benefit provisions of the City Comprehensive Pay Plan. The Comprehensive Pay Plan is subject to annual modification by the City Commission. The base wage increase for fiscal year 2016-17 (year one of this Collective Bargaining Agreement) is three percent (3%). The base wage increases for fiscal years 2017-18 (year two of this Agreement) and 2018-19 (year three of this Agreement) will be unilaterally established by the City Commission when the Commission sets the budget for each of those fiscal years. In each year of this Agreement, bargaining unit employees shall receive the same base wage increases as general employees.</td>
</tr>
</tbody>
</table>
Upon separation in good standing, accumulated sick leave shall be paid on the basis of the following schedule, subject to the 960 hour cap as provided in Section 3.

<table>
<thead>
<tr>
<th>YEARS OF SERVICE</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two Years or Less</td>
<td>10%</td>
</tr>
<tr>
<td>More than 2 but less than 6 years</td>
<td>25%</td>
</tr>
<tr>
<td>Six Years or More</td>
<td>50%</td>
</tr>
</tbody>
</table>

Upon retirement or resignation, accumulated sick leave will be paid as outlined below of the accumulated sick leave, provided the accumulation is no more than the nine hundred and sixty (960) hours allowed, providing that those employees who retire/resign shall give two (2) week written notice.

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Payout</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 thru 7 years</td>
<td>0%</td>
</tr>
<tr>
<td>8 thru 14 years</td>
<td>30%</td>
</tr>
<tr>
<td>15 thru 24 years</td>
<td>50%</td>
</tr>
<tr>
<td>25 years or more</td>
<td>100%</td>
</tr>
</tbody>
</table>

A Sick Leave Time Pool shall be maintained by the City and funded by transferring annually (October 1st) from each bargaining unit employee five (5) hours of time from their accrued sick or vacation leave. These hours will initially be taken from each member’s sick accruals on October 1st of each year. Newly hired employees shall contribute their hours on the first payroll in October after their date of hire.

An employee requesting use of donated time must first use all of their own sick leave, to be eligible to draw time from the time pool.

To be eligible to draw time from the Union Sick Leave Time Pool, an employee must:

(a) Be a regular full-time employee and has completed 12 months of probation;

(b) Submit acceptable medical substantiation from a licensed physician that includes the diagnosis, a description of the reason the employee is unable to perform their duties, the physician’s prognosis, and a date the employee is expected to be able to return to work;

(c) Not eligible for Worker’s Compensation benefits;

(d) Not have been counseled for attendance problems in the past thirty-six (36) months;

(e) Be approved by the Union to draw from the Union Sick Leave Time Pool.

In addition, this Agreement is consistent with the Commission approved Comprehensive Pay Plan. The term of this Agreement is from October 1, 2016 through September 30, 2019. A copy of the Agreement between the City of North Lauderdale and the Federation of Public Employees is available in the City Clerk’s office for public review.
RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached resolution ratifying the Federation of Public Employees (FPE) Collective Bargaining Agreement, to be effective October 1, 2016 and shall terminate on September 30, 2019.
Ms. Ambreen Bhaty, City Manager  
City of North Lauderdale  
701 SW 71st Ave  
North Lauderdale, FL 33068  

SENT VIA US MAIL AND FACSIMILE TO (954-720-2151)  

Dear Ms. Bhaty:  

This letter is to advise you that the Federation of Public Employees held a ratification vote for the City of North Lauderdale Bargaining Unit on September 30, 2016.  

Please be advised that the majority of bargaining unit employees in attendance voted to accept the Collective Bargaining Agreement between the Federation and the City of North Lauderdale.  

If you need any additional information, please do not hesitate to contact me.  

Sincerely,  

Jack Marzillano  
Business Representative  

JM:yf  

cc: Jennifer Yarmitzky, Human Resources
RESOLUTION NO. _____________


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

Section 1: That the collectively bargained contract, be and the same is hereby accepted by the City Commission of the City of North Lauderdale, Florida, and that the City Manager of the City of North Lauderdale, be and the same, is hereby authorized, on behalf of the City, to execute and otherwise enter into said employment contract by and between the City of North Lauderdale and the Federation of Public Employees, a Division of the National Federation of Public & Private Employees/AFL-CIO.

Section 2: That the City Manager of the City of North Lauderdale, Florida, be and the same is hereby authorized to do all things necessary and expedient in order to effectuate the execution of the collectively bargained employment contract.

Section 3: That this Resolution shall take effect upon the signature of the City Manager and the Representative of the Federation of Public Employees, a Division of M.E.B.A/N.M.U/AFL-CIO and shall be effective October 1, 2016 and shall terminate on September 30, 2019.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 11th day of October 2016.

APPROVED AS TO FORM:

_________________________________  ______________________________
CITY ATTORNEY SAMUEL S. GOREN  MAYOR JACK BRADY

____________________________  ______________________________
ATTEST:  VICE MAYOR DAVID G. HILTON

________________________________
PATRICIA VANCHERI, CITY CLERK
As the Parks and Recreation Department prepares for the fall and winter activities, staff wanted to take a few minutes to discuss with the Commissions a few items that need to be resolved for the 2016 Holiday Parade on Saturday, December 10th at 4:15 p.m.

At this point we are seeking Commission’s input on

1. Setting Parade Date as Saturday, December 10th
2. Parade route

PARADE ROUTES:

**Option 1:**
- 1.2 miles from start to finish.
- Parade route requires that approximately 16 roads be closed
- Approximately 800 homes will be locked in from start to finish.
**Option II**
- 2.5 miles from start to finish
- Approximately 24 roads and numerous parking lots would need to be closed
- Route requires greater level of staffing from other departments
- Approximately 1700 homes will be locked in from parade start to finish

**Option IV**
- 1 mile from start to finish
- Requires 12 roads and some parking lots to be closed
- Approximately 800 homes will be locked in from parade start to finish
PARADE GRAND MARSHAL:

Along with selecting a route, the staff is seeking some input from the Commission on who they would like to see serve as this year’s Parade Grand Marshal. Some possibilities include Political Personalities, a Sports Personalities, Local TV Personalities, or a Radio Personalities.

As part of the parade, the City, through the Mayor and City Manager extend invitations to various elected officials to participate in the parade. However due to budget constraints, they will need to provide their own vehicles as the City will only be providing vehicles to the Grand Marshall, Elected Officials, City Manager, City Attorney and some mascots.

We are open to your suggestions and look forward to beginning the process of planning the 2016 Holiday Parade together.
Can Broward's PACE Program Help Improve Your Home or Business?

Join us for an informational workshop on the Property Assessed Clean Energy (PACE) finance program.

6:00 pm – 7:30 pm
Tuesday, October 18

North Lauderdale Municipal Complex
701 SW 71st Avenue,
North Lauderdale, FL 33068

For more information, visit Broward.org/GoGreen then click “PACE”