AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Vice Mayor Lorenzo Wood

2. ROLL CALL
   Mayor Jack Brady
   Vice Mayor Lorenzo Wood
   Commissioner Rich Moyle
   Commissioner Jerry Graziose
   Commissioner Samson Borgelin
   City Manager Ambreen Bhatti
   City Attorney Samuel S. Goren
   City Clerk Patricia Vancheri

3. APPROVAL OF MINUTES
   a. [September 27, 2017]

4. PRESENTATIONS
   a. Introduction - Principal Joshua Kisten and Assistant Principal Rocio Morrell
      from Broadview Elementary
   b. Retirement Recognition – Glenn Ray – 26 Years of Service

5. PROCLAMATIONS
   a. [National Save for Retirement Week October 15-21]
   b. [Florida City Government Week October 23-29]

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/Cannabis**

   - 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, 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 (UNTIL APRIL 30, 2018), WHICH WAS IMPOSED PURSUANT TO ORDINANCE NO. 17-04-1327, ADOPTED ON APRIL 26, 2016 AND WHICH WAS EXTENDED FOR AN ADDITIONAL SIX MONTHS (UNTIL NOVEMBER 1, 2016) PURSUANT TO ORDINANCE NO. 16-10-1343, ADOPTED ON OCTOBER 11, 2016, WHICH WAS EXTENDED FOR AN ADDITIONAL SIX MONTHS (UNTIL NOVEMBER 1, 2017) PURSUANT TO ORDINANCE NO. 17-04-1350, ADOPTED ON APRIL 25, 2017 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 – Agreement with Broward College, to permit Paramedic and Emergency Medical Technician Students to Participate in Educational Programs with the North Lauderdale Fire Rescue Department**

   - Motion, second and vote to read
   - Attorney reads title
   - Staff presentation (Fire Chief Rodney Turpel)
   - 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 TO ENTER INTO AGREEMENT WITH Broward College, to allow EMT and Paramedic students to ride with the North Lauderdale Fire Rescue Department for educational and training purposes; and providing an effective date.

b. RESOLUTION - Employee Wellness Program

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO ESTABLISH AN EMPLOYEE WELLNESS PROGRAM PROMOTING EMPLOYEE HEALTH AND WELLNESS THROUGH WORKPLACE PROGRAMS AND ACTIVITIES, AWARENESS AND EDUCATION; AND PROVIDING AN EFFECTIVE DATE.

9. REPORTS

a. Hurricane Irma Debris Update (George Krawczyk)

b. Wheelabrator Solid Waste Disposal Request (George Krawczyk)

c. Economic Development Strategic Plan (Ambreen Bhatty/Tammy Reed-Holguin)

10. 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

b. Florida League of Cities
   - Motion to approve Membership Dues - $5,212.00

c. Discussion and Motion to schedule one Commission meeting only for the months of November and December due to the Thanksgiving and Christmas holidays (Proposed dates Tuesday, November 14 and Tuesday, December 12)
11. CITY MANAGER COMMENTS
   
   a. **City Manager's Evaluation**
   
   b. Broadview/Pompano Park Civic Association Request to recognize Volunteers who assisted the Community during Hurricane Irma
   
   c. BSO/Wayne Barton Food Distribution Event – Saturday, October 14 – 10:00 am to 1:00 pm – City Hall Breezeway

12. CITY ATTORNEY COMMENTS

   a. **Hurricane Loss Mitigation Program – Request for Legal Opinion – Yvonne Vigo**
   
   Disclosure of No Conflict

13. ADJOURNMENT
The City of North Lauderdale City Commission met at the Municipal Complex on Wednesday, September 27, 2017. The meeting convened at 6:00 p.m.

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

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

   Mayor Jack Brady  
   Vice Mayor Lorenzo Wood  
   Commissioner Rich Moyle (Via Teleconference)  
   Commissioner Jerry Graziose  
   Commissioner Samson Borgelin  
   City Manager Ambreen Bhatti  
   City Attorney Jim Cherof  
   Deputy City Clerk Elizabeth Garcia-Beckford

3. **APPROVAL OF MINUTES**

   a. **September 13, 2017** – Commissioner Graziose moved to approve the minutes as submitted. Seconded by Vice Mayor Wood. Minutes approved by unanimously by voice vote.

4. **BUDGET RELATED MATTERS**

   a. **ORDINANCE** – **Second Reading** – Adopting Ad Valorem Tax Rate FY 2017/18

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

   Attorney Read:

   AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ESTABLISHING AND ADOPTING THE CITY OF NORTH LAUDERDALE AD VALOREM TAX OPERATING MILLAGE LEVY RATE AT 7.4000 MILLS, OR $7.4000 PER THOUSAND DOLLARS OF TAXABLE ASSESSED PROPERTY VALUE, FOR THE 2017 TAX YEAR, REPRESENTING AN INCREASE OF 8.5% FROM THE PRIOR YEAR’S ROLLED-BACK RATE OF 6.8201 MILLS FOR
Susan Nabors, Finance Director, presented the item based on the back up memorandum. Ms. Nabors indicated that this is the second and final reading to adopt the millage rate. After developing the budget over the last several months, a reduction of the millage rate was proposed at a rate of 7.4 mils. Ms. Nabors gave a brief PowerPoint presentation and also highlighted that when a property owner receives their tax bill, only one line item listed pertains to the City of North Lauderdale and the other taxes go to Broward County Commission; Broward County Schools and several other taxing authorities. This information was presented as well at the Budget Workshop preceding this meeting and the presentation is available for review in the City Clerk’s office. Ms. Nabors indicated that the total budget is $30,758,770 and of that amount the City brings in $9.5 million dollars from property taxes which help to fund various City functions and services, along with other sources of revenue. Law Enforcement costs are a little over $10 million so the amount collected from property taxes does not fully cover that expense. The average single family homesteaded property will pay about an average of $370 in property taxes next year based upon the reduced millage rate which equates to about $31 a month. Other fees residents will pay to the City includes Water/Sewer/Stormwater approximately $1,161; Solid Waste assessment of $216; Fire Assessment of $215 and a Drainage Assessment for $55.15. This adds up to a little over $2,000 a year to the City which equates to about $168 monthly for all these services. The overall city-wide budget for FY 2018 is $57,123,530. This is a 3.5% increase over the prior fiscal year. All City Departments did a good job in maintaining expenses and trimming where they could and Ms. Nabors outlined some projects being funded next year; some increases and decreases in some departments, which collectively resulted in about $65,000 in reductions. Mayor Brady opened public hearing; no one spoke.

Commissioner Graziouse moved to approve. Seconded by Vice Mayor Wood. No Commission discussion. Clerked called the question. All yes.

ORDINANCE NO. 17-09-1359 PASSED AND APPROVED UNANIMOUSLY.

b. ORDINANCE – Second Reading – Adopting Budget for Fiscal Year 2017/18

Vice Mayor Wood moved to read. Seconded by Commissioner Graziouse.
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 2017/18 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 POSITIONS; PROVIDING FOR THE CREATION OF TRUST FUND(S) FOR RECEIPT OF MONIES BY GIFT, GRANT, OR OTHERWISE, WHEN THE SAME CONTAINS AS A CONDITION OF ACCEPTANCE, A LIMITATION OR RESTRICTION REGARDING THE USE OR EXPENDITURE OF THE SAME AND THE MANAGEMENT AND DISBURSEMENT THEREOF; PROVIDING FOR A TEMPORARY OR PERMANENT SUSPENSION OF THE OMNIBUS APPROPRIATION AND EXPENDITURE AUTHORIZATION CONTAINED HEREIN BY CITY COMMISSION RESOLUTION; PROVIDING THAT THE BUDGET HEREBY ADOPTED MAY BE ADJUSTED OR MODIFIED BY SUBSEQUENT RESOLUTION SO LONG AS SUCH ADJUSTMENT OR MODIFICATION SHALL NOT RESULT IN A VARIATION OF THE TOTAL BUDGET, PROVIDING THAT IN THE EVENT A VARIATION FROM THE TOTAL BUDGET IS OR BECOMES NECESSARY, THIS ORDINANCE SHALL BE AMENDED ONLY BY A SUBSEQUENT ORDNANCE CONSISTENT WITH CHAPTER 166, FLORIDA STATUTES, THE CHARTER AND CODE OF ORDINANCES OF THE CITY OF NORTH LAUDERDALE, FLORIDA; PROVIDING FOR THE AUTHORIZATION TO LAPSE ALL ENCUMBRANCES OUTSTANDING AT SEPTEMBER 30, 2017, AND AUTHORIZATION TO RE-APPROPRIATE ALL UNEXPENDED CAPITAL APPROPRIATIONS, INCLUDING LAPSED CAPITAL OUTLAY ENCUMBRANCES IN THE 2017/18 BUDGET YEAR PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND, PROVIDING AN EFFECTIVE DATE.

Susan Nabors, Finance Director, presented the item based on the back up memorandum. She stated that as indicated in the Workshop held preceding this meeting, the total city-wide budget proposed for FY 2018 is $57,123,530. A tentative budget was adopted on first reading on September 13, 2017, and tonight will be the final adoption of the budget through approval of the ordinance. In order to develop and present a balanced budget, they were able to reduce the millage rate to 7.4 mils. Overall, the budget was increased by 3.5% over the prior year which was significantly caused by some additional capital projects. Mayor Brady opened public hearing. No one spoke. Commissioner Graziose moved to approve. Seconded by Vice Mayor Wood. Commissioner Borgelin inquired about the Neighborhood Beautification line item on the budget. City Manager Bhatty explained this is a new line item they have included in the budget since the proposed budget from July. The reason for this is that based on the Strategic Vision Workshop the Commission expressed interest on beautification projects throughout the city. She stated one of the items being looked at for improvement projects are the medians. She stated for example the Kimberly Blvd West project has started and there are a few delays to this project due to the hurricane and other contracting delays. She has been working with a consultant for the design features for the medians, and landscaping and trees, through the tree fund. She indicated other projects may include entry signs. Ms. Bhatty stated this money is used to enhance the medians and right of ways. She believes if the roads are inviting that will carry into the neighborhoods and at the end everyone benefits and it increases our property values. Commissioner Borgelin inquired if he can see specific projects. Ms. Bhatty responded each project will come to the Commission for approval. Ms. Bhatty stated she plans to have a workshop to present some of the design features to the Commission for direction and ideas. She
indicated right now they are just allocating the funds. Commissioner Borgelin inquired if they anticipated anything higher than that [line item]. Ms. Bhatty indicated that if it were she would have to come back to the Commission for a budget amendment. **No further discussion; Clerk called the question. All yes.**

**ORDINANCE NO. 17-09-1360 PASSED AND APPROVED UNANIMOUSLY**

**AT THIS POINT THE AGENDA WAS INTERRUPTED TO INCLUDE THE PRESENTATION OF AN EMERGENCY ORDINANCE:**

City Manager Ambreen Bhatty, presented the item and distributed a copy of an Emergency Ordinance for review by the City Commission. She indicated that the information being received from FEMA is that reimbursement will be considered for debris pick up from public right of ways, but may not reimburse the private communities which we have in our City in we go onto private properties to pick up debris. Ms. Bhatty said the Commission is being advised that if they wish to pick up on private property an ordinance has to be adopted to give authority to do so at the risk of not being reimbursed by FEMA. Since this in an emergency ordinance, legal counsel has advised that both readings can be heard tonight, however, a super-majority of four votes would be needed to approve the ordinance. Ms. Bhatty commented that a rough estimate of the costs of going onto private properties would be approximately $60,000.

Vice Mayor Wood moved to amend the Agenda to include the reading of an emergency ordinance providing for Hurricane Irma debris removal in private communities. Seconded by Commissioner Graziose.

Attorney read:

**AN EMERGENCY ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, PURSUANT TO SECTION 3.10 OF THE CITY CHARTER AND SECTION 252.38, F.S., PROVIDING FOR HURRICANE IRMA DEBRIS REMOVAL IN PRIVATE COMMUNITIES TO ENSURE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS AND RESIDENTS OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Brady opened public comments and the following residents approached the dais:

James Dowling, 1303 Blvd of Champions – Commented that the City should take the taxpayers money and buy some trucks and a crane to always be ready for picking up debris and avoid price gouging from other companies.

Velma Biddersingh, 1411 S. Santa Catalina – Commented that she has an HOA community and is confused about whose responsibility it is to pick up the debris. Ms. Bhatty reiterated that this ordinance being considered is actually addressing that question. Currently FEMA does not allow the City to pick up from private communities and certain steps must be taken to get direction to
initiate the process so that the City is authorized to go onto private properties and to possibly get reimbursed by FEMA. Public right of ways must be picked up first.

Commissioner Graziose moved to discuss the emergency ordinance. Seconded by Vice Mayor Wood. Discussion ensued relative to the debris staging and debris pickup. Mayor Brady commented that he represents the City as a whole and wants to help everyone. Vice Mayor Wood said they will strategize and do the best to get through this, but people shouldn’t be carting out furniture; appliances and anything other than storm debris because it clouds the issues.

City Manager Bhatty stated this was a three hurricane event and nobody was quite prepared for this. She gave a report on the FEMA requirements; how the City had applied for a permit from the Department of Environmental Protection to use Pompano Park as a staging area for debris which allows the vendor to pick up from the staging area and also they have grinders there. Ms. Bhatty said this is a two vendor process; one that picks up and one that monitors and weighs the debris at the staging area and this is a complex process behind the scenes. Once the permit was obtained, the vendor started the pickup process. The City was divided into 25 zones and 2 trucks and 2 bucket trucks were provided. Code officers are assisting with passing out flyers to inform residents on how to divide the vegetation from trash and make the debris accessible for pickup.

Christine Daley, Resident of Santa Catalina Circle and Board Member of Santa Catalina HOA – Asked if a fine can be levied on people for putting their garbage [mattresses and such] on top of the trees. Ms. Bhatty replied that they are trying through flyers and robocalls to educate residents on how to separate their debris. She said if it is still mixed and the truck goes by, they will not come back and then it will become a code violation and they will have to take care of that issue themselves. Ms. Daley said the properties are very close together in their community and it will be hard to determine who did the violation; she commented that the homeowners aren’t violating because they care about their property, but it is the renters.

Commissioner Graziose reported that the Belmont Community had their own vendor and it took two clam trucks and 12 dump truck loads to clean that gated community. Waste Pro also has a clam truck that comes around on bulk pickup days. In District “B” over 200 flyers were handed out to residents that did not separate the trash properly and it will not be picked up due to contamination and they will be fined. Commissioner Graziose said he wants the section of the ordinance to be clear and use the exact wording that is listed for gated communities and for areas called condominiums, apartments and trailer parks, because they are supposed to have insurance and a management company to take care of these items. City Manager Bhatty said this ordinance will not cover mobile home parks and rental communities as they are considered commercial property. This ordinance will allow the City to go into neighborhoods like Hunter Run, Hunter Green and Santa Catalina. Commissioner Graziose said he wants to make sure the ordinance has the FEMA code for private communities. Attorney Cherof interjected that the motion could be made to amend the Ordinance at adoption.

Commissioner Borgelin interjected that based on what Mr. Dowling said, he would be in favor of investing in equipment and suggested contacting the HOAs to see what their plans are to educate the residents and to see what can be done because it will get worse the longer the debris stays.
City Manager advised of all the ways the City has been advising residents of any information and updates through flyers, robocalls, marquee and website and also on FEMA requirements. She said even if we had our own trucks we still have to use the staging area and monitoring and we are not behind from other cities. We are getting more trucks tomorrow and the pickup has been a slow process for every City. Borgelin suggested each district get their leaders together to communicate information and plans. Vice Mayor Wood reiterated that this Ordinance will help private communities in all the districts. Commissioner Moyle commented that just because a community is private, it should not mean that the debris won’t get picked up, as they pay city and federal taxes to have that debris removed. Commissioner Moyle also said the residents should be held responsible if they are doing irresponsible things as the information is available in several ways to communicate and educate them. He said the ignorance of some the residents is causing the City to have difficulty in getting the debris removed as it is their responsibility to do what is proper.

Will Underwood, 8231 SW 6 St – Asked if the Pompano Park drop off site is blocked off to only vendors or can volunteers take a pickup truck and drive around neighborhoods and take it there. City Manager Bhatty said this is a secured site for monitoring; if residents want to pick up their own debris, there are County dropoff sites. Commissioner Graziose said trucks have to be registered or they would not be allowed to dump debris.

Commissioner Graziose moved to approve the ordinance with FEMA specifications clearly listed with definitions of private communities and defined. Seconded by Vice Mayor Wood. Clerked called the question. All yes.

EMERGENCY ORDINANCE NO. 17-09-1362 PASSED AND APPROVED UNANIMOUSLY

5. PRESENTATIONS – None.

6. PROCLAMATIONS - City Clerk read the following Proclamations into the record.
   a. National Breast Cancer Awareness Month
      City Manager Bhatty said the City supports this cause by wearing Pink on each Friday of the Month of October
   b. Domestic Violence Awareness Month
      This Proclamation was presented to Ms. Emily Janas with Women of Distress.
   c. National School Lunch Week – October 9-13, 2017
   d. Fire Prevention Week – October 8-14, 2017
   e. National Community Planning Month
   f. Crime Prevention Month
   g. National Cyber Security Awareness Month

7. PUBLIC DISCUSSION
8. QUASI-JUDICIAL ITEMS

a. SUBJECT: SPR 17-05 Our Lady Queen of Heaven Cemetery
   1500 S State Road 7
   The Archdiocese of Miami Catholic Cemeteries

   Approval of a preliminary and final site plan for Mausoleums #27 and #28 in the Resurrection Development, located within Community Facilities (CF) zoning district.

All parties present to speak were sworn in by Attorney Cherof. Tammy Reed-Holguin, Community Development Director presented the item based on the back up memorandum. She indicated that a Master Plan for development of the cemetery was put in place in 1998 and most recently, in November of 2015 it was extended for an additional five years. As part of the Master Site Plan, when additional mausoleums are to be constructed, an individual site plan is brought before the Commission. Approval is being requested for construction for two new mausoleums. Specifics are within attachment “A” of the report. A final phase of construction will be mausoleum #29 which will be brought separately when they are ready to build. The Development Review Committee met on August 16 and recommended approval to the Planning & Zoning Board who subsequently met on September 5, 2017 and unanimously voted to recommend approval to the City Commission. Tonight they are seeking Commission’s consideration and approval. Mayor Brady opened public hearing. No one spoke. Commissioner Graziose moved to approve a preliminary and final site plan for Our Lady Queen of Heaven Cemetery for Mausoleums #27 and #28 in the Resurrection Development, located within a Community Facilities (CF) zoning district subject to the eight (8) conditions outlined in staff memorandum. Seconded by Vice Mayor Wood. Clerked called the question. Motion passed unanimously.

9. OTHER BUSINESS

a. RESOLUTION – Supporting Legislature Regarding Texting While Driving

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

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, SUPPORTING A BILL IN THE 2018 FLORIDA LEGISLATURE TO MAKE TEXTING WHILE DRIVING A PRIMARY OFFENSE UNDER FLORIDA LAW; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Graziose spoke on this resolution. He stated there has been a movement in the County from the Medical Examiners Office and they have a committee that meets on texting and driving. Currently you have to be pulled over for something else in order to enforce it. The
“Take 5 to Stay Alive Committee” has been pushing to have this as a much stronger ordinance; same idea as how the seatbelt [law] started, so people can be ticketed and fined. Ms. Bhatty stated instead of being a secondary offense they want to make it a primary offense.

Commissioner Graziose moved to approve. Seconded by Vice Mayor Wood. Commissioner Moyle stated anytime he sees anyone drifting and weaving on the road they are texting and therefore he supports this resolution. No further discussion; Clerk called roll. All yes.

RESOLUTION NO. 17-09-6459 PASSED AND APPROVED UNANIMOUSLY.

b. RESOLUTION – Authorizing Staff to Apply for Two Grants through the Complete Streets and other Localized Initiatives Program with the Broward MPO

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

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPLY FOR AND TO FILE SUCH DOCUMENTS AS MAY BE REASONABLY REQUIRED TO APPLY FOR A COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES PROGRAM GRANT WITH THE BROWARD COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO); PROVIDING THAT THE CITY MANAGER SHALL BE AUTHORIZED TO EXECUTE GRANT AWARD AGREEMENTS AND TO TAKE ALL NECESSARY ACTIONS, INCLUDING, BUT NOT LIMITED TO EXTENSIONS OF TIME, LINE-ITEM BUDGET AMENDMENTS, AND PROGRAM MODIFICATIONS TO IMPLEMENT SAID PROGRAMS IF AND WHEN FUNDING IS APPROVED; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development Director presented the item based on the back up memorandum. They are seeking approval to submit two separate grant applications to the Broward MPO. The first application was reviewed preliminarily reviewed by the MPO and the DOT as a sidewalk improvement project and includes sidewalks to fill in the gaps in the City such as two stretches of Rock Island Road and the Boulevard of Champions and State Road 7. The second project was submitted before during the last round but not funded. Staff has met extensively with MPO to revise that application to narrow it down to eligible activities for the grant. This one improves signalization at Southgate Blvd and 81st Avenue and the parking lot from the first application. It adds bike lanes along 81st Avenue leading to the multimodal hub facility and it is being proposed as part of the same application. The park that was included in the first application was deemed to be ineligible by the DOT and was eliminated from the grant application. Approval is being requested tonight to authorize the City Manager to take the necessary steps to finalize a proposal and submit both grant applications to Broward County prior to the deadline of November. Commissioner Graziose moved to approve. Seconded by Vice Mayor Wood. Commissioner Graziose thanked Community Director Tammy Reed-Holguin.
and Planner Andrew Disbury. Commissioner Borgelin asked for clarification of what area they referring to and what the project is going to look like. Ms. Ambreen Bhatti advised right now they are just seeking authorization to submit the application for the grant and then they will have a rendering to show the Commission. No further discussion; Clerk called roll. All yes.

RESOLUTION NO. 17-09-6460 PASSED AND APPROVED UNANIMOUSLY.

c. 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/Cannabis

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, 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 (UNTIL APRIL 30, 2018), WHICH WAS IMPOSED PURSUANT TO ORDINANCE NO. 17-04-1327, ADOPTED ON APRIL 26, 2016 AND WHICH WAS EXTENDED FOR AN ADDITIONAL SIX MONTHS (UNTIL NOVEMBER 1, 2016) PURSUANT TO ORDINANCE NO. 16-10-1343, ADOPTED ON OCTOBER 11, 2016, WHICH WAS EXTENDED FOR AN ADDITIONAL SIX MONTHS (UNTIL NOVEMBER 1, 2017) PURSUANT TO ORDINANCE NO. 17-04-1350, ADOPTED ON APRIL 25, 2017 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 the back up memorandum. She indicated that this topic was presented on June 13, 2017 and additional research was requested. They are currently still researching it and more information is being gathered every day. As of today, Broward County approved these types of facilities in unincorporated areas. Ms. Holguin indicated that a list she provided shows that five municipalities have banned these establishments; five others have adopted regulations to allow them, and the other twelve cities have a temporary moratorium in effect. Since it is still a work in progress, staff is recommending the extension of the moratorium for another six months to allow more time to see what other cities are doing and bring the information back for further direction. Commissioner Graziose moved to approve. Seconded by Vice Mayor Wood. Clerk noted that Commissioner Moyle has disconnected from teleconference. Clerk called the roll. Commission Borgelin – yes; Commissioner Graziose – yes; Vice Mayor Wood – yes; Mayor Brady – yes. Motion approved on first reading; the second reading of this
ordinance will be advertised and is scheduled to be read at the second City Commission meeting on October 10, 2017.

10. REPORTS - None

11. COMMISSION COMMENTS

Commissioner Jerry Graziose – Commented that he would like consensus from the Commission to prepare a resolution to petition the State to bring back a program to provide generators large enough to accommodate air conditioners in special need shelters. Commission’s consensus was in favor. Also, commented that he would like to see the fees waived for permits for fences and roofs that were damaged during the hurricane. City Manager Bhatt stated that the County is only offering a fee waiver until September 29th. Tammy Reed-Holguin, Community Development director stated it applies to anyone who submits a permit between September 14th and September 29th; those that have emergencies can apply for the permit and start the work, then the permit will be issued and the work inspected. Commissioner Graziose also commented that by County Ordinance, shutters are to come down 15 days after a storm and the City should send out notice. He also thanked 15 of his community members and City staff who helped the elderly after the storm.

Commissioner Samson Borgelin – Thanked City Manager and Mayor Brady for checking on and assisting his wife during his absence while he was delayed out of the country. Also, he thanked Lauderhill for their collaboration by providing ice pallets after the storm. Commissioner Borgelin sought consensus from the Commission for partnering with Wayne Barton Study Center’s Good News of Christ Ministries, by providing a location to hold a Food Distribution event at the City of North Lauderdale on Saturday, October 14th from 10:00 am to 1:00 pm, which is also sponsored by BSO, and is a great opportunity for our residents. He also asked for permit fees to be waived if necessary. BSO Captain Faer commented that they have staffed these events before and they are well attended and well received by communities and are popular events. Mayor Brady stated that the consensus of the Commission is to back the project. Commissioner Borgelin stated that this event draws about 2,000 people but it is well organized and BSO does a great job staffing it. City Manager asked that she be contacted to finalize the details. Commissioner Borgelin also mentioned a three day event an event he supports for “TPS Plea” for Haitians scheduled for October 21st from 8:00 am to 12:00 pm at First Haitian Church of Pompano Beach.

Vice Mayor Wood – Thanked City Administration and Staff for handling the hurricane event and for checking on the elderly residents and facilities in our community. He also mentioned sitting down with City Manager and Commission to game plan on all angles regarding answers for any future events. He also thanked Chief Rodney Turpel and his staff for the Progressive Firefighters Association event last night, which is an organization that attempts to increase minority participation in this career choice. City Manager Bhatt commented that this group should set up a booth at North Lauderdale Days. He also thanked Mr. Sargis and the Ellis Group for providing the pool for [lifeguard] testing.
12. CITY MANAGER COMMENTS

a. Off Lease Job Fair – Champions Hall – October 4, 2017 - 9 a.m. to 3 p.m.
Community Development Assistant Director Katherine Randall provided details of an Off Lease Job Fair and distributed event flyers to the City Commission. This job fair will give North Lauderdale residents an opportunity to apply for positions.

Ms. Bhattty advised that the 4 of the Tamarac City Commissioners has approved a partnership with the City of North Lauderdale and the Tamarac Chamber of Commerce; details to follow.

Ms. Bhattty said she will look into whether we have a large influx of permits related to hurricane, but in the meantime she shared that FEMA and the State has offered some assistance such as the Blue Roof Program and the information has been posted on the website and flyers are available.

Also, Ms. Bhattty reported that four School Resource Officers have been approved for North Lauderdale, which means that she will have to bring in four deputies to work as SROs during the duration of school and then work as deputies for the remainder of time. Susan Nabors, Finance Director reported the cost estimate for one deputy position for the first year will be $158,588; School Board will pay $46,000 and the City will have to come up with the other approximate $112,000 per deputy. Four deputies will cost almost a half a million dollars. This cost will go down in the second year, but up in the third year due to salary increases and benefits. Ms. Bhattty said her recommendation, after some research, and because to increase the BSO contract by that much would be quite a stretch, she recommends two deputies to rotate among the four elementary schools in the City. Commission Graziose interjected that he agrees with the two but made a recommendation that one of the two be assigned full time to North Lauderdale K-8 because it includes middle school, and let the other officer rotate between the three traditional elementary schools. Ms. Bhattty said we will work with BSO to come up with a schedule. Vice Mayor Wood commented that in a conversation with Principal Williams, she said they are looking to increase the number of kids staying there through 8th grade. He said we can get the two and make it work best for us. Commissioner Borgelin commented that we should find money to fund this because it means protecting a life and even having a decoy car there at the site it would be helpful. BSO Captain Faer said the City pays for cars and they rotate them the best they can. City Manager Bhattty said upon Commission approval, she will submit a request to BSO to provide us with the officers, and she cannot predict how long this process will take. Captain Faer commented that we should be well covered with two deputies.

13. CITY ATTORNEY COMMENTS

Attorney Jim Cherof said it was his pleasure to have covered the budget hearing meetings with North Lauderdale.

14. ADJOURNMENT – There being no further business the meeting adjourned at 8:38 p.m.

Respectfully submitted,

Patricia Vancheri, City Clerk
PROCLAMATION

NATIONAL SAVE FOR RETIREMENT WEEK

WHEREAS, National Retirement Security Week is a national effort to raise public awareness about the importance of saving for retirement; and

WHEREAS, because people in the United States are living longer than ever before, the cost of retirement continues to rise, and retiree healthcare costs continue to increase at a rapid pace; and

WHEREAS, many employees have available to them through their employers access to defined benefit or defined contribution plans to assist them in preparing for retirement and may not be aware of retirement options and the importance of saving for retirement; and

WHEREAS, many employees may not be taking advantage of workplace defined contribution plans at all or to the full extent allowed by the plans or under Federal law; and

WHEREAS, all City of North Lauderdale employees can benefit from increased awareness of the need to save for retirement and the availability of tax-advantaged retirement savings vehicles to assist them in saving for retirement; and

WHEREAS, National Save for Retirement Week is an effort to bring awareness to U.S. workers, including public and private sector employees, employees of tax-exempt organizations, and self-employed individuals can benefit from increased awareness of the need to save for retirement.

NOW, THEREFORE, We, the City Commission of the City of North Lauderdale, Florida do hereby proclaim the week of October 15-21, 2017 to be NATIONAL SAVE FOR RETIREMENT WEEK a National Save for Retirement Week initiative in the City of North Lauderdale.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of North Lauderdale to be affixed this 10 day of October, 2017.

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

WHEREAS, municipal government provides services and programs that enhance the quality of life for residents, making their city their home; 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 the understanding of public services and their benefits; and

WHEREAS, Florida City Government Week offers an important opportunity for elected officials and city staff to spread the word to all citizens of Florida that they can shape and influence this branch of government; and

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

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; and encourage educational partnerships between city government and schools.

NOW THEREFORE, be it resolved that the City of North Lauderdale does support and encourage all city governments to actively promote and sponsor October 23-29, 2017 as

**FLORIDA CITY GOVERNMENT WEEK**

Dated this 10th day of October, 2017

_____________________________________

MAYOR JACK BRADY
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Tammy L. Reed-Holguin, Community Development Director
DATE: October 10, 2017
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/Cannabis

Tonight, staff is presenting an Ordinance on second reading for your consideration for adoption 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/cannabis for an additional six months (until April 30, 2018) from the current expiration date of November 1, 2017.

BACKGROUND:
On June 13, 2017, the Commission was advised in Memorandum No. 2017-043 and during the Commission meeting by the City Attorney that the State had approved legislation that basically gave cities two options regarding medical marijuana; ban the dispensaries or allow them with very minimal ability to regulate them. The Commission requested more information prior to deciding which route to take. The discussion by Commission resulted in providing staff direction to further research and identify communities that currently allow dispensaries and the impact of these types of businesses on the community.

Staff is actively conducting research on this topic and requests that the moratorium be extended to allow more time to analyze and compile the information for presentation with recommendations to the Commission. We are reviewing action taken by municipalities within Broward County and other places to determine the impact of these establishments on communities that legalized this operation.

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 moratorium was extended for six months, until May 1, 2017, by Ordinance No. 16-10-1343 on October 11, 2016. The moratorium was extended again in April 2017 by Ordinance No. 17-04-1350 since the State legislators had not yet taken action on the bill. Since the City Attorney’s report in June 2017 that a bill had been adopted, the City’s professional staff has monitored action taken by surrounding communities as well as researching the impact of dispensaries on communities in other States that have had them for a while.
The attached spreadsheet was recently compiled by Broward County Planning Directors Council. There are five municipalities who have banned these establishments and five others who have adopted regulations and allow them. Their ordinances may need amendment to come into compliance with the legislations that was ultimately adopted. There are an additional 12 cities who have temporary moratoriums in effect.

As far as effects these establishments have on communities who license them, the results are varied. We reached out to States who have had them in place for a longer period of time and are currently reviewing their information.

The City’s professional planning staff requests that the moratorium be extended to allow more time to analyze and compile the information for presentation with recommendations to the Commission. The Administration will continue to monitor the various initiatives and track legislation adopted by neighboring communities.

The City Commission approved the Ordinance on first reading on September 27, 2017.

**RECOMMENDATION:**

The City Administration recommends City Commission’s consideration of adoption on second reading of the attached Ordinance on extending the moratorium for an additional six months to April 30, 2018, 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.
### STATUS OF MEDICAL MARIJUANA ZONING REGULATIONS - SEPT. 2017

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Ban/Moratorium</th>
<th>Regulating Use</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>BMUSD (unincorporated)</td>
<td></td>
<td></td>
<td>Under review - no decision</td>
</tr>
<tr>
<td>Coconut Creek</td>
<td>Ban</td>
<td>Regulate</td>
<td>Ord. 2017-9 adopted 4/13/17 - may amend for SB-8</td>
</tr>
<tr>
<td>Cooper City</td>
<td></td>
<td></td>
<td>Ordinance 14-10-4</td>
</tr>
<tr>
<td>Coral Springs</td>
<td>In effect</td>
<td></td>
<td>Moratorium extended to 1/17/18 (Ord. 2017-10)</td>
</tr>
<tr>
<td>Dania Beach</td>
<td></td>
<td>Regulate</td>
<td>Ordinance pending</td>
</tr>
<tr>
<td>Davie</td>
<td>Ban</td>
<td></td>
<td>Council directed staff to draft ordinance banning 7/26/17</td>
</tr>
<tr>
<td>Deerfield Beach</td>
<td></td>
<td>Regulate</td>
<td>8/15/17 Commission revised ordinance (voting not to ban)</td>
</tr>
<tr>
<td>Fort Lauderdale</td>
<td></td>
<td>Under review - no decision</td>
<td></td>
</tr>
<tr>
<td>Hallandale Beach</td>
<td></td>
<td>Regulate</td>
<td>Ord. adopted 6/7/2017 - may need to amend for SB-8</td>
</tr>
<tr>
<td>Hillsboro Beach</td>
<td></td>
<td></td>
<td>Under review - no decision</td>
</tr>
<tr>
<td>Hollywood</td>
<td>Ban</td>
<td></td>
<td>Pending 2nd reading on 9/13/17</td>
</tr>
<tr>
<td>Lauderdale-By-The-Sea</td>
<td></td>
<td></td>
<td>Under review - no decision</td>
</tr>
<tr>
<td>Lauderdale Lakes</td>
<td>In effect</td>
<td></td>
<td>Pending 2nd reading on 9/13/17</td>
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<tr>
<td>Lauderhill</td>
<td></td>
<td></td>
<td>Under review - no decision</td>
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<tr>
<td>Lazy Lake</td>
<td></td>
<td></td>
<td>Pending 2nd reading on 9/13/17</td>
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<tr>
<td>Margate</td>
<td>In effect</td>
<td></td>
<td>Commission Workshop 8/23/17 to discuss</td>
</tr>
<tr>
<td>Miramar</td>
<td></td>
<td></td>
<td>Moratorium expires on 11/1/17 - City intends to extend</td>
</tr>
<tr>
<td>North Lauderdale</td>
<td>In effect</td>
<td></td>
<td>Moratorium expires on 11/1/17 - City intends to extend</td>
</tr>
<tr>
<td>Oakland Park</td>
<td>In effect</td>
<td></td>
<td>Moratorium effective till 10/30/17</td>
</tr>
<tr>
<td>Parkland</td>
<td></td>
<td></td>
<td>Moratorium Ord. 2016-19 (may have expired)</td>
</tr>
<tr>
<td>Pembroke Park</td>
<td></td>
<td></td>
<td>Moratorium Ord. 2016-19 (may have expired)</td>
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<tr>
<td>Pembroke Pines</td>
<td>Ban</td>
<td></td>
<td>Pending 2nd reading on 9/6/17</td>
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<tr>
<td>Plantation</td>
<td></td>
<td></td>
<td>Ord # 2520 adopted 10/2014</td>
</tr>
<tr>
<td>Pompano Beach</td>
<td>In effect</td>
<td></td>
<td>6 mo, moratorium approved 7/25/17 (ord 2017-61)</td>
</tr>
<tr>
<td>Sea Ranch Lakes</td>
<td></td>
<td></td>
<td>6 mo, moratorium approved 7/25/17 (ord 2017-61)</td>
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<tr>
<td>Southwest Ranches</td>
<td></td>
<td></td>
<td>6 mo, moratorium approved 7/25/17 (ord 2017-61)</td>
</tr>
<tr>
<td>Sunrise</td>
<td>In effect</td>
<td></td>
<td>Under review - no decision</td>
</tr>
<tr>
<td>Tamarac</td>
<td></td>
<td></td>
<td>Moratorium expires on 11/1/17 - City intends to extend</td>
</tr>
<tr>
<td>West Park</td>
<td>In effect</td>
<td></td>
<td>Moratorium expires on 11/1/17 - City intends to extend</td>
</tr>
<tr>
<td>Weston</td>
<td></td>
<td>Regulate</td>
<td>Ord. adopted 2016 regulating locations (City may amend)</td>
</tr>
<tr>
<td>Wilton Manors</td>
<td></td>
<td></td>
<td>Under review - no decision</td>
</tr>
</tbody>
</table>

| Total                         | 5              | 12             | 5                                                                         |
ORDINANCE NO. _________________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, 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 (UNTIL APRIL 30, 2018), WHICH WAS IMPOSED PURSUANT TO ORDINANCE NO. 17-04-1327, ADOPTED ON APRIL 26, 2016 AND WHICH WAS EXTENDED FOR AN ADDITIONAL SIX MONTHS (UNTIL NOVEMBER 1, 2016) PURSUANT TO ORDINANCE NO. 16-10-1343, ADOPTED ON OCTOBER 11, 2016, WHICH WAS EXTENDED FOR AN ADDITIONAL SIX MONTHS (UNTIL NOVEMBER 1, 2017) PURSUANT TO ORDINANCE NO. 17-04-1350, ADOPTED ON APRIL 25, 2017 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, specifically, on October 11, 2016 the City Commission adopted Ordinance 16-10-1343 effectively 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 for an additional six-months until May 1, 2017; and

WHEREAS, specifically, on April 25, 2017 the City Commission adopted Ordinance 17-04-1350 effectively 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 for an additional six-months until November 1, 2017; and
WHEREAS, during the recent 2017 Special Legislative Session, the Florida Legislature passed Senate Bill 8-A, related to the usage of medical marijuana and associated dispensaries; and

WHEREAS, Governor Scott signed Senate Bill 8-A into law on June 23, 2017, now know as Chapter 2017-232, Laws of Florida, which substantially amends Section 381.986, Florida Statutes, which provides that “a county or municipality may, by ordinance, ban medical marijuana treatment center dispensing facilities from being located within the boundaries of the county or municipality;” and

WHEREAS, a county or municipality who does not ban dispensing facilities may determine by ordinance the criteria for the location of, and other permitting requirements that do no conflict with state law or Department of Health rules but may not enact ordinances that are more restrictive than rules pertaining to licensed pharmacies; and

WHEREAS, the City Administration requests an additional six month extension to the City’s moratorium to allow sufficient time to analyze and compile the information pertaining to medical marijuana dispensaries for presentation with recommendations to the Commission; 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 temporary 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 hereby extended for a period of an additional 6 months (April 30, 2018) from the expiration date of Ordinance No. 17-04-1350 to allow additional time to analyze and compile the information for presentation with recommendations to the Commission with the goal of preparing an Ordinance consistent with the direction received from the Commission and with actions taken by the State of Florida regulating the cultivation, processing, and dispensing of medical marijuana/cannabis. Ordinance Nos. 16-04-1327, 16-10-1343, and 17-04-xxx adopted on April 26, 2016, October 11, 2016 and April 25, 2017 respectively, are hereby incorporated herein by reference, and shall remain in full force and effect for the duration of this moratorium.

**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.** Notwithstanding the time limit on the moratorium herein established, in the event the City Commission finds that additional time is needed for staff to conclude its review of regulations related to the cultivation, processing, and dispensing of medical
marijuana/cannabis, within the City and the drafting of regulations of those businesses then the term of this agreement may be extended for an additional one hundred and eighty (180) days.

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

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


CITY OF NORTH LAUDERDALE, FLORIDA

APPROVED AS TO FORM: ___________________________ MAYOR JACK BRADY

SAMUEL S. GOREN, CITY ATTORNEY VICE MAYOR LORENZO WOOD

ATTEST:

PATRICIA VANCHERI, CITY CLERK
CITY OF NORTH LAUDERDALE

INTER-OFFICE CORRESPONDENCE

TO: Honorable Mayor and City Commissioners

FROM: Ambreen Bhatti City Manager

BY: Rodney Turpel, Fire Chief

DATE: October 10, 2017

SUBJECT: Agreement with Broward College to permit Paramedic and Emergency Medical Technician Students to Participate in Educational Programs with the North Lauderdale Fire Rescue Department

In the past, North Lauderdale Fire Rescue Department has been able to take advantage of an opportunity to have emergency medical technician and paramedic student riders from Broward College participate in our daily operations. This opportunity not only enables these students to learn from our staff to enhance their career, but it also allows our firefighter/paramedics an opportunity to learn and train with the latest techniques and information that is provided to these students through these institutions. Therefore, the staff is requesting Commission’s consideration to authorize entering into an agreement with Broward College. This would allow students to ride, learn and experience the day-to-day aspects of being a firefighter/paramedic with our department.

The school will schedule, organize and allow their students to ride with the firefighter/paramedics Broward College. This institution meets the State and Federal guidelines for teaching; carries the necessary medical malpractice liability insurance and has demonstrated a high degree of professionalism that the City demands when students associate with the department. The proposed contract is a standard template written and approved by the City Attorney’s Office.

RECOMMENDATION:

The Administration recommends Commission’s consideration and approval of the Resolution authorizing the City Manager to enter into acceptable agreement with Broward College to allow EMT and paramedic students to ride with the North Lauderdale Fire Rescue department for educational and training purposes.
RESOLUTION NO. ____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AGREEMENT WITH BROWARD COLLEGE, TO ALLOW EMT AND PARAMEDIC STUDENTS TO RIDE WITH THE NORTH LAUDERDALE FIRE RESCUE DEPARTMENT FOR EDUCATIONAL AND TRAINING PURPOSES; 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 the City Manager to enter into acceptable agreement with Broward College, permitting students to ride with the North Lauderdale Fire Rescue Department for educational and training purposes under the guidelines set forth in each agreement.

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 October 2017.

APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________________
MAYOR JACK BRADY

__________________________________
VICE MAYOR LORENZO WOOD

ATTEST:

__________________________________
CITY CLERK PATRICIA VANCHERI
TO: Honorable Mayor and Commissioners
FROM: Ambreen Bhatti, City Manager
BY: Jennifer Yarmitzky, Human Resources Manager
DATE: October 10, 2017
RE: Employee Wellness Program

The City has had an Employee Wellness Program for many years which the Commission has supported through adoption of the annual Comprehensive Pay and Classification Plan, Proclamations and award acceptance from the American Heart Association and the Florida League of Cities. A few of the health & wellness programs and educational & awareness topics have been:

- Walking challenges
- Annual health screenings and assessments
- Flu shots
- Weight Watchers at Work
- Zumba classes
- Employee gym
- Breast Cancer Awareness Month
- National Walking Day

At this time, we are looking to formalize the Employee Wellness Program through adoption of a resolution. This will assist the City in obtaining the Florida League of Cities’ Hometown Health Award and continue to grow and expand the wellness program into the future.

RECOMMENDATION

The City Administration recommends Commission’s consideration and approval of the attached Resolution authorizing the City Manager to establish an Employee Wellness Program promoting employee health and wellness through workplace programs and activities, awareness and education.
RESOLUTION NO. ________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO ESTABLISH AN EMPLOYEE WELLNESS PROGRAM PROMOTING EMPLOYEE HEALTH AND WELLNESS THROUGH WORKPLACE PROGRAMS AND ACTIVITIES, AWARENESS AND EDUCATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission recognizes that employee health is related to lifestyle decisions and many illnesses and medical conditions can be prevented by positive individual health practices; and

WHEREAS, the City Commission recognizes that improvements to employee health, achievable through active workplace health promotion programs and activities, can result in healthier employees, reduced use of costly health care services, reduced absenteeism, enhanced productivity and performance, and

WHEREAS, the City Commission in cooperation with the Florida League of Cities’ Hometown Health Program, desires to implement a City Employee Wellness Program aimed at identifying and preventing illnesses and injuries, reduce the use of costly health care services, reduce absenteeism, and enhance productivity and performance among City employees;

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

Section 1. The foregoing “WHEREAS” clauses are hereby ratified and confirmed as the intent of this Resolution.

Section 2. The City Commission of the City of North Lauderdale, Florida promotes and encourages employees to make healthy decisions in order to reduce and prevent illnesses and medical conditions.
Section 3. The City Commission of the City of North Lauderdale, Florida, hereby approves and affirms the City of North Lauderdale in cooperation with the Florida League of Cities’ Hometown Health Program will implement an Employee Wellness Program for City of North Lauderdale employees.

Section 4. This Resolution shall be effective immediately upon its passage.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale this 10th day of October, 2017.

APPROVED AS TO FORM:

___________________________________
CITY ATTORNEY SAMUEL S. GOREN

___________________________________
MAYOR JACK BRADY

ATTEST: VICE MAYOR LORENZO WOOD

___________________________________
CITY CLERK PATRICIA VANCHERI
**BROWARD LEAGUE OF CITIES**

**Suite 122 Governmental Center**
**115 S. Andrews Avenue**
**Fort Lauderdale, FL 33301**

---

**BILL TO**

City of North Lauderdale  
Attention: Patricia Vancheri  
701 SW 71 Avenue  
North Lauderdale, FL 33068

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<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
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</thead>
<tbody>
<tr>
<td>2017 - 2018 Municipal Dues</td>
<td>3,668.00</td>
</tr>
</tbody>
</table>

This invoice is due upon receipt.

YES, We are pleased to help sponsor the League's Scholarship Program!

$50  $100  $500  Other

---

Thank you for supporting the Broward League of Cities!

---

<table>
<thead>
<tr>
<th>Phone #</th>
<th>Fax #</th>
<th>E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>954-357-7370</td>
<td>954.357.5563</td>
<td><a href="mailto:MLTighe@browardleaguc.org">MLTighe@browardleaguc.org</a></td>
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**Total**  
$3,668.00
October 1, 2017

Ms. Ambreen Bhatti
City Manager, the City of North Lauderdale
701 SW 71st Ave
North Lauderdale, FL 33068-2309

Dear Ms. Bhatti:

The Florida League of Cities is proud to count the City of North Lauderdale as a member of the League. Please see the attached dues invoice for 2017 - 2018, which corresponds to the municipal fiscal year.

We appreciate your continued support of the League and value your membership!

Sharon Berrian and Scott Hamilton are available to answer any questions about FLC dues and membership benefits, and they can be reached toll-free at 1-(800) 342-8112.

In the fight for HOME RULE,

Michael Sittig
Executive Director

Membership materials are included in this information packet for your city’s elected officials; please route this information to them accordingly.

President GIL D. Ziffer, Mayor pro tem, Tallahassee
First Vice President Leo E. Longworth, Vice Mayor, Bartow • Second Vice President Isaac Salver, Councilmember, Bay Harbor Islar
Executive Director Michael Sittig + General Counsel Harry Morrison, Jr.
October 1, 2017

Dear Municipal Official:

The Florida League of Cities is proud to count the City of North Lauderdale as a member. As the united voice for Florida’s municipal governments, the League’s strength and success are dependent upon the support and participation of its membership. Your city’s dues information for 2017-2018 is provided on the attached sheet.

Please note that your dues invoice was sent directly to Ms. Ambreen Bhatty, City Manager.

Also attached is a list of “Benefits of League Membership,” an overview of the many benefits and opportunities the Florida League of Cities offers to its members. We hope that you take advantage of these programs, products and services.

During 2017-2018, we will continue offering regional training and webinars at no cost to the city’s officials and staff, and regional ethics workshops to meet the new state requirement. During the next legislative session, we will once again provide a strong presence at the state Capitol and continue our efforts to protect Home Rule. While offering the many benefits on the attached sheet, we will also explore new ideas that will meet the needs of municipalities, now and in the future.

We value you as a member and will gladly answer any questions about the League’s dues and membership benefits. Please contact Sharon Berrian or Scott Hamilton at 1-(800) 342-8112 if you have any questions.

We appreciate your continued support of the League!

In the fight for HOME RULE,

Michael Sittig
Executive Director

Cc: All Elected Officials
The Honorable Jack Brady, Mayor
The Honorable Lorenzo Wood, Vice Mayor
The Honorable Samson Borgelin, Commissioner
The Honorable Jerry Grazioso, Commissioner
The Honorable Rich Moyle, Commissioner

President Gil D. Ziffer, Mayor pro tern, Tallahassee
First Vice President Leo E. Longworth, Vice Mayor, Bartow * Second Vice President Isaac Salver, Councilmember, Bay Harbor Island
Executive Director Michael Sittig * General Counsel Harry Morrison, Jr.
Bill To:
City of North Lauderdale
701 SW 71st Ave
North Lauderdale, FL 33068-2309

Dues are not deductible as charitable contributions for IRS purposes.

PLEASE RETURN COPY OF INVOICE WITH PAYMENT. THANK YOU.

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<th>Qty</th>
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<td>FLC_DUES</td>
<td>FLC Annual Membership Dues (2017-2018)</td>
<td>$5,212.00</td>
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Quality Cities Subscription Information: The following positions are recipients of Quality Cities magazine. To change the allocation of your subscriptions, cross-out the position title you wish to replace, and write-in the position title of the new recipient. Please do NOT use this invoice to update position holder information. Submit updates (such as names and contact details) on the included information update form. Subscriptions will automatically be sent to the municipal mailing address unless otherwise indicated.

Dues Included Subscriptions

* Mayor * Vice Mayor * Commissioner * Commissioner
* Commissioner * City Manager * City Clerk

* Complimentary subscription included with Florida League of Cities annual membership.

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Total Due $5,212.00

Thank you for your continued support. If you have any questions regarding this invoice or would like to pay by ACH, please contact Scott Hamilton at (800) 816-1513 Ext. 3657 or shamilton@flcities.com.
Florida League of Cities 2017-2018 Dues Information

City of North Lauderdale membership dues invoiced for 2017 - 2018: $5,212.00

Participants in the following League-administered program(s) received payments and/or grants in 2016 - 2017. Your city received:

Florida Business License Tax Collection Program $295.19
Florida Municipal Insurance Trust Safety Grant $6,000.00

If your city is not participating in the above programs and you would like more information, please call the FLC at (800) 342-8112

At a Glance - The Benefits of League Membership

When your city is a member of the Florida League of Cities, you receive:

Dedicated Advocates
- An advocacy team with more than 75 years of collective experience in state and federal government relations
- A watchdog on state and federal agency rulemaking activity
- Weekly updates during legislative session on legislative action that directly impacts cities
- Legal advocates at the highest levels of state and federal court on cases of statewide municipal importance
- Opportunities to engage with your congressional delegation at home and in Washington, D.C.
- Legislative advocacy training to help get your city’s message heard
- Legislative issue briefings online and in-person
- Legislative weekly call-in during legislative session
- Legislative "action" days in Tallahassee during legislative session

Fiscal Savings
- Free classified ad postings for open positions on the League website and in the League’s statewide newsletter
- Return of insurance premiums to qualified participants in the Florida Municipal Insurance Trust ($74 million returned to members since 2007)
- Delinquent Local Business Tax Collection Program ($223,623.28 distributed to cities by the League in 2016-2017)
- Matching Safety Grant Program for participants in Workers’ Compensation, Property, and Liability Insurance programs
- (The Florida Municipal Insurance Trust has provided more than $1.9 million in matching safety grants to insured members)
- Hometown Health, an employee wellness program, offered exclusively for Florida Municipal Insurance Trust members with group health coverage

Unbeatable Educational Opportunities
- FLC University has many free options for members, including regional summits on key municipal issues, regional in-person and online training for ethics (to meet compliance with state-mandated requirement), free educational webinars for city officials and staff, and a variety of workshops held in your area or at the FLC University Training Center in Orlando
- In-depth training sessions for newly elected officials and advanced training sessions to build and maintain knowledge of city government and governing
- Dozens of workshops, leadership training and networking opportunities at the annual conference and legislative conference
- Safety training for members of the Florida Municipal Insurance Trust and members of the League
- Access to CityStats survey results, two research symposiums, an e-newsletter and other helpful resources through the League’s Center for Municipal Research and Innovation
Personalized Consultation Services
• Toll-free access to League staff for expert advice on a variety of municipal issues
• Guidance and legal research for city attorneys from the League’s staff attorneys

Combined Purchasing Power
• A pooled investment program, retirement plan, bond program and commercial paper program
• Insurance programs, including workers’ compensation, liability, auto, property and health

Tools for Engaging Your Citizens
• Civic education materials for adults and students
• Guides for creating city youth councils and citizen academies
• Online resources for social media and millennial engagement
• Youth council program at our annual conference
• Public service ads for your website and public access channels
• Sponsoring Florida City Government Week in October

Direct and Personal Connection through Longtime League Staff
• Dedicated League ambassadors serve as your personal connection to the Florida League of Cities
• Your ambassador will travel to your city to connect you with resources and provide information on the many membership benefits provided by the Florida League of Cities

Publications That Make a Difference
• A bimonthly magazine, QC (Quality Cities), and a newsletter published twice a month to keep you informed and engaged
• The Florida Municipal Officials’ Manual - a concise, easy read on city government issues
• The Florida League of Cities Municipal Directory - the who and where of Florida’s 412 cities, updated annually
• Critical legislative session news, including a weekly bulletin, legislative alerts, a final report summarizing what passed and what didn’t, and an advocacy report to let you know how your legislators voted on key city issues
• Annual State of the Cities report featuring data from the CityStats survey and trending information on local government issues
• Dr. Scott Paine’s blog, regular commentary on current events, personal leadership and municipal issues
As per Section 6.0 of the City Manager's Employment Agreement, the City Commission shall review and evaluate the performance of the City Manager annually. As I complete 23 years of employment with North Lauderdale in various roles and my 8th year of serving you and this Community as City Manager, I look forward to my performance evaluation scheduled for the City Commission meeting on October 10, 2017.

As I begin my 9th year as your City Manager, it has certainly been an honor and pleasure to serve this Mayor, Commission and residents. Over these years, together, we have provided our citizens with the highest level of service at all times, while enduring challenges such as a housing market bust, property tax reform, unfunded mandates, lost revenues, a declining economy and more recently Hurricane Irma. Still with great vision and the exciting goals and projects set forth by the Commission and Administration, the City of North Lauderdale continues to be on the cutting edge of managing changes and thinking out of the box. I look forward to continuing to be a part of the direction established by the Mayor and Commission.

Taking a look back, we have collectively achieved a lot during the last year. These accomplishments not only include doing “what is best for the City/residents” but also include acknowledging and appreciating our employees, who are the backbone of our organization. This was only possible due to the direction provided by the Mayor and the Commission as well as the hard work of each City employee.

We were also able to prepare a balanced budget for FY 2018 that maintains service levels, increases economic development spending and funds large capital and repair and maintenance projects. All this was accomplished with no increase to the assessment rates over the prior year except for the fire fee. We were also able to maintain the utility rates and decrease the millage rate for the upcoming year.

The upcoming year's uncertainty of State’s unfunded mandates, the assault on Home Rule, budgetary caps, lost revenues and future property tax reform, aging infrastructure, increased cost for services and still a somewhat sluggish economy are obstacles that will prove most challenging! Working through them as a team will certainly be our "Finest Hour".

As always, I am available and keen to discuss any matter that may interest you and am looking forward to serving you and the residents of North Lauderdale in the years to come.
TO: Mayor and City Commission

FROM: Ambreen Bhatt, City Manager
David Tolces, City Attorney

BY: Tammy Reed-Holguin, Community Development Director

DATE: October 10, 2017

SUBJECT: City of North Lauderdale (“City”)/Hurricane Loss Mitigation Program – Request for Legal Opinion – Yvonne Vigo Disclosure of No Conflict

City Administration has requested a determination of no conflict of interest from the City Attorney for Yvonne Vigo, who is employed by the City as a Bookkeeper within the Finance Department, with respect to her application for funding through the City’s Hurricane Loss Mitigation Program (the “Program”). Typically the City Attorney's Office provides a conflict of interest disclosure memorandum in association with the use of funds from the United States Department of Housing and Urban Development (“HUD”). In this instance, the funds are provided by the State of Florida Division of Emergency Management, and would not require a conflict of interest disclosure memorandum. However, while the funds are not provided by HUD, in the interest of full disclosure, the City Attorney's Office is providing the attached written legal opinion stating that Mrs. Vigo’s and her husband, Kenneth Vigo’s receipt of funds through the program does not violate any state or local law, and therefore, the funding agency may grant the exception.

RECOMMENDATION:

The City Administration recommends Commission’s concurrence with the City Attorney’s written opinion of disclosure for which the exception is sought and the award of program funds to Mrs. Vigo and her husband, Kenneth Vigo does not violate federal, state or local law.
Pursuant to your request, our office has investigated whether Yvonne Vigo, a City employee, may receive funds from the Hurricane Loss Mitigation Program ("the Program"). As required by Title 24, Section 570.611, of the Code of Federal Regulations, in order for the U.S. Department of Housing and Urban Development ("HUD") to consider granting an exception to the Conflict of Interest provisions contained in Title 24, Section 570.611 of the Code of Federal Regulations, the City Attorney must provide a written opinion that the interest for which the exception is sought does not violate state or local law. As explained below, Mrs. Vigo’s receipt of funds through the Program does not violate state or local law, and therefore, HUD may grant the exception.

Florida’s Code of Ethics for public officials and public employees is contained in Section 112.313, Florida Statutes. With respect to Mrs. Vigo’s application to receive funds through the Program, specifically, one must review Section 112.313(3), Florida Statutes, which provides as follows:

(3) DOING BUSINESS WITH ONE’S AGENCY.—No employee of an agency acting in his or her official capacity as a purchasing agent, or public officer acting in his or her official capacity, shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for his or her own agency from any business entity of which the officer or employee or the officer’s or employee’s spouse or child is an officer, partner, director, or proprietor or in which such officer or employee or the officer’s or employee's spouse or child, or any combination of them, has a material interest. Nor shall a public officer or employee, acting in a private capacity, rent, lease, or sell any realty, goods, or services to the officer’s or employee’s own agency, if he or she is a state officer or employee, or to any political subdivision or any agency thereof, if he or she is serving as an officer or employee of that political subdivision. The foregoing shall not apply to district offices maintained by legislators when such offices are located in the legislator's place of business or when such offices are on property wholly or partially owned
by the legislator. This subsection shall not affect or be construed to prohibit contracts entered into prior to:
(a) October 1, 1975.
(b) Qualification for elective office.
(c) Appointment to public office.
(d) Beginning public employment.

As defined in Section 112.313(1), Fla. Stat., Mrs. Vigo is not a “public officer,” as he does not hold an elected or appointed office in the City. Therefore, the above-referenced statutory provision would not apply to his receipt of Program funds.

In addition, we reviewed Section 112.313(6), which provides in part, as follows:

(6) MISUSE OF PUBLIC POSITION.—No public officer, employee of an agency, or local government attorney shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others.

There does not appear to be any corrupt intent to use or attempt to use Mrs. Vigo’s position as a City employee to obtain any special benefit or exemption for herself or others. Therefore, the award of funds to Mrs. Vigo would not violate the relevant provisions of Section 112.313(6), Florida Statutes.

Our office also reviewed relevant City ordinance provisions which apply to City employees, and we find that Mrs. Vigo’s participation in the Program does not violate the City’s Conflict of Interest Ordinance. Section 9.4, Conflict of interest; standards of conduct, applies to all City employees and provides as follows:

Sec. 9.4 Conflict of interest; standards of conduct.
(a) Any City officer or employee who has a financial interest, direct or indirect, in any contract or transaction between the City and any person, firm, corporation, association, or other entity with whom the City officer or employee has a financial interest, shall make known that interest and shall refrain from voting or otherwise participating in any decision affecting the negotiations or consummation of the contract or transaction as aforementioned. Any City officer or employee who willfully conceals such a financial interest or willfully violates the requirements of that section shall be guilty of malfeasance in office or employment and shall forfeit his or her office or employment. Violation of this section with the knowledge expressed or implied of the person, firm, corporation, association or other entity contracting with or transacting business with the City shall render the contract voidable at the election of the City.

(b) All elected officials and employees of the City shall be subject to the standards of conduct for public officers and employees set by general law. The provisions of F.S. ch. 112, part 3, are hereby adopted as applicable to all officers, employees, officials and/or appointees of the City. In addition, the Council may,
by ordinance, establish a code of ethics for officials and employees of the City which may be supplemental to general law but in no case may an ordinance diminish the provisions of general law.

The provisions of Section 9.4 would not apply Mrs. Vigo’s receipt of Program funds because she is not receiving the Program funds in connection with any part of her job duties and responsibilities and she has had no involvement in the City’s transaction with the Program providers.

In addition, Section 46-10, of the City’s Code of Ordinances provides as follows:

Sec. 46-10. Ethical standards.

All city employees are required to maintain the highest ethical standards in the conduct of their position or office. In order to fulfill this requirement, the following points are made:
(1) There shall be no activity which is in conflict with the interest of the employee’s official duties.
(2) City employees cannot use their position with the city for private interest.
(3) No employee shall directly or indirectly accept any gift, favor or service in whatever form under circumstances from which it could reasonably be inferred that the gift was intended to influence him, or reasonably be expected to influence him, in the performance of his official duty or was intended as a reward for any official act on his part.

This Section would prohibit a City employee from receiving any gift or compensation for any service or assistance related to performing their job duties and responsibilities. Mrs. Vigo’s receipt of Program funds does not violate this section of the City’s Code either, as the funds provided to him are not related to his job duties and responsibilities. The Program funds are tied to Mrs. Vigo’s ability to comply with the Program’s terms and conditions. Our office has not received any information which would provide for the payment of the Program funds by the City to Mrs. Vigo as a condition of her employment with the City. Further, Mrs. Vigo has applied for the Program funds in a manner that is available to all members of the public. She has not received any personal gain due to the fact that she is a City employee. In addition, based upon the information provided, the receipt of the funds does not conflict with the proper discharge of her duties. Mrs. Vigo was not part of the decision making process, and the receipt of the funds will be used on her private home, and is not connected with her job duties and responsibilities.

Furthermore, based upon the information provided, there does not appear to be a conflict between Mrs. Vigo’s duties as a bookkeeper and the decision to grant her application pursuant to the Program’s requirements. Mrs. Vigo works for the Finance Department, and is not an employee of the Community Development Department. Additionally, Ms. Vigo did not participate in the review of the application. Therefore, based upon these factors, it is our opinion that the award of Program funds to Mrs. Vigo does not violate either state, federal, or local law.

If you require any further assistance, please do not hesitate to contact our office.
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