CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, MAY 30, 2017

REGULAR MEETING – 6:00 p.m.

AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Moyle

2. ROLL CALL

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

3. APPROVAL OF MINUTES

   a. May 9, 2017

4. PRESENTATIONS

   a. Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award (Laurette Jean)

   b. Certificates of Recognition in observance of Haitian American Heritage Month (Commissioner Borgelin)

      • Guithle Ruiz-Nicolas
      • Dr. Patrick Joboun
      • Claude Louissaint
c. Utility Division Employee Letters of Commendation for their dedication commitment and hard work during a major sewer break crisis:

- Kenny Thomas, Utilities Foreman
- Shawn Driver, Operator
- Chris McCall, Utility Technician
- Robert Laws, Operator
- Marlon Betton, Community Service Worker

5. PROCLAMATIONS

a. Caribbean American Heritage Month – June

b. National Gun Violence Awareness Day – June 2

c. National Safety Month - June

6. PUBLIC DISCUSSION

7. QUASI-JUDICIAL ITEMS

a. ORDINANCE – Second Reading – VAR 17-02 RaceTrac Renovation
   7350 W. McNab Rd.
   APPLICANT - Kristin Novack, Thomas Engineering Group

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

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 102-63 (C) REGARDING THE PLACEMENT OF A 10 FOOT WIDE LANDSCAPE STRIP AS REQUIRED; 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.
b. **SUBJECT – SITE PLAN - SPR 17-02**

RaceTrac Renovation  
350 W. McNab Rd.

Final Site Plan approval to allow for an expansion to the existing RaceTrac to include an outdoor seating area in accordance with Section 98 “Land Improvement Regulations” of the City Code of Ordinances in a General Business (B-2) zoning district.

**APPLICANT:** Kristin Novack, Thomas Engineering Group

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

**MOTION:** To approve Final Site Plan - SPR 17-02 – subject to the fifteen (15) conditions outlined in staff memorandum.

8. **ORDINANCES SECOND READING**


- Motion, second and vote to read the ordinance
- Attorney reads title
- Staff presentation
- 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 CHAPTER 106 “ZONING” SECTIONS 106-467 “SUPPLEMENTAL REGULATIONS” PERTAINING TO GAS AND OIL FILLING STATIONS, AUTO SERVICE STATIONS, AUTO REPAIR AND SERVICE STATIONS, GARAGE INCLUDING MECHANICAL SERVICE, AND CONVENIENCE STORES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE.
9. OTHER BUSINESS

a. RESOLUTION – Urging an Extension of the Temporary Protected Status for Haitian Nationals (Mayor Brady and Commissioner Borgelin)

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

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, URGING PRESIDENT DONALD TRUMP AND THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO EXTEND TEMPORARY PROTECTED STATUS FOR HAITIAN NATIONALS; AND PROVIDING AN EFFECTIVE DATE.

b. RESOLUTION – Urging Support of the Equality Act (HB 2282) to Prohibit Discrimination on the Basis of Sex, Gender Identity, Sexual Orientation and Other Forms of Discrimination (Vice Mayor Wood)

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, URGING ALL MEMBERS OF CONGRESS TO SUPPORT THE EQUALITY ACT (H.B. 2282) INTRODUCED IN THE U.S. HOUSE OF REPRESENTATIVES BY REPRESENTATIVE DAVID CICILLINE (D-RI) AND IN THE U.S. SENATE BY SENATOR JEFF MERKLEY (D-OR); TO PROHIBIT DISCRIMINATION ON THE BASIS OF SEX, GENDER IDENTITY, SEXUAL ORIENTATION, AND OTHER FORMS OF DISCRIMINATION; DIRECTING CITY ADMINISTRATION TO TRANSMIT A CERTIFIED COPY OF THIS RESOLUTION TO THE BROWARD LEAGUE OF CITIES, THE FLORIDA LEAGUE OF CITIES, THE BROWARD COUNTY LEGISLATIVE DELEGATION, THE PALM BEACH COUNTY LEAGUE OF CITIES, THE MIAMI DADE COUNTY LEAGUE OF CITIES, THE NATIONAL LEAGUE OF CITIES, THE U.S. CONGRESSIONAL LEGISLATIVE DELEGATION FOR FLORIDA AND ANY OTHER INTERESTED PARTIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
c. **ORDINANCE – First Reading - Extending Moratorium on Wireless Communication Facilities**

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

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ORDINANCE 17-04-1348; EXTENDING THE MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS OR DEVELOPMENT ORDERS FOR THE INSTALLATION OF OR SITING OF WIRELESS COMMUNICATION FACILITIES WITHIN THE CITY UNTIL SUCH TIME AS REGULATIONS PERTAINING TO WIRELESS COMMUNICATION FACILITIES HAVE BEEN ADOPTED BUT NO LATER THAN JULY 31, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

d. **RESOLUTION - 4th Amendment to Jeff Ellis Associates Aquatic Division Operations**

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO THE 4TH AMENDMENT TO THE CURRENT CONTRACT WITH JEFF ELLIS AND ASSOCIATES INC FOR THE OPERATION OF THE NORTH LAUDERDALE JERRY RESNICK AQUATIC CENTER TO EXTEND IT FOR SERVICE FROM OCTOBER 1, 2017 THROUGH SEPTEMBER 2021 AND, PROVIDING AN EFFECTIVE DATE.**

e. **ORDINANCE – First Reading - Ceremonial Items Procedures**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Mike Sargis)
- Commission motion and second to adopt
- Commission discussion
- Commission vote
AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ("CITY"), AMENDING SECTION 2-33 WITHIN CHAPTER 2 OF THE NORTH LAUDERDALE CODE OF ORDINANCES, ENTITLED “ADMINISTRATION” TO PROVIDE FOR ADDITIONAL GUIDELINES FOR ISSUANCE AND DISTRIBUTION OF CEREMONIAL ITEMS SUCH AS KEYS TO THE CITY, PROCLAMATIONS, CERTIFICATES OR PLAQUES, LETTERS OF RECOGNITION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

f. **SUBJECT – Setting Parade Date – 2017**

- Staff presentation (Mike Sargis)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

**MOTION:** To set Saturday, December 9, 2017 as the date for 40th Annual Holiday Spirit Parade.

10. **REPORTS**

   a. BSO Annual Report (Chief Faer)

11. **COMMISSION COMMENTS**

12. **CITY MANAGER COMMENTS**

   a. Update on EMS Collections
   
   b. Distribution of surplus Surtax Education Funds by MPO

13. **CITY ATTORNEY COMMENTS**

14. **ADJOURNMENT**
The North Lauderdale City Commission met at the Municipal Complex on Tuesday, May 9, 2017. The meeting convened at 6:00 p.m.

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

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

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

3. **APPROVAL OF MINUTES**

   a. **April 25, 2017** – Vice Mayor Wood moved to approve the Minutes as submitted. Seconded by Commissioner Graziose. Clerk called roll. **Minutes approved unanimously.**

4. **PRESENTATIONS** – (Some of these presentations were taken out of sequence due to the firefighters being on a smoke related call; Ms. Vazquez arrived later and two items were tabled to the next meeting)

   a. **Recognition – Joany Vazquez for Broward League of Cities Scholarship Award** - (Miss Vazquez arrived after Item 6 – Public Discussion) Miss Vazquez was presented with a Certificate of Recognition for having received a $1,000 scholarship from the Broward League of Cities for her achievements while attending the College Academy at Broward College.

   b. **Firefighter of the Year – Sam Franco** – Fire Chief Rodney Turpel thanked the Commission and staff for support of the department. He said to do a Firefighter of the Year award is hard because all the firefighters deserve an award for giving of themselves on a daily basis and doing a good job in the community. Deputy Chief David Sweet gave some words of commendation about Firefighter Sam Franco who was chosen as the Firefighter of the Year for being a relentless, tireless worker with great character.

   c. **EMS Provider of the Year – Javier Rodriguez** – Battalion Chief Nelson Canizares spoke about why Lieutenant Javier Rodriguez was chosen as EMS Provider of the Year which was because he has gone out of his way to try to improve standards and training as well as researching to better the equipment and medical supplies.
d. Promotion to Lieutenant – Christopher Passino – Chief Turpel stated that a promotion in the department is always special and Christopher Passino has worked his way up through the ranks as a Paramedic/Firefighter who has a zest for doing the job and doing it right. He placed #1 on the Lieutenant exam out of five candidates. Lieutenant Passino was ceremoniously pinned for the promotion by his wife and his children were also present.

e. Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award
- *This item was tabled to the next meeting.*

f. Utility Division Employee Letters of Commendation for their dedication commitment and hard work during a major sewer break crisis:
   - Kenny Thomas, Utilities Foreman
   - Shawn Driver, Operator
   - Chris McCall, Utility Technician
   - Robert Laws, Operator
   - Marlon Betton, Community Service Worker
- *This item was tabled to the next meeting as the employees were currently working on an emergency water main break in the City.*

5. PROCLAMATIONS – Clerk read the following Proclamations into the record:

a. Emergency Medical Services Week – May 21-27 – Chief Turpel accepted the Proclamation and stated that they are very proud of their EMS team and that they have the best Paramedics that work hard at it every day. He stated that Lieutenant Passino’s crew will be honored at an EMS Annual Appreciation Breakfast this month for saving the life of a newborn baby.

b. National Haitian American Heritage Month – May

6. PUBLIC DISCUSSION

Garfield Buchanan – 800 SW 75 Way – Mr. Buchanan stated that he is a 16 year resident and this is his second attendance at a Commission meeting to address a Courtesy Warning Notice #92043 issued with regard to his basketball hoop in the swale, which he asked to be dismissed. He insinuated that the code violation resulted from one woman’s prejudice and that code violations were being created when obvious code violations existed across from her home that had never been addressed. He stated the City is creating a situation where kids can’t play without moving cars out of the driveway and risking property damage and he wants to put his basketball goal back in the street where it has been for six years.

Guithele Ruiz-Nicholas – 10121 N.W. 14th Street – Ms. Nicholas stated she is President of the Haitian American Democratic Club. She said she came this evening to commend the Commission on the issuance of the Proclamation in recognition of National Haitian American Heritage Month which shows that they value the diversity of the community. Ms. Nicholas claimed that her Club did a study two years ago and determined that North Lauderdale is one of the cities with the most Haitian American citizens according to the size of the city and they wish to continue to work with the City particularly as they face a situation where millions of Haitians will be deported because their temporary protected status (TPS) will expire as of May 22nd which she claimed would impact the property revenues and commercial businesses.
Ava Nadine Thompson – 8032 W. McNab Road – Ms. Thompson representing her North Lauderdale business, Reggae ‘Pon the Grill, stated she is here to see if the City is willing to work with the Jamaican community to celebrate Jamaican Independence in August. Mayor Brady said they will take it into consideration.

Diana Valle – 811 SW 8th Street – Commented on the incident that went viral over the weekend and claimed that because of social media it will be assumed that North Lauderdale is inhabited by vile and lawless residents and she alleged that BSO was late to the call. She addressed Mayor Brady and stated that it is his job to allocate the funds to protect the City. Also, Ms. Valle stated she witnessed two ATV vehicles in the streets popping wheelies and straddling the bikes side to side and going in and out of cars causing her and other drivers to be stuck. She called 911 and was told that someone would be sent out but claimed the ATV’s were driving donuts at the intersection of 81st Avenue and 8th street an hour and a half later. She claimed that the BSO website states there are 46 deputies, but where are they? Also she stated that in response to her complaint last month about the speeding up and down on 81st Avenue and McNab, the decoy cop cars put there aren’t helping and the speeding is unacceptable. Ms. Valle made derogatory statements to Mayor Brady and did not stay for his reply.

Staci Valbrun – Principal of North Broward Academy of Excellence – Commented that she is here to seek the Commission’s support with regard to a traffic situation occurring at the school, specifically during arrival time. She stated that dismissal is also affected, but more kids come at the same time for arrival. Ms. Valbrun stated the issue is mostly on 64th Street causing a backup all the way to their car drop off area. She requested someone do an assessment in the mornings for cars making a left turn and also right turns. She suggested a light there to help with traffic flow. Commissioner Graziose commented that when the school was first built they did not put in for an approved traffic light or an approved flow plan with the County at the time and they have been battling this issue for many years and the City did just widen the road. Commissioner Graziose advised that they are working with the County to try to get a school crossing there at SW 17th Street and 81st Ave. as Belmont across the street has put in a new driveway and kids are crossing there instead of with the crossing guard at the McNab intersection. Commissioner Graziose advised that a traffic light cannot be put there because it is too close to McNab Road; a school crossing would have control devices that would slow the traffic down and perhaps if the number of students goes up they may be able to put in for a pedestrian light. He said they are looking at the safety of the kids, not the convenience of the drivers and surveys are being done. City Manager Bhatty stated that they are working with Public Works and there are people out there every morning and afternoon to keep a count of how many vehicles are coming in and how many kids are crossing from 17th Street to Belmont and once the data is collected they will be able to go to the School Board or Traffic Engineering to make requests. She said they are not ignoring these requests, it is being taken seriously and is being addressed. Mr. Montes, a parent of a student, stated that if the survey is done next week, the numbers may be higher due to testing and parents may trying to get their students there in time. Ms. Bhatty said they are doing the surveying at different times for a couple weeks. Commissioner Graziose commented that more students may walk from Belmont rather than being driven if there was a crossing there. He also asked Principal Valbrun if they provide bussing for students over two miles that is required by the State of Florida and she replied that they do not because they are a Charter School and are not required to provide bussing. Commissioner Graziose said a Charter School is a public school and should provide bussing. Commissioner Borgelin said he is the Commissioner for this area and is also concerned and will follow up with the Principal.

(At this time Joany Vazquez arrived and was presented with a Certificate of Recognition)

7. ORDINANCES SECOND READING

a. Ordinance - Second Reading and Adoption: Ordinance Extending Moratorium on Uses Including Gas and Oil Filling Stations, Auto Service Stations, Auto Repair and Service Stations, Garage Including Mechanical Service, and Convenience Stores

Vice Mayor Wood moved to read. Seconded by Commissioner Moyle. Clerk called roll. All in favor; 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 AND THE PROCESSING OF QUASI-JUDICIAL AND ZONING ITEMS PERTAINING TO USES INCLUDING GAS AND OIL FILLING STATIONS, AUTO SERVICE STATIONS, AUTO REPAIR AND SERVICE STATIONS, GARAGE INCLUDING MECHANICAL SERVICE, AND CONVENIENCE STORES WITHIN THE CITY FOR AN ADDITIONAL 90 DAYS (JULY 25, 2017) PURSUANT TO ORDINANCE NO. 16-04-1326, ADOPTED ON APRIL 26, 2016 BUT IN NO EVENT LONGER THAN THE TIME NEEDED FOR THE CITY ADMINISTRATION TO TAKE INTO CONSIDERATION PUBLIC COMMENT AND REVIEW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR EXCEPTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

Osny Jean, Community Development Planner, presented the item based on backup memorandum. He stated that they are requesting an extension of the moratorium passed on April 26, 2016. He stated that at the last City Commission meeting a speaker had some comments regarding these uses and the Commission instructed staff to take some more time to review the item so that those comments could be addressed. The item was tabled to May 30th at which time staff will come back with their recommendations. They request an extension of the moratorium to July 25th. Public hearing opened. No one spoke. **Commissioner Moyle made a motion to extend the moratorium for ninety days. Seconded by Vice Mayor Wood.** Attorney Goren interjected that at the last meeting, Attorney Dwayne Dickerson appeared at the time, in his representation of WaWa and others that would be similarly affected, and they are working with the requestor and staff in looking at the options he provided. He said if this ordinance were approved tonight, it would give staff some additional time to come back on May 30th with a proposed ordinance. **No further discussion; clerk called roll. All yes.**

**ORDINANCE NO. 17-05-1352 PASSED AND APPROVED**

8. **OTHER BUSINESS**

   a. **RESOLUTION – Appointing Brandon Wright as an Alternate Member of the Planning and Zoning Board**

Vice Mayor Wood moved to read. Seconded by Commissioner Moyle. Clerk called roll. All yes; Attorney read:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPOINTING BRANDON WRIGHT AS AN ALTERNATE MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD (SPONSORED BY COMMISSIONER GRAZIOSE); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.**

Vice Mayor Wood moved to approve. Seconded by Commissioner Moyle. No Commission discussion. Clerk called roll. All yes.

**RESOLUTION NO. 17-05-6411 PASSED AND APPROVED UNANIMOUSLY**

   b. **RESOLUTION - Appointing Brandon Wright as a member of the Community Sustainability Board**

Vice Mayor Wood moved to read. Seconded by Commissioner Moyle. Clerk called roll. All yes; Attorney read:
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, PROVIDING FOR THE APPOINTMENT OF BRANDON WRIGHT (SPONSORED BY COMMISSIONER GRAZIOSE) TO SERVE ON THE COMMUNITY SUSTAINABILITY BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

Commissioner Moyle moved to approve. Seconded by Commissioner Graziose. No Commission discussion. Clerk called roll. All yes.

RESOLUTION NO. 17-05-6412 PASSED AND APPROVED UNANIMOUSLY

c. RESOLUTION – Appointing Montfort Alexis as a regular member of the Planning and Zoning Board

Commissioner Graziose moved to read. Seconded by Commissioner Moyle. Clerk called roll. All yes; Attorney read:

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

Commissioner Graziose moved to approve. Seconded by Commissioner Moyle. No Commission discussion. Clerk called roll. All yes.

RESOLUTION NO. 17-05-6413 PASSED AND APPROVED UNANIMOUSLY

d. RESOLUTION – Appointing Gracien Serge Champagne as a regular member the Code Enforcement Board

Vice Mayor Wood moved to read. Seconded by Commissioner Moyle. Clerk called roll. All yes; Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPOINTING GRACIEN SERGE CHAMPAGNE AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY COMMISSIONER BORGELIN); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

Commissioner Graziose moved to approve. Seconded by Commissioner Moyle. No Commission discussion. Clerk called roll. All yes.

RESOLUTION NO. 17-05-6414 PASSED AND APPROVED UNANIMOUSLY

e. SUBJECT – Special Event (SPEV 17-01) Haitian American Heritage Festival
   Applicant: Willem Philippi Foundation

Commissioner Graziose moved to read. Seconded by Commissioner Moyle. Clerk called roll. All yes; Attorney read:
Motion to approve SPEV 17-01 to conduct an open air event for Willem Philippi Foundation at Field 4 of the City’s Sports Complex to be held on Friday, May 19th from 6:00 PM. to 10:00 P.M. subject to the conditions listed in the staff memorandum without any waivers.

Mike Sargis, Parks and Recreation Director, presented the item on behalf of Tammy Reed-Holguin, Community Development Director who was out of town. Mr. Sargis presented the item based on the staff memorandum. He stated the applicant, Willem Philippi Foundation, is requesting to hold an open air special event intended to celebrate Haitian American Heritage on May 19th on Field 4 of the City’s Sports Complex from 6:00 pm to 10 pm. Mr. Sargis outlined the features proposed for the event and indicated that between 300-500 people are expected to be in attendance. The applicant has requested fee and other associated cost waivers for City services which are listed in detail in the backup memorandum. Mr. Sargis indicated that according to Section 6-28 of the City Code of Ordinances, certain items are required to obtain a permit and upon staff review, it was determined that some of the requirements were missing as outlined in the memorandum. Mr. Sargis presented each of the bullet points listed in the memorandum and gave explanations. Also, Mr. Sargis presented the waivers requested as outlined in the memorandum. He indicated that City staff does not have the authority to waive fees or provide services at no cost, and historically, the City has never waived any fees for non-City sponsored events. Mr. Sargis presented the break-down of the total costs requested to be waived for an amount of $4,823.70. He indicated that should a waiver not be approved, payment for these services must be received in full by 5:00 p.m. on Friday, May 12, 2017 before final plans could be made. The applicant has been informed that all permits or items necessary to conduct a safe and successful event must be secured prior to the event opening. Mr. Sargis indicated that should City Commission wish to approve the event, approval would be subject to compliance with all City and County codes, including the conditions associated with the application and the applicant understands that under no circumstances will the City permit the event to proceed unless and until all applicable codes and conditions are met. Mr. Sargis stated those conditions must be met prior to the event’s opening and shall be continually adhered to while the event is open to the public. Mr. Sargis stated there are ten (10) conditions listed in the staff memorandum. He stated there are two options; Option A – to approve SPEV 17-01 to conduct an open air event for the Willem Philippi Foundation at Field 4 of the City’s Sports Complex on May 19th subject to the ten conditions listed in staff memorandum without any waiver of fees, or Option B – to approve SPEV 17-01 subject to conditions listed in staff memorandum with all waivers requested in an amount of $4,823.70. William Pierre, residing at 7710 SW 6 Court, addressed the Commission stating that he grew up in North Lauderdale all his life and is the Director of Public Relations for the Willem Philippi Foundation. He asked for clarification about the field only holding 300 people. Mr. Sargis replied that the application submitted stated that there would be expected to be between 300-500 people, so that is the amount that Police and Fire based their fees on. Mr. Pierre said Mr. Sargis mentioned wear and tear regarding the field and stated the attended North Lauderdale Days and there was well over that amount of people there. Mr. Sargis replied that they have no issue with the amount of people, but the application it asks for the estimated amount of people to provide Police and Fire. Mr. Pierre stated that they are requesting a waiver of the fees in order help them to hold this family, food and fun event which has never happened before in the City. Guy Philippi, Pastor Philippi’s son, addressed the Commission and said this is a family event and he understands there are fees associated with it, but they are trying to raise awareness and are asking for help to waive the fees because they are a lot and the City just acknowledged Haitian Heritage Month. Guithhele Ruiz-Nicholas addressed the Commission again and stated that she is listening to this and said everything happens around its time and stated that she worked for the City of Hollywood as the Director of Human Relations and was the first one to introduce the Hispanic Council, the African-American Council and the Haitian American Advisory Council; the reason for these Councils was to create the type of activity that these gentlemen have mentioned. She said during these events people begin to appreciate the commonalities versus the differences and she is hoping she will be able to attend this event on the 19th because she believes it will be a good thing for the City. Commissioner Borgelin asked if there is an issue with the ten (10) conditions listed. Mr. Philippi said there is no problem with providing the information; the only thing that is holding them back is permission from the City and the waiver they are asking for. He said everything asked for in the ten points will be provided. Commissioner Graziose commented that if you look at the ten items, it talks about paying and it’s a
contradiction between two options and if they agree to the ten items, they would be agreeing to pay. City Manager reiterated if not waived they would have to pay the costs which is one of the conditions. Mayor Brady asked if there was a motion to be made. City Attorney Goren said this agenda item would need a motion to approve and a majority vote of the Commission based on the conditions offered or at least exercise whatever option the Commission may choose if at all. He said a motion must be made to get this off the table. Commissioner Borgelin made a motion to approve Option B requesting to waive all fees in the amount of $4,823.70. Attorney Goren stated there was a motion and a second is needed to be carried by a majority of the Commission. Attorney Goren stated that by the Parliamentary rules that the Commission operates under, without a second the motion dies for a lack of a second. The motion died for a lack of second.

f. RESOLUTION – East Kimberly Boulevard Professional Design Services

Vice Mayor Wood moved to read. Seconded by Commissioner Moyle. Clerk called roll. All yes; Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD CRAVEN THOMPSON AND ASSOCIATES FOR AN AMOUNT NOT TO EXCEED $98,860.00, UNDER THE TERMS OF RFQ 16-06-361 FOR THE SURVEYING, DESIGN, AND CONSTRUCTION SERVICES OF THE EAST SIDE OF KIMBERLY BOULEVARD IMPROVEMENT PROJECT; AND PROVIDING AN EFFECTIVE DATE.

George Krawczyk, Public Works Director, presented the item based on backup memorandum. He indicated that as read in the title, this is for the east side of Kimberly Boulevard, which needs a little more work than the west portion. Mr. Krawczyk stated that the west portion will be paved this summer; you will start to see signs of work activity beginning in the medians and when the construction date is locked in he will bring it back to Commission. This proposal is for services that are needed to assist staff in getting better products that are needed to bid out and budget in the next fiscal year. Mr. Krawczyk said this is an opportunity to get ahead of the game and get the design services started now to have the set of plans ready to go for improvements. He said they are also discussing safety with the consultant regarding how to slow cars down on Kimberly Blvd without adding more speed humps; an option may be to put in a traffic circle. Craven Thompson and Associates did put in a proposal during the bid process for RFQ#16-06-361 that happened last summer and they are one of the approved engineering and surveying vendors. As soon as they have an approval the work will begin, and any concepts will be brought back to the Commission during the design process. Commissioner Moyle moved to approve. Seconded by Vice Mayor Wood. Vice Mayor Wood asked if the Commission will have input during the design phase. Mr. Krawczyk replied yes; this is for approval of the work and he will coordinate with them what the City wants to see on East Kimberly from State Road 7 to Rock Island Road, such as crosswalks or a traffic circle if there is enough right-of-way. He said the Commission’s input and ideas will come after the plans have been put in and it has been bid out. Commissioner Graziose interjected that circles take a lot of room, as he has seen in his area. Commissioner Graziose said he has seen raised intersections that can be done very attractively if there is no room for circles, and it is also a traffic calming device. Also, he suggested that curbing be done so that vehicles won’t go wider and run over swales. City Manager Bhatty commented that as they go through the process, they will be seeking input and some of the ideas suggested in the workshop may be incorporated in the designs; they will share the progress and get feedback – this is just the design phase which is budgeted in this year’s budget. During next year’s budget, you will see the construction costs pertaining to this phased project. Commissioner Borgelin commented that the City staff proposes Craven Thompson, but asked if the project is open to other companies to bid. City Manager Bhatty replied that previously the City had Calvin Giordano who was hired by the City to do design projects. Over the years they realized it is a big company and the overhead costs were more than the type of projects that the City needed. A year ago, the City opened it up with an RFP for all vendors and have them on record so when a project comes in, and depending on the nature of the project, a vendor could be picked from pool of vendors who were approved by the City Commission. A
previous issue with Calvin Giordano was that sometimes they could not meet our timeframe for the projects and we would have to wait. Mr. Krawczyk reported that there are 37 vendors in this pool for different projects. City Manager Bhatti said they have used a lot of them depending on the nature of the project and the expertise they could bring to that project. Mr. Krawczyk also said per CCNA guidelines, you can’t shop around for professional services; you have to choose one firm. City Manager Bhatti said there are very particular requirements by the state and the CCNA for hiring an engineering or architect firm. Commissioner Borgelin commented that what got his attention is that does this local firm have the proper experience and are they the only ones that have the proper experience? Mr. Krawczyk replied that we have 37 firms to choose from and we choose them based on their qualifications and experience. He said the next project may be another firm as they go randomly through the pool of consultants. Vice Mayor Wood said when [the Commission] approved that pool of contractors and vendors, we also made sure that we had the minority participation as well; that came up and we made sure that these firms do hire minority companies to help with this type of work. Attorney Goren interjected that in case it wasn’t clear, the CCNA is a State Statute and is the Consultants Competitive Negotiations Act; it is state law that allows for local government to select, through a process, qualified professionals to perform architectural engineering and landscape architectural services and they are quantified based on value. Attorney Goren stated before some of the Commission were seated, there was a process, and as you know, under the Broward County Ethics Code, the [Commission] does not get to sit in on selection committees. He said staff did go through an RFQ (Request for Qualifications) process; short-listed a certain number of qualified professionals, all of whom were approved by the Commission, by appropriate resolution, some of whom get selected from time to time based upon a specific project. For this evening’s discussion, Craven Thompson was one of those firms; so, it must meet the state criteria and must have minority participation. The Commission does not get to make the decision on who to hire, but can make a decision on who qualifies to be hired based upon design criteria and other options in the statute. Attorney Goren said it is not just an ordinance driven conclusion, it is also provided for by state law. He said this City is not alone in this process, many cities find by doing this it is a way to save money as opposed to only working with one firm that does this kind of work. Commissioner Borgelin said he would like to specify is it possible, since it is done locally, we can at least have assurance that some of our local residents will be able to work to find jobs because personally, he doesn’t think all the positions are over qualified; there has got to be something that they can do. Mr. Krawczyk said during the construction phase, they can actually make it a part of the specs that the contractors chose for the project has to use “x” amount or a percentage of local employees. Ms. Bhatty said the only thing is that this phase is a design phase not a construction phase yet, and the vendor would use somebody already on his books as an architect or engineer. Commissioner Borgelin said “I understand”. Ms. Bhatty said when it comes to the construction phase they can make a request that they hire local contractors, but it depends on their hiring process and if they already have enough employees on their books to do the project. Commissioner Borgelin stated perhaps he was too ahead of the subject, but please do, when it comes to that point, he would like to make sure that we give an opportunity to the local residents for some work. Ms. Bhatty right now they are just focusing on the design process. Commissioner Borgelin said thank you for the clarification. No further discussion; clerk called roll. All yes.

RESOLUTION NO. 17-05-6415 PASSED AND APPROVED UNANIMOUSLY

9. REPORTS

a. Award of $194,000 Grant through State of Florida Hurricane Loss Mitigation Program

Katherine Randall, Assistant Community Development Director, reported that the City submitted an RFP for the 2017-2018 Hurricane Loss Mitigation Program on March 23, 2017. The State received a total of 38 RFPs for this program. On April 28, 2017 the City received a Notice of Intent to Award. Ms. Randall stated the City ranked 3 out of 38 applicants and of those applicants, 15 were awarded. The City will be awarded $194,000 for this program for FY 2017-2018 and will assist approximately between 10 to 13 households. The Hurricane Loss Mitigation Program is designed to assist homeowners with qualified wind resistant construction and
installation of hardening of their homes against hurricanes and other natural disasters. Eligible activities include replacement of roofs; covering installation of windows and doors; and protection for garage windows and doors. The resources will assist homes that are owner-occupied by residents of the City of North Lauderdale. To be eligible the home must be owner-occupied as a primary residence; have no outstanding code violations; no open permits; no outstanding City liens and no illegal enclosures. The grant is funded by the State of Florida Division of Emergency Management and this grant does not require those awarded to repay it back. This is a grant which allows the whole amount to go back into the community with none used for administration. City Manager Bhattty commented that she wanted to share this information to show how dedicated our staff is and that only 15 of 38 applicants were awarded, with our City coming in at number 3. She said some of the cities that we competed with had much more resources in staff time to apply for these grants, but we were able to submit and being awarded $194,000 was a big accomplishment for our staff to be able to help our residents with hurricane mitigation which is needed.

b. Parks and Recreation Update

Mike Sargis, Parks and Recreation Director, gave an update on a device that was presented previously for a proposed demo by Jeff Ellis Aquatics and Sentag, a company from Sweden that developed the device for anti-drowning prevention. This requires all persons going into the pool to be given a wristband to wear which is an early warning system for lifeguards that signals a control box which alerts a lifeguard on deck if anybody is under the water for a certain amount of time, like 30 seconds and hadn’t moved. The system should be installed within the next couple of weeks at the pool, once the permits are submitted. Mr. Sargis stated the good news is that it goes into the light system in the pool and the contractor can do it without draining the pool, thereby saving hundreds of gallons of water.

Mr. Sargis said to day, the Summer Camp has 415 kids registered for each session so far, totaling 830 kids. Summer Camp is $410 for eight weeks which is cheaper by far than neighboring cities; Coconut Creek is over $1,000; Margate is $700 and Tamarac is $700. Registration is through May 26th.

Registration for Youth Basketball which runs over the summer is ongoing and so far two divisions are full with close to 100 kids registered. There are about 50 spots left.

Memorial Day is Monday, May 29th and since the crowds have gotten bigger at the Memorial Day event, especially since installing the Fallen Soldier statues for Michael Brodsky and Oscar Martinez, Mr. Sargis said they intend to do a ceremony along with the wreath laying this year. He mentioned doing something different this year by presenting a speech given by Marine General Allen, who is now the National Security Advisor, who gave it to gold star families at a convention, four days after his son was killed in Iraq. It is a moving speech entitled “6 Seconds” which is about the last six seconds of the lives of two Marines before they were killed by an exploding vehicle. Mr. Sargis asked for participation of each Commissioner to read a section of the speech if they plan on being in attendance and he will send them a copy of the speech. Mr. Sargis will provide the speech and each Commissioner’s section and then City Clerk will follow up with Commission to see that they got it and will attend on Monday, May 29 at 10:00 a.m.

10. COMMISSION COMMENTS

Mayor Brady – Commented that he has mentioned before in a meeting that “North Lauderdale Days” is a big celebration and he would like to see it be combined with “International Day” – “North Lauderdale Day presents International Day” that encompasses all cultures to come and celebrate together. He said he is about bringing people together and doing the right thing.
**Commissioner Graziose** – Commented that he concurs with Mayor Brady’s previous comment, because since the agenda went out he has taken three or four text messages from different groups - one lady just left – to have different events; so he concurs that we do something with staff to work on an “International Day”. He stated that he has been on his street for 45 years and it is the United Nations. Also, he said with all the people that he has - one lady that just spoke said she just got here from Cuba - and he has people from Cuba, Mexico, Jamaica, Haiti and the United States. Mayor Brady said the City would sponsor that; Commissioner Graziose said yes, the City would sponsor that event and we wouldn’t have to worry about all the other issues there.

Commissioner Graziose said this first item he wanted to bring up because we had a speaker earlier and it is a shame she did not stay, but at Player’s Place a lot of information has not been put out that we know. He said this was not an event put on by Player’s Place residents or their Associations or their Management Companies. There is a group out of Miami called “Block Boyz” and it turned out that one of their members happens to live in Player’s Place or stays with somebody but he did manage to get a key. They put out a flyer which Commissioner Graziose found on Google which said “Free Pool Party – 3-7 – Secret Location”. So a group of people all around South Florida that belong to this organization knows how to get an address. He stated he and his wife stumbled on this event while driving through Player’s Place as he got run off the road by teenagers fleeing the scene in their vehicles, and they did not know what was happening at the time. After they found out what was going on he spent time with the Homeowner’s Association on Saturday night and on Sunday they talked to residents who provided information and tips that were forwarded to BSO and they advised residents that if you see something, say something. The President of one of the Player’s Place Associations sent him an email thanking the City of North Lauderdale. Also he was in touch with a BSO Detective and the Chief who got on this right away which resulted in a fast apprehension of one of the persons there. Graziose said what really got him was not one of the young persons there tried to help the lady get out of the pool. He said that is a sad state when you hear people chanting in the background to throw her in the pool; this is a 68 year old lady that just had hip surgery - the video seems like the person slipped in the first part of it, but the issue is that he never should have touched the lady, that’s the bottom line. This was an unauthorized party, not approved. Graziose said they did get positive response from the Board Members of the Association. What bothered him most was that no one was helping her and those people did not live at Player’s Place; only one or two were recognized by Board Members who viewed the tapes and notified the parents. He said the woman that made the statement earlier did not know all of the facts, the incident happened after the first call, and he has gotten comments from Ms. James thanking him for what was done by jumping right on it. City Manager Bhatty commented that BSO got the first call for loud music and obviously they will respond to a criminal activity first before a loud music call, so the allegation that BSO was late in responding is not a true statement under the circumstances. Secondly, Ms. Bhatty said BSO did was able to arrest that juvenile who threw the older lady into the pool within 24 hours; so, it’s not that BSO is not doing their work and the City Administration and Commissioner Graziose were constantly in connection with BSO all weekend while this was going on.

Commissioner Graziose also reported that he sent photos to his colleagues, City Manager and City Attorney and Public Works showing AT&T fiber optic boxes. In his neighborhood, there are only two locations where they can bring the equipment in. The pictures are to show what AT&T has done; since 1957 every type of technology has been installed, but now they have installed a box in front of his neighbor’s house and driving down the street the house cannot be seen. Commissioner Graziose stated there are now six large utility boxes and they are going across the front swale. He said he went online and got a lot of information on what cities may have had trouble with AT&T boxes. In Connecticut four cities took it to the State Attorney; Ashville, North Carolina had requests to remove the AT&T box and put it by a utility pole. Commissioner Graziose reported that in his neighborhood, there is a fifteen foot utility easement that goes from the street back to the pole, but AT&T wants to use it up front right by the road. He said near the sidewalk the AT&T box is six foot high; kids walk by them and people can’t see while trying to get out of their driveways because visibility is blocked. AT&T sent an engineer who met with him and City staff last week and they went over the items and gave some suggestions. The next day Commissioner Graziose got a text message retracting everything that happened at the meeting. He said other cities have sent letters from residents that they signed to pick a location
of the boxes or to do something with the boxes so that they are attractive or put a privacy fence or something. Graziose’ concern is that they are waiting to hear from AT&T on some answers, but as of today, nothing. He would like some type of stop work or injunction to hold AT&T to have some good conversations so people can make decisions that are binding, before they come through the neighborhood and put in more boxes only in certain locations. His neighbor has never been asked if the box could be put in that location, and it was not original to the location as suggested by AT&T. He said pads are there for boxes and he wants to do something before they get installed. Ms. Bhatty asked if this was done prior to annexation. Commissioner Graziose believes the one in the swale was done after annexation. They are trying to determine dates. But they are looking at other areas of the city and most of the boxes are by the utility poles; he is looking for a way to prevent AT&T from installing boxes without working first with the City.

Also, Commissioner Graziose asked to do a resolution to Broward County Traffic Engineering for a School Zone on SW 81st Avenue and 17th Street. He said we have had people come here and it has been brought up in years past; when he was with the School District; two children were hit there coming from Belmont because they don’t want to make a long walk back to cross at McNab. Belmont put a sidewalk in to allow the students a way to school; now we have to get them across the road. He said it could be the same type of school zone that we have on 81st up around 5th. He said we have to start somewhere, so maybe a resolution. City Manger Bhatty replied that they talked about it this afternoon and if we have a school zone it will also stop some traffic that flies down 81st. Commissioner Graziose said conditions are not the same as they were when Broward County Traffic first looked at this area; as now Belmont has a driveway; Courtyards is no longer a 55 and over status and there are more families and children. City Manager Bhatty stated they are following up with this.

Commissioner Graziose thanked Brandon Wright, who was in the audience, for stepping down on the Planning and Zoning Board to be an alternate which freed up an opening for Commissioner Borgelin to fill, which helped the situation. He said with regard to the comments at the last few meetings about being fair, these Boards are citywide Boards – not by district – and maybe the appointments should be done citywide and not by district as the lines could change and any one of the Board members may have been appointed in the past by other Commissioners not in their own district. He suggested they look at this for some of the boards instead of having some Commissioners with more than one appointment.

**Commissioner Borgelin** – Commented that he does not make the law but basically requested what he is supposed to ask for by having one representative on the Boards. He said he understands that Mr. Wright did that, but as made clear the last time it is not about being fair, his purpose is not to say that other Commissioners have more than one, he just wants a representative as it is about how to deal with his constituents when they ask what have you done for us; some of them would like to be on the Board to represent and he wants to make it as fair as possible. Commissioner Borgelin thanked all the people he asked to serve on the Board, Mr. Alexis and Mr. Champagne who were in the audience earlier. He also thanked staff about work to be done west of Kimberly and asked for signs to be put up to let residents know what is going to be done. Ms. Bhatty said the signs will go up prior to the start of the construction.

Commissioner Borgelin stated that as discussed last time, he understands everybody’s point about recognizing everybody with one International Day; however, he said unfortunately because of Sunshine Law, he cannot discuss it with any one of his colleagues, so this is the time for him to discuss this business. He said it is not what he wants, as he has been elected by the people to represent them and basically, he cannot close his eyes on the makeup of the City. He said North Lauderdale is a melt pot just like most of the cities in Broward County and South Florida. Unfortunately, Commissioner Borgelin stated, as his colleague just said, things change, and the City demographics have changed also. He said if we do not open our eyes, and the reason he said that is he cannot discuss it with his colleagues away from here, is because election is coming again and people of the community is taking notes. Borgelin commented when they look at Tamarac, just to name some of the cities and Sunrise, Fort Lauderdale, Miramar – forget about even mentioning Dade County or Palm Beach County – people are watching what is going on here; we are not just talking about Haitians. We discussed that the three biggest ethnic groups in North Lauderdale, and he is not making the news, as people can read online, and the census shows, that you have the Caribbeans here, the Haitians, the Jamaicans, the Hispanic and the Latino –
there is a big difference – they make up a lot of this Country and this City and then they contribute a lot. Commissioner Borgelin said when you disregard them, they take notes – “what have you done for them?”. He said North Lauderdale Days unfortunately, yes it is good, we spend a lot of money on that, you can see that - $90,000 plus. Commissioner Borgelin said he is not discrediting what is done, but when we cannot recognize the multi-cultural people here in the City; multi-language and multi-ethnic groups here, and for us to say that all we can recognize is the American flag is thinks is disgraceful and he is going to say that because a lot of people voted for him whether they are Asian, not just Haitian and South American or everywhere and they are asking for us to recognize their culture. He said it is sad for him to say that, and the people that come here which is good for him, but he didn’t invite anyone, but they come to discuss that because people are taking notes. Commissioner Borgelin had something from online that the people can see that is the adopted budget that the City of Miramar has under their Parks and Recreation budget for this year for among other things, the Haitian culture - since we are discussing the Haitian American Heritage right now. Miramar, which he said he knows has a larger population, but spent $26,300 for Haitian Heritage celebration; $26,300 for Jamaican Heritage Festival and he doesn’t have what they spent for the Hispanic –Latino. He said the community is taking notes, and all he is saying is if we do not have an open mind for that, the people are taking notes and it is not about the Haitian or Jamaican, but we need to appreciate the people here because they pay taxes. Borgelin said when he looks at a lot of the festivities here, a lot of people come from outside of the City, but most live closer by and when they hear the fireworks they want to know what is going on here and sure enough, they are not informed and they feel that this would not tailor to them or are not doing things for them. They have children and some hear about their countries and hear about their parents and they would like to know about their culture, but they don’t and Commissioner Borgelin said he thinks it is an issue that is coming back and forth in the next years and so on, so we better straddle ourselves and deal with the culture. He said he is not threatening, but he is saying that people are taking notes because he hears things and hears people talking about they want to be represented and would like to have the City recognize their culture and this is what it is. So, Commissioner Borgelin said he feels very disappointed that for some reason it is kind of dead, but he thinks it is coming up, thank you, that’s all he wants to say.

**Vice Mayor Wood** – Commented that he would like to say hello to those that are still here as the hour is getting long and he will be brief. He commented that Mayor Brady held the National Day of Prayer on May 4th and he was thankful he was able to attend. The local clergymen and women and lay people who were there along with City staff and Commission that were able to make it warmed his heart that we were able to stand together under the breezeway and give thanks to our God and pray for our Nation, our community and our residents and families on that particular day. Vice Mayor Wood commented that with all the troubles in the world, prayer is the key and it will unlock those doors for us. He also said he would like to recognize that at the last meeting a Proclamation was read for the Municipal Clerk’s Week which started on Monday, and publicly recognized the City Clerk and Deputy City Clerk and said he could not do his job without their support.

Also, Vice Mayor Wood commented that BSO Chief has a lot on his plate, and with regard to the speeding mentioned earlier that still exists, although we can’t control drivers, we can only enforce the traffic laws where we can and he knows that Public Works has been working with BSO to put up other indicators to recognize speeders to hopefully capture their attention so they can slow down and help to make our world safer. Pedestrians, mainly our students, have to walk on those sidewalks and across those roads and try to get to the other side safely. Vice Mayor Wood said that as commented a few meetings ago, the Mayor of Lauderhill did a case study in fatalities and accidents because pedestrians jaywalk and the number within our County has steadily increased. He said Public Works will look at the designs that would work on the problematic medians and areas where accidents have occurred to make them safer. He also commented that BSO came out to his area based on reports of motorcycles and low riders and they are doing the best they can, but the residents say they don’t see BSO, but he knows that when incidents transpire, BSO can’t be on every corner. Vice Mayor Wood said the patrols have been beefed up and he has seen the radar guns in his district. He wants BSO to work with them on coming up with a comprehensive plan. He said he heard the lady say we better get ready to get voted out of office if that is what the community needs is for him to do is get off the dais but he came to serve the people. Vice Mayor Wood said he has cast a vote every year since he was old enough to vote and he
voted for the Broward County Sheriff and said he would like to hear from his office. He knows that he supports the Captain of our District and all he does for our City. Vice Mayor Wood said like other cities, we have problems with traffic control and people speeding and although he doesn’t necessarily want to see tickets getting written, but he can time it every night around 10:00 when the low riders start to come down the Blvd of Champions. He said he doesn’t know the pattern of the patrols, or the zones they are in, but they have a lot to do; but if the BSO is lacking something, the Commission should know that and need to know and Sheriff Israel knows our community and he knows that they are doing their best for our community. Commissioner Moyle asked if ATVs are legal. Commissioner Graziose replied no, not on public roads. Attorney Goren said it is a violation of Chapter 316 as the Police Chief is aware; he prepared a memo on the subject some months ago. It is a police matter and a traffic enforcement matter and is not an issue the City can legally enforce by ordinance. BSO has the authority under State Statute to arrest people and take them into custody. Commissioner Moyle said what concerns him is that a lot of the riders are under age, don’t have a license and know nothing about traffic laws and it is dangerous, scary and concerning to everyone in the community. Ms. Bhatty stated she is surprised at the parents that let an eleven year old ride one Commissioner Graziose’ district. Commissioner Graziose said there was an accident right in front of his house, and that is why he handed out the report. He said most of our traffic enforcement is Monday through Friday, but on nights and weekends, you can hear the loud racing on 441, and that is why he made the recommendation to have a municipal unit in the evenings, weekends and holidays. The two students who had the accident in front of his house had several incidents with BSO who told them they were not allowed to ride [the ATV] but they continues to get into trouble. Commissioner Borgelin also stated that for years with regard to the speeding issue he wishes he could be in an unmarked car to turn the lights on and ticket people; he asked if there was any way we could have an unmarked car, because basically you can time when they are doing it, especially in the area of 81st and even on Kimberly they go down so fast. Ms. Bhatty asked Police Chief if C.O.P’s can write tickets, and he replied no. Captain Faer replied they do unmarked enforcement because it is very dangerous for many different reasons; people aren’t aware that they are police cars, so they don’t stop and they can’t chase and it forces people to run away from them. He said over the past couple meetings it is obvious that traffic is a concern and they have increased traffic enforcement and there are copies of citations on his desk; but with a City of about 50,000, we have 46 police officers divided by 24 hours a day, 365 days a year and 5 square miles and they can’t be everywhere at once, but they do their best. Captain Faer said no matter how good they do, they can always do better; they are trying by working with Public Works on a traffic plan and have also put out a decoy car, which they have been told does not work, so if there are other suggestions please let him know.

11. CITY MANAGER COMMENTS

City Manager Bhatty – Extended an invitation to the Commission from Broward Health for the EMS Appreciation Breakfast scheduled for May 22 at 8:30 am, to recognize the EMS community throughout the County who does an outstanding job in any incident. North Lauderdale EMS will be recognized for saving the life on the infant as Chief Turpel mentioned in his presentation earlier. Attorney Goren stated the Commission can attend in their official capacity.

12. CITY ATTORNEY COMMENTS

Attorney Goren said they will do a wrap up this week of the legislature which finished its business yesterday. There are several bills which have been tracked during the entire session which will require some attention. One is HB 687 with regard to small wireless facilities which did pass. Senate Bill 80 also passed with regard to a public records request and posting notice with the Clerk’s office as to the fact that we do have a repository of public records to the extent that there is a five day notice period that will eliminate the potential of being charged with legal fees or charges in connection with not responding timely to a public records request. The Homestead Amendment Bill also passed and will be on the ballot; it has some unique parts to the formula which City Manager and Finance Director will give a brief on as some future moment. There are a host of bills which
did pass and many which did not pass. Many of the pre-emption bills that were being watched did not pass, but signals what may come in the future.

Also, Attorney Goren said he is smart enough as a lawyer not to comment on things that might be hurtful or harmful to the City, and will not give AT&T his legal analysis on the record as to Commissioner Graziose’ question. He said he will fully support Commissioner Graziose in his request, and to the City Staff, to actively regulate what is happening in the City and will give assistance where he possibly can to all affected parties with regard to their issues and will try to do the best they can legally and that AT&T may not have the right to impose their will on the City without some retribution for the purposes of that particular activity. Commissioner Moyle mentioned that he has lines drawn on his lawn and sidewalk and asked if that may be from AT&T and would that mean he will have six foot boxes? Attorney Goren commented he does not know; it may be surveying as opposed to a siting of a box. Mr. Krawczyk replied that is how they mark it, but it would be smaller boxes in that area. Vice Mayor Moyle asked if they would also put out door hangers so residents could call if there was a problem. Attorney Goren did say on the record to AT&T, that the City is not standing aside but they will work with Commission, affected residents and staff to find ways possible to implement that decision. Vice Mayor Wood commented that those boxes have popped up in his district, and the boxes have been installed at the back of the homes where there is a zero lot line. Also, he has assured the residents that if any of the lawns are torn up and not put back in order, the residents know what number to call to have it rectified. Vice Mayor Wood said in talking with AT&T they should know that those boxes are intrusive especially on a zero lot line and that should be taken under consideration as well. Commissioner Graziose said the size of the box depends on how many units are being served - now most things are underground in newer developments, but when you get to older developments, they have the poles. In his development there were only two locations for 1,000 homes, and so this one neighbors house has six of these boxes as technology changed and AT&T is doing this to get rid of their dishes and offer cable, but he doesn’t understand why they don’t do it like Comcast does by running a cable from the pole to the house. Graziose said until technology changes and everyone gets rid of their old phones, the boxes will be there; other cities have addressed it that you do not put the boxes in front of the house.

13. ADJOURNMENT – There being no further business, the meeting adjourned at 8:25 pm.

Respectfully submitted,

Patricia Vancheri, CMC
City Clerk
Certificate of Recognition

The Mayor and Commission of the City of North Lauderdale hereby
Presents this Certificate to

GUITHÉLE RUIZ-NICOLAS

For

Recognition during National Haitian American Heritage Month for her dedication
to Broward County and its municipalities by serving in many capacities, currently as President of the Haitian American Democratic Club. Your dedication to the communities by your involvement in activities which include, but are not limited to, serving on the Broward County School Board Diversity Committee and the Community Access Center and by reaching out to students to encourage future community leaders is commendable.

Presented this 30th day of May, 2017

_________________________________
MAYOR JACK BRADY
Certificate of Recognition

The Mayor and Commission of the City of North Lauderdale hereby
Presents this Certificate to

DR. PATRICK JABOUIN

For

Recognition during National Haitian American Heritage Month for his dedication
to Broward County and its municipalities by serving in many capacities,
currently as a Community Outreach Liaison for the Broward Sheriff’s Office.
Your dedication to the communities by your involvement in activities
which include, but are not limited to, serving on the
Broward County School Board Diversity Committee, Caribbean Cultural Coalition,
and various other civic affiliations is commendable.

Presented this 30th day of May, 2017

_________________________________
MAYOR JACK BRADY
Certificate of Recognition

The Mayor and Commission of the City of North Lauderdale hereby Presents this Certificate to

CLAUDE P. LOUISSAINT, MPA

For

Recognition during National American Heritage Month for his dedication to Broward County and its municipalities by serving in many capacities and receiving many awards and recognitions for over 30 years of community service including, but not limited to serving as a former member of the Broward County Schools Diversity Committee, former member of the Broward Health Community Relations Council, former Chairman of the Multi-Cultural and Refugee Task Force of Broward County and for activities such as conducting Diversity Training to the Florida Department of Children and Families, Broward Sheriff’s Office and City of Lauderhill Police Department. Your dedication to the communities is commendable.

Presented this 30th day of May, 2017

_________________________________
MAYOR JACK BRADY
PROCLAMATION

CARIBBEAN AMERICAN HERITAGE MONTH

WHEREAS, from a region that conjures images of a scenic paradise, Caribbean Americans are as vibrant as the islands from which they come, possessing a wealth of talent and history that reverberates throughout this great state and nation; and

WHEREAS, emigration from the Caribbean region to the American colonies began as early as 1619, with the arrival of indentured workers in Jamestown, Virginia; and since 1820, millions of people have emigrated from the Caribbean region to the United States; and

WHEREAS, as educators, authors, community leaders and activists, musicians, and politicians, Caribbean Americans have made their mark on every facet of our society and have contributed to the betterment and diversity of our state and nation; and

WHEREAS, counted among the many famous sons and daughters of the Caribbean are activist W. E. B. Du Bois; Secretary of the Treasury Alexander Hamilton; the first African American Secretary of State, Colin Powell; actress Cicely Tyson; actor Sidney Poitier, the first African American actor to receive the Academy Award for Best Actor in a Leading Role; author, poet, and civil rights activist James Weldon Johnson; musician, actor, and activist Harry Belafonte; athlete Roberto Clemente, the first Latino inducted into the National Baseball Hall of Fame; and numerous others who have displayed great strength and resiliency while serving as pioneers among the people of the Caribbean; and

WHEREAS, the modern political influences of Caribbean Americans are evident in the election of a former member of the Florida House of Representatives, Jennifer Carroll of Trinidad and Tobago, as Florida’s first Caribbean American Lieutenant Governor; the election of former Maryland Lieutenant Governor Anthony G. Brown, who is of Jamaican descent; and the continued representation in local, state, and national governments by members from the Bahamas, the Cayman Islands, Haiti, Jamaica, and other Caribbean nations; and

WHEREAS, in June 2005, the United States House of Representatives unanimously adopted a concurrent resolution recognizing the significance of Caribbean people and their descendants in the history and culture of the United States and observing the month of June as “Caribbean American Heritage Month”; and

WHEREAS, on February 14, 2006, the United States Senate unanimously passed the resolution, culminating a two-year bicameral effort; and

WHEREAS, since the passage of the resolution in 2005, the White House has issued an annual proclamation recognizing June as “Caribbean American Heritage Month,” exemplifying the importance of this observance across the nation.

NOW THEREFORE, the Mayor and Commission of the City of North Lauderdale, proclaims the month of June as

“Caribbean American Heritage Month,”

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

Dated this 30th day of May, 2017

______________________________
MAYOR JACK BRADY
PROCLAMATION

National Gun Violence Awareness Day

WHEREAS, This proclamation declares June 2 to be National Gun Violence Awareness Day in the City of North Lauderdale, to honor and remember all victims and survivors of gun violence and to declare that we as a country must do more to reduce gun violence; and

WHEREAS, everyday, 93 Americans are killed by gun violence and more than 200 have sustained non-fatal firearm injuries over the last 5 years and are 25 times more likely to be killed with guns than people in other developed countries; and

WHEREAS, protecting public safety in the communities they serve is mayors’ highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from dangerous people; and

WHEREAS, mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, June 2, 2017 would have been the 20th Birthday of Hadiya Pendleton, a teenager who marched in President Obama’s second inaugural parade and was tragically shot and killed just weeks later; and

WHEREAS, to help honor Hadiya and the 93 Americans whose lives are cut short and the countless survivors who are injured by shootings every day, a national coalition of organizations has designated June 2, 2017 as the third annual National Gun Violence Awareness Day; and

WHEREAS, the idea was inspired by a group of Hadiya’s friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters when out in the woods wear orange to announce themselves to other hunters and orange is a color that symbolizes the value of human life; and

WHEREAS, anyone can join this campaign by pledging to wear orange on June 2nd to help raise awareness about gun violence and by wearing orange on June 2nd Americans will raise awareness about gun violence and honor the lives and lost human potential of Americans stolen by gun violence; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep our children safe.

NOW THEREFORE, be it resolved that by virtue of the authority vested in me as Mayor of the City of North Lauderdale, I, Jack Brady, together with the City Commission do hereby proclaim June 2 to be

NATIONAL GUN VIOLENCE AWARENESS DAY

and encourages all citizens to support their local communities’ efforts to prevent the tragic effects of gun violence and to honor and value human lives.

Dated this 30th day of May, 2017.

____________________________________
MAYOR JACK BRADY
Whereas the rate of unintentional injuries and deaths in the United States remain at unacceptable levels;

Whereas injuries and deaths from emergencies, unintentional drug overdose, falls and motor vehicle crashes, remain leading causes of preventable injuries and deaths in the United States;

Whereas the cost of unintentional injuries to Americans and their employers exceeds $853 billion each year and causes great suffering among individuals and their families;

Whereas North Lauderdale residents and all Americans deserve to live in communities that promote safe and healthy living;

Whereas preventing unintentional injuries and deaths requires the cooperation of all levels of government, employers and the general public;

Whereas the National Safety Council, founded in 1913, was congressionally chartered in 1953 to lead this nation in injury prevention through safety and health information, education, training and advocacy in the United States;

Whereas the National Safety Council and the City of North Lauderdale work to promote policies, practices and procedures leading to increased safety, protection and health in business and industry, in schools and colleges, on roads and highways, and in homes and communities;

Whereas the National Safety Council and the City of North Lauderdale in 2017 will provide a month-long educational safety campaign;

Whereas the summer season is a time of increased rates of unintentional injuries and deaths, it is an appropriate time to focus attention on injury risks and prevention;

Therefore, the City Commission of the City of North Lauderdale does hereby proclaim its support of National Safety Month in June 2017 and strongly urges the citizens and businesses to observe National Safety Month by practicing safe and healthy behaviors in all aspects of their lives.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the City of North Lauderdale, Florida to be affixed this 30th day of May, 2017.

_________________________________
MAYOR JACK BRADY
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Tammy Reed-Holguin, Community Development Director

DATE: May 30, 2017

SUBJECT: VAR 17-02 RaceTrac Renovation
7350 W. McNab Rd.

Second Reading and Adoption: Variance request to allow the omission of a landscape strip between the parking lot and a portion of the building, whereas section 102-63(c) requires a 10 foot landscape strip within a General Business (B-2) Zoning District.

APPLICANT: Kristin Novack, Thomas Engineering Group

Tonight we are presenting a request for a landscape variance for consideration of adoption on second reading for the RaceTrac located at 7350 W. McNab. The site plan to renovate the store will also be heard tonight for final approval. Both items were approved on first reading during the April 25 Commission meeting.

BACKGROUND
The proposed renovation of the Racetrac includes an outdoor seating area, expansion to the building and restriping of the parking lot. The proposed physical modification of the building will require additional landscape requirements including a landscape strip of 10 feet in width between the parking area and the building. The applicant has stated that the proposed site plan will not be able to accommodate a 10 feet separation between the parking area and building. In lieu of the landscape strip, the applicant has provided 35 additional shrubs and one Green Buttonwood tree to mitigate for the lack of vegetation between the building and parking area. The variance being requested is to omit the required 10 foot landscape strip between the building and parking area as required in Section 102-63(c). The specific extent of project is provided in the attachment A.

ANALYSIS AND FINDINGS
The applicant is proposing to renovate the existing building which includes expanding the building and adding an outdoor seating area. The 10 foot landscape strip would need to be added at the east end of the front of the building shown in attachment A. As the proposed plan will not be able to accommodate this buffer, the applicant has requested to omit this landscape strip and instead add landscaping in other areas on site. This request will require a variance from the required 10 foot wide landscape strip per Section 102-63 (c) of the City Code.
Per the guidelines and criteria contained in Section 106-79 of the City Code, a variance shall not be granted unless the City’s governing body determines the following:

1. That special circumstances exist affecting the land involved preventing the reasonable use of such land.
2. That the circumstances, which cause the hardship, are peculiar to the property, such that they clearly constitute marked exceptions to other properties in the district.
3. That the hardship is not an economical hardship.
4. That the hardship is not self-created.
5. That the variance is the minimum variance that will make possible the reasonable use of the property and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Staff has reviewed the application in light of the guidelines and criterion listed above and determined that it reasonably meets the guidelines established for granting a variance, and will enable the reasonable use of this property. This determination is based upon the following facts:

- The existing property is commercial and the renovation to add the outdoor seating triggers the need for additional landscape requirements based on Section 102.
- The strip of land between the building and parking lot is not 10 feet in width and therefore will not accommodate the required landscape strip as noted in section 102-63(c).
- The request is for the minimal variance needed.
- The applicant has agreed to install 35 shrubs and one tree to provide the overall landscape needed for the total site in lieu of the required landscape strip between the building and parking lot.

Staff feels that the applicant has demonstrated that this is the minimal variance needed to accommodate the difference in landscape plant material that is lacking without the required landscape strip between the parking area and building. Staff has worked with an outside landscape consultant and internally to ensure that this variance request is reasonable.

The Planning and Zoning Board met on April 4th, 2017 and recommended the approval of the requested variance to the City Commission.

The City Commission approved the variance on first reading at their regular meeting on April 25th, 2017.

**RECOMMENDATION:**

Should the Commission concur with the applicant’s request and Staff’s analysis, a motion is in order to approve the variance on second reading subject to the following conditions:
1. That all applicable approvals by the City, County, State and other regulatory agencies be provided to the City of North Lauderdale prior to the issuance of permits.

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

3. The applicant shall comply with all provisions contained in Chapter 102 “Vegetation” of the City Code and shall submit a final landscaping plan for review prior to City Commission approval.
ORDINANCE NO. ______________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND GRANTING VARIANCE FROM THE NORTH LAUDERDALE CODE OF ORDINANCES, SECTION 102-63 (C) REGARDING THE PLACEMENT OF A 10 FOOT WIDE LANDSCAPE STRIP AS REQUIRED; 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.

WHEREAS, Section 102-63 (c) of the City Code requires a minimum 10 feet wide landscape strip between the parking area and the building; and

WHEREAS, Thomas Engineering Inc., on behalf of RaceTrac, has applied for a variance to allow for the omission of the landscape buffer; and

WHEREAS, the Planning and Zoning Board recommended approval of said variance request on April 4, 2017; and

WHEREAS, the City Commission is desirous of granting the requested variance from the requirements of the afore cited Ordinance and associated Zoning Regulations and/or applicable provisions thereof to said legal titleholder(s) as they apply to the property in question.

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

Section 1: That pursuant to an application properly filed for a variance from the requirement of, Section 102-63 (c) of the North Lauderdale Code, variance is and the same are hereby granted from the requirement for the project located at 7350 West McNab Road, North Lauderdale, Florida.

Section 2: That the variance is hereby granted to inure to the benefit of the present and future titleholder(s) to said property.

Section 3: That all other requirements of the North Lauderdale Code of Ordinances and associated zoning regulations are not otherwise varied by the terms of this Ordinance and shall be in full force and effect and fully applicable to the property.

Section 4: That all applicable approvals by the City, County, State and other regulatory agencies are provided to the City of North Lauderdale prior to the issuance of permits and that the applicant meets all conditions set forth by said regulatory agencies, including but not limited to the City engineer and Broward County Traffic Engineering Department.
Section 5: That all Ordinances, or parts of Ordinances, Resolutions or parts of Resolutions, in conflict herewith be and the same are repealed to the extent of such conflict.

Section 6: That this Ordinance shall take effect immediately upon adoption.

PASSED on first reading by the City Commission of the City of North Lauderdale, Florida, this 25th day of April, 2017.

PASSED on second reading by the City Commission of the City of North Lauderdale, Florida, this ________ day of May, 2017.

APPROVED AS TO FORM:

CITY ATTORNEY SAMUEL S. GOREN

_________________________________
MAYOR JACK BRADY

_________________________________
VICE MAYOR LORENZO WOOD

ATTEST:

_________________________________
PATRICIA VANCHERI, CITY CLERK
Letter of Authorization

I, Brian Thornton, as VP of Real Estate and Engineering of RaceTrac Petroleum, Inc., being first duly sworn, depose and say that RaceTrac Petroleum, Inc. is the owner of the property described as:

Address: 7350 W. McNab Road, North Lauderdale, FL 33068

Parcel ID #:494111180013

The property described herein is the subject of an application for zoning or development. We hereby designate Thomas Engineering Group as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site.

Name of Owner:

RaceTrac Petroleum, Inc.

By [Signature]

Brian Thornton, VP of Real Estate and Engineering
Printed or Typed Name and Title

Sworn to and subscribed before me this 16th day of December, 2019, by

Brian Thornton, who is personally known to me

or who has produced _______________ as identification. He/she has acknowledged to me and before me that he/she executed this instrument for the purposes therein expressed.

Notary Public

My commission expires: 2-3-19

Print Name
Variance Narrative

RaceTrac - 7350 W. McNab Rd.

A variance is being requested for relief from Code Section 102-63 (c) for the requirement to provide a 10 foot wide landscape buffer between the building and the parking on the north side of the building. The existing site was previously approved without a buffer between the existing building and the parking. Due to the existing condition, there is not ample space to provide the required buffer between the existing parking and the proposed building addition & outdoor seating area.

To make up for the landscape material required in this buffer, an additional hedge and a tree has been added to the site. The total length of the building addition and outdoor seating area is 22.87 linear feet. The required landscape for this area is 1 tree/ 30 linear feet and 1 shrub/2 linear feet. This equates to one additional tree and 12 additional shrubs. We are proposing one additional Green Buttonwood tree and 35 shrubs.

Details of Hardship:

1. The land or structure configuration restricts the reasonable use thereof.
   Response: The existing site was previously approved without a buffer between the existing building and the parking.
2. The circumstances are unique to the area.
   Response: The existing site was previously approved without a buffer between the existing building and the parking.
3. The literal interpretation of the law creates a hardship for the reasonable use.
   Response: Due to the existing condition, there is not ample space to provide the required buffer.
4. The hardship is not self-created.
   Response: The existing site was previously approved without a buffer between the existing building and the parking.
5. The variance applied for provides for the minimum relief from the established hardship.
   Response: The variance is only required along the minimum length of the addition and outdoor seating area.

Should you have any comments or need additional information, please do not hesitate to contact me at (954) 202-7000.

Sincerely,

[Signature]

THOMAS ENGINEERING GROUP, LLC
Kristin Novack
Design Engineer
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: May 30, 2017
SUBJECT: Site Plan SPR 17-02
        RaceTrac Renovation
        350 W. McNab Rd.

Final Site Plan approval to allow for an expansion to the existing RaceTrac to include an outdoor seating area in accordance with Section 98 “Land Improvement Regulations” of the City Code of Ordinances in a General Business (B-2) zoning district.

APPLICANT: Kristin Novack, Thomas Engineering Group

Tonight we are presenting the site plan for final approval for RaceTrac to add 667 square feet of additional store space, an outdoor dining space, interior renovation and the addition of a slab in the back of the building for new equipment. This renovation will offer more services to customers. Due to the significant changes/additions to the building, a new site plan approval including all landscape requirements is required. Final approval of this site plan is contingent upon final approval of Variance 17-02 for landscaping also being considered tonight. Both of these items were approved on first reading during the April 25 Commission meeting.

Background:
As you heard during the previous meeting, the renovation plan includes the addition of parking spaces, updated signage, and a new soft serve ice cream machine inside the existing floor plan. The façade has incorporated design features and colors from the Ross building next door in the Arena Shops to provide consistency as well as visual interest. The site meets all City Code parking requirements by providing 26 spaces including 1 ADA space, which was required due to the addition of the outdoor seating area, increasing the customer service area of the building. All required building setbacks are met and the site provides the required 24 foot ingress and egress from McNab Road. The other access point is planned from the Arena Shops, which will be presented for approval at a later date. Due to the addition, the site plan does not meet the current landscaping requirements therefore the applicant has requested a variance which is also being considered tonight for adoption on final reading. An increase in the traffic is anticipated due to the additional dining space but the site is being updated to accommodate this increase by restriping the parking lot to add spaces.
In an effort to build a project consistent with the City’s plan for the McNab Road Redevelopment Overlay District, the applicant has included several features to enhance the look of the elevation of the building such as staggering the façade height, working with the light pastel color pallet recommended by the City and keeping the brick look along McNab Road within the City.

The specific extent of the anticipated use is explained in Attachment A, and made a part of this report.

The Development Review Committee met on February 1, 2017, and after considerable review and discussion, the committee recommended approval of the site plan to the Planning and Zoning Board. It should be noted that the recommendation of approval of the site plan was contingent upon approval of the requested variance.

The item was presented to the Planning and Zoning Board on April 4, 2017. Additional comments were received from the City’s landscape consultant stating that the site was short 32 required trees. After considerable discussion, the Board recommended approval of the proposed site plan subject to the addition of a 14th condition pertaining to the location of the 12 new trees. This recommendation of approval is also subject to the approval of the landscape variance as requested. The applicant has reviewed the revised landscape plan with the proposed locations for the 12 trees and concurs with the recommendation of the City’s landscape consultant.

The City Commission met on April 25, 2017 and approved the preliminary site plan with the 15 conditions listed below.

**RECOMMENDATION:**

If the City Commission concurs with this request and the Planning and Zoning Board as well as Administration’s recommendation, a motion is in order for approval of the final site plan subject to the following conditions:

1. The applicant shall comply with applicable City Codes and Florida Building Codes.
2. All terms, conditions and provisions imposed by the Planning and Zoning Board, City Commission, DRC and Staff including all life, health and safety Codes pertaining to this development shall be met prior to the issuance of building permits.
3. The DRC, Planning and Zoning Board and City Commission reserve the right to impose any additional requirements deemed necessary during subsequent approval reviews.
4. Copies of all applicable permits and approvals by other regulatory agencies shall be provided to the City prior to issuance of building permits.
5. All conditions required by Code and/or set forth by the City engineer shall be met.
6. In the event that any problems arise, as a result of the operation of this establishment, such as noise, parking, traffic, and/or other nuisances, the applicant shall make all improvements required to mitigate these nuisances so as not to negatively impact adjacent areas.
7. Photometric Plan approval by staff is required.
8. The applicant shall comply with all provisions contained in Chapter 102 “Vegetation” of the City Code and shall submit detailed landscaping plans for landscaping permit.
9. Applicant to follow NFPA 1 5th addition and meet all Fire/ life safety related requirements
10. Approval of site plan is contingent on approval of Variance 17-02 regarding the required 10 foot wide landscape buffer from parking areas.
11. Prior to the issuance of building permits, the applicant shall provide a written verification that all County impact fees associated with this project have been paid.
12. Prior to the issuance of the Certificate of Occupancy by the City Building Department, the applicant shall pay all applicable assessment and impact fees to the City.
13. If necessary, proper easements will be dedicated to the City of North Lauderdale.
14. Provide additional twelve trees at the required 12’ height per the agreed upon location in lieu of the 32 additional trees required by Code.
15. Approval of this site plan does not include the cross access to the Arena Shops as shown; this will be a separate site plan approval to be considered at a later date.
Letter of Authorization

I, Brian Thornton, as VP of Real Estate and Engineering of RaceTrac Petroleum, Inc., being first duly sworn, depose and say that RaceTrac Petroleum, Inc. is the owner of the property described as:

Address: 7350 W. McNab Road, North Lauderdale, FL 33068

Parcel ID #: 494111180013

The property described herein is the subject of an application for zoning or development. We hereby designate Thomas Engineering Group as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site.

Name of Owner:

RaceTrac Petroleum, Inc.

By, 

Signature

Brian Thornton, VP of Real Estate and Engineering
Printed or Typed Name and Title

Sworn to and subscribed before me this 16th day of December, 2016, by

Brian Thornton, who is personally known to me

or who has produced ______________________ as identification. He/she has acknowledged to me and before me that he/she executed this instrument for the purposes therein expressed.

My commission expires: 2-3-19

Notary Public

Print Name

[Stamp with Notary Public information]
RaceTrac Remodel
7350 W. McNab Rd.
North Lauderdale, FL

It is proposed to renovate the existing RaceTrac service station located at 7350 W. McNab Rd. RaceTrac’s intent is to create a more inviting, customer friendly atmosphere.

The existing 3,113 SF convenience store will be expanded by adding 667 SF of building area. This additional building area will allow for expanded restrooms and a new freezer. The interior of the building will be remodeled to create a more inviting configuration. An outdoor seating area is also proposed on the east side of the building. Per the City of North Lauderdale Code requirements, this seating area will be enclosed with a brick knee wall and the access will be from inside the store. The façade will be updated as well to a more modern, clean look including brick and stone materials. This is part of an effort to have a more consistent look and offer across the entire fleet of RaceTrac stores.

There is an existing access easement agreement with the adjacent property owner to the east. Due to the recent change in ownership, RaceTrac will be working with the new property owner to update the agreement. A driveway connection is proposed within this easement to connect the RaceTrac property to the access road to the east. The necessary permits will be obtained to modify the existing retention area where the driveway is proposed.

Should you have any questions or concerns, please feel free to contact me at (954) 202-7000 or via email at knovack@thomaseg.com. Thank you for your time and consideration in this matter.

Sincerely,

Kristin Novack, E.I.
Design Engineer

THOMAS ENGINEERING GROUP, LLC
TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Tammy L. Reed-Holguin, Community Development Director
DATE: May 30, 2017
SUBJECT: Second Reading and Adoption: (Item Tabled from April 25 to Time Certain on May 30, 2017)

Ordinance to Amend Chapter 106 “Zoning” Sections 106-467 “Supplemental Regulations” pertaining to Gas and Oil Filling Stations, Auto Service Stations, Auto Repair and Service Stations, Garage including Mechanical Service, and Convenience Store

As you may recall, the City Commission adopted Ordinance No. 16-04-1326 on April 26, 2016 implementing a moratorium on the issuance of building permits and local business tax receipts for oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service, and convenience stores uses throughout the City. Ordinance No. 17-05-1352 was adopted on May 9, 2017 extending the moratorium to July 31, 2017 or until such time as the Code is amended if that comes first.

Staff has since worked with legal counsel and City administration to draft amendments to the regulations pertaining to these facilities. The City Commission approved the attached Ordinance with amendments to the City Code on first reading on April 11, 2017. Staff presented the proposed amendments for second reading and adoption on April 25, 2017. There was a presentation by Mr. Dwayne Dickerson of Dunay, Miskel, and Backman, LLP law firm representing a client recommending some modifications to the proposed Ordinance. The Commission tabled the item to time certain of May 30 to provide the staff time to discuss these modifications and prepare the item for reconsideration.

Since that time, staff had discussions with Mr. Dickerson and tonight we are presenting the ordinance for a second and final reading that incorporates some updated language addressing the maximum size of underground storage tanks and increasing the allowable number of pumps and size of structure including outdoor seating. Items related to protecting neighborhoods from noise, traffic and unsightly structures have not been modified and may require future applicants to seek variances or an SEU with justification outlining their unique circumstances and how the commercial areas will be buffered to minimize the impact to residential areas from the commercial use and protect the residents. The language that was modified since the last Commission meeting has been highlighted so it is easy to identify. Language that is underlined...
or struck-through only, without highlighting, indicates the original changes recommended by staff with no further modification.

**BACKGROUND:**

Six months ago, the City Commission implemented a moratorium on the new oil filling stations, gas stations, convenience store, auto service and repair stations in response to the concerns expressed regarding the increased influx in the number of gas stations and convenience stores. It was documented that North Lauderdale currently has 14 gas stations within its 5.2 square miles of City limits. There are another 9 stand-alone convenience stores. With limited commercial space left, diversity in uses would be more beneficial for the residents and the economic vitality of the City. Commercial development that provides job opportunities and additional services to our residents will be encouraged.

A review of commercial uses in relation to the goals of redevelopment in the City’s Comprehensive Plan identified needed amendments to the zoning code to support these goals. Tonight we are presenting an ordinance to amend the regulations concerning new oil filling stations, gas stations, convenience store, auto service and repair stations.

The first change clearly separates the gas station and convenience store uses from service stations that repair vehicles but do not dispense fuel. The regulations more closely pertain to these individual uses. Development standards were added to Section (8) that pertains to the gas stations and convenience stores which the study showed were the predominance of uses in the City. These amendments include:

- **Intensity of Development:** minimum lot size requirements to support the size of structure, location requirements including citing on corner lots and no more than two such uses per intersection and opposite sides of the street.
- **Aesthetics:** limit the number of pumping stations and vehicle maintenance stations (i.e. air pumps, vacuums), encourage the location of the canopy and pumps away from main corridors and require additional landscaping around the pumps
- **Job creation:** uses that include a restaurant component will be allowed additional square footage to support this use that will also create more jobs than the typical gas station/convenience store use.

Finally, Section 106-468, “Master Business List” is amended for consistency to refer users to the appropriate sections of the Code identifying these additional requirements.

These amendments have been reviewed in relation to the City’s Comprehensive Land Use Plan and found to be consistent with the Goals, Objectives and Policies contained in the Plan. Administration recommends adoption of regulations to protect the interests of its residents.

The Planning and Zoning Board met on April 4, 2017 and after a presentation by the Staff and input from the Board and members of the community, they voted unanimously finding the
proposed ordinance consistent with the North Lauderdale Comprehensive Land Use Plan and to recommending the proposed ordinance for consideration and approval by the City Commission.

The City Commission approved the Ordinance on first reading on April 11, 2017.

Staff presented the Ordinance for second reading and adoption on April 25, 2017 and after a presentation during the public hearing portion, Commission voted to table the item to time certain of May 30, 2017 to allow Staff to meet with the presenter.

Staff has discussed the suggested modifications with the presenter and consolidated the document presented tonight for your consideration of adoption on second reading. Should this ordinance be adopted and become effective immediately, the moratorium will no longer be in place.

**RECOMMENDATION:**

The City Administration recommends Commission’s approval on second and final reading of the attached ordinance amending Chapter 106 “Zoning” Sections 106-467 “Supplemental Regulations” of the City of North Lauderdale Code of Ordinances pertaining to gas and oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service, and convenience stores.
ORDINANCE NO. ____________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 106 “ZONING” SECTIONS 106-467 “SUPPLEMENTAL REGULATIONS” PERTAINING TO GAS AND OIL FILLING STATIONS, AUTO SERVICE STATIONS, AUTO REPAIR AND SERVICE STATIONS, GARAGE INCLUDING MECHANICAL SERVICE, AND CONVENIENCE STORES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 26, 2016 the City Commission adopted Ordinance No. 16-04-1326 implementing a moratorium on the issuance of building permits and local business tax receipts for oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service, and convenience stores uses throughout the City; and

WHEREAS, on May 9, 2017 the City Commission adopted Ordinance No. 17-05-1352 extending the moratorium for 90 days, until July 25, 2017; and

WHEREAS, the City’s professional staff has reviewed these commercial uses in relation to the goals of redevelopment in the City’s Comprehensive Plan; and

WHEREAS, through this review, the professional staff has identified needed amendments to the zoning code to support these goals; and

WHEREAS, the City's professional staff recommends that Chapter 106 Sections 106-467 of the City Code be amended to clearly define the criteria for the development of gas and oil filling stations, auto service stations, auto repair and service stations, garage including mechanical service and convenience stores in compliance with the City’s Comprehensive Plan and Land Development Code; and

WHEREAS, the City Commission accepts the recommendations of the City's professional staff and finds that the revisions to Chapter 106 Sections 106-467 of the Code of
Ordinances of the City of North Lauderdale, Florida, are in the best interests of all the citizens and residents of the City of North Lauderdale; and

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

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. That Chapter 106, entitled “Zoning” Sections 106-467 entitled “Supplemental Regulations” of the Code of Ordinances of the City of North Lauderdale, Florida, is hereby amended to read as follows:

- Sec. 106-467. - Supplemental regulations.

  The following are the supplemental regulations to the master business list which are designated by number on the list:

  - (8) Service stations (with fuel dispensing), gasoline and oil filling stations with or without a service area and food take out (convenience stores) subject to the following limitations and requirements:
    a. A plot to be occupied by a service station shall be not less than 200 feet in width and 200 feet in depth.

**Intensity standards.** Development shall be in accordance with the following standards:

<table>
<thead>
<tr>
<th>Minimum Gross Lot Area</th>
<th>No. of Pumps</th>
<th>Maximum Convenience Store Size (gross sq. ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0 acres—1.499 acres</td>
<td>6</td>
<td>2,500</td>
</tr>
<tr>
<td>1.5 acres—1.999 acres</td>
<td>6</td>
<td>3,500</td>
</tr>
<tr>
<td>Minimum Gross Lot Area</td>
<td>No. of Pumps</td>
<td>Maximum Convenience Store Size (gross sq. ft.)</td>
</tr>
<tr>
<td>------------------------</td>
<td>-------------</td>
<td>---------------------------------------------</td>
</tr>
<tr>
<td>2.0 acres and greater</td>
<td>6-8</td>
<td>6,000<em>6,500</em></td>
</tr>
</tbody>
</table>

*Additional 1,000 square feet allowed for restaurant and/or seating area; including outdoor seating.

b. **Reserved.** Service stations must be located on a corner lot to facilitate ingress and egress onto at least two trafficways.

c. No more than two service stations may be located per intersection and they must be located on opposite sides of the street to provide access to traffic traveling in both directions.

d. Service stations will be encouraged to place the canopy and fuel pumps on the side of the building to position the façade as the focal point, especially along the City’s major corridors including Rock Island Road, McNab Road, Southgate Boulevard, Commercial Boulevard and State Road 7.

e.e. The total capacity of tanks and storage facilities for flammable liquids incidental to the operation of a service station shall not exceed 40,000 100,000 gallons and must meet all requirements of Broward County Local Amendments 2010 FFPC Section F-116.

d.f. Owners/occupants of service stations within the city shall not engage in engine overhauls requiring the removal of engines from the frame of motor vehicles and/or the use of blocks on the exterior portion of the service station property for a period in excess of 24 hours.

e.g. Owners/occupants of service stations shall not engage in body and fender work requiring the use of acetylene torches or similar equipment within the city; however, acetylene torches or similar equipment may be used in the normal course of business operations and solely as an incident to automotive servicing.

h. **Hours of operation.** Where the use is located 500 feet and directly abutting or closer to a residential property (property line to property line), the hours of operation shall be limited to 7:00 am to 11:00 pm.
i. **Parcel access from the right-of-way.** The following provisions are intended to minimize potential traffic access and circulation conflicts and to facilitate the efficient coordination of traffic flows between the fuel service use, adjacent roads, and adjacent/nearby developments. All access drives must comply with the driveway separation standards of this Code.

(1) *Facility located on shopping center outparcel.*

1. Service stations that are located on outparcels of a shopping center will first look to utilize the main shopping center drive as their access point.

2. Shared access drive with adjacent outparcel will be the second alternative. Where the site is adjacent to more than one other outparcel which has its own access point, they must share that access point instead of creating their own access off the main traffic way. These shared internal access drives between the outparcel and other outparcels are encouraged.

(2) *Other locations.* A maximum of one full access drive (all turning movements) is permitted. Corner properties shall provide a second access drive whenever feasible, provided it is limited to right turns only and is located on the street not containing the full access drive.

j. **Gasoline vent stacks.** Vent stacks are to be placed either in the rear half of the property, on the side of the property or away from the street and enclosed within a decorative structure, landscaping or painted an inconspicuous color.

k. No more than two automotive maintenance stations are permitted, limited to the following items: air hose, water hose, vacuum. These stations shall be physically separated from other uses on the site and a minimum of one parking space provided for each station in addition to that required for the other uses.

l. Service stations are encouraged to provide a minimum of one charging station for electric vehicles.

- **15) Auto repair and auto body/paint shops, and auto service station (no fuel dispensing) are permitted in B-2 and B-3 zoning districts subject to the following conditions:**
  a. Conformance to and all county, city, department of natural resource and protection, and fire safety, and Florida Building Codes.
  b. No outside storage of vehicles shall be allowed.
c. All auto repair and body/paint work shall be conducted in a completely enclosed soundproof, properly ventilated building.

d. Owners/occupants of service stations within the city shall not engage in engine overhauls requiring the removal of engines from the frame of motor vehicles and/or the use of blocks on the exterior portion of the service station property for a period in excess of 24 hours.

e. Owners/occupants of service stations shall not engage in body and fender work requiring the use of acetylene torches or similar equipment within the city; however, acetylene torches or similar equipment may be used in the normal course of business operations and solely as an incident to automotive servicing.

d. Conformity to and with all environmental/safety regulations regarding this type of business.

- (17) If a business license is denied for any reason other than applicable regulations 1-16 in section 106-467 the applicant can apply for a special exception use permit.

- **Sec. 106-468. - Master business list.**

  The master business list is as follows:

<table>
<thead>
<tr>
<th>Business listings</th>
<th>Prohibited</th>
<th>B-1 Neighborhood</th>
<th>B-2 Commercial</th>
<th>B-3 Commercial</th>
<th>B-4 Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auto repair and service</td>
<td></td>
<td></td>
<td><em>8</em>15, 17</td>
<td><em>8</em>15, 17</td>
<td></td>
</tr>
<tr>
<td>Auto service station (no fuel dispensing)</td>
<td></td>
<td></td>
<td><em>8</em>15, 17</td>
<td><em>8</em>15, 17</td>
<td></td>
</tr>
<tr>
<td>Food take-out, retail (convenience stores)</td>
<td></td>
<td></td>
<td><em>8</em>17</td>
<td><em>8</em>17</td>
<td></td>
</tr>
<tr>
<td>Gasoline and oil filling stations</td>
<td></td>
<td></td>
<td>*8, 17</td>
<td>*8, 17</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3. - Repeal of Conflicting Ordinances.**
All prior ordinances or resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

**Section 4. - Severability.**
If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court or competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**Section 5. Inclusion in Code.**
It is the intention of the City Commission of the City of North Lauderdale, Florida, that the provisions of this Ordinance shall become and be made a part of the City of North Lauderdale Code of Ordinances; and that the sections of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions. Moreover, the terminology shall be revised as per Section 3 of this Ordinance.

**Section 6. Effective Date.**
This Ordinance shall become effective upon the approval of the City Commission.

PASSED FIRST READING THE 11th DAY OF April, 2017.

PASSED SECOND READING THE______ DAY OF_________, 2017.

________________________________________
MAYOR JACK BRADY

________________________________________
VICE MAYOR LORENZO WOOD

ATTEST:

________________________________________
PATRICIA VANCHERI, CITY CLERK

APPROVED AS TO FORM:

________________________________________
SAMUEL S. GOREN, CITY ATTORNEY
RESOLUTION NO. ___________________

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, URGING
PRESIDENT DONALD TRUMP AND THE UNITED STATES DEPARTMENT OF
HOMELAND SECURITY TO EXTEND TEMPORARY PROTECTED STATUS FOR
HAITIAN NATIONALS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 15, 2010, the United States Department of Homeland Security (DHS) granted Temporary Protected Status (TPS) to Haitian nationals who were in the United States as of January 12, 2010, the date of the devastating earthquake in Haiti; and

WHEREAS, the TPS designation allows eligible Haitian nationals to temporarily continue living and working in the United States; and

WHEREAS, TPS was made available to Haitian nationals for 18 months from January 12, 2010 to July 22, 2011; and

WHEREAS, on July 23, 2011, Haiti’s TPS designation was extended and redesignated for 18 months, and the latest extension of TPS occurred on January 23, 2016 and expires on July 22, 2017; and

WHEREAS, Haiti has not yet recovered from the 2010 earthquake; the nation suffers from economic and political crises, rampant Zika and Chikungunya, the effects of a devastating cholera epidemic which has killed 10,000 and sickened 900,000, and most recently, the destructive effects of Hurricane Matthew, which cost Haiti $2.7 billion or 32% of its GDP per a March, 2017 United Nations report; and

WHEREAS, on October 4, 2016, Hurricane Matthew was the first Category 4 hurricane to hit Haiti in 52 years; and

WHEREAS, Hurricane Matthew affected 2 million Haitians, left at least 1.4 million in need of emergency aid, killed 1,000 people, rendered 806,000 people extremely food insecure, left 1,250,000 Haitians—including a half-million children—without safe water, wiped out livestock and crops in broad areas, damaged or destroyed 1,663 schools, dramatically increased the number of cholera cases in Haiti, and left entire towns completely destroyed and cut off from the outside world by flooding and damage; and

WHEREAS, nearly six months later the United Nations estimates that hundreds of thousands of Haitians remain “extremely food insecure,” some have died as a result of malnutrition, and thousands may starve to death in what experts describe as a looming humanitarian disaster; and
WHEREAS, in “Desperate Haitians living in caves, eating toxic plants in post-hurricane Haiti,” by Jacqueline Charles, Miami Herald, March 24, 2017, Food for the Poor’s President/CEO is quoted as saying, “They have no food. They have no water. They have no shelter…It really is a crime against humanity.”; and

WHEREAS, per the same article, a few days earlier the same charity “reported that at least 13 Haitians in the Grand’Anse had died over the past 10 days because of hurricane-related food shortages in the region, and ‘Families are turning in desperation to fruits and foliage known to be poisonous in an attempt to quell their hunger and save their lives,’ the charity said in a press release. Haiti’s current humanitarian situation is precarious and likely to get worse, the United Nations’ Office for the Coordination of Humanitarian Affairs warned. [and] The vast majority of agricultural households have not recovered their means of production, their financial situation is rapidly deteriorating and their access to basic services has diminished considerably because of the end of emergency programs,” the U.N. humanitarian agency said in a report published last month.”; and

WHEREAS, per the same article, “While two out of three farmers in the Grand’Anse region lost three-fourths of their crops as a result of Matthew, the U.N. humanitarian agency also noted that 95 percent of farmers were unable to plant for the February or May harvest.”; and

WHEREAS, such reports are many and proliferating, indicating a worsening humanitarian crisis affecting hundreds of thousands of Haitians with which Haiti’s government is unable to cope; and

WHEREAS, the 50,000 Haitians with TPS have been in the US for at least six and a half years, the vast majority since well before the January 2010 earthquake, and have strong community ties including families with U.S.-born, American-citizen children; and

WHEREAS, the $1.3B per year in remittances sent to Haiti from Haitians in the U.S. are crucial to sustain hundreds of thousands of loved ones back home in Haiti; and

WHEREAS, the United Nations has raised barely $2 million of its $400 million minimum goal to fight cholera in Haiti; and
WHEREAS, Haiti’s government is in no position to insure safety to or assimilate the 50,000 Haitians with TPS, nor to make up for their remittances should they be curtailed by their deportation, and it remains unsafe to deport them; and

WHEREAS, their deportation would consequently tend to destabilize Haiti, which is contrary to the national security interest of the United States; and

WHEREAS, there continue to be extraordinary and temporary conditions that prevent Haitian nationals from safely returning to Haiti, and therefore TPS should be extended for an additional 18 months.

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

Section 1. Urges Secretary of Homeland Security John F. Kelly to extend Temporary Protected Status for Haitian nationals for at least another 18-month period.

PASSED AND ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 30th day of May, 2017.

APPROVED AS TO FORM:

_____________________________
CITY ATTORNEY SAMUEL S. GOREN

_____________________________
MAYOR JACK BRADY

_____________________________
VICE MAYOR LORENZO WOOD

ATTEST

_____________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, URGING ALL MEMBERS OF CONGRESS TO SUPPORT THE EQUALITY ACT (H.B. 2282) INTRODUCED IN THE U.S. HOUSE OF REPRESENTATIVES BY REPRESENTATIVE DAVID CICILLINE (D-RI) AND IN THE U.S. SENATE BY SENATOR JEFF MERKLEY (D-OR); TO PROHIBIT DISCRIMINATION ON THE BASIS OF SEX, GENDER IDENTITY, SEXUAL ORIENTATION, AND OTHER FORMS OF DISCRIMINATION; DIRECTING CITY ADMINISTRATION TO TRANSMIT A CERTIFIED COPY OF THIS RESOLUTION TO THE BROWARD LEAGUE OF CITIES, THE FLORIDA LEAGUE OF CITIES, THE BROWARD COUNTY LEGISLATIVE DELEGATION, THE PALM BEACH COUNTY LEAGUE OF CITIES, THE MIAMI DADE COUNTY LEAGUE OF CITIES, THE NATIONAL LEAGUE OF CITIES, THE U.S. CONGRESSIONAL LEGISLATIVE DELEGATION FOR FLORIDA AND ANY OTHER INTERESTED PARTIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, discrimination can occur on the basis of the sex, sexual orientation, gender identity, or pregnancy, childbirth, or a related medical condition of an individual, as well as because of sex-based stereotypes. Each of these factors alone can serve as the basis for discrimination, and each is a form of sex discrimination; and

WHEREAS, a single instance of discrimination may have more than one basis. For example, discrimination against a married same-sex couple could be based on the sex stereotype that marriage should only be between heterosexual couples, the sexual orientation of the two individuals in the couple, or both. Discrimination against a pregnant lesbian could be based on her sex, her sexual orientation, her pregnancy, or on the basis of multiple factors; and

WHEREAS, lesbian, gay, bisexual, and transgender (“LGBT”) people commonly experience discrimination in securing access to public accommodations—including restaurants, stores, places of or establishments that provide entertainment, and transportation. Forms of discrimination include the exclusion and denial of entry, unequal or unfair treatment, harassment,
and violence. This discrimination prevents the full participation of LGBT people in society and disrupts the free flow of commerce; and

WHEREAS, women also face discrimination in establishments such as stores and restaurants, and places or establishments that provide other goods or services, such as entertainment or transportation, including sexual harassment, differential pricing, and denial of services because they are pregnant or breastfeeding; and

WHEREAS, regular and ongoing discrimination against LGBT people, as well as women, in accessing public accommodations contributes to negative social and economic outcomes; and

WHEREAS, both LGBT people and women face widespread discrimination in employment and various services, including by entities that receive Federal financial assistance. Such discrimination is particularly troubling and inappropriate for programs and services funded wholly or in part by the Federal Government as it undermines national progress toward equal treatment regardless of sex, sexual orientation, or gender identity; and is inconsistent with the constitutional principle of equal protection under the Fourteenth Amendment of the Constitution of the United States; and

WHEREAS, workers who are LGBT, or are perceived to be LGBT, have been subjected to a history and pattern of persistent, widespread, and pervasive discrimination on the bases of sexual orientation and gender identity by private sector employers and Federal, State, and local government employers; and

WHEREAS, numerous provisions of Federal law expressly prohibit discrimination on the basis of sex, and Federal agencies and courts have correctly interpreted these prohibitions on sex discrimination to include discrimination based on sexual orientation, gender identity, and sex

**WHEREAS,** the absence of explicit prohibitions of discrimination on the basis of sexual orientation and gender identity under Federal statutory law, as well as some conflicting case law on how broadly sex discrimination provisions apply, has created uncertainty for employers and other entities covered by these laws. This lack of clear coverage also causes unnecessary hardships for LGBT people; and

**WHEREAS,** LGBT people often face discrimination when seeking to rent or purchase housing, as well as in every other aspect of obtaining and maintaining housing. LGBT people in same-sex relationships are often discriminated against when two names associated with one gender appear on a housing application, and transgender people often encounter discrimination when credit checks or inquiries reveal a former name; and

**WHEREAS,** the Equality Act (H.B. 2282) would protect LGBT and gender nonconforming people based on their actual or perceived sexual orientation or gender identity from discrimination in employment, housing, education, credit, public accommodations, jury service, and Federally funded programs. It also updates the law to add protections against discrimination on the basis of sex where those protections are not already in existing law. It includes protections for those who associate with others who are targets of unlawful discrimination such as children of LGBT people; and

**WHEREAS,** the Equality Act (H.B. 2282) is legislation that promotes fairness and modernizes Federal law by banning anti-gay and gender-based discrimination; and
WHEREAS, the link between strong anti-discrimination laws and the ability to draw the best and the brightest is the reason that 84 percent of the nation’s largest companies have adopted comprehensive anti-discrimination policies that include sexual orientation and gender identity; and

WHEREAS, passing this law will be one more tool to ensure that all people are treated fairly and equally; and

WHEREAS, the City Commission believes the adoption of The Equality Act (H.B. 2282) would be in the best interests of the residents and businesses of the City of North Lauderdale and the State of Florida.

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 incorporated herein by this reference.

Section 2. The City Commission of the City of North Lauderdale urges all members of Congress to support the adoption of the Equality Act (H.B. 2282) and any other similar legislation.

Section 3. The City Commission further directs City Administration to transmit a certified copy of this Resolution to the Broward League of Cities, the Florida League of Cities, the Broward County Legislative Delegation, the Palm Beach County League of Cities, the Miami Dade County League of Cities, the National League of Cities, the U.S. Congressional Legislative Delegation for Florida and any other interested parties.

Section 4. All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.
Section 5. If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

Section 6. This Resolution shall become effective immediately upon its passage and adoption.


APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________________
MAYOR JACK BRADY

__________________________________
VICE MAYOR LORENZO WOOD

ATTEST:

___________________________________
CITY CLERK PATRICIA VANCHERI
TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Tammy L. Reed-Holguin, Community Development Director
DATE: May 30, 2017
SUBJECT: Ordinance First Reading:
Extending Moratorium on Wireless Communication Facilities

Tonight we are presenting an Ordinance for first reading to extend the moratorium on the issuance of building permits or development orders for the installation of or siting of wireless communication facilities for an additional 60 days but no later than July 31, 2017.

BACKGROUND:
The City Commission adopted Ordinance 16-09-1341 on September 28, 2016 implementing a moratorium on the installation or siting of wireless communication facilities. The moratorium was subsequently extended by Ordinance 17-04-1348 on April 11, 2017 to allow time for the Ordinance to be properly advertised and processed but no later than May 31, 2017.

Staff completed the proposed amendments within this timeframe and presented the draft Ordinance to the Planning and Zoning Board on April 4, 2017. There was a representative from the industry present who voiced her desire to work with the City to finalize the Ordinance to insure that the Code amendments not only protect the residents’ interests but also allow the practical placement of these new types of wireless facilities within public right of ways. Since that time, the legislature adopted House Bill 687, which pre-empts local governance of wireless communication facilities. The Governor has 60 days to sign the bill into law or veto it. There appears to be strong support for the bill, however, given the uncertainty of the bill’s status, Administration recommends that that adoption of regulations be postponed and the moratorium be kept in place. A 60 day extension of the moratorium is requested until July 31, 2017.

RECOMMENDATION:
The City Administration recommends City Commission’s consideration of the attached ordinance on first reading extending the moratorium on the issuance of building permits or development orders for the installation of or siting of wireless communication facilities until such time as regulations pertaining to wireless communication services are adopted, but no later than July 31, 2017.
ORDINANCE NO. ______________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ORDINANCE 17-04-1348; EXTENDING THE MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS OR DEVELOPMENT ORDERS FOR THE INSTALLATION OF OR SITING OF WIRELESS COMMUNICATION FACILITIES WITHIN THE CITY UNTIL SUCH TIME AS REGULATIONS PERTAINING TO WIRELESS COMMUNICATION FACILITIES HAVE BEEN ADOPTED BUT NO LATER THAN JULY 31, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager and the City’s professional planning staff continuously monitor and review the City’s Land Use Regulations and Comprehensive Land Use Plan to ensure appropriate development in the City, and from time to time recognizes the need to study and amend aspects of such; and,

WHEREAS, based upon inquiries from the telecommunications community and concerns that the City’s current Ordinances do not adequately address the new technologies, the Commission determined that there is a need to conduct a review of the regulations pertaining to the installation and siting of wireless communication facilities within the City; and,

WHEREAS, on August 16, 2016, the City Manager issued an Administrative Order, pursuant to Section 106-61 of the City’s Code, announcing zoning in progress relating to wireless communication facilities throughout the City; and,

WHEREAS, on September 28, 2016, the City Commission adopted Ordinance 16-09-1341 which implemented a moratorium on the approval of any applications or the issuance of building permits or development orders for the installation or siting of wireless communication facilities within the City until April 1, 2017; and,
WHEREAS, on March 28, 2017, the City Commission adopted Ordinance 17-04-1348 extending the moratorium on the approval of any applications or the issuance of building permits or development orders for the installation or siting of wireless communication facilities within the City until May 31, 2017; and

WHEREAS, City Administration is requesting that the City Commission amend Ordinance 17-04-1348 by extending the moratorium until such time as regulations pertaining to the installation and siting of wireless communication facilities have been adopted by the City Commission but no later than July 31, 2107 to monitor the Governor’s action on HB 687 over the next 60 days; and,

WHEREAS, the City Commission finds that it is in the best interests of the City and its residents and property owners to allow the additional time to see if HB 687 is signed by the Governor and to revise the proposed Code amendments as necessary to avoid conflicts with State legislation.

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 17-04-1348, and extends the moratorium imposed on the issuance of building permits or development orders for the installation of or siting of wireless communication facilities within the City until such times as regulations pertaining to said devices have been adopted but no later than July 31, 2017.
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 LORENZO WOOD

ATTEST:

PATRICIA VANCHERI, CITY CLERK
CITY OF NORTH LAUDERDALE
PARKS AND RECREATION DEPARTMENT

TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Michael Sargis, Assistant City Manager/Parks and Recreation Director

DATE: May 30, 2017

SUBJECT: 4th Amendment to Jeff Ellis Associates (JEA) Inc. Service Agreement for Jerry Resnick Aquatic Center Aquatic Operations

As you know, the City entered into a service agreement with Jeff Ellis Associates in 2006 for the operation of the Aquatic Center. Under the terms of the contract, JEA provides Lifeguards, Swim Instructors, Head Lifeguards and Pool Manager. Additionally, JEA provides all Associates oversight, electronic auditing, testing, programming and liability insurance for the facility. The City is responsible for chemicals and any needed repairs to the facility.

The decision to outsource this operation was based upon the annual savings and the expertise that JEA offered to run these type of facilities. While generating savings is a significant factor, the safety and well-being of the children and adults who use our facilities and programs is of upmost importance. Over the years, JEA has proven to be a very reliable and efficient service provider by assigning a well trained staff to our facility that are able to react quickly and professionally to protect our guests.

As discussed during the Commission Strategic Planning Workshop on April 8, 2017, the current three year service agreement with Jeff Ellis Associates is set to expire in September 2018. Although the agreement is still valid for another year, the staff was recently approached by JEA who stated that they have come across some corporation savings that they are willing to pass on to the City in the coming years. In order to avail these savings, Jeff Ellis has requested to enter into an amendment to the current agreement that would now cover Fiscal Years 17/18 to 20/21. According to this proposal, Jeff Ellis is willing to hold the current rate of $351,912 for the duration of the contract. The only increase that may come in years 2, 3 and 4 would be if minimum wage is drastically increased by the State of Florida. The rest of the terms of the agreement will remain the same.

City staff recently did a comparison and found out that if the City ran this operation in-house; it would cost the City $481,005.00 per year in staff salaries/benefits, uniforms, training and other associated services that JEA currently provides. The rate quoted by JEA is $351,912 per year, thus generating savings of approximately $130,000.00 per year or $520,000 over the next 4 year term of the agreement. Please be advised that since the inception of this agreement in 2006, the City has saved approximately 1.5 million dollars.
Over the years, JEA staff has diligently worked with the City staff to increase visitors to the pool and it is evident in the numbers. In the last year when the city staff ran the operations before contracting with JEA, the facility attracted slightly over 9,000 users. In 2016 with JEA running operations, we attracted approximately 40,000 visitors. Additionally, JEA provided invaluable assistance to the department during the major renovations of the facility, including bringing the facility into compliance with the new Federal Regulations – Virginia Gramm Baker Act, which required all facilities main drains to become suction free.

Although JEA is not the sole source, it is an international corporation that has clients around the world due to their proven record of providing quality, efficient, economical and customer friendly staff on a regional, national and international level. In the surrounding areas, JEA is currently provide services to clients such as Walt Disney World – Hotel Pools, Water Parks and Cruise Ship, Atlantis Resort and Casino in the Bahamas, Broward County Parks and Recreation and Cities of Hallandale, Dania Beach, Sunrise and Tamarac.

In 2012, after 6 years with Jeff Ellis, the City of Tamarac decided to bid out the pool service and awarded their contract to PMI, a competitor of Jeff Ellis for a savings of $30,000. However, after 5 months, the City of Tamarac fired PMI for negligence that included allowing a lifeguard on crutches to patrol the municipal swimming pool and skimping on a lot of things that should not be skimped in an aquatics center where people's safety is concerned. The City ended up re-hiring Jeff Ellis.

**RECOMMENDATION:**

The City Administration recommends Commission’s consideration and approval of the attached resolution authorizing the Mayor and City Manager to enter into an acceptable 4th amendment to the current service agreement with Jeff Ellis and Associates Inc. for the operation of the North Lauderdale Jerry Resnick Aquatic Center to extend it for service from October 1, 2017 through September 2021.
RESOLUTION NO. ____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO THE 4TH AMENDMENT TO THE CURRENT CONTRACT WITH JEFF ELLIS AND ASSOCIATES INC FOR THE OPERATION OF THE NORTH LAUDERDALE JERRY RESNICK AQUATIC CENTER TO EXTEND IT FOR SERVICE FROM OCTOBER 1, 2017 THROUGH SEPTEMBER 2021 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 Mayor and City Manager to enter into the 4th Amendment to the current contract with Jeff Ellis and Associates for the operation of the Jerry Resnick Aquatic Center.

Section 2: That the current agreement is set to expire on September 30, 2018.

Section 3: That the amended agreement will run from October 1, 2017 through September 2021.

Section 4: That the following are the 4 year costs:

- FY 2017/18 - $351,912.00
- FY 2018/19 - $351,912.00*
- FY 2019/20 - $351,912.00*
- FY 2020/21 - $351,912.00*

*Years 2, 3 and 4 are subject to review if minimum wage is drastically increased by the State of Florida

Section 4: That the rest of the terms of the contract remain the same.

Section 5: That this Resolution shall take effect immediately upon adoption.
PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 30th day of May, 2017.

APPROVED AS TO FORM:

CITY ATTORNEY SAMUEL S. GOREN

MAYOR JACK BRADY

VICE MAYOR LORENZO WOOD

ATTEST

CITY CLERK PATRICIA VANCHERI
TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Michael Sargis, Assistant City Manager/Parks & Recreation Director
DATE: May 30, 2017
SUBJECT: Ordinance – First Reading - Ceremonial Items Procedures

As discussed at the City Commission Strategic Planning Workshop held on April 8, 2017, staff and the Commission discussed the need to create a policy for the distribution of ceremonial items such as Keys to the City, Proclamations, Certificates/Plaques, and Letters of Honor.

City current policy, per Section 2-33, Chapter 2 of the Code of Ordinances, is extremely vague and does not provide the necessary direction needed to assure that proper recognition is given to those who truly deserve such recognition.

Under the new proposal, Section 2-33, Chapter 2 of the North Lauderdale Code of Ordinances is being amended to allow the City Commission to establish a procedure to be adhered to by the City Commission, the City Manager and organizations relative to the issuance of City Ceremonial Items. All ceremonial items with the exception of letters of honor shall require City Commission approval prior to the issuance of such items.

The attached proposed ordinance is being presented tonight for approval on first reading. This ordinance consists of the following:

- Types of Ceremonial items
- Criteria to be eligible for Ceremonial items
- Procedure for the submission and approval of Ceremonial items
- Presentation of Ceremonial items

RECOMMENDATION:

The City Administration recommends Commission’s approval on first reading of the attached ordinance amending Section 2-33, Chapter 2 of the North Lauderdale Code of Ordinances “Administration” to provide additional guidelines for the issuance and distribution of ceremonial items such as Keys to the City, Proclamations, Certificates/Plaques and Letters of Honor.
AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, (“CITY”), AMENDING SECTION 2-33 WITHIN CHAPTER 2 OF THE NORTH LAUDERDALE CODE OF ORDINANCES, ENTITLED “ADMINISTRATION” TO PROVIDE FOR ADDITIONAL GUIDELINES FOR ISSUANCE AND DISTRIBUTION OF CEREMONIAL ITEMS SUCH AS KEYS TO THE CITY, PROCLAMATIONS, CERTIFICATES OR PLAQUES, LETTERS OF RECOGNITION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the North Lauderdale City Commission (“City Commission”) occasionally recognizes, honors and commemorates individuals, groups, organizations and institutions that reflect civic activity, pride and accomplishments; and

WHEREAS, the City Commission acknowledges support for worthwhile observances, causes and historic milestones; and

WHEREAS, the City Commission will issue ceremonial items in accordance with a process pursuant to the City’s Code of Ordinances and supported by City policy to individuals or groups having a direct relationship to the City of North Lauderdale and its services; and

WHEREAS, the City Commission deems it to be in the best interests of the citizens and residents of the City to amend Section 2-33 of Chapter 2, entitled “Administration” of the City’s Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, THAT:
Section 1. The foregoing “Whereas” clauses are hereby ratified as true and correct and incorporated herein by this reference.

Section 2. The City Commission of the City of North Lauderdale hereby amends Section 2-33 of Chapter 2 of the City’s Code of Ordinances as follows:

CHAPTER 2: ADMINISTRATION

- Sec. 2-33. - Procedures, issuance of proclamations, keys to the city, etc. ceremonial items

(a) Procedures. The governing body hereby establishes a procedure to be adhered to by the governing body, including the mayor, the City Manager and organizations relative, but not limited to, the issuance and distribution of proclamations, the issuance of keys to the city, awards, certificates and other ceremonial items or documents. All ceremonial items with the exception of letters of honor shall require City Commission approval.

(b) Submission of items. Members of the governing body, including The Mayor, Commissioners, City Manager and organizations may request ceremonial items from the City Commission by shall submit proposed proclamations as well as proposals for any other ceremonial items or documents to the city manager's office no later than seven calendar days prior to the next regularly scheduled meeting of the governing body. Submitting a written request to the City Clerk using the request form the Tuesday before the next City Commission meeting. Upon receipt, the City Clerk will place it on the next agenda for discussion and motion to approve the request to be placed at a future meeting. The individual or organization making the request will have the opportunity to explain the reason for the request for the City Commission’s consideration and discussion. Upon City Commission approval, the City Clerk will prepare the item and, if applicable, will invite the party to be recognized to the next appropriate City Commission meeting or the event of the organization requesting the item. Letters of Honor are not presented at City Commission meetings and the form and manner of distribution of letters of honor are within the discretion of the Commissioner who is writing the letter.

(c) Ceremonial item requests requirements: The criteria and types of ceremonial items available for presentation shall serve as a reference for the City Commission.

(i) The following types of ceremonial items are available for presentation. Additionally, each request must comply with Section 2-33 (c) (ii):

CODING: Words in strike through type are deletions from the existing law; Words in underscore type are additions.
1) Keys to the City: a key to the City is the most prestigious award presented by the City Commission and shall be generally limited to the following criteria:
   a. To dignitaries of unique and recognizable, County, State, National and International stature;
   b. To citizens of the City who brought, regional, national or international acclaim to the City;
   c. To citizens who have provided long and dedicated significant service to the City;
   d. To individuals for meritorious acts within the City.

2) Proclamations: A proclamation is a formal public statement presented at a Commission Meeting by the City Commission to recognize certain causes and events to include but not limited to the following:
   a. For organizations with widespread community interest, such as Boys and Girls Club; ADRC; School Lunch Week; Student Government Day;
   b. For national cause such as American Cancer Society, Breast Cancer Awareness, Black History Month, Women’s History Month, National Library Week;
   c. For organizations to commemorate a special event/activity having a positive impact on the City such as Code Enforcement Week, Parks & Recreation Month, City Clerk Week, Public Service Recognition Week;
   d. For historic milestones such as Centenarian (100th) Birthdays;
   e. For events supported by Proclamations by the President of the United States, U.S. Congress, Governor of the State of Florida or the Florida State Legislature.

3) Proclamations will not be issued for the following:
   a. Commercial purposes such as opening of a new business, a new service, a new product or a new professional service;
   b. Deceased persons;
   c. Birthdays less than 100 years;
   d. Family reunions, class reunions, or wedding anniversaries;
   e. National campaigns or groups unrelated to the City;
   f. Personal political or business endorsement of individuals or for-profit businesses.

4) Certificates or Plaques: certificates or plaques are presented at City Commission Meeting to organizations and or individuals for appreciation and/or recognition based on the following circumstances:

CODING: Words in strike through type are deletions from the existing law;
Words in underscore type are additions.
a. Recognition of a significant or extraordinary accomplishment;
b. Recognition of an accomplishment focused on positive, family-related issues in the City that add to the overall quality of life or otherwise promote the City;
c. Non-politically sensitive issue that is likely not to cause dissension in the community;
d. Recognition of an outstanding deed through volunteer service;
e. Recognition to honor “heroic acts”;
f. Business and Church anniversaries that are more than 25 years old and have a direct relationship to the City of North Lauderdale’s economic development and welfare of the residents;
g. Recognition of City employees as requested by the City Manager

5) Letter of Honor: Letters of honor may be drafted, signed and presented (not at a Commission Meeting) by any elected official, on non-City Letterhead for the following reasons:
   a. Recognizing new Businesses in Individual District;
   b. Sympathy;
   c. Class Reunions;
   d. Retirement;
   e. General Recognition;
   f. Other items of recognition not meeting categories of Proclamations and/or Certificates.

(ii) The request form for ceremonial items such as Keys, Proclamations and Certificates pursuant to Section 2-33 (b) must include the following:
   a. Specific title of what will be honored with a ceremonial item;
   b. Requested date of ceremonial items and date to be presented or picked up;
   c. Facts about the subject matter, cause or event;
   d. Contact information of the person or official making the request including: name, mailing address, phone number, cell and email if applicable;
   e. Indicate whether the organization is a nationally recognized non-profit organization;
   f. Specify whether the ceremonial item will be issued at a Commission meeting or an event.
(d) Reading by the clerk. Proclamations and other ceremonial items or documents approved by the City Commission shall be read by the Mayor or the City Clerk and issued by the City Clerk.

Section 3. It is the intention of the City Commission of the City of North Lauderdale that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Lauderdale, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word “Ordinance” may be changed to “Section,” “Article” or such other word or phrase in order to accomplish such intention.

Section 4. If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

Section 5. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall become effective upon passage and adoption.

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______________________________
MAYOR JACK BRADY

ATTEST:

______________________________
PATRICIA VANCHERI, City Clerk

______________________________
VICE MAYOR LORENZO WOOD

APPROVED AS TO FORM:

______________________________
SAMUEL S. GOREN, City Attorney
TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Michael Sargis, Assistant City Manager/Parks & Recreation Director

DATE: May 30, 2017

SUBJECT: To set the Date for 2017 Holiday Parade

As the City staff begins a busy series of summer programs, the Parks and Recreation Department has set its sights on the Winter Holiday Calendar and in particular to set a date for the 2017 Holiday Spirit Parade.

In order to set a parade date that doesn’t conflict with Commission travel plans or other Holiday plans, and to assure that the staff can secure the High School Bands to perform in the parade, the staff is looking to hold the City’s 2017 Holiday Parade on Saturday, December 9th. With major road renovations planned for Kimberly Blvd west, and since last year’s parade was canceled due to rain, the staff is requesting Commission’s consent to use the same route as was agreed upon last year.

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

**Motion:**

A motion of the City Commission setting Saturday, December 9th, 2017 as the date for 40th Annual Holiday Spirit Parade.