MINUTES

The North Lauderdale City Commission met at the Municipal Complex on Wednesday, September 13, 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.

   Mayor Jack Brady  
   Vice Mayor Lorenzo Wood  
   Commissioner Rich Moyle  
   Commissioner Jerry Graziose  
   Commissioner Samson Borgelin (Excused)  
   City Manager Ambreen Bhatti  
   City Attorney Jim Cheroff  
   City Clerk Patricia Vancheri

3. **APPROVAL OF MINUTES**

   a. **July 11, 2017** – Vice Mayor Wood moved to approve the minutes as submitted. Seconded by Commissioner Graziose. **Minutes approved unanimously by voice vote.**

City Manager opened the meeting by providing an update regarding Hurricane Irma recovering efforts. She began by expressing her thanks and appreciation to all of the Commission for their effort and support. She thanked the Fire Chief Turpel and the Fire Rescue Department for checking on the city population, and the assisted living facilities before and after the storm. Ms. Bhatti stated she could not express her appreciation to her staff for their hard work, dedication and patience. She thanked the Parks and Recreation Director/Assistant City Manager Mike Sargis and his department for all their efforts. She encouraged residents to register to receive the robo-calls to stay informed during times of emergency.

Additionally, Ms. Bhatti expressed thanks to the Public Works Director George Krawczyk for his leadership and the hard work of his department staff. She indicated due to their efforts they were able to maintain the generators running which kept the lift stations working, providing clean drinking water to residents and the city did not have to order a boil water alert although 95% of the city was without power. She also thanked Community Development Director Tammy Reed-Holguin for having the code enforcement officers notify the residents regarding bulk pick
up. She stated there may have been some confusion by residents that did not realize our garbage hauler is Waste Pro and not Waste Management, who provided different information regarding their bulk trash pickup. Ms. Bhatty explained the city is in the recovery mode now. BSO was positioned at city hall during the storm and they were out in the city checking traffic intersections. She updated on the status of the traffic lights in the city and conveyed the efforts made by the city to address the concerns with FPL, and to have power restored. She also provided information on the hurricane damages to the city parks and how the city will be working to have repairs made. She addressed the flooding concerns in certain areas.

Ms. Bhatty indicated that Waste Pro has resumed their normal schedule with the exception of bulk pick up. She explained the efforts being made with working towards scheduling debris pick up in the city which should begin next week. FEMA has not made a determination if they will reimburse the cost of pick-up of debris in private communities and this issue is still being discussed. Vice Mayor Wood requested to have a robo-call sent out to residents instructing them on proper separation of bulk trash and debris piles. Ms. Bhatty advised information is being posted on the city website. Commissioner Graziose expressed concerns with mixed trash piles being put out for collection. Ms. Bhatty advised vendors will be picking up hurricane related trash. George Krawczyk advised recycling trash will resume at a later date.

4. BUDGET MATTERS

a. ORDINANCE – First Reading – Ad Valorem Tax Rate FY 2017/18

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ESTABLISHING AND ADOPTING THE CITY OF NORTH LAUDERDALE AD VALOREM TAX OPERATING MILLAGE LEVY RATE AT 7.4000 MILLS, OR $7.4000 PER THOUSAND DOLLARS OF TAXABLE ASSESSED PROPERTY VALUE, FOR THE 2017 TAX YEAR, REPRESENTING AN INCREASE OF 8.5% FROM THE PRIOR YEAR'S ROLLED-BACK RATE OF 6.8201 MILLS FOR ALL PURPOSES; PROVIDING FOR CONFLICTS; AND, PROVIDING AN EFFECTIVE DATE.

Susan Nabors, Finance Director, presented the item based on the backup memorandum. She explained after working on developing the budget for fiscal year 2018 they were able to balance the budget at a reduced tentative 7.4000 millage rate. She advised there are several taxing authorities on a resident’s tax bill such as the Broward County School Board, the hospital district, etc.; advising that only 34% comes to the city. Ms. Nabors stated the ad valorem property taxes help to fund a variety of the departmental operations to run the city. She stated as discussed at the July 11th workshop, Administration proposed to set the millage rate at 7.4000 mils which is a reduction over the prior year millage rate of 7.5000. The ad valorem property taxes fund approximately 31% of the general fund budget and it is vital to providing the services outlined in the proposed budget. In order to adopt the operating millage, approval by four of the commissioners, [a super majority vote], is needed as per City Charter. The City Administration
recommends the Commission's consideration and approval of the attached ordinance on first reading which establishes the city's operating millage levy at 7.4000 mils for FY 2017/18. Public Hearing opened. No one spoke. Public hearing closed. **Vice Mayor Wood moved to approve. Seconded by Commissioner Graziose. No Commission discussion; clerk called the question. All yes.** Vice Mayor Wood thanked Ms. Bhatt and her staff for the comprehensive ad valorem tax rate; acknowledging the reduction for our residents. He referenced the slide presented by Ms. Nabors during the Budget Workshop which showed what the City does with its overall per capital per resident taxes and how that money is used to provide services for our residents with limited resources. Ms. Nabors explained the revenue the City brings in from property taxes per person in the city is the lowest in Broward County. She indicated what this reflects is that the City is able to provide the same services as other cities, if not more services, but at a much lower cost. Ms. Bhatt also referenced a slide shown during the Budget Workshop with the total property taxes and assessments that city residents pay for all city services, which is less than what they pay collectively for phone bill, cable and FPL services. The assessments rates provide for police and fire rescue services, park amenities, garbage pickup, clean water, and youth programs. She thanked the Commission for their direction and her staff for keeping costs low.

In accordance with Sec. 200.065 of the Florida Statutes, the second reading of this proposed ordinance will be presented on September 28, 2016 at 6:00 p.m. in Commission Chambers.

Ms. Bhatt mentioned Commissioner Borgelin did call to advise his flight was cancelled and requested to be excused, expressing his regret for not being able to attend the Commission meeting.

**b. RESOLUTION - Fire/Rescue Special Assessment Rates**

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

Attorney read:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF NORTH LAUDERDALE, FLORIDA; IMPOSING FIRE RESCUE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF NORTH LAUDERDALE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Susan Nabors, Finance Director, presented the item based on the backup memorandum. She indicated they are seeking approval for the resolution for the Fire Assessment rate fee for FY 2018. She stated that on June 13th, the preliminary assessment rates were approved by the City Commission. Ms. Nabors advised that in November, 2015, the city hired a consultant to review the cities fire rescue special assessment rate for five years. As a result of their review, they recommended a revised rate structure for the full funding of the fire rescue services for five
years. This assessment only covers the fire rescue operations and not emergency medical services. She explained property owners such as churches and schools are 100% exempt from property taxes and do not pay this special assessment even though there is a cost to provide the services; advising further the general fund subsidizes that cost. Ms. Nabors stated the methodology allows for smooth and natural adjustments to the assessments rates that correspond to fire rescues fluctuating operational costs over the next five years. The Assessment for next FY 2018 is the second of the five year plan. The collection methodology on the tax bill for this assessment for FY 2018 will be the same as they have been in the past. If residents pay their tax bill by November 30th they are subject to getting a 4% discount. Staff seeks approval of this resolution which sets the Fire Assessment rate for single family residences at $215 per year which is an increase of $18 over the prior year assessment and the multi-family at $366 per year which is an increase of $32 over the prior year assessment. The Commercial, Industrial-Warehouse property categories will also have an increase to their rates. Public hearing opened. No one spoke. Public hearing closed. Commissioner Graziose moved to adopt. Seconded by Commissioner Moyle. No Commission discussion; clerk called the question. All yes.

RESOLUTION NO. 17-09-6439 PASSED AND APPROVED UNANIMOUSLY

c. RESOLUTION – Residential Solid Waste Assessment Rate

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES IN THE CITY OF NORTH LAUDERDALE, FLORIDA; APPROVING THE ASSESSMENT RATE OF $216.02 FOR RESIDENTIAL SOLID WASTE COLLECTION SERVICES FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2017; IMPOSING A RESIDENTIAL SOLID WASTE COLLECTION ASSESSMENT AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF NORTH LAUDERDALE FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Susan Nabors, Finance Director, presented the item based on the backup memorandum. She indicated that they are seeking approval of the final annual rate resolution for the solid waste assessment for FY 2018. The preliminary rate was approved on June 13th. The City instituted an assessment for solid waste and disposal in FY 2013 and it has been a successful program which helped streamline the process for the waste hauler, Waste Pro, and expedited the collection of revenue by Broward County. This form of revenue collection also enables residents who pay by November 30th to take advantage of a 4% discount. Ms. Nabors advised the collection of the solid waste assessment will be the same as prior years on a tax bill, and the residential property owner will pay an annual fee of $216.02. There are no rate increases being proposed and this the same rate of the past five years. Public hearing opened. No one spoke. Public hearing closed. Vice Mayor Wood moved to adopt. Seconded by Commissioner Graziose. No Commission discussion; clerk called the question. All yes. Vice Mayor Wood thanked and commended Ms.
Bhatty and city staff for maintaining the $216.02 rate for five consecutive years. He expressed that contract negotiations are not easy. Ms. Bhatty stated this is a five year contract and this rate will stay the same for another three years. The only increase that may come is if the disposal site increases their rates; in past years the City has been able to absorb that rate increase and not pass it on to the residents.

RESOLUTION NO. 17-09-6440 PASSED AND APPROVED UNANIMOUSLY

d. RESOLUTION – Employee Group Health, Vision and Dental Insurance Renewal - Fiscal Year (FY) 2017/18

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A RENEWAL CONTRACT BY AND BETWEEN THE CITY OF NORTH LAUDERDALE AND THE FLORIDA LEAGUE OF CITIES FOR EMPLOYEE GROUP INSURANCE BENEFITS AS OUTLINED IN SECTION 1 OF THIS RESOLUTION FOR FISCAL YEAR 2017/18; AND PROVIDING AN EFFECTIVE DATE.

Jennifer Yarmitzky, Human Resources Manager, presented the item based on the backup memorandum. She indicated the City has group coverage through the Florida League of Cities, utilizing the United Health Care and Delta Dental networks. The renewal includes maintaining the current benefit levels which means no change in the deductible or co-pays for our plans. The final renewal has a premium rate increase of 6% due to large claims last year, which is still less than the current market trend of 8%. There will be no increase to vision or dental coverage. Administration is also proposing to maintain the current contribution rates, with the City paying 85% and the employee pays 15% towards the monthly premium. Ms. Bhatty thanked Ms. Yarmitzky and Ms. Nabors for negotiating the lower or the same rates. This is the first increase since 2012. Commissioner Moyle moved to adopt. Seconded by Vice Mayor Wood. No Commission discussion; clerk called the question. All yes. Commissioner Moyle inquired if our insurance police for property with the league covers the canal district. Ms. Yarmitzky advised the water control district has their own policy.

RESOLUTION NO. 17-09-6441 PASSED AND APPROVED UNANIMOUSLY

e. RESOLUTION – Florida League of Cities Insurance Contract Renewal Fiscal Year (FY) 17/18 - General/Professional Liability, Automobile Liability/Physical Damage, Property and Workers’ Compensation
Vice Mayor Wood moved to read. Seconded by Commissioner Graziose. Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN ACCEPTABLE AGREEMENT BY AND BETWEEN THE CITY AND THE FLORIDA LEAGUE OF CITIES FOR THE CITY’S GENERAL LIABILITY, AUTOMOBILE, PROPERTY AND WORKERS’ COMPENSATION INSURANCE COVERAGE FOR FISCAL YEAR 2017/18, PROVIDING FOR A PREMIUM OF NOT MORE THAN $637,582 AND PROVIDING AN EFFECTIVE DATE.

Jennifer Yarmitzky, Human Resources Manager, Finance Director, presented the item based on the backup memorandum. She advised this item is the renewal of the City’s General Liability, Property and Workers Compensation Insurance. She indicated the city has been with the Florida League of Cities under the Florida Municipal Insurance since 1995. She advised the Florida League of Cities has submitted a proposal for FY 2018, with a slight decrease from FY 2017. She reviewed the decrease in insurance costs referenced in the table included in the backup memorandum. She explained there is a provision in this resolution to make an additional premium payment to the Florida League of Cities should the projected amount for the renewal exceed the actual wages that the compensation insurance premiums is based on; which is determined through the audit process later. Ms. Bhatty clarified that if the adjustment is less than $25,000 than she is authorized to make the payment; if the amount is more than $25,000 they will come back to the City Commission for approval. Vice Mayor Wood moved to adopt. Seconded by Commissioner Graziose. No Commission discussion; clerk called the question. All yes.

RESOLUTION NO. 17-09-6442 PASSED AND APPROVED UNANIMOUSLY

f. RESOLUTION - Flexible Spending Account Plan

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

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

Jennifer Yarmitzky, Human Resources Manager, presented the item based on the backup memorandum. She stated this is the renewal for the flexible spending account benefit that the City provides which allows employees to set aside pre-tax dollars to pay for healthcare costs or dependent care costs. The City does not contribute to the flexible spending plan. The deductions come out of the employee’s paycheck. There is a monthly $5 administration cost to the city per participate and an annual renewal fee of $170. She advised this is a good benefit that employees do use and there is an increase in participation and the City has offered the benefit since 2001.
Staff is seeking approval of this resolution to renew with Ameriflex for flexible spending accounts. Commissioner Moyle moved to adopt. Seconded by Vice Mayor Wood. No Commission discussion; clerk called the question. All in favor by voice vote. Vice Mayor Wood inquired if she had the numbers showing the increase in employee participation in the Ameriflex plan. He expressed the importance of educating employees on the benefits of participating in this type of plan. Ms. Yarmitzky indicated she did not have the information with her but she would get the numbers to him. She advised new hires are required to meet with a Colonial Insurance representative to learn about this benefit.

RESOLUTION NO. 17-09-6443 PASSED AND APPROVED UNANIMOUSLY

g. ORDINANCE – First Reading - Adoption of Fiscal Year 2017/18 Budget

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ADOPTING THE ATTACHED ANNUAL BUDGET, AS THE CITY OF NORTH LAUDERDALE’S FINAL BUDGET FOR THE 2017/18 FISCAL YEAR, ALLOCATING, APPROPRIATING, AND AUTHORIZING EXPENDITURES IN ACCORDANCE WITH AND FOR THE PURPOSES AS STATED IN SAID BUDGET, EXCEPTING CERTAIN APPROPRIATIONS AND EXPENDITURES REQUIRING FURTHER CITY COMMISSION ACTION AND/OR AUTHORIZATION; AUTHORIZING BUDGETARY CONTROL BY DEPARTMENTAL FUND TOTAL FOR ALL APPROPRIATIONS EXCEPT FOR AMOUNTS ALLOCATED FOR CAPITAL OUTLAY ITEMS; PROVIDING FOR THE AUTHORIZATION OF ALL BUDGETED EMPLOYMENT POSITIONS AND THE AUTHORIZATION FOR THE CITY MANAGER TO MAKE TEMPORARY APPOINTMENTS TO BUDGETED POSITIONS; PROVIDING FOR THE CREATION OF TRUST FUND(S) FOR RECEIPT OF MONIES BY GIFT, GRANT, OR OTHERWISE, WHEN THE SAME CONTAINS AS A CONDITION OF ACCEPTANCE, A LIMITATION OR RESTRICTION REGARDING THE USE OR EXPENDITURE OF THE SAME AND THE MANAGEMENT AND DISBURSEMENT THEREOF; PROVIDING FOR A TEMPORARY OR PERMANENT SUSPENSION OF THE OMNIBUS APPROPRIATION AND EXPENDITURE AUTHORIZATION CONTAINED HEREIN BY CITY COMMISSION RESOLUTION; PROVIDING THAT THE BUDGET HEREBY ADOPTED MAY BE ADJUSTED OR MODIFIED BY SUBSEQUENT RESOLUTION SO LONG AS SUCH ADJUSTMENT OR MODIFICATION SHALL NOT RESULT IN A VARIATION OF THE TOTAL BUDGET, PROVIDING THAT IN THE EVENT A VARIATION FROM THE TOTAL BUDGET IS OR BECOMES NECESSARY, THIS ORDINANCE SHALL BE AMENDED ONLY BY A SUBSEQUENT ORDINANCE CONSISTENT WITH CHAPTER 166, FLORIDA STATUTES, THE CHARTER AND CODE OF ORDINANCES OF THE CITY OF NORTH LAUDERDALE, FLORIDA; PROVIDING FOR THE AUTHORIZATION TO LAPSE ALL ENCUMBRANCES OUTSTANDING AT SEPTEMBER 30, 2017, AND AUTHORIZATION TO RE-APPROPRIATE ALL UNEXPENDED CAPITAL APPROPRIATIONS, INCLUDING LAPSED CAPITAL OUTLAY ENCUMBRANCES IN
Susan Nabors, Finance Director, presented the item based on the backup memorandum. She indicated it takes two ordinances to implement the FY 2017/2018 budget; one was approved earlier on first reading which was to set the millage rate. The second ordinance is to adopt the actual budget. She indicated as discussed at the July 11th Commission workshop, Administration proposed to reduce the millage rate to 7.4000 mils. The general operating budget will increase from $29.6 million to $30.8 million for FY 2018. She explained the primary reasons for changes to the general fund budget is due to an increase in the funding of capital projects, the BSO contract, the neighborhood beautification projects, funding for the EMS costs, economic development projects and grants, and additional personnel and health insurance costs. The total City budget, which includes enterprise, capital and internal service funds, will increase from $55.2 million to $57.1 million; a 3.5% increase overall. This change includes the general fund items mentioned, as well as the Rock Island wall project in the capital fund, fire department capital projects, filter replacements at the water treatment plant, and other contractual increases in projects. The attached ordinance provides for spending limitations on the various city funds that are in the proposed budget. The final adopted budget that will be approved on September 27th will reflect any and all modifications approved by the Commission. The proposed budget is posted on the city website. There have been two changes to the budget discussed on June 11th; $200,000 was added to the neighborhood beautification projects, and there was an adjustment to the storm water fundsto add two employees whom were inadvertently taken out. Staff is seeking approval of the proposed budget on first reading of the ordinance. Public hearing opened. No one spoke. Public hearing closed. Vice Mayor Wood moved to adopt. Seconded by Commissioner Graziose. No Commission discussion; clerk called the question. All yes.

In accordance with Sec. 200.065 of the Florida Statutes, the second reading of this proposed ordinance will be presented on September 27, 2017 at 6:00 p.m. in Commission Chambers.

5. **PRESENTATIONS**

a. **Michelle Williams at NL Elementary - Introduction** - Principal Williams expressed her excitement to return to the city having formerly been the Assistant Principal at Silver Lakes Middle School from 2007 to 2015. She described her experience and background in education, and her success with moving an F graded school to a B grade. She expressed her passion about excellence in education. Her theme this school year is "Oh, the Places You're Going". She elaborated on her goals which include increasing student enrollment, working with the city to increase college and career readiness, and CPR training for middle school students. She emphasized her major goal is to go from a C to an A school grade. Vice Mayor Wood welcomed Ms. Williams, complimented her experience as an educator, her interview process, and expressed his full support.

b. **Presentation to City from En USA Spanish Newspaper (Judith Crocker)** - Ms. Crocker greeted the Commission, City Manager, City Attorney and City Clerk, as well as the Parks and Recreation Department, the fire and police department, city staff and the audience. She explained the En USA Spanish newspaper was created 15 years ago, to
promote local government agency information to assist the Hispanic community with becoming more integrated in city events. Ms. Crocker presented a plaque to the City Commission in recognition of the city's support to the newspaper.

6. **PUBLIC DISCUSSION**

**David Hilton** - Former Commissioner Hilton commended and thanked city staff and all departments for their work during and after Hurricane Irma. He expressed his appreciation to city staff for responding and providing assistance to him as he in turn was able to assist residents with questions regarding trash pickup in the city. He expressed that robo-calls do assist the city residents with obtaining updates and he regularly directs residents to the city website for information. Mr. Hilton expressed his concerns with the traffic lights that are out in the city referencing McNab & 81st. There was discussion regarding traffic conditions in the city. Ms. Bhatty explained they have been in contact with Broward County; this time they did not let the cities connect generators to traffic lights. Ms. Bhatty advised city generators were being used to keep the lift stations and the water plant operating and there were no spare generators to use for the traffic intersections. However, the County has promised to send some generators for the traffic intersections. BSO is providing a list of any intersections that are out. Commissioner Graziose mentioned two intersections on State Road 7 and Bailey Road with traffic lights that are out. He advised the Broward County Traffic Director offered five generators to the City. Mr. Hilton thanked Commissioner Graziose, the other Commissioners, and City Management for the new school crossing zone at 81st and 17th. Ms. Bhatty indicated there were three steps taken to improve conditions; a meeting with the Charter school to change hours to help the flow of traffic, a letter to the superintendent and Broward Traffic Engineering, and she is now working on providing crossing guards at this crosswalk.

**Dorothy Borgelin** - Commissioner Borgelin’s wife expressed her appreciation for the communication she received from the City Manager, and her staff, the Mayor and City Clerk during the storm. She advised people were well informed on garbage pickup. She advised she has a list of phone numbers to add to the robo-call list. She stated the focus group inquired is there anyway next time they can have a shelter in North Lauderdale. She reported a lot of flooding on 10th ST and 10th CT. Ms. Bhatty advised Ms. Borgelin to speak with the Public Works Director regarding the flooding issue. She stated the topic will be discussed as more research is required. Ms. Borgelin thanked everyone for helping out.

7. **CONSENT AGENDA**

No items were pulled from consent. Vice Mayor Wood moved to read. Seconded by Commissioner Graziose.

Attorney read:

a. **RESOLUTION – Sign Waiver SWAV 17-05 - Monument Sign**
   Off Lease Only - 827 S. State Road 7
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING A SIGN WAIVER REQUEST FOR ONE FREESTANDING MONUMENT SIGN FOR OFF LEASE ONLY LOCATED AT 827 S. STATE ROAD 7, NORTH LAUDERDALE, FLORIDA, THEREBY PERMITTING THE INSTALLATION AND MAINTENANCE OF ONE FREE STANDING SIGN 72 INCHES IN HEIGHT WHEREAS SECTION 94-16(B)(1)(b) OF THE CITY CODE ALLOWS FOR 50 SQUARE FOOT MINIMUM AND WHERE MAXIMUM ALLOWABLE SQUARE FOOTAGE BY CODE IS LESS THAN 50 SQUARE FEET ACCORDING TO SECTION 94-16 (B)(1)(b) OF THE CITY’S CODE OF ORDINANCES WITHIN A COMMUNITY BUSINESS (B-3) ZONING DISTRICT.

RESOLUTION NO. 17-09-6444

Resolution approved unanimously.

b. RESOLUTION - First Amendment to Lease with 2-1-1 Broward for 7765 SW 10 Street

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE OR HER DESIGNEE, ON BEHALF OF SAID CITY, TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED FIRST AMENDMENT TO THE LEASE AGREEMENT BY AND BETWEEN 2-1-1 BROWARD, A NON-PROFIT FLORIDA CORPORATION AND THE CITY OF NORTH LAUDERDALE, FOR PROPERTY LOCATED AT 7765 SW 10 STREET, NORTH LAUDERDALE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION NO. 17-09-6445

Resolution approved unanimously.

c. RESOLUTION – Appointing Debbie Phillip to Charter Review Committee

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, PROVIDING FOR THE APPOINTMENT OF DEBBIE PHILLIP (SPONSORED BY VICE MAYOR WOOD) TO SERVE ON THE CHARTER REVIEW COMMITTEE; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 16-09-6446

Resolution approved unanimously.
d. RESOLUTION – Urging Congress to Support Legislation regarding Data Collection Efforts on Sexual Orientation and Gender Identity through the CDC Violent Death Reporting System

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, URGING ALL MEMBERS OF CONGRESS TO SUPPORT LEGISLATION PROVIDING A REQUIREMENT TO IMPROVE DATA COLLECTION EFFORTS (H.R. 2895) INTRODUCED IN THE U.S. HOUSE OF REPRESENTATIVES BY REPRESENTATIVE SEAN PATRICK MALONEY (D-NY); TO EXPAND DATA COLLECTION ON SEXUAL ORIENTATION AND GENDER IDENTITY THROUGH THE CDC’S NATIONAL VIOLENT DEATH REPORTING SYSTEM; 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.

RESOLUTION NO. 17-09-6447

Resolution approved unanimously.

e. RESOLUTION – Denouncing Hate, Extremism and Bigotry

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, DENOUNCING HATE, EXTREMISM AND BIGOTRY; SUPPORTING STEPS TO COMBAT HATE, EXTREMISM AND BIGOTRY; PROVIDING FOR DISTRIBUTION; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 17-09-6448

Resolution approved unanimously.

f. SUBJECT: Special Event - SPEV 17-03 - Bethel Worship Center Community Block Party and Health Fair

MOTION: To approve “The Bethel Worship Center Community Block Party and Health Fair”, to be held on Saturday, September 30th, 2017, from 10:00 A.M. to 3:00 P.M. at the Bethel Worship Center subject to the conditions listed in Staff’s memorandum.

SPEV 17-03 approved unanimously.
g. SUBJECT: Special Event (SPEV 17-06) - Annual Enrollment Event Chen Neighborhood Senior Medical Center - Kimberly Plaza-6037 Kimberly Blvd

MOTION: To approve SPEV 17-06 for Chen Neighborhood Senior Medical Center to hold the Annual enrollment event to be held on Tuesday, September 26th, 2017 from 12 noon to 4:00 P.M. at the Kimberly Plaza subject to the conditions listed in the staff memorandum.

SPEV 17-06 approved unanimously.

Commissioner Moyle moved to approve the consent agenda as read. Seconded by Vice Mayor Wood. Motion approved unanimously by voice vote.

8. OTHER BUSINESS

a. RESOLUTION - Sponsorship – Florida Sports Foundation Domino’s Tournament

Commissioner Graziose moved to read. Seconded by Commissioner Moyle.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RECOGNIZING A SPONSORSHIP OR CO-SPONSORSHIP RELATIONSHIP BETWEEN THE CITY OF NORTH LAUDERDALE AND THOSE CHARITIES AND ORGANIZATIONS LISTED IN EXHIBIT “A”, ATTACHED HERETO AND INCORPORATED HEREIN, AS MAY BE AMENDED FROM TIME TO TIME, FOR THE EXPRESSED PURPOSE OF COMPLIANCE WITH SECTION 1-19(C)(5)(A)(4) OF THE BROWARD COUNTY CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Asst. City Manager Mike Sargis presented the item based on the backup memorandum. He indicated for the last three years the City has been cosponsoring with the Florida Sports Foundation for a dominoes tournament. This year the Committee is chaired by Mayor Rogers, who is seeking to hold their tournament on Saturday, February 3, 2018. They have approached the City to serve as the host city. Mr. Sargis advised Principal McGhee at Somerset Prep, the only city owned facility that is large enough to hold this tournament, has allowed the use of the gymnasium. Mr. Sargis reviewed the conditions advising the Committee will need to provide tables and chairs. The City will need to provide certificates of insurance, indemnification documents, and food will be permitted in the gymnasium as long as the Committee provides a cleaning crew. Mr. Sargis emphasized no alcohol is permitted in accordance with the city and school policy in the gymnasium, or on the sports complex grounds, municipal complex or Carl Fusco complex. Staff is asking for a motion to approve the use of the gym and allowing the city to serve as the cosponsor and the host city, and a motion to adopt the resolution for disclosure purposes for the Broward County Code of Ethics for Elected Officials. Vice Mayor Wood inquired if there will be security provided by the city. Mr. Sargis advised there will be city staff, code enforcement and BSO present. Ms. Bhatty advised the responsibility also falls on the Committee members who are present to monitor that there is no use or presence of alcohol. Vice
Mayor Wood moved to approve that we are the host city for this year’s Florida Dominoes Tournament and that committee will accept the recommendations by staff, and that the ethics resolution be adhered to. Seconded by Commissioner Graziose. Motion approved by voice vote.

RESOLUTION NO. 17-09-6449 PASSED AND ADOPTED UNANIMOUSLY

b. SUBJECT – Sign Waiver - SWAV 17-04
Youfit Wall Sign - 7296 W. McNab Rd.

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING A SIGN WAIVER REQUEST FOR ONE WALL SIGN FOR YOOFIT HEALTH CLUBS LOCATED AT 7296 W. MCNAB ROAD, NORTH LAUDERDALE, FLORIDA, THEREBY PERMITTING THE INSTALLATION AND MAINTENANCE OF ONE WALL SIGN WITH LETTERS “YOU FIT” IN CHAIN LETTERS WHEREAS SECTION 94-16(C)(2)(c) OF THE CITY CODE ALLOWS FOR 16 INCH MAXIMUM LETTER WHERE 16 INCH HIGH LETTERS ARE ALLOWED BY SECTION 94-16 (C) (2) (C)OF THE CITY’S CODE OF ORDINANCES WITHIN A COMMUNITY BUSINESS (B-2) ZONING DISTRICT.

Tammy Reed-Holguin, Community Development Director, presented the item based on the backup memorandum. She stated the City Commission approved a site plan for the redevelop of this plaza back on February, 2016, which includes seven individual bays. The tenants are working with the landlord and the city to install the appropriate signage. The Applicant originally requested a wall sign with letters 52 inches in height. Ms. Holguin referenced a letter submitted by the Applicant confirming they are in agreement with the Planning and Zoning recommendation for 48 inches in height. Staff has reviewed the requests and the code and they have concerns with the 48 inches in height. Ms. Reed-Holguin reviewed the criteria with the Commisioner. Commissioner Graziose stated when you are traveling East on McNab Road you can see the back of the building the way the building is designed. He inquired if there is anything in our code that stops any of those businesses that are facing the parking lot from putting signs on the back of their building at a particular height. Ms. Holguin advised to put signs on more than one side you would have to be facing the road and she advised there is a process involved for requesting signage on the back of the buildings. There was discussion on the code requirements pertaining to signage facing the road and on the back of buildings. by Applicant David Shallamo with Nouvelle Signs, indicated the reason he is requesting the larger sign is that the total store front it is 150 ft long with the sign only being six letters with a logo; with the compromised size they are only at a 100 sq ft and they felt the 48 inch letter was a good compromise being that it is the largest You Fit in Broward County. Commissioner Graziose emphasized the need to promote businesses in the city and suggested looking into having businesses promoted from the backside of the building for visibility. Commissioner Graziose moved to approve the requested sign waiver. Seconded by Vice Mayor Wood. Motion approved unanimously by voice vote. Clerk called roll. All yes.
RESOLUTION NO. 17-09-6450 PASSED AND ADOPTED UNANIMOUSLY.

c. RESOLUTION - Charter Amendment for the creation of a Communications Advisory Council – Joint E911 Consolidated Communication System

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, SUPPORTING THE 2017 “JOINT POSITION STATEMENT” OF THE BROWARD COUNTY CHIEFS OF POLICE ASSOCIATION AND FIRE CHIEFS ASSOCIATION OF THE BROWARD COUNTY FOR THE RECOMMENDATIONS FOR THE BROWARD COUNTY CHARTER REVIEW COMMISSION TO SUPPORT A COUNTY CHARTER AMENDMENT CREATING: (1) A PUBLIC SAFETY COMMUNICATIONS ADVISORY COUNCIL AND (2) THE OFFICE OF THE DIRECTOR OF PUBLIC SAFETY COMMUNICATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

David Sweet, Fire Marshal and Deputy Fire Chief presented the item based on the back up memorandum. He advised they are trying to support the Joint Statement from the Fire Chiefs Association and the Police Association of Broward County, supporting the creation of a joint council. Commissioner Graziose moved to approve the resolution supporting the joint position statement. Seconded by Vice Mayor Wood. Motion approved unanimously by voice vote. Clerk called roll. All yes.

RESOLUTION NO. 17-09-6451 PASSED AND ADOPTED UNANIMOUSLY.

d. RESOLUTION – Mobile Radios for Fire Rescue Department Apparatus

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AN EXPENDITURE OF $38,210.40 FOR THE PURCHASE OF 6 MOBILE RADIOS FOR THE FIRE RESCUE RESPONSE UNITS AS PART OF THE P25 BROWARD COUNTY E911 SYSTEM, PROVIDING FOR AN EFFECTIVE DATE.

David Sweet, Fire Marshal and Deputy Fire Chief presented the item based on the back up memorandum. He indicated Project 25 is a conversion to an analogue system to a digital system. The County will no longer support an analogue system and they need to transition all the radios, which is a costly endeavor. He advised they were able to obtain grants from FEMA for portable radios. He indicated they still require the apparatus to get the radios on the truck. Commissioner Graziose moved to approve the resolution authorizing expenditure for the purchase of 6 mobile radios for the fire rescue response units. Seconded by Vice Mayor Wood. Motion approved by voice vote. Clerk called roll. All yes.
RESOLUTION NO. 16-09-6452 PASSED AND ADOPTED UNANIMOUSLY

e. RESOLUTION - Closing ICMA 401(a) Plan #109294 - North Lauderdale former Police Plan

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA AUTHORIZING AND DIRECTING THE CITY MANAGER TO CLOSE ICMA, RC 401(a) NORTH LAUDERDALE POLICE PLAN #109294 AND TO REQUEST DISBURSEMENT OF THE CITY FORFEITURE ACCOUNT FROM PLAN #109294 AND PROVIDING AN EFFECTIVE DATE.

Jennifer Yarmitzky, Human Resources Manager, presented the item based on the backup memorandum. She explained the city entered into an agreement in October of 2001, with BSO to provide police services. At the time of the merger the police officers were given the option to remain in a 401 plan or to join the Florida Retirement System. She advised most former police officers decided to join FRS, and others did stay in a 401 plan. She stated essentially, they ended up with two plans, the 401 North Lauderdale and the 401 BSO plan. The North Lauderdale Police 401 plan became inactive, meaning there were no new enrollments and no contributions. Over the years the forfeiture account in the North Lauderdale plan has grown to approximately $83,530, which is made up of unvested contributions. The funds cannot be used for other 401 plans; you can only use that forfeiture account as future contributions to that North Lauderdale Police 401 plan. The police officers that still have account balance in that plan can transfer the money to another qualified plan. Staff is seeking approval for this resolution to move forward with closing the North Lauderdale police 401 plan and requesting the forfeiture funds returned to the city. Vice Mayor Wood moved to approve the resolution authorizing and directing the city manager to close ICMA, North Lauderdale police plan and to request disbursement of the city forfeiture account from plan. Seconded by Commissioner Moyle. Motion approved by voice vote. Clerk called roll. All yes.

RESOLUTION NO. 16-09-6453 PASSED AND ADOPTED UNANIMOUSLY.

9. REPORTS – None.

10. COMMISSION COMMENTS

Commissioner Moyle - requested to discuss criteria for the Commissioner columns in the city newsletter at a future meeting.

Commission Graziose - advised there were robo-calls that went out to city residents advising them not to put out their recycle bins. The residents who did not receive the call put out their bins. He stated Waste Pro collected all the recyclable bins put out by residents as regular trash instead of leaving the bins there. He noticed in the mobile home parks that residents chained
their recycle cans to their trees. Ms. Bhatty advised the Public Works Director to contact Waste Pro regarding this matter. Commissioner Graziose suggested having a postcard mailed to city residents to sign up for the robo-calls. Ms. Bhatty advised they can add a message to the marquee sign and have a booth during North Lauderdale Days to encourage residents to sign up for the robo-calls. She stated the city receives calls from residents asking to be removed from the robo-calls. Commissioner Moyle agreed with Commissioner Graziose, and stated Waste Pro should have left the recycle bins there and the residents would have taken them back up. She advised they were concerned with leaving bins out during hurricane conditions. Vice Mayor Wood stated he recalls the robo-call messages that went out advising residents not to put out their recycle bins. He informed several residents in his district to take in their cans and any bulk items back, and he also advised code enforcement went door to door advising residents as well. Commissioner Graziose stated the trash cans were not an issue during the storm; people brought them back and he saw none in his neighborhood. He would like to come up with a better way to get more people on the robo call list.

**Commissioner Wood** – conveyed the FLC Conference was well attended, the workshops and conference was great experience as well as the networking. He visited the vendors there, and had an opportunity to speak with the company that the city contracts for the alerts. He addressed the recent storm event and thanked the city staff and the residents that helped. He stated the Public Works Department and Parks and Recreation Department did an outstanding job. He thanked the City Manager and Public Works Director for thinking outside the box and offering the sand bags to residents. Vice Mayor Wood addressed the trash situation, Waste Pro collected as much trash as they possible could and we will learn from this past experience. He advised he received a phone call about the condition of the bus stops and expressed his appreciation for the assistance he received from the City Manager and Public Works regarding this matter. He advised the Forum has added the City of North Lauderdale back to the tag line.

**Mayor Brady** – spoke on how much he appreciated the City Manager, BSO, and other department staff efforts during Hurricane Irma, especially after having spent more time with them at city hall during the storm preparation.

a. **RESOLUTION – City Clerk Annual Evaluation and Sixth Amendment to Employment Contract**

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

Attorney read:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA APPROVING THE SIXTH AMENDMENT TO THE EMPLOYMENT CONTRACT BETWEEN THE CITY AND PATRICIA VANCHERI, ATTACHED HERETO AS EXHIBIT “A” AND INCORPORATED HEREIN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

City Clerk Vancheri referenced the memorandum attached to her contract detailing her job duties and responsibilities. She remarked on her 13 years of experience in the city and as a resident of
the city. She expressed appreciation for consideration to continue and thanked the Commission for the opportunity to serve. **Commissioner Moyle moved to approve. Seconded by Vice Mayor Wood. Motion approved by voice vote. Clerk called roll. All yes.**

**RESOLUTION NO. 16-09-6454 PASSED AND ADOPTED UNANIMOUSLY.**

11. **CITY MANAGER COMMENTS**

City Manager Bhatty reported there are two walk on items that are a result of damages due to Hurricane Irma. Asst. City Manager Sargis presented the two walk on items to the Commission based on the back up memorandum. He indicated he is seeking approval from Commission on two resolutions to make the necessary repairs to parks and other facilities open and secure. He described the damages to the fencing at City Facilities and Parks and the repairs needed for Hampton Pines Park which is closed indefinitely. He indicated there is not enough time to advertise for bids from contractors to make the necessary repairs. He advised to expedite the process to make the repairs he is seeking approval for the two resolutions waiving Section 9.10(c) of the City Charter, and authorizing the City Manager to expedite fence repairs to City Parks and City Facilities, and to contract with South Florida Bushog Services for the work at Hamptons Park. Commissioner Graziose inquired on the cost to repair of the fence and if FEMA will cover the city’s claims. Ms. Bhatty responded the cost of the fence will be reported to the Commission once they have an estimate. Ms. Bhatty advised the insurance and/or FEMA is dependent upon deductibles and invoices statements.

Attorney read:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA FINDING THAT A SITUATION EXISTS WHICH NECESSITATES A WAIVER OF THE PURCHASING REQUIREMENTS CONTAINED SECTION 9.10 OF THE CITY’S CHARTER; TO PROVIDE FOR AUTHORIZING AND DIRECTING THE CITY MANAGER AND OTHER OFFICIALS TO TAKE ALL STEPS NECESSARY TO APPROVE AND EXECUTE CONTRACT FOR THE PREAIR OF FENCES AT SPECIFIC MUNICIPAL LOCATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

Commissioner Moyle moved to approve. Seconded by Vice Mayor Wood. Motion approved by voice vote. Clerk called roll. All yes.

**RESOLUTION NO. 16-09-6456 PASSED AND ADOPTED UNANIMOUSLY.**

Attorney read:
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA FINDING THAT A SITUATION EXISTS WHICH NECESSITATES A WAIVER OF THE PURCHASING REQUIREMENTS CONTAINED SECTION 9.10 OF THE CITY’S CHARTER; TO PROVIDE FOR AUTHORIZING AND DIRECTING THE CITY MANAGER AND OTHER CITY OFFICIALS TO TAKE ALL STEPS NECESSARY TO APROVE AND EXECUTE AN AGREEMENT WITH SOUTH FLORIDA BUSHOG SERVICES IN AN AMOUNT NOT TO EXCEED $50,000; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Commissioner Moyle moved to approve. Seconded by Vice Mayor Wood. Motion approved by voice vote. Clerk called roll. All yes.

RESOLUTION NO. 16-09-6457 PASSED AND ADOPTED UNANIMOUSLY.

12. CITY ATTORNEY COMMENTS

a. RESOLUTION – Independent Contractor Professional Services Agreement for City Attorney

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE MAYOR OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON BEHALF OF THE CITY, TO EXECUTE AND TO OTHERWISE ENTER INTO THE ATTACHED INDEPENDENT CONTRACTOR PROFESSIONAL SERVICES EMPLOYMENT CONTRACT BY AND BETWEEN THE CITY OF NORTH LAUDERDALE AND SAMUEL STUART GOREN, A MEMBER OF THE LAW FIRM OF GOREN, CHEROF, DOODY & EZROL, P.A., PURSUANT TO WHICH CONTRACT THE CITY DOES EMPLOY SAMUEL STUART GOREN, A MEMBER OF THE LAW FIRM OF GOREN, CHEROF, DOODY & EZROL, P.A., AS "CITY ATTORNEY" FROM OCTOBER 1, 2017 TO SEPTEMBER 30, 2018 AUTHORIZING THE MAYOR TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION, AND, PROVIDING FOR AN EFFECTIVE DATE.

The Commission expressed their appreciation for Attorney Sam Goren and all the attorneys on staff at the law firm. They thanked the firm for their professionalism and many years of excellence service. Commissioner Moyle moved to approve. Seconded by Vice Mayor Wood. Motion approved by voice vote. Clerk called roll. All yes.

RESOLUTION NO. 16-09-6455 PASSED AND ADOPTED UNANIMOUSLY.

13. ADJOURNMENT - There being no further business, the meeting adjourned at 8:38 p.m.

Respectfully Submitted, Elizabeth Garcia-Beckford, Deputy City Clerk