CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, APRIL 10, 2018

REGULAR MEETING – 6:00 p.m.

NORTH LAUDERDALE RECREATION FOUNDATION
(Immediately following regular meeting)

AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Borgelin

2. ROLL CALL

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

3. APPROVAL OF MINUTES
   a. [March 13, 2018 (Amended)]
   b. [March 27, 2018]

4. PRESENTATIONS
   a. Somerset Prep Academy 2017/18 Girls High School Basketball State Champions
      1. Tyesha Battle
      2. Alexis Gibbs
      3. Mariah Santana
      4. Christina Grant
      5. Michyah Simmons
      6. Mya Kone
      7. Zaria Blake
b. Somerset Prep Academy 2017/18 Boys High School Basketball State Champion Runner Ups

1. Michal Antoine
2. Keelan Bell
3. Javaunie Brown
4. Jayden Brown
5. Josiah Brown
6. Joshua Brown
7. Emerson Clermond
8. Jose Etienne
9. Dawson Jean
10. Guerby Lafleur
11. Jordan Lebron
12. Roger Maynard
13. Karim Nelson
14. Tareq Tate


d. Broadview/Pompano Park Civic Association Check Presentation to Fire Explorer Program and North Lauderdale Recreation Foundation

5. PROCLAMATIONS

a. Earth Day – April 22

6. PUBLIC DISCUSSION

7. ORDINANCES SECOND READING

a. ORDINANCE – Second Reading – Fiscal Year (FY) 2018 Budget Amendment

- Motion, second and vote to read the ordinance
- Attorney reads title
- Staff presentation (Susan Nabors)
- Public Hearing opened
- Public discussion
- Public Hearing closed
- Commission motion and second to adopt
- Commission discussion
- Commission vote
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ORDINANCE NO. 17-09-1360 BY WHICH THE CITY COMMISSION DID ADOPT THE BUDGET OF THE CITY OF NORTH LAUDERDALE FOR THE 2017/2018 FISCAL YEAR, TO REVISE THE BUDGET AS DOCUMENTED IN “EXHIBIT A” ATTACHED; PROVIDING FOR CONFLICTS, SEVERABILITY, AND, PROVIDING FOR AN EFFECTIVE DATE.

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

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, EXTENDING THE MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS FOR USES THAT INVOLVE THE DISPENSING OF MEDICAL MARIJUANA/CANNABIS WITHIN THE CITY OF NORTH LAUDERDALE UNTIL NOVEMBER 1, 2018, WHICH WAS ENACTED PURSUANT TO ORDINANCE NO. 16-04-1327 ORIGINALLY ADOPTED ON APRIL 26, 2016, AND WAS EXTENDED UNTIL MAY 1, 2017 PURSUANT TO ORDINANCE NO. 16-10-1343 ADOPTED ON OCTOBER 11, 2016, WHICH WAS EXTENDED UNTIL NOVEMBER 1, 2017, PURSUANT TO ORDINANCE NO. 17-04-1350 ADOPTED ON APRIL 25, 2017 WHICH WAS EXTENDED UNTIL APRIL 30, 2018, PURSUANT TO ORDINANCE NO. 17-10-1363 ADOPTED ON OCTOBER 10, 2017 BUT IN NO EVENT LONGER THAN THE TIME NEEDED FOR THE CITY ADMINISTRATION TO COMPLETE A COMPREHENSIVE ANALYSIS OF THE ISSUES RELATED TO THE REGULATION MEDICAL MARIJUANA USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.
8. OTHER BUSINESS

a. **ORDINANCE – First Reading - Moratorium on Uses Including Automated Car Washes, Auto Wash Racks and Automobile Detailing or a Combination of These Uses**

- 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, ESTABLISHING A MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS AND THE PROCESSING OF QUASI-JUDICIAL AND ZONING ITEMS PERTAINING TO USES INCLUDING AUTOMATED CAR WASHES, AUTO WASH RACKS AND AUTOMOBILE DETAILING OR A COMBINATION OF THESE USES WITHIN THE CITY FOR TWELVE MONTHS AFTER THE ADOPTION OF THE ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR EXCEPTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

b. **RESOLUTION – Letter Of Intent to purchase a 2019 Freightliner M2 Chassis and remount of Patient Holding Compartment**

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO EXECUTE A LETTER OF INTENT TO PURCHASE A 2019 FREIGHTLINER FIRE RESCUE VEHICLE M2 CHASSIS AND A TOTAL REMOUNT USING THE PATIENT HOLDING COMPARTMENT OF THE DAMAGED 2014 RESCUE UNIT 34; AND PROVIDING FOR AN EFFECTIVE DATE.
c. **RESOLUTION – SW 79th Ave Canal Bank Rehabilitation Design and Construction Project**

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD TOTAL MUNICIPAL SOLUTIONS INC, UNDER THE TERMS OF RFQ 16-06-361, FOR CIVIL ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED $52,725.00, FOR THE DESIGN, GEOTECHNICAL SERVICES, CONSTRUCTION INSPECTION SERVICES, FINAL CERTIFICATIONS, AND PROJECT MANAGEMENT FOR THE CANAL BANK RESTORATION PROJECT ON SW 79TH AVE; AND PROVIDING AN EFFECTIVE DATE.**

d. **RESOLUTION – Appointing Claire Pierre to the Code Enforcement Board**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Vice Mayor Moyle)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPOINTING CLAIRE PIERRE AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY VICE MAYOR MOYLE); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.**

e. **RESOLUTION – Appointing Jehan D. Wilson to the Community Sustainability Board**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Commissioner Graziose)
- Commission motion and second to adopt
- Commission discussion
- Commission vote
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, PROVIDING FOR THE APPOINTMENT OF JEHAN D. WILSON (SPONSORED BY COMMISSIONER JERRY GRAZIOSE) TO SERVE ON THE COMMUNITY SUSTAINABILITY BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

9. REPORTS
   a. Community Appearance Awards Process (Katherine Randall)
   b. **Opportunity Zones Designation** in the City of North Lauderdale (Katherine Randall)
   c. North Lauderdale Days Update (Mike Sargis)

10. COMMISSION COMMENTS
   a. **RESOLUTION - Broward League of Cities Board of Directors Appointments**
      - Motion, second and vote to read
      - Attorney reads title
      - Staff presentation (City Clerk)
      - Commission motion and second to adopt
      - Commission discussion
      - Commission vote

A RESOLUTION OF THE NORTH LAUDERDALE CITY COMMISSION APPOINTING A DIRECTOR, AN ALTERNATE DIRECTOR AND A SECOND ALTERNATE TO THE BROWARD LEAGUE OF CITIES BOARD OF DIRECTORS EFFECTIVE JUNE 2018 THROUGH MAY 2019 PROVIDING THAT A COPY OF THIS RESOLUTION BE SENT TO MARY LOU TIGHE, EXECUTIVE DIRECTOR OF THE BROWARD LEAGUE OF CITIES; AND PROVIDING AN EFFECTIVE DATE.

   b. Discussion and possible motion to approve attendance at the Broward League of Cities’ 61st Annual Gala Installation Dinner on Saturday, May 19, 2018 at Margaritaville, Hollywood – Sponsorship of $2,500 or $145 per person for attendees

   c. Discussion and possible motion to purchase a table of ten in the amount of $450 for the ADRC 35th Annual Dr. Nan S. Hutchison Broward Senior Hall of Fame Breakfast on Friday, May 4, 2018 at 9:00 a.m. at Renaissance Hotel
b. Ceremonial Items Request for May 08, 2018 (Commissioner Graziose)

12. CITY MANAGER COMMENTS

13. CITY ATTORNEY COMMENTS

14. ADJOURNMENT

CONVENE TO NORTH LAUDERDALE RECREATION FOUNDATION
1. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Commissioner Wood gave the invocation and led the pledge.

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

   Mayor Jack Brady *(By teleconference)*
   Vice Mayor Rich Moyle
   Commissioner Jerry Graziose
   Commissioner Lorenzo Wood
   Commissioner Samson Borgelin
   City Manager Ambreen Bhatti
   City Attorney Samuel S. Goren
   City Clerk Patricia Vancheri

3. **APPROVAL OF MINUTES**

   a. **February 27, 2018** – Commissioner Graziose moved to approve. Seconded by Commissioner Wood. City Clerk commented that on Page 3 of the Minutes, there was a correction to change the language from Student Resource Officer to School Resource Officer and to indicate correctly that we had one new School Resource Officer and one Community Service Aide. **Commissioner Graziose amended his motion to include approval with the stated corrections on the record copy of the Minutes. Commissioner Wood seconded the motion. Clerk called roll. Minutes approved by unanimous vote.**

4. **PRESENTATIONS**

   a. **FLC Hometown Health**

   Aaron Carper, Director of FLC Health Program, stated that the Florida Municipal Insurance Trust Annual Hometown Health award recognizes our health members that meet the nine best practices for municipal health promotion. He stated that applications for this award are accepted
once per year by eligible municipalities throughout the State of Florida that actively engage in the Hometown Health Wellness program. The City of North Lauderdale once again is one of four recipients of this award. Mr. Carper said that the City of North Lauderdale has achieved great participation and employee wellbeing; employers play a vital role in creating a workplace that supports a healthy environment and health conscious culture. He thanked Human Resources Manager and the North Lauderdale Wellness Committee and the City Manager for their collaborative efforts regarding this award. Jennifer Yarmitzky, HR Manager, thanked all the Commission, City Manager, Department Heads, Wellness Committee and Employees for their support and stated that this is truly a team effort with participation in programs such as a walking challenge; fruit and vegetable challenge and a couple of “Lunch and Learn” events through our health insurance.

b. Elizabeth Garcia-Beckford – Recognition for having received her Certified Municipal Clerk’s Designation from the IIMC

City Clerk Vancheri commented that through the International Institute of Municipal Clerks, Deputy Clerk Elizabeth Garcia-Beckford, has earned her designation as a Certified Municipal Clerk which is granted to municipal clerks who complete demanding education requirements and who have a record of significant contributions to their local government, community and state. Congratulations were extended to Deputy Clerk Garcia-Beckford, on achieving this milestone, by her family, the City Commission, Administration and Staff. Ms. Garcia-Beckford thanked the Commission and Administration for the opportunity and stated she learned a great deal during the past two and a half years.

5. PUBLIC DISCUSSION

(Verbatim)

Ian Sargent – Plantation – I am a Firefighter with North Lauderdale Fire Rescue and I am also the District President for Metro Broward Professional Fire Fighters District 7. First, I also want to compliment Liz on her hard work and accomplishment, obviously that’s a huge undertaking. We begin negotiations for those that don’t know on the 22nd of this month; it’s usually prolonged and it’s usually very fair and it’s a back and forth. I’ve reached out to Commission; I’m asking that we are able to speak individually so that I can educate you all on our position historically that hasn’t really happened and to be fair we always like to hear both sides of peoples positions. It’s a little frustrating; from what I understand the Commission is being told that it is illegal to speak to me. I am not asking to negotiate with you all I would just like to try to educate you on, again, our position. I don’t think that is too much to ask. So, again, the invitation is open and I would like to be able to speak to you all and explain to you all why we are presenting the contract that we are. That’s it; thank you.

6. OTHER BUSINESS

a. RESOLUTION - Juan Linares Scholarship Program for North Lauderdale Fire Explorer Program Graduates
Commissioner Graziose moved to read. Seconded by Mayor Brady.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, SUPPORTING THE JUAN LINARES SCHOLARSHIP PROGRAM FOR NORTH LAUDERDALE FIRE EXPLORER PROGRAM GRADUATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Fire Chief Rodney Turpel presented the item, stating that at the last City Commission meeting the Commission was asked for their support to formalize the naming of the Explorer’s Scholarship Fund after Battalion Chief Juan Linares. Tonight the resolution is being presented for adoption to finalize the process to make this scholarship beneficial to the City, residents and the children that will be brought into the Fire Department locally for the future. Chief Turpel said past coordinators, and current coordinator, Lt. Xiste, have worked hard to bring this program together. Some funds have already been donated by the Broadview/Pompano Park Homeowners Association. Chief Turpel stated that they already have some freshmen and sophomores who will be coming up in the program. Mayor Brady moved to adopt. Seconded by Commissioner Graziose. Commissioner Graziose commented that the Explorers raised over $500 for the program by selling hot dogs at the [Broadview Community Bazaar] and the Broadview HOA will be supportive and make a contribution to the scholarship fund. He also commented that the first recipient of the scholarship funds went through the program with this assistance and received certification and he hopes other organizations will follow the lead and donate for the children. City Manager Bhatty said in addition to the scholarship fund, the City assists in the Explorer’s tuition through internships. Commissioner Borgelin commented that he had a tour of Station 34 on Bailey Road and was very impressed. Fire Chief Turpel also reported that on April 15th they will participate in competition at the Fire Academy in Coral Springs and extended an invitation to watch them compete. No further discussion. Clerk called roll; All YES.

RESOLUTION NO. 18-03-6498 PASSED AND APPROVED UNANIMOUSLY

b. RESOLUTION – Proposed Resolution Relating to Charter School Transportation

Commissioner Graziose moved to read. Seconded by Commissioner Wood.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, URGING THE FLORIDA LEGISLATURE AND OTHER RESPONSIBLE AGENCIES TO ADOPT LEGISLATION AND REGULATIONS THAT PROHIBIT CHARTER SCHOOLS FROM ENTERING INTO AGREEMENTS WITH PARENTS AND GUARDIANS WHICH WAIVE THE CHARTER SCHOOL’S RESPONSIBILITY TO PROVIDE BUS TRANSPORTATION FOR STUDENTS WHO RESIDE MORE THAN TWO (2) MILES FROM THE CHARTER SCHOOL;
Commissioner Graziose stated that this came to attention when the City was working on the traffic problem between Pinewood Elementary and North Broward Academy of Excellence. Over a million dollars was spent to redesign the entire road. After the project was complete, the Principal of NBAE reported that there was a traffic problem. Commissioner Graziose said he, City Manager and City Attorney reviewed the Charter School agreement with regard to capacity in the original agreement; asked for a breakdown of all the students they had, which was over a thousand and where they were from in Broward County and found that three students were coming from Miami and the school was over capacity from what it was approved for. He spoke about the contract regarding providing bussing and following state guidelines for anyone over two miles and commented that there was a one sentence line item in the contract that said if the Principal had the parents sign an agreement that they would provide transportation then the Charter School would not have to provide school bussing. Commissioner Graziose stated that he approached three School Board Members who were unaware of the loophole. He said he told them about the resolution and they were interested in it. Commissioner Graziose said we are an urban County and when you have only 300-400 kids out of about 1100 that actually live in the City, you get about 600-700 that are being driven it creates traffic problems. He said the schools worked on changing the times to try to offset that, but the impact is on the local government when you have all that traffic and people are complaining they cannot get in and out of their developments. Graziose stated that the School Board members are happy about the resolution and are waiting for it. Also he talked to Margate officials who were unaware and are having trouble with traffic at a school on Coconut Creek Parkway and others like Coral Springs are having trouble. So, Commissioner Graziose said this resolution before them tonight is to address this issue which has an impact on our City. City Manager Bhatty interjected that Charter Schools can go anywhere in the City, such as in shopping centers and neighborhoods, so the reason is that when it is in a shopping center, it can create a problem for other businesses with all the vehicle traffic coming in. She said this resolution will close this loophole and will require Charter Schools to provide bus transportation to avoid the negative impact of traffic into the shopping centers. The issue is for every Charter School throughout Broward County. Commissioner Graziose said while researching this, another item they found out is that the Broward County Land Use Plan has a section about schools and is not specific; it says public schools and doesn’t say “Charter” and Charter schools are public schools. Also, he said there are some state laws that say charter schools are public schools and in the Broward Land Use Plan it says what the conditions should be for a charter school and every school has to submit a traffic plan to Broward County Engineering. He said research found that quite a few charter schools never submitted a traffic plan, nor did any of the cities hold the charter schools to the requirement in the Broward County Land Use Plan Development Code. Commissioner Graziose reported that Coral Springs followed the development code and they have separate driveways...
and don’t have issues that some have because they are in a shopping center parking lot. He told the cities that contacted him that they have authority within the Broward County Land Use Code to require a plan that is approved by Broward County Traffic Engineering who does that work for all of the cities, and these things are coming to light. **Mayor Brady made a motion to adopt. Commissioner Wood seconded the motion.** Vice Mayor Moyle posed a question to City Attorney; since the charter school is a public school, and public schools do provide transportation for magnet schools, why would charter schools have a different set of rules governing school busses. Attorney Goren replied that there is a reason and deferred to Commissioner Graziose. Commissioner Graziose said the State of Florida legislature and Broward County are considered to be charter school friendly, and there are guidelines that the School Board members can do too, but he does not believe that some of the charter schools meet all of the qualifications. He said schools are only supposed to be approved in an area where a school is needed, or a program may not be offered in an area, and it does not say in any of the charter school guidelines or statutes that he has seen that you can build them across the street from each other, or across the street from an existing public school and some of this burden needs to go back on the School Board for not just carte blanche approving every permit for a charter school contract. Commissioner Graziose said that as a most recent example, legislature is requiring traditional public schools to provide physical education, but made it optional for charter schools. He said there are differences regarding what a traditional public school is required to do that charter schools are not, such as class size, and that they are less stringent [with charter schools]. **There being no further discussion; Clerk called roll. All YES.**

RESOLUTION NO. 18-03-6499 PASSED AND APPROVED UNANIMOUSLY
*(During Commission Comments, Commissioner Borgelin made a motion to change his vote, resulting in the item being PASSED AND APPROVED ON A 4-1 VOTE; Commissioner Borgelin dissenting)*

7. REPORTS

    a. Update on Public Emergency Medical Transportation (PEMT) program

Susan Nabors, Finance Director, reported that this program, which is provided by the State, provides supplemental payments to eligible entities that help fund the gap between what is billed for Fire Rescue transport and what Medicaid pays from their insurance for the fixed costs that they pay. Medicaid payments are usually capped out at an amount that is typically a lot lower than what we bill out for a transport. That amount is usually about $200 per transport, when on average a bill is about $775. Last June, it was estimated that the City could receive approximately $40,000. During the late summer and into the fall, the Fire Department and Finance Department worked with our consultant on the program to analyze the revenues, expenditures and transport data relating to this program for 2017. At the end of November, a required report was filed and the end result is that we will finally see some of the money start to come in and this is money that was not budgeted. However, Ms. Nabors reported that this money is coming in at a good time because a rescue vehicle was recently damaged and it is an un-budgeted item that we will have to fund, and this money will be used to help fund the cost of that, as we may get some salvage money back from the truck but not all of it. Ms. Nabors
reported that this expense will come forth at a later date, but this revenue can be used to offset the cost. Commissioner Wood thanked Ms. Nabors and Chief Turpel for trying to recoup some of the funds with this program. City Manager Bhatty interjected that they still may have to come to the Commission to write off some of the unpaid bills, although this will diminish the gap a little bit. Commissioner Graziose asked what the salvage amount was for the vehicle. City Manager Bhatty said the front end was damaged, but we are trying to save the box and Chief Turpel has been in conversations with E-One, the manufacturer. Chief Turpel said we are working on the insurance on the truck, but we may have to pay some money to buy the truck and remount the box on a new chassis. Jennifer Yarmitzky, HR/Risk Manager, reported that the Florida League of Cities did submit an offer, minus the deductible, of about $61,000; the salvage value is about $2,600 so that would be taken off as well if we keep the vehicle. Ms. Yarmitzky reported that she has asked for a re-evaluation and to get clarification whether the appraisal was just for the cab portion and the chassis, or the entire vehicle including the box, because the box is the most expensive part. She said once she gathers all the information she will share it with City Manager and Fire Chief to make the best decision on how to proceed with fixing or replacing the vehicle. Chief Turpel reported that Fire Rescue trucks cost about $300,000 brand new and Fire Engines are about a half a million and ladder trucks are about a million dollars. He explained that they recently refurbished a 2011 vehicle for about $120,000 and their plan was to refurbish other units, but this was an unforeseen situation and the good news is no one was badly hurt and the box was not touched and could go onto a new chassis after the quotes come in.

b. Parks and Recreation Update

Mike Sargis, Parks and Recreation Director, stated that since February 21st they have registered 248 kids for Summer Camp, which is the highest number ever reported this early for the first 29 days of registration. One reason for such high registration is that our fee of $410 is lower than most neighboring cities for 8 weeks for 35-38 trips; Lauderhill is $560; Margate is $650; Tamarac is $650; Coconut Creek is $1,000 and Coral Springs is $1,029. 75-85% of the registrants are North Lauderdale residents.

Two Egg Hunt events will be held on March 24th; the first at 10:00 am at the Jack Brady Sports Complex for kids 15 and under, with face painting and events until noon; and the second will be an Underwater Egg Hunt at the pool for kids from 5 years old to adult at 2:15 pm. All events are free.

Saturday, March 24th has also been declared as “March for Our Lives Day” by the students of Marjorie Stoneman Douglas. There is also a march at the National Mall in Washington, DC and numerous cities around the country. The walk will begin at 10:30 from City Hall along Rock Island to McNab Road, then along Wyland Wall to 81st Avenue to Hampton Pines Park on Hampton Blvd for a 2.3 miles, at which point walkers will have an option to ride a bus back, or continue to walk back, for a total of about 4 miles. Police and Fire will be involved to escort the event. Coconut Creek High School, North Lauderdale Schools and Boys and Girls Club will be invited to participate and the event will be sponsored by the North Lauderdale Teen Club. Mr. Sargis invited the Commission to join and to pass out flyers in their neighborhoods.
Mr. Sargis reported that they are looking to take a design proposed by a resident in Commissioner Wood’s district for the east side of Kimberly Blvd to make a memorial garden at the Old Veterans’ Memorial. There will also be a stone dedicated to the students from Marjorie Stoneman Douglas, some of whom were laid to rest in North Lauderdale. Later, pavers will be available if anyone wanted to purchase a memorial.

Commissioner Graziose commented that half of the children in his district who go to Boyd Anderson, Oriole, Lauderdale Lakes Middle, Northeast or Park Lakes don’t hear of our events. Mr. Sargis commented that they do call posts for the events, but they will contact the Principals to see if they will display flyers. Commissioner Wood reported that Superintendent of Schools put out an email regarding that, although we are in support and know the situation at hand, it is a fine line as there is a planned student walkout scheduled for tomorrow at 10:00 am for 17 minutes, and though they can’t discourage the kids, his school’s student body has been told if they do walk out there is a designated area and they must go back in after that.

8. COMMISSION COMMENTS

a. Request for Ceremonial Items - Commissioner Borgelin requested a consensus as discussed at the last meeting for recognizing exceptional women, at the City Commission meeting on March 27, 2018, who have contributed to our community as indicated in the backup item, and added an additional name. Mayor Brady said he supports this and the consensus of the Commission was to proceed.

At this time, Attorney Goren interjected that Commissioner Borgelin had a request of the Commission to open up, which is legally permitted under Commission Comments, a motion for reconsideration of Item 6(b). Commissioner Borgelin essentially restated that Motion to Reconsider Item 6(b). Chair Moyle asked if there was a second. Motion died for lack of a second.

Commissioner Borgelin commented that he wished to share some data as it relates to the rich diversity of the City of North Lauderdale. He said, according to the 2010 Census, we have 53.4% African American in the City; 25.8% Hispanic; 16.1% Caucasian; 2.9% Asian and 0.3% Native American and that the data also shows that 18.67% are Creole speaking. He said he is certain this number has increased within the past 8 years. He stated he would like to see a report of the City’s workforce to see how it affects our community to see how we are serving the non-English speaking residents. Commissioner Borgelin asked City Manager to provide the demographics of our workforce to include the number of people who speak another language than English. City Manager replied that in the Code Division we do have Officers who speak Spanish and Creole and also other staff members in City Hall who speak Spanish and Creole, although she does not have a breakdown of the crews that work out on the streets. Commissioner Borgelin stated he will follow up to be responsive to the request that he was asked. City Manager asked the Human Resources Manager to work on a list. City Attorney commented this was a request to the City Manager, not the Commission.
*Commissioner Borgelin stated that he would like to change his vote since there was no reconsideration. Attorney Goren stated that Commissioner Borgelin’s Motion for Reconsideration of Item 6(b) failed for a lack of a second so that matter is at an end. As a matter of Robert’s Rules, before the meeting ends, he has the right, absent objection, to change his vote from a “YES” to a “NO” and let the record reflect the “NO” vote on the Resolution which was adopted which is Resolution #18-03-6499. Vice Mayor Moyle reiterated that Commissioner Borgelin is asking to change his own vote. Attorney Goren stated that on the record, he is changing his vote from yes to no, having failed on the motion to reconsider and there is no reason to offer up his issues for discussion unless the Commission would choose to hear his reason for voting no. City Clerk reiterated for the record that Resolution #18-03-6499 passed on a 4-1 vote; Commissioner Borgelin dissenting. Attorney Goren stated the record needs to reflect that Commissioner Borgelin changed his vote and that Item 6(b) was moved for reconsideration under Robert’s Rules and failed for a lack of a second.

Vice Mayor Moyle stated that he would like to know why Commissioner Borgelin changed his vote. Attorney Goren said that the Chair could ask and Commissioner Borgelin could reply if he was comfortable, as the motion for reconsideration had already failed. Commissioner Borgelin stated he was comfortable with that and replied that for fairness, he changed his vote because after he voted he wondered how it would weigh on the parents or the school if the resolution says more than two miles, because we can’t expect the school to provide transportation for those that are more than five miles. He said within the five miles yes, he would agree with that, but since it has been found that there are students who live as far as Miami, some parents may say you have to provide that transportation, so he would like to limit it to five miles and no more than that because he would not want the school to feel obligated to go and sign an agreement with parents who live six or seven miles from the City. Vice Mayor Moyle said he doesn’t think we have that option at all. Commissioner Borgelin said before he votes he wants to make sure. Vice Mayor Moyle said he wants to agree with Commissioner Borgelin as his son went to South Plantation High School for the magnet program and he was picked up by a bus every day and it was pretty far. Vice Mayor Moyle said the parents who are bringing their children to attend charter schools pay the same taxes as the rest of us and regular schools, like the magnet schools, have transportation provided for students who are not in the district; so he tends to say Commissioner Borgelin is right; however he doesn’t think we have the option to change anything about that. Commissioner Graziose said the resolution was developed following state law as a charter school is a public school. He said in Florida state law, for any students attending public schools who reside more than two miles, along with other programs that are handled internally such as magnet programs, it is very clear that over two miles the school district is responsible for transportation and that is in the contract that the charter schools have, and unfortunately, they have that one little loophole in there. Commissioner Graziose said generally, charter schools are public schools and they are bound by State law; State law is not 5 miles or 7 miles, it is 2 miles. He said Charter Schools should not be treated differently than traditional schools. Vice Mayor Moyle interjected that they are being treated differently in this case. Commissioner Graziose said by state legislators allowing them a loophole. Vice Mayor Moyle said by transportation not being provided by the District which actually has jurisdiction over a lot of aspects of charter schools. Commissioner Graziose said charter schools are allowed to contract with the District for school bussing and they are allowed also to hire private companies and many charter schools do bus
over 2 miles; there are just some that have taken advantage of the loophole which in reality is hurting the municipality. Vice Mayor Moyle said the problem he is seeing is that there is a double taxation going on in that case if the parents are paying for transportation. Commissioner Graziose said no they are not; charter schools get the same funding per student that public schools get, but bussing comes out of the funding. He said the charter schools are a business that have found a way to make more money by putting that loophole in and not providing bussing; it shows the discrepancy that has been going on for years. He said they get the same amount; $7,500 per student and traditional schools pay bus transportation out of that. Vice Mayor Moyle said so that means that the magnet schools have transportation coming out of their budget. Commissioner Wood and Graziose both said that is federal funding and Graziose said he is just going with the State minimum requirements. Broward has gone further by not allowing elementary students to cross railroad tracks, and they bus students. Commissioner Wood said charter schools get the funding for transportation, called the FTE state issued dollars, and he is not surprised that students are coming from as far south as Miramar; the charter schools are a business and get public school dollars. He said 2.2 miles away from a school triggers transportation be provided and then it goes double lane highway and railroad crossings; most people want to attend neighborhood schools except for magnet schools programs. Commissioner Wood said the situation between Pinewood Elementary and the [North Lauderdale Academy of Excellence] Charter School is always going to be contentious because Pinewood has to offer more to keep their students from leaving. If they go across the street to the Charter school who does not provide transportation, that is one more parent on that roadway to drop students off. Commissioner Wood said they did work with City Manager to alleviate some of the woes by flexing the start times, and said the magnet schools, and the public schools over 2 miles provide busses, but there are not enough busses for charter schools. He further commented on the transportation problem and the FTE dollars from the state. Commissioner Borgelin thanked City Attorney for allowing him to get the information and his colleagues for the education. City Attorney asked if Commissioner Borgelin’s vote was still “NO”. Commissioner Borgelin said it is still “NO” because all he can’t see a parent putting pressure on a school to go all the way to Miami.

b. Request for Ceremonial Items - Commissioner Wood said for Women’s History Month he would like to recognize Judge Mary Rudd-Robinson, at the City Commission meeting on March 27, 2018. She was the first African American woman to be placed on the bench in Broward County, Florida. Commissioner would said she started her career in the ‘80s and served for 27 years in the Broward County Court system and after her retirement, continues to serve here community by feeding homeless; mentoring young lawyers and high school students who aspire to attend college. He said she is still local land when the Proclamation was read for Women’s History Month, he just wanted to choose one person that we could recognize and he did speak to Judge Robinson by phone and she did confirm that her schedule does allow for her to attend a meeting, if this is approved by consensus of his colleagues. Commissioner Wood said further that it is nice when you can recognize someone for the work they’ve done and she has done a lot in our community as a whole, not just here in North Lauderdale, but to be the first woman to sit on the bench in Broward County and he provided a copy of her bio. He said Judge Zebedee Wright gave [Judge Rudd-Robinson] the highest praise because she met that glass ceiling because it was not easy for a woman of color to make it through the rank and file and
become a Judge; she was the first African American female in Broward County. Attorney Goren interjected that absent any objection, and by consensus, the item will be processed through the appropriate channels. Vice Mayor Moyle asked if everyone was in agreement with this particular award. Vice Mayor Moyle said we have a consensus of all five. Commissioner Borgelin said I am in agreement, but just want to say that when he asked for recognizing a lot of people, the question usually asked of him was what have these people done for the City of North Lauderdale. He said he is not against this, but he wants to be fair all around and he is asking to make sure that if he is asked a question of the people he wants to nominate, that all across the board everyone is asked the same question. Commissioner Wood said simply that he has never questioned anything Commissioner Borgelin put on the docket, however, Judge Rudd-Robinson has served this community ad nauseam for 27 years, she is a member of the Links and a mentor to the young women in our community who are women of tomorrow, who are also seeking college scholarships; so she is a mentor to many young ladies throughout the public school system. Commissioner Wood said after 27 years, she continues to serve, and some of those young ladies live in our City, and she has been a part of the community for many, many years. He said when he moved to Broward in '92 she was just being appointed to the bench as the first lady to be put in that position, so that is why he chose to honor and recognize her because our Proclamation touched on all women and actually, the City Manager had asked all the ladies in the room that night to stand; this is Women’s History Month, not men’s history month and not over-powering month just to recognize the women – she is a part of our community because we are Broward County. Commissioner Borgelin said he is not against the choice, it is good, but all he is saying is that he doesn’t want to say names, but usually, if it is one on one, he is asked what the people who he is recognizing do specifically for North Lauderdale and all should be asked the same question. Vice Mayor Moyle said, so by consensus, this will take place at the next meeting.

Commissioner Graziase – Reported that the Broadview Community Bazaar did very well and the Tamarac Chamber of Commerce who came by said the event also commented that it was a good event, and that Tamarac also had an event going at the same time. He stated that they will be able to provide the City with donations soon. Commented on attending the Youfit ribbon cutting ceremony yesterday and said it is a very busy location. He also commented that he supports all of the staff and departments and whoever sends him an email or makes statements he will do the research, check to make sure any information is accurate, and will meet with City staff. He also said he supports all City events and his [Broadview] Association also endorses and supports City events.

9. CITY MANAGER COMMENTS - Congratulated Deputy Clerk on her accomplishments. Reminded the Commission about the Neighborhood Design meeting on Wednesday. She also mentioned that they will share some ideas for the Veterans Memorial. Commissioner Graziase interjected that he would like the memorial to reflect that the City is a Purple Heart City and would like something incorporated to that effect. Further, she mentioned the next meeting with the Education Committee, that was formed with the School Principals, will be on March 20 at 10:00 am, and will feature school safety concerns to be addressed by BSO. A
Strategic Planning Workshop has also been planned for March 29th in Commission Chambers beginning at 9:00 a.m.

10. CITY ATTORNEY COMMENTS

Attorney Goren asked to present the following items in reverse order regarding Item 10 (a) and 10 (b). Item 10 (b) discussed first, stating that this is a draft and adopt resolution that was adopted by the Commission at the last meeting for a purpose. The timing was critical in Tallahassee and the objective was that there was no Commission meeting between that meeting and this meeting. Attorney Goren reported that he conferred with Commissioner Graziose who raised the issue legally and provided the best legal answer he could. For the record and clarification, Attorney Goren said although Resolution #18-03-6497 was approved in part and legally at the last meeting, he would read the title and allow the Commission to ratify the resolution and reassign the number. **Commissioner Graziose moved to read. Seconded by Commissioner Wood.** Attorney read:

   **b. RESOLUTION – Ratifying Resolution Calling for Legislator to Enact Gun Control Legislation to Prevent Mass Shootings in America**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, CALLING UPON THE STATE OF FLORIDA GOVERNOR RICK SCOTT, THE FLORIDA HOUSE OF REPRESENTATIVES, THE FLORIDA SENATE, PRESIDENT DONALD TRUMP AND THE FEDERAL GOVERNMENT TO ENACT GUN CONTROL LEGISLATION TO PREVENT MASS SHOOTINGS AND LARGE SCALE HUMAN LOSS OF LIFE AND SUFFERING FROM MASS SHOOTINGS IN AMERICA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Graziose moved to approve and ratify the resolution. **Seconded by Mayor Brady. No Commission discussion. Clerk called the question; All YES.** Attorney Goren reported that the resolution resonated in Tallahassee with the legislation taking action this past week to sign the Marjorie Stoneman Douglas Bill specifically, although it is now being challenged by the NRA which they have a legal right to do; the end result being that the Bill was passed.

RESOLUTION NO. 18-03-6497 PASSED AND APPROVED UNANIMOUSLY

   **a. Report/Update on County wide 3/8 City attorney meeting re: Section 790.33, FS, Firearms Super Preemption**

Attorney Goren stated that we are in some very difficult times and the matter of gun management and gun control is a matter which is on the mind of the City Commission by having adopted and ratified that particular Resolution this evening again. For the record, Attorney Goren presented the preamble of Section 790.33 (91), FS which is the super preemption statute of the State of
Florida, not unlike others around the country, but specific here. He quoted “Except as expressly provided by the State Constitution or general law, the Legislature hereby declares that it is occupying the whole field of regulation of firearms and ammunition, including the purchase, sale, transfer, taxation, manufacture, ownership, possession, storage, and transportation thereof, to the exclusion of all existing and future county, city, town, or municipal ordinances or any administrative regulations or rules adopted by local or state government relating thereto. Any such existing ordinances, rules, or regulations are hereby declared null and void.” Attorney Goren stated this is a very creative and wide ranging statute. He said it is a preemptive statute and there are many laws which govern what local government can and cannot do and the legislation was rife this session with bills that would have taken away what is done on this dais by public officials, many of which did not pass. Attorney Goren said there are several reasons why this particular statute is dangerous. He gave an example of the backyard shooting range issue that was passed and modified a few years ago. He pointed out that any regulation in the city regulating firearms was repealed by the Commission; any signs that you may have seen that say don’t bring guns in the public buildings, etc., you had to repeal them or the Governor could remove you from office back in the day. Attorney Goren stated that this statute now says if you regulate, in any way shape and form, the things that were just read, then each of you individually could be subjected to being removed from office by the Governor; fined up to $5,000 per incident in violation of the statute; and it allows for third party, such as the NRA or manufacturers of the AR15 or any other third party affected by this statute could sue personally or the City collectively. There is a cap on damages of $100,000 per claim for elected officials, but there is no cap on legal fees. He explained what a multiplier is regarding legal fees and said most lawyers who do this type of work get paid between $500-$1,000 per hour. Under this statute, if they succeed in providing success to their client, the Court could award a multiplier of any number that meets the rational test resulting in lawyer’s fees that could be $2,000 an hour. Also, Attorney Goren stated that any claim against the Commission or Commissioners cannot be paid for out of public funds. He stated the statute is very clear, quoting “A person or an organization whose membership is adversely affected by any ordinance, regulation, measure, directive, rule, enactment, order, or policy promulgated or caused to be enforced in violation of this section may file suit against any county, agency, municipality, district, or other entity in any court of this state having jurisdiction over any defendant to the suit for declaratory and injunctive relief and for actual damages, as limited herein, caused by the violation. A court shall award the prevailing plaintiff in any such suit” Further, “If the court determines that a violation was knowing and willful, the court shall assess a civil fine of up to $5,000 against the elected or appointed local government official or officials or administrative agency head under whose jurisdiction the violation occurred”. Attorney Goren said he took an oath to become a lawyer, as the Commission took their oath of office, and swore to God and country, to fulfill the obligation under the Constitution to uphold the laws of the State of Florida; therefore, he cannot allow anyone to violate the law if he knows a law is being violated. Attorney Goren reported that there was a meeting last Thursday of all the City Attorneys of Broward County that was supported by the Broward League of Cities and several proposals were put on the table and there may be some potential challenges to a portion of this statute. The Weiss, Serota firm has been retained to file a lawsuit against the State, either in Federal or State Court, by eight of the cities they represent and they will be offering other cities that may want to sign up with this firm, the fee is about $10,000 to start litigation. Further Attorney Goren stated that he spoke with the lawyer from Everytown, and although they have offered to do the work pro bono for a handful of cities. He outlined the
options that the City has in this regard, and has consulted with City Manager, but for the record this evening, is not prepared to recommend anything but a no-cost option to the City. Vice Mayor Moyle asked if this would cause problems regarding this state statute. Attorney Goren replied that he will bring to the next meeting a proposal, called a chilling resolution, which would say that we would like to adopt in the City of North Lauderdale, a regulation governing extra high powered magazines and/or certain other conditions that would otherwise be adoptable by the City but for one thing. Because of that the Commission cannot act and because they cannot act would be asking the Court to help. Attorney Goren said he would not have the Commission adopt a resolution or ordinance that would violate the law; nor could he prepare a document to publicly consider. He said resolutions are one thing; ordinances are legislative pieces that are enactments so with the Commission’s concurrence, absent objection, he will bring back a resolution to the next meeting which essentially sets forth the findings of the chilling resolution that says “but for 790.33” the Commission would otherwise be interested in pursuing some potential regulation. Commissioner Graziose made a motion to direct City Attorney to draft a resolution addressing this item to bring back to the next City Commission meeting. Commissioner Wood seconded the motion. Vice Mayor Moyle commented that after the Marjorie Stoneman Douglas incident, he did some research wanting to find out what the US Supreme Court thought about this and found the “Heller” case and Justice Scalia gave a majority opinion about that case that had to do with a sawed off shotgun which is illegal and the case used the Second Amendment as a basis to challenge the law. Attorney Goren said it was “The District of Columbia v. Heller” which was decided in 2007. Vice Mayor Moyle stated what Judge Scalia said was that he did not believe, as the majority opinion author, that the Second Amendment allowed for dangerous or unusual weapons; he is researching and finding things out that were intended back then that don’t really apply today in terms of militia and that sort of thing. Vice Mayor Moyle said he would like to talk about that when the resolution is brought back. Attorney Goren said he respects the Second Amendment; this statute has severe implications for public officials who want to do what they believe to be the right thing; and as the City’s lawyer he has an obligation to give the best options available to pursue those beliefs. No further discussion; Clerk called roll. All YES; motion passes.

11. ADJOURNMENT – There being no further business, the meeting adjourned at 7:51 pm.

Respectfully submitted,

Patricia Vancheri, City Clerk
CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, MARCH 27, 2018

MINUTES

The North Lauderdale City Commission met on Tuesday, March 27, 2018 at the Municipal Complex. The meeting convened at 6:00 p.m.

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Vice Mayor Rich Moyle gave the invocation and led the pledge.

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

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

3. APPROVAL OF MINUTES

   a. March 13, 2018 – Commissioner Graziose moved to approve the Minutes as submitted. Mayor Brady seconded the motion. Commissioner Borgelin indicated that a resident brought it to his attention that under public discussion, the statement by Ian Sargent was not totally reflected and asked that the Minutes reflect the exact statement, particularly with regard to the question that came up about whether or not it is illegal to speak to the Commissioners. Commissioner Borgelin noted a minor typographical error in 4(a) needed to change the word “is” to “in” – “…this is truly a team effort with participation in programs …”. Also, Commissioner Borgelin said that the date that ceremonial items were requested to be presented was not recorded and wants the date to be noted in the Minutes under 8(b) Commission comments. Clerk Vancheri commented that the Minutes will be amended and brought back to the next meeting for approval. Commissioner Graziose amended his motion to approve the Minutes with the exception of the items identified by Commissioner Borgelin. Seconded Commissioner Borgelin. Clerk called roll. All in favor.
4. PRESENTATIONS

a. Representative Barrington Russell – Legislative Update

State Representative Russell addressed the Commission and the audience and said it was his pleasure to bring this report. He stated that after an extended two days the 2018 legislative session ended on Sunday March 11, after passing a budget of $88.7 billion dollar budget for FY 2018-2019. Although this represents a 4.4% increase in last year’s funding, it does not address some key areas that remain unfunded. Included in the budget is an increase in K-12 per person spending by $101,000.50 per student; however Florida ranks 44th in per student spending which does not bring us closer to the national average. It allocates $400 million dollars for school safety; mental health and other programs in response to the event at Marjorie Stoneman Douglas. Higher education saw an increase of $10.3 million overall to the Florida Financial Aid Program; the State University system received an increase of $25.4 million dollars overall; and the Florida College system received an increase of $13.2 million dollars. There was again another missed opportunity to expand Medicaid for thousands of low income Floridians and the opportunity to draw down billions more in Federal funding. Representative Russell reported that this year the Legislation had to grapple with more major issues, among them the opioid epidemic; hurricane related matters including nursing home safety and the horrific shooting at Marjorie Stoneman Douglas High School. He said this incident brought the members to a much overdue discussion on school safety and gun control. Representative Russell also expressed thanks for the opportunity to participate this past weekend in the “March for Our Lives” rally in support and solidarity for the students at Marjorie Stoneman Douglas and all around the nation who have been victims of gun violence. Rep. Russell said although the measures that passed addressed some of the issues, he voted against Senate Bill 7026, as in his opinion it did not go far enough; he could not in good conscience support a Bill that called for arming teachers. He said a teacher’s job is to educate, mentor and nurture children. He said he hopes to revisit this issue next session with the hope in answering some meaningful common sense bi-partisan gun control legislation. Representative Russell said some worthy pieces of legislation were no different than in the past. The legislation continued their efforts to pre-empt local government and their authority to govern home rule and some of the legislation followed this session includes House Bill 17, a bill on community redevelopment agencies which failed. House Bill 697 on impact fees failed; House Bill 773 regarding vacation rentals failed; and House Bill 9 on requiring compliance with immigration and custom enforcement also failed. Following the devastating effect of the Hurricane Irma related tragedy of the nursing home in Hollywood, the Legislature passed measures that would require assisted living facilities and nursing homes to have backup power sources. This year’s tax break includes a disaster preparedness sales tax holiday to the tune of $67 million dollars tax exemption to purchase generators for nursing homes and a three day back to school tax holiday for Florida’s working families. At this point he concluded his report and introduced his legislative assistant, Patricia Amiel-Young and said questions can be directed to his office. Commissioner Graziose commented that he is pleased with the result regarding the nursing homes and asked that Representative Russell take up the resolution which he worked on with regard to the backup generators at 47 special need shelters that do not have a backup generator for air conditioning systems; he hopes that the State will correct this. Representative Russell said he would be happy to continue to work with the City. Commissioner
Borgelin asked Representative Russell what were the major challenges in Tallahassee with regard that things he wanted to do and how can we assist him with support in some sessions. Representative Russell replied that the House of Representatives has 120 members; 79 Republicans and 41 Democrats. He said the majority party controls the committees in terms of appropriations and legislation and it is sometimes difficult to even get bills heard however important it might be. Rep. Russell said what we have to continue to do is remind our elected officials, whether Democrat, Republican or otherwise, that all of us were elected to serve all of the residents in the State of Florida irrespectively of party and it is important to have people like yourselves to lobby the State legislature and other entities, such as the County, so we can come together for the common good of our country and of our state. He said it is one thing to have the ability to do the appropriations or to have bills heard, but the minority party very often could have the best proposed legislation and don’t get an opportunity to be heard. Representative Russell stated we have to find a way to continue to work with everybody to best represent the interest of our state and country. Commissioner Borgelin said would it help if as some sessions some of us are there. Representative Russell said absolutely; it’s your House and you are free as a resident to write, call and keep in touch with him. He said at the end of the day, from local government to the State House we have to work together for the common good. Commissioner Borgelin advised Representative Russell that he emailed him regarding a Bill. City Manager Bhatty thanked Representative Russell for everything he does in Tallahassee and especially for opposing Bills that impact the Home Rule at the local level and for the support of Bills that benefit our City and region as a whole. She thanked Ms. Amiel-Young for keeping us up-to-date. Also, Ms. Bhatty said she emails support for certain Bills to assist Representative Russell’s fight for our cause in Tallahassee. Representative Russell recommended not waiting until sessions start to communicate with them and to start way ahead of the curve, and recommends speaking to both sides for or against in situations that benefit your city and other cities.

b. Women’s History Month Awards

  - Requested by Commissioner Wood, and presented at Commissioner Wood’s request by City Attorney Goren, Judge Mary Rudd-Robinson was recognized as being the first African American Woman to serve on a judicial bench in Broward County, and who is now retired after many years of dedicated service. Judge Rudd-Robinson thanked Commissioner Wood, the Commission and the people of North Lauderdale for the recognition and said it was an honor to serve as County Court Judge and in a quasi-judicial position for more than 30 years.

  - Commissioner Borgelin recognized City Manager, City Clerk and Deputy City Clerk for Women’s History month and the following women were recognized for their various contributions to the community:

1. Andrea Byer-Thomas, Pastor - United Methodist Church
2. Angela Peguero
3. Audrey Jones, Capt.
4. Beverly V. Armstrong
5. Santia Rivera, Co-Pastor – Centro Cristiano Latino Americano
6. Danielle E. McGowan – Broadview Elementary
7. Darlene Milner, Asst. Principal – Pinewood Elementary
8. Denise Dalrymple, Minister – Bethel Worship Center
9. Fran Klauber, President - Democratic National Club
10. Hilary Kanwischer, NL Fire Rescue Paramedic
12. Mona Maxey – Pinewood Elementary
13. Nancy Fernandez Dixon – Open Fellowship Christian Church
14. Tori Williams – New Divine Apostolic Ministries
15. Vanessa Turton – NL Fire Rescue Paramedic
16. Zaida Rojas-Bello – NL Broward Sheriff’s Office
17. Zaymi Pinkney – NL Fire Rescue Paramedic

Commissioner Borgelin stated that these women are very special, exceptional, inspiring women for what they do, each in their own way, behind the scenes to benefit the residents of North Lauderdale and it is an honor to have them recognized.

5. PROCLAMATIONS

a. Child Abuse Prevention Month – April – Clerk read Proclamation and Robert Holroyd, Government Affairs Manager for Children’s Services in Broward County, was present. He thanked the City for being the first in Broward to recognize April as Child Abuse Prevention month and said this is an opportunity for them to discuss, promote and work on efforts in the community as a whole to prevent child abuse, as well as promote safe sleep practices, drowning prevention through the “Water Smart Broward” program and a multitude of other programs. Mr. Holroyd also commented that on April 14 from 11:00-3:00 they will be culminating their “Broward Aware, Protecting our Children” campaign at Sam Delavoe Park and everyone was invited.

b. National Boys and Girls Club Week – April 8-14 – Clerk read Proclamation and Derrik Brown, Health & P.E. Coordinator, from the Levine Slaughter/Leo Goodwin Unit was present.

c. National Library Week – April 8-14 – Clerk read Proclamation and Katie Reusze, Community Library Manager, was present along Leona McAndrews, President of Friends of the Library, and Mary Roberts and Rose, Board members. Ms. Reusze thanked the Commission for the recognition.

6. PUBLIC DISCUSSION

James Dowling – 1303 Blvd. of Champions – Commented he lived in North Lauderdale for about 14 years and spoke on personal matters including the deaths of his three children; the loss of his livelihood; and his 20 years in the carpenters union. He spoke of a police involved event that occurred in 1987 which he said caused him some health related issues. Mr. Dowling commented that he would like to stop being stereotyped when he does nothing illegal. He
claimed that the reason he is speaking tonight is because of a minority female police officer that he is afraid of. He asked that officers not pass judgment. Vice Mayor Moyle expressed his sorrow for Mr. Dowling’s trouble.

7. QUASI-JUDICIAL ITEMS

a. SUBJECT: LAND USE AMENDMENT - LUA 18-01
   Off Lease Only Addition
   Folio # 4941 01 42 0011  Southwest corner of 827 S. SR 7

   ORDINANCE: First Reading - Land Use Amendment to the City of North Lauderdale land use map to amend approximately 3.77 gross acres of Residential Low Density-RLD (0 to 5 DU/a) to Commercial (C)

   APPLICANT: Ejola Cook, Off Lease Only Inc.

Commissioner Graziose moved to read. Seconded by Commissioner Borgelin.

Attorney Goren commented that Agenda Item 7(a), 7(b) and 7(c) are interconnected and he would read all titles, all parties present to speak on the items would be duly sworn; staff would present; and the Commission can consider each item separately:

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING THE NORTH LAUDERDALE COMPREHENSIVE LAND USE PLAN IN ACCORDANCE WITH CHAPTER 163, SECTION 163.3184 OF THE FLORIDA STATUTES, TO PROVIDE THE CHANGE OF APPROXIMATELY 3.773 ACRES OF LAND LOCATED IN THE CITY OF NORTH LAUDERDALE, COUNTY OF BROWARD, STATE OF FLORIDA, TO-WIT: FIRST BAPTIST CHURCH OF NORTH LAUDERDALE 154
   35 B POR OF PAR A DESC AS: COMM AT NE COR OF PAR A, S 370 ALG E/L PAR A TO POB, CONT S 509.55, W 325, N 501.68 ALG W/L PAR A, E 324.91 TO POB, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED IN ATTACHMENT A BE CHANGED FROM RESIDENTIAL LOW DENSITY-RLD (0-5 DU/A) TO COMMERCIAL (C) PROVIDING THAT THE OFFICIAL LAND USE MAP OF THE CITY OF NORTH LAUDERDALE SHALL BE AMENDED TO REFLECT SAID LAND USE CHANGE; DIRECTING STAFF TO TRANSMIT THE AMENDMENT TO THE LAND USE PLAN TO THE BROWARD COUNTY PLANNING COUNCIL WITH INSTRUCTIONS TO TRANSMIT CONCURRENTLY TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR SMALL SCALE REVIEW; PROVIDING FOR CONDITIONS; PROVIDING FOR CONFLICTS; AND, PROVIDING AN EFFECTIVE DATE.

All parties present to speak on the items stood and were duly sworn. Tammy Reed-Holguin, Community Development Director, presented the three items based on backup memorandum and a PowerPoint Presentation which consolidated the overview of the project; a copy of which is available in the City Clerk’s office. She indicated that the land use amendment; rezoning and
site plan are all in support of the expansion of the Off Lease development project which deals with the vacant lot to the west of their property. The property is currently zoned as community facility as it was previously owned by Calvary Chapel church. This rezoning request will change the property from a community facility district to a general business (B-3) zoning district, to accommodate the expansion of the inventory lot, which is a part of the existing Off Lease property. This will include a new parking lot; additional landscape features and the applicant has been cognizant of the neighbors to the west and the south of the property and will be installing the required six foot high concrete wall to provide a buffer between the commercial use and the residential uses. There will also be an onsite guardhouse which will provide security along with Broward Sheriff’s Office off-duty security at night. Ms. Reed-Holguin stated that the land use process is a long process and tonight is the first reading of the land use amendment. If the Commission approves the amendment, which was discussed at the Review Committee and presented to the Planning and Zoning Board, it will then be transmitted to Broward County and the State Department of Economic Opportunity for their approval. Once it comes back from those two agencies, it will be brought back to City Commission for final approval and adoption of the new land use, amending it from residential low density to commercial. Ms. Reed-Holguin stated that it could be a month or two before it comes back. She indicated that the second reading of the re-zoning item will come back at the time the land use amendment comes back. Also, with regard to the site plan, Ms. Reed-Holguin commented that the first phase of the site plan had previously come before the Commission to build out the first inventory lot and rear paving. This second phase of the site plan is to incorporate the site into the existing operation to provide additional inventory for their business. Ms. Reed-Holguin requested Commission’s consideration and approval of these three items. **Vice Mayor Moyle opened Public Discussion on all three items.** No one spoke. **Public hearing closed.** Ejola Cook, Chief Legal Officer for Applicant, previously sworn, addressed the Commission, stating that this is a continuation of their inventory lot and they do not intend to put any buildings on the [site]. Ms. Cook indicated that they are doing good at this location and they would like the opportunity to bring in more inventory and nothing will be changing with their method of operation; vehicles will be brought up to the front of the building and there will not be a lot of traffic in the back. She commented that neighbors, one of which is also an employee, have reported that since construction is complete, it is very quiet. Cars have lock boxes so no noise; the guard shack is in the front of the property and there is 24 hour camera surveillance with high tech cameras. **Commissioner Graziose made a motion to approve the proposed land use amendment subject to the five (5) the conditions set forth in staff memorandum.** Seconded by Commissioner Wood. Commissioner Borgelin asked how many residents of North Lauderdale do they have as employees in their work force. Ms. Cook replied that she does not know the final number, but reported that there are many local residents who are employed that walk to the property or ride their bikes, and reiterated that the one she mentioned before lives behind the property. She said there are employees from the immediate area as well. Commissioner Graziose interjected that they had a job fair. Commissioner Borgelin said, I understand, but is there any way he could have a number. Ms. Cook stated that before they opened in November they participated in a North Lauderdale Job Fair which is how they got the majority of their employees. Commissioner Borgelin said I know that a lot of people did apply and he wondered if there was a number, and could you work on that so we know how many residents we have working for you. Ms. Cook said she could certainly ask their HR rep. **Vice Mayor Moyle asked how far the wall is going to be between the residences and the business; is it right on the property line. Jaime**
Igua, from VHB, Civil Engineer for applicant, previously sworn, replied that the wall will be on the property line to divide the property for maintenance purposes. Vice Mayor Moyle inquired if they see a potential problem with noise levels in moving cars. Mr. Igua replied that the cars will be on the inventory lot and there will not be much activity except for the cars being staged there. Ms. Cook said the vehicles will be parked for display and will be moved to the front only for viewing; there is not a lot of back and forth. Vice Mayor Moyle also asked about running cars and fumes. Ms. Cook said no, other than moving a car out of a parking spot. She indicated on the site plan that the car would be brought to the front if a customer wanted a test drive and they drive from the front to State Road 7. No further discussion; Clerk called roll. All YES; motion unanimously approved. Attorney Goren stated that the item passes on first reading and will be sent to other agencies for review and will come back at a future date.

b. SUBJECT: RE-ZONING AMENDMENT - ZLU 18-01
Off Lease Only Addition
Folio # 4941 01 42 0011 Southwest corner of 827 S. SR 7

ORDINANCE: First Reading - Request to amend the City’s zoning map for the expansion of the existing car inventory lot from a Community Facility (CF) zoning district to a general business district (B-3) zoning district.

APPLICANT: Ejola Cook, Off Lease Only Inc.

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, REZONING 3.77 GROSS ACRES MORE OR LESS OF LAND LOCATED IN THE CITY OF NORTH LAUDERDALE, COUNTY OF BROWARD, STATE OF FLORIDA, TO WIT: FIRST BAPTIST CHURCH OF NORTH LAUDERDALE 154-35 B POR OF PAR A DESC AS: COMM AT NE COR OF PAR A, S 370 ALG E/L PAR A TO POB, CONT S 509.55, W 325, N 501.68 ALG W/L PAR A, E 324.91 TO POB, BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED IN SECTION 1 BELOW FROM ZONING CLASSIFICATION OF COMMUNITY FACILITY (CF) DISTRICT TO GENERAL BUSINESS (B-3); PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF NORTH LAUDERDALE SHALL BE AMENDED TO REFLECT SAID REZONING; PROVIDING FOR CONFLICTS: AND, PROVIDING AN EFFECTIVE DATE.

Commissioner Graziose made a motion to approve the proposed rezoning amendment subject to the seven (7) the conditions set forth in staff memorandum. Seconded by Commissioner Wood. No discussion; Clerk called roll. All YES; motion unanimously approved. Attorney Goren advised that this item also will come back at a future date with the land use item.

c. SUBJECT: Site Plan SPR 18-01 Off Lease Only Inc. Addition
Folio # 4941 01 42 0011 Southwest corner of 827 S. SR 7
Preliminary Site plan approval to allow for the expansion of the existing car inventory lot within a future General Business (B-3) zoning district.

APPLICANT: Ejola, Cook, Off Lease Only Inc.

Commissioner Graziose made a motion to approve the preliminary Site Plan subject to the thirteen (13) conditions outlined in staff memorandum. Mayor Brady seconded the motion. No discussion; Clerk called roll. All YES; motion unanimously approved. City Manager reiterated that this item will also come back with the land use and rezoning items.

d. SUBJECT: SEU 18-02 Peter Piper, Inc. Folio # 4941 11 28 0027 - McNab Road and Avon Lane

Commissioner Graziose moved to read. Seconded by Commissioner Borgelin. Attorney Goren indicated that Item 7(d) and Item 7(e) are aligned and could be read consecutively. All parties present to speak were duly sworn, and Attorney read:

Special Exception Use Permit to allow a restaurant with amusement and entertainment facilities in accordance with City Code Section 6-58 as accessory uses within a (B-3) General Business District.

APPLICANT: David Deck, Peter Piper Inc.

Tammy Reed-Holguin, Community Development Director, presented the two items based on backup memorandum and a PowerPoint presentation, which is available in the City Clerk’s office. Peter Piper is proposing to build a restaurant that is 7,540 square feet, on 1.21 acres of vacant land located on the East end of the new Walmart site on McNab Road, with an accessory use of family amusement and entertainment within the restaurant. Ms. Reed-Holguin stated this is a new use for the City and is anticipated to be frequented by many families within and near the City, and the core demographic is geared for children under the age of 13. Hours of operation will be Monday through Sunday, 11:00 am to 10:00 pm. The restaurant will contain 40 arcade games, and is anticipated to be a $1.5 million dollar investment in the City for this new business, while hiring 8 full time employees and 25 part-time employees. Outside vendors will manage the game machines, IT services and other services needed by the restaurant. With regard to the site plan, there are 70 parking spaces on site, and the development has a cross access easement agreement with Walmart to provide another 47 spaces, for a total of 117 spaces, including 3 ADA spaces as required. Aesthetically, Peter Piper has matched the same colors as the rest of the Walmart development. Ms. Reed-Holguin outlined the floor plan and landscape plan of the restaurant. The special exception use permit is to allow a restaurant with amusement and entertainment facilities in accordance with the City’s Code Section 6-58 as an accessory use within a B-3 General Business district. Amendments to the entertainment section of the Code was done previously to separate out adult versus family uses. Upon Staff’s review of this application, it meets all the requirements that are outlined for a family entertainment center, such as the number of arcade games per square feet; hours of operation and all criteria necessary to
obtain the special exception use permit. The item went before the Planning and Zoning Board and they and Staff recommends approval of both the SEU and the site plan. Public hearing was opened; no one spoke. **Commissioner Graziose made a motion to approve the Special Exception Use Permit subject to the six (6) conditions outlined in staff memorandum. Commissioner Borgelin seconded the motion.** Attorney Dwayne Dickerson, of the law firm of Dunay, Miskel, Backman, representing the applicant, addressed the Commission and stated that they do agree with the proposed conditions set forth. Attorney Dickerson commented that there was a minor amendment to the hours of operation for the record; they worked well with staff to be consistent with the color palette and they believe they meet all the requirements of the City’s Code. Attorney Dickerson stated that the hours of operation on Friday will be from 11:00 am to 11:00 pm and Saturday the hours will be 10:00 am to 11:00 pm. If the hours were to fluctuate depending on demand, Mr. Dickerson stated they will address that with staff. **Commissioner Graziose amended his motion to approve to include the hours of operation as noted. Commissioner Borgelin seconded the amended motion. No further discussion; Clerk called roll. All YES; motion unanimously approved.**

e. **SUBJECT:** Site Plan SPR 18-02 Peter Piper Pizza  
Folio # 4941 11 28 0027 - McNab Road and Avon Lane

Preliminary Site Plan approval to allow for a restaurant with amusement and entertainment facilities as accessory uses within a general business (B-3) zoning district.

**APPLICANT:** David Deck, Peter Piper Inc.

Commissioner Graziose made a motion to approve the preliminary Site Plan subject to the sixteen (16) conditions outlined in staff memorandum and also including the hours of operation as stated in the previous item. Mayor Brady seconded the motion. Attorney Dickerson stated that they agree with the sixteen (16) conditions. Commissioner Wood interjected that actually, the extended hours of operation for Friday and Saturday were already listed in the backup material. **No further discussion; Clerk called roll. All YES; motion unanimously approved.**

f. **SUBJECT:** SEU 18-03 North Lauderdale Children’s Academy  
1051 SW 80th Ave.

Special Exception Use permit to allow a child daycare facility within a (RM-10) Residential Medium Density zoning district.

**APPLICANT:** Monica Cruz, North Lauderdale Children’s Academy

Commissioner Graziose moved to read. Seconded by Commissioner Borgelin. Attorney read item and all parties present to speak on the item were duly sworn.
Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. She indicated that this request is made in accordance with Article IV, Special Exception Uses, Sec. 106-156 that allows uses not intended for a zoning district to be permitted as special exception uses if they are limited as to number, area, location, operational characteristics, or relation to the neighborhood or vicinity permitted uses, and would not adversely affect the public health, safety, comfort, appearance, morals and general welfare. The request is also consistent with respect to permitted uses in multifamily residential districts listed within the City’s Comprehensive Plan. The property is currently vacant but was previously a childcare service. The approximate 3,120 square feet building is intended to be purchased by the applicant to provide childcare to children aged six weeks to 5 years old during the day, and afterschool care to children six years to twelve years old in the afternoon and evening. Applicant states the business will fill a need for extended weekday care for families who work later and weekend hours. Hours of operation will be 7:00 am to 10:00 pm, Monday through Friday, and 8:00 am to 6:00 pm on Saturday. The facility will be closed on Sunday. Based on provided information, the daycare use will create 15 jobs and 2 maintenance positions, as well as some housekeeping positions. Parking is sufficient with 10 parking spaces, one of which will be used for a passenger van to transport children. This item was reviewed by the Planning and Zoning Board on March 6th and recommended to the City Commission for approval. Staff recommends approval also, with the nine conditions set forth in the backup memorandum. Ms. Reed-Holguin stated that this would be a special use permit and this type of use is permitted in the residential area according to the City’s Comprehensive Plan. Applicant, Monica Cruz, previously sworn, was present for any questions. Public discussion opened; no one spoke. Commissioner Graziose asked Applicant if she agreed with the conditions outlined by Staff. Ms. Cruz replied she does. Commissioner Graziose moved to approve the Special Exception Use permit subject to the nine (9) conditions outlined in staff memorandum. Seconded by Mayor Brady. No further discussion; Clerk called roll. All YES; motion unanimously approved.

8. OTHER BUSINESS

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

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, EXTENDING THE MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS FOR USES THAT INVOLVE THE DISPENSING OF MEDICAL MARIJUANA/CANNABIS WITHIN THE CITY OF NORTH LAUDERDALE UNTIL NOVEMBER 1, 2018, WHICH WAS ENacted PURSUANT TO ORDINANCE NO. 16-04-1327 ORIGINALLY ADOPTED ON APRIL 26, 2016, AND WAS EXTENDED UNTIL MAY 1, 2017 PURSUANT TO ORDINANCE NO. 16-10-1343 ADOPTED ON OCTOBER 11, 2016, WHICH WAS EXTENDED UNTIL NOVEMBER 1, 2017, PURSUANT TO ORDINANCE NO. 17-04-1350 ADOPTED ON APRIL 25, 2017 WHICH WAS EXTENDED UNTIL APRIL 30, 2018, PURSUANT TO
Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. She indicated that this is a first reading of an ordinance to extend this moratorium that has been in place for approximately two years because of all the legislation going through the State and changes that were made. She said it appears that the legislation is set at this point and stated that Commission has an opportunity to decide how they would like to proceed and to give staff direction. Ms. Reed-Holguin stated that she and City Manager have been discussing the possibility of having a workshop to discuss the State’s legislative outcome and the City’s options with regard to the impact this would have. She reported that the Broward County Planning Directors have been monitoring this very closely and a spreadsheet has been updated to let us know what other cities are doing in terms of this legislation. Currently, there are thirteen municipalities who have banned these establishments and eight others who have adopted regulations to allow them, and of those eight, the majority, if not all of them will have to amend their ordinances to comply with the legislation that was last adopted. Also, ten cities still have temporary moratoriums in effect and North Lauderdale is one of those. **Commissioner Graziose made a motion to extend the moratorium until November 1, 2018 as requested by Staff. Commissioner Borgelin seconded the motion.** Vice Mayor Moyle asked if the Legislature allowed for THC content of the marijuana for people who are terminally ill. Tammy Reed-Holguin and Attorney Goren both replied that they did not think so. Vice Mayor Moyle said, then we need to get off the fence on this because Congress passed a law that says all 50 States can deal with CBD oil which is non-euphoric and used for pain management; pharmaceutical companies are trying to sue the manufacturers of CBD oil. He said research can be done on the multitude of uses for this product and that research has been stymied up to now. Vice Mayor Moyle said this is exploding and is not going to be like the pain clinics for opioids and that the pharmaceutical companies should be sued by every state of the union for what this has caused. He said people will not be hanging around these facilities trying to get high because this is not that kind of thing; as far as the cultivation of it, that might be a different thing, but we need to get off the fence with this and say one or the other. Vice Mayor Moyle said personally, he thinks it is a benefit to our residents and to all people and the more research that is done, the more things that are found beneficial by using this product. Commissioner Borgelin stated he senses that a lot of people do not understand and asked City Manager to explain how we are to approach this issue. City Manager replied that basically what the State is giving two options; either the City can ban it, or regulate it. She said whatever regulations cities adopt, may not stand because State regulations will supersede city regulations which are typically less restrictive. Tammy Reed-Holguin interjected that basically, State regulations say that you can’t regulate it any more than you can regulate a pharmacy. She stated that City Attorney’s office has put together a very good presentation that would help demonstrate exactly what you would and would not be able to do if we wanted to regulate. Ms. Reed-Holguin commented that they are not trying to stall, but want to give the Commission an opportunity to get all the information before making a decision. She hopes to get this addressed before Commission recess, but would like a six month cushion until November 1\textsuperscript{st} just in case. Commissioner Graziose stated that the motion is just to extend the moratorium. City Manager said they will come back to the
Commission in a workshop setting to discuss this item in detail with all the options, seeking direction in order to prepare an ordinance pertaining to that direction. Attorney Goren stated that extending this moratorium one more time is rational and legally doable if the Commission wanted to adopt this in favor of Staff’s recommendation. He said, in the absence of dispensaries, that does not mean that any resident of the City is being unconstitutionally affected by not being able to get medical marijuana. Delivery services are still permitted in the City as a matter of law and there is nothing by adoption of this ordinance that would preclude that from occurring; this simply is regulating the look-see into the future of the opening of facilities to actually provide a dispensary as opposed to a delivery service. Attorney Goren further stated that no one is being disadvantaged under the constitution in following the constitutional and statutory options that are available at the time. No further discussion; Clerk called roll. All YES; motion unanimously approved.

ORDINANCE PASSED UNANIMOUSLY ON FIRST READING

b. RESOLUTION - Comprehensive Pay and Classification Plan Amendment - Fiscal Year 2018

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING THE CITY OF NORTH LAUDERDALE COMPREHENSIVE PAY AND CLASSIFICATION PLAN FOR FISCAL YEAR 2017/18, AND HEREBY ESTABLISHING A REVISED PAY AND CLASSIFICATION PLAN FOR FISCAL YEAR 2017/18 COMMENCING ON MARCH 27, 2018; PROVIDING FOR THE ESTABLISHMENT OF A NEW CLASSIFICATION; PROVIDING FOR CONFLICTS; AND, PROVIDING AN EFFECTIVE DATE.

Jennifer Yarmitzky, Human Resources Manager, presented the item based on backup memorandum. She indicated that at the time the Commission approved the Comprehensive Pay Plan on July 11, 2017, administration was not aware of some added accounting needs that would arise. Hurricane Matthew in 2016 and Hurricane Irma in 2017 caused damage in the City which created the necessity to start a FEMA reimbursement application process which involves a significant amount of accounting work, process management, documentation, discussions and monitoring. The Senior Accountant will assist with this work ensuring timely submission to FEMA for reimbursement and to maximize the reimbursement amount from FEMA to the City. Additional functions have been identified which require assistance including utility billing management workload has increased relating to posting of transactions, reconciliations, customer contact and banking matters. In addition to those primary functions, the employee will have knowledge of financial reporting, financial analysis, audits and internal controls and can provide assistance with year-end audit and comprehensive annual financial report. Staff believes that the addition of a Senior Accountant can take on that additional work. Ms. Yarmitzky stated if the Commission does approve the addition of this new position of Senior Accountant, a budget amendment will need to be done to appropriate the funds in the Finance Department budget for FY 2017/2018. Commissioner Graziose made a motion to approve the addition of one
Senior Accountant position in the Finance Department. Commissioner Wood seconded the motion. Commissioner Borgelin said he would like to tie this in to a question that he asked last time we met regarding a report and for this position of Senior Accountant, and looking at the residents that have been affected by FEMA, would it be possible to have someone who speaks two languages to be able to explain to the residents. City Manager Bhat respond that the position is in the Finance Department and they have minimum or no contact with the public, and we do have people in City Hall who speak two languages. She said this position is being looked at as a promotion from within and we have an employee who is in a position to be promoted to that position and that person happens to be a minority and does speak Russian as a second language. Susan Nabors, Finance Director, stated that the job will be opened to internal candidates first and if we have a qualified candidate, then we would promote someone from within; if not then we would have to advertise externally. Commissioner Borgelin commented that he is not against promoting from within, but wants to make sure that we serve our residents much more efficiently, even though this person may not have direct contact with the residents, but they may have questions about FEMA also and wants to develop opportunity for them also. Ms. Nabors replied that the FEMA work that the Finance Department does isn’t dealing with the residents to provide information. She said we are dealing with the reimbursement side of things and are working with internal staff on those items or with FEMA staff. Ms. Nabors reiterated that we do have other employees within the City that do speak other languages should a resident need to come in and have questions that would be of a nature that would benefit them personally, then that information could be shared. City Manager Bhat commented that during the employment application process, if a position would require interaction with the citizens, then a line is included asking if the applicant is bi-lingual. She said it is a preferred requirement, but not a mandatory requirement for the job. Basically, Ms. Bhat said we cannot discriminate anyone based on if they speak two languages or not; this falls under the Labor laws and there are certain questions that you can ask. Also, she said she does have a report that Commissioner Borgelin had asked for that has a breakdown of all the employees in the City, but we can only ask them about classifications that are set forth by the Federal government which are the same categories that apply to all job application forms. No further discussion; clerk called roll. All YES.

RESOLUTION NO. 18-03-6500 PASSED AND ADOPTED UNANIMOUSLY

ORDINANCE – First Reading – Fiscal Year (FY) 2018 Budget Amendment

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ORDINANCE NO. 17-09-1360 BY WHICH THE CITY COMMISSION DID ADOPT THE BUDGET OF THE CITY OF NORTH LAUDERDALE FOR THE 2017/2018 FISCAL YEAR, TO REVISE THE BUDGET AS DOCUMENTED IN “EXHIBIT A” ATTACHED; PROVIDING FOR CONFLICTS, SEVERABILITY, AND, PROVIDING FOR AN EFFECTIVE DATE.
Susan Nabors, Finance Director, thanked the Commission for approving the addition of the Senior Accountant position in the Finance Department. Along with that she stated that approval of a budget amendment will be needed to fund that position and the benefits for half a year of FY 2018. The amount is $50,000 and the funding would come from the general fund balance. Staff seeks approval on first reading of an ordinance amending Ordinance #17-09-1360 and to revise the budget as documented in Exhibit A. Commissioner Graziose moved to adopt. Commissioner Borgelin seconded. No Commission discussion; Clerk called roll. All YES.

ORDINANCE PASSED AND ADOPTED UNANIMOUSLY ON FIRST READING

d. RESOLUTION – Urging Support of Concepts and Policies Relating to SROs

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, URGING SUPPORT FOR VARIOUS CONCEPTS RELATED TO SCHOOL RESOURCE OFFICERS OR SCHOOL RESOURCE DEPUTIES AT SCHOOLS THROUGHOUT THE STATE OF FLORIDA; URGING THE FLORIDA LEGISLATURE AND OTHER RESPONSIBLE AGENCIES TO ADOPT RELEVANT STATUTES AND POLICIES RELATED TO THE USE OF SCHOOL RESOURCE OFFICERS; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE SCHOOL BOARD OF BROWARD COUNTY, THE FLORIDA STATE SENATE, THE FLORIDA HOUSE OF REPRESENTATIVES, THE FLORIDA DEPARTMENT OF EDUCATION, GOVERNOR RICK SCOTT, THE BROWARD COUNTY LEAGUE OF CITIES, THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS, AND THE BROWARD COUNTY SHERIFF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Goren commented that this resolution came from direction of the City Commission at the last meeting. Commissioner Graziose moved to approve the resolution. Seconded by Commissioner Wood. Commissioner Borgelin stated he has an issue with Item C in Section 2 of the Resolution and said “properly trained” is kind of vague as far as he is concerned because it does not state what type of training a retired officer should have regarding aspects of dealing with children. Commissioner Graziose explained that there is a School Resource training course that all officers have to take and pass to get certified or the School Board will not fund to the cities if they are not properly trained and accredited. Commissioner Graziose stated that currently, the Sheriff’s office does not hire retired police officers. He said some cities, like Coral Springs, do hire properly trained retired police officers or veterans; we would just like to expand as there is a crisis and we do not have enough School Resource Officers and it took a long time to get the two we had approved last October. City Manager Bhatty interjected that if she understands Commissioner Borgelin correctly, he wanted to make sure that the School Resource Officers are certified to be the security as well as other responsibilities that fall on SROs for the motivation of the kids and giving them support on anti-bullying type of issues. She said at the
last Principals meeting there was an SRO who made a presentation on the role of the SROs. She said all those things are included in the training program in order for them to serve as an SRO; they have to pass training and be certified to be hired. Commissioner Borgelin said what he wants to point out is that if they are properly trained as retired police officers and veterans, then by whom; can it be specified. Commissioner Graziose answered that it can be by anybody. Commissioner Borgelin said it cannot be just anybody. Commissioner Graziose said he is trying to answer the question. Vice Mayor Moyle called for order and asked for no cross talk; please speak one at a time. City Manager stated that whatever entity is providing the training for the SROs, whether it is the Sheriff’s Office or a City-owned police department, will train them in all aspects for certification and they will not be hired without the certification. Commissioner Wood commented that the ordinance looks very good to him and his interpretation of “properly trained” is as Ms. Bhatti went over; they must attend training and be certified as an SRO throughout the jurisdictions, no matter whether it is Cooper City, Coral Springs, or North Lauderdale. He said at the Principal’s meeting the SRO did a thorough job explaining her role and responsibilities with the students as she comes in contact with them each and every day. Commissioner Wood said the most senior resource officer in his school, who was once at Silver Lakes, has been doing it for quite some time and at their workshops bring forth the programs for anti-bullying; see something, say something; stranger danger, so he is pleased that this ordinance has been taken up and brought forth and that we are sending this to the School Board as well as to the State Legislature of Florida and the Governor, because other cities are joining in and we want to be in the forefront as well. Commissioner Graziose said if our city was allowed to hire a retired police officer, that was trained as an SRO, we could have SROs in all of our schools at a substantial savings. Graziose said he has seen what other cities have done, they would be assigned to the schools, and as a small city, this would make a serious impact on the budget where we could it for almost the costs of a full time positions that are paid under the Sheriff’s funding proposal. Commissioner Borgelin said he wants to make it clear that he is all for it as we all have children and all he is asking to specify where the training source comes from. Vice Mayor Moyle said the point here is that they get certified which means they are qualified to be in that position. City Manager asked BSO Captain Brian Faer to comment. He said all SROs in Broward County can go to various training courses; the SROs are teachers who engage with the kids; they have to pass 40 hour course; and every year through the School Board and the Broward Sheriff’s office, they have to go to yearly training in addition. Also, they can attend any courses on their own that talk about specific topics like gun safety or anti-bullying program updates. Captain Faer stated all their SROs are trained by the Florida Department of Law Enforcement who approves all law enforcement training for all police officers. No further discussion; Clerk called roll. All YES.

RESOLUTION NO. 18-03-6501 PASSED AND ADOPTED UNANIMOUSLY

---
e. RESOLUTION - Lending City Stage and Portable Bleachers to Broward Sheriff’s Office Southeast Police Motorcycle Rodeo Committee

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

Mike Sargis, Parks and Recreation Director, presented the item based on backup memorandum. He said he was approached by a Deputy from the Southeast Police Motorcycle Rodeo Committee for the use of the stage and bleachers for their annual motorcycle skills event being held at the Pompano City Center on April 18th through April 21st. Mr. Sargis said we have done this previously for about five years. He said typically we don’t lend out the stage, except to organizations who return the favor such as the Sheriff’s office for our events. Staff will be provided to assist in set-up and breakdown and during the event. The costs to rent the stage is typically $1,000 per day, totaling $4,000 plus some staff costs. The Sheriff’s Office has asked the Commission’s consideration to waive the fees. Also, Commissions consideration and approval is sought to adopt the resolution for disclosure in compliance with the Broward County Code of Ethics. Commissioner Graziose made a motion to approve the waiver of fees. Seconded by Mayor Brady. No discussion; Clerk called roll. All YES. Commissioner Graziose moved to adopt the resolution for disclosure purposes. Seconded by Commissioner Wood. No Commission discussion; Clerk called roll. All YES.

RESOLUTION NO. 18-03-6502 PASSED AND ADOPTED UNANIMOUSLY

9. REPORTS

a. Memorial Garden/Old Veterans Memorial

Mike Sargis, Parks and Recreation Director, presented a PowerPoint showing an aerial rendering of a small city owned piece of property located in the 6100 block of Kimberly Boulevard. He expressed some plans to update the Old Veteran’s Memorial site which include some ideas to create a memorial garden where some trees or benches could be purchased in remembrance of our veterans and also the persons affected by the recent Marjorie Stoneman Douglas tragedy. A neighborhood retired architect engineer came up with a design that has been altered by staff. It will have a concrete walkway; concrete benches; flagpoles and various landscaping. Mr. Sargis said it will be a nice entrance into Kimberly Blvd and the goal or plan is to do this in-house using Public Works and Parks staff. A contractor that the City has used in the past has offered to help by donating to the cause which will provide the residents with a place to remember loved ones and maybe a plaque can be placed that would indicate that this was also inspired by the events at Stoneman Douglas High School. If the Commission is in line with this, the goal is to remove the black olive trees from the site and then begin work so it can be done before the end of the school
year. Commissioner Wood thanked Mr. Sargis and Mr. Krawczyk for working with the resident who came up with the design and would like to recognize him later. He also asked if we could consider doing a brick design for remembrances and would also like to do a re-dedication of Bi-Centennial Park that looks pristine now and he thanked City Staff for making it so. City Manager Bhatty interjected that the connection we have with the Stoneman Douglas kids is that we have cemeteries in our City where the victims have been laid and there will be a place in North Lauderdale where those kids will be honored.

10. COMMISSION COMMENTS

a. Request for Ceremonial Items
- Recognizing Somerset Prep Boys and Girls Basketball Teams on April 10th - Requested by City Staff and City Commission – Commission consensus was to proceed.
- Recognizing Broadview Elementary School Participants at Broadview Bazaar on April 24th - Requested by Commissioner Graziose – Commission consensus was to proceed.

Commissioner Borgelin – Thanked Captain Faer for the Educational Committee meeting which was a good session and he learned a lot. Reported he followed up with the Deputy about a wall at Publix which was still a little too low. Recently he had a tour with City Manager and City Staff and expressed appreciation for that. Spoke about AT&T affecting the grass at a property. Spoke again about speeding and said he notices people being stopped pulled over at 81st and Kimberly.

For the record, Commissioner Borgelin said he would like to make sure that it is being recorded properly for him to the things he would really like to talk about. He stated “We are not there at election but this is an issue that I’ve been informed and it has been confirmed also that I’m a target for some people, their concern about election there. My name is being out there, people calling me names, and I never said I am going for an election at this point. I never said that for any election. People been referred to me as words that I cannot even mention up here and it is in the city; when I say City, the North Lauderdale. There is a camp of defamation there about my character, people calling me names. To me it’s like an assassination of character to me; I’m here as everybody else and I need to be recognized. I don’t mean to be accepted but I have got to be respected. I’ve done the job there by the grace of God, my family, the residents; constituents elected me to be here, I don’t think I am a threat to anybody else. I am here to do a job; if I can’t do the job I have to leave, I would let the residents know I can’t do it anymore. But please, I don’t want people to advertise me in the wrong way and I understand people are preparing to give false report on me. That’s fine they can bring it up because I can back it up with everything else. People are questioning my other things, degrees – go ahead, it’s public record – people are questioning other stuff there. I’m not thirsty for power. I’m just here to do a job for the residents that’s all. I want to be representing people, serve them wherever they are in the city okay. So I’m going to say clear – I am not a candidate; if they want me to be a candidate I will be one, that’s not the problem or issue there. But I say please, just like we mentioned last time, the ordinance that didn’t go through. Not even an election and people are mentioning my name
and for the record I am not going to say who it is, okay. I have been mistreated around here and I hope I am asking this is to stop and even up here on the dais. For so long people are reacting; when I say people anybody can know who they are. They will do it. I don’t want to be on record putting anybody’s name but I am saying that please I would appreciate that those things stop right now because if it’s not stopped okay, if I don’t get the respect I deserve to be here if I am doing anything illegal or anything that is not pleasing I got to be removed. But, if I’m here respecting everybody’s right, I have the right to speak, to ask questions, to clarify for the residents, not just to those that are here in the audience but those also who are following or reading who are even though they are not here at the meetings, they have the rights to ask me questions, to represent that is all I am asking for. I am asking for my colleagues to please respect me, because if it’s not done, I can go other ways to do that and that’s all I want to go any further than that. Thank you much.”

Vice Mayor Moyle – Said no comments at this point.

Commissioner Graziose – Thanked Mike Sargis for the two Easter Egg Hunts. Thanked BSO and Fire Depts. for the March. Thanked BSO for catching the person breaking in the houses in his area. Commented his medians are looking good.

11. CITY MANAGER COMMENTS

Updated on tickets issued by BSO in one week along Kimberly Blvd; 50 vehicles were stopped for various reasons and 32 of those were for traffic citations and said there is a speed monitor there as well. Commented that she will share update on yesterday’s tour by email. Thanked Commissioner Borgelin on behalf of all the women at City Hall for the Women’s History recognition. Asked the Commission to read the information she provided prior to the workshop. Also, City Manager gave HOA President, Brenda Jacobson, who was in the audience an update on the Walmart issues relating to the plans and the permits and said she has been copied on the emails.

   a. First Strategic Planning/Visionary Workshop – Thursday, March 29 at 9:00 am
   b. Second Strategic Planning/Visionary Workshop - TBD

12. CITY ATTORNEY COMMENTS

   a. Update on Section 790.33 F.S. Firearms Super Preemption

Attorney Goren reminded the Commission that at the last meeting he read into the record the conditions set forth in 790.33 regarding guns and ammo and reiterated the three penalties that could be levied against public officials personally. He indicated that this is an ominous and draconian aspect of state law. He stated that the City is a member of a group called Everytown USA as are other cities in Broward. There are some cities that are joining together at the request of Everytown to consider litigation to challenge the State on portions of 790.33. Attorney Goren read the following resolution title into the record:
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, EXPRESSING SUPPORT TO AMEND CHAPTER 38, ARTICLE III OF THE CITY CODE ENTITLED “OFFENSES INVOLVING PUBLIC SAFETY” BY CREATING SECTION 38.56, TO BE ENTITLED TO “FIREARM ACCESSORIES – LARGE CAPACITY MAGAZINES”; PROVIDING FOR PROVISIONS PROHIBITING THE SALE OR TRANSFER OF LARGE CAPACITY MAGAZINES; AND PROVIDING PENALTY FOR VIOLATION; PROVIDING FOR AN EFFECTIVE DATE.

Attorney Goren said he prepared this resolution at the direction of the Commission to look into it. On the record, he gave the Commission his advice that he could not allow the Commission to approve this document. Mayor Brady said but for the Statute, he would approve this document, but cannot violate the Statute on the advice of the City Attorney. Attorney Goren said he will keep the Commission posted as things progress.

13. ADJOURNMENT – There being no further discussion the meeting adjourned at 8:42 pm

Respectfully submitted,

Patricia Vancheri, City Clerk
WHEREAS, plastic waste can be found everywhere, land or sea, even in the most remote places on the planet, affecting both humans and animals; and

WHEREAS, humankind is currently facing tremendous global challenges, among them the need to manage an increased amount of waste to which plastics will contribute roughly 12,000 million metric tons by 2050; and

WHEREAS, approximately only 10% of plastic waste is recycled; and

WHEREAS, all people of this Earth, from all walks of life, have a right to a healthy environment and plastic pollution has been associated with several health issues affecting the general population; and

WHEREAS, children, the youth, and the most vulnerable are disproportionately affected by plastic pollution; and

WHEREAS, it is more important than ever to cooperate to find solutions for the plastic waste that is concentrating in several enormous patches in the ocean and that threatens the human food chain; and

WHEREAS, it is essential to involve the community in the design and implementation of solutions for pressing environmental issues such as plastic pollution; and

WHEREAS, ending plastic pollution is crucial to the survival of this planet and its inhabitants; and

WHEREAS, Earth Day is an annual reminder of the constant need for environmental activism, stewardship commitments, and sustainability efforts;

NOW THEREFORE BE IT RESOLVED, We, the City Commission of the City of North Lauderdale, does hereby proclaim

April 22, 2018 as Earth Day

to support aims to end plastic pollution and to encourage initiatives to promote the wellbeing of the community and the protection of the environment.

Dated this 10th day of April, 2018

MAYOR JACK BRADY
FINANCE DEPARTMENT
MEMORANDUM

To: Honorable Mayor and City Commission

From: Ambreen Bhatti, City Manager

By: Susan Nabors, Finance Director

Date: April 10, 2018

Subject: Second Reading: Fiscal Year (FY) 2018 Budget Amendment

Background:
On March 27, 2018, the City Commission approved Resolution #18-03-6500 amending the City’s Comprehensive Pay and Classification Plan for FY 2018. The amendment was to add one Senior Accountant position in the Finance Department.

On March 27, 2018, the Commission approved an Ordinance on first reading for the amendment to the budget to appropriate funds in the Finance Department budget in FY 2017/2018 for the salary and benefits of this position for the remaining half a year. The amount to be appropriated is $50,000 and would come from General Fund Balance.

RECOMMENDATION:

The Administration recommends Commission’s consideration and approval on second reading of the attached ordinance amending Ordinance No. 17-09-1360 by which the City Commission adopted the budget of the City of North Lauderdale for the 2017/2018 fiscal year, to revise the budget as documented in Exhibit “A” and provided herein.
ORDINANCE NO. ____________________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ORDINANCE NO. 17-09-1360 BY WHICH THE CITY COMMISSION DID ADOPT THE BUDGET OF THE CITY OF NORTH LAUDERDALE FOR THE 2017/2018 FISCAL YEAR, TO REVISE THE BUDGET AS DOCUMENTED IN “EXHIBIT A” ATTACHED; PROVIDING FOR CONFLICTS, SEVERABILITY, AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission for the City of North Lauderdale adopted the 2017/2018 Fiscal Year Budget for the City of North Lauderdale through the adoption of Ordinance 17-09-1360; and,

WHEREAS, the City Commission desires to amend Ordinance 17-09-1360 to reflect revisions to the budget for the 2017/2018 Fiscal Year Budget; and,

WHEREAS, the City Commission finds it to be in the best interest of the residents and citizens of the City of North Lauderdale to amend the Fiscal Year 2017/2018 budget as provided herein.

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

Section 1: That the foregoing “Whereas” clauses are adopted as if fully set forth herein.

Section 2: That Ordinance 17-09-1360 as amended, did adopt the Budget of the City of North Lauderdale for the 2017/2018, and the Budget adopted thereby be and the same is hereby amended to cause and reflect revisions to said Budget as set forth in Exhibit “A”.

Section 3: That the City Commission finds it to be in the best interest of the residents and citizens of the City of North Lauderdale to amend the Fiscal Year 2017/2018 budget as provided herein.

Section 4: That 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 5: Should any section or any provision of this Ordinance or portion hereof, any paragraph, sentence, or work be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the remainder of this Ordinance.

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 this 27\textsuperscript{st} day of March 2018.

PASSED on second reading by the City Commission of the City of North Lauderdale this 10\textsuperscript{th} day of April 2018.

APPROVED AS TO FORM:

_______________________________
CITY ATTORNEY SAMUEL GOREN

________________________________________
MAYOR JACK BRADY

_____________________________________________________
VICE MAYOR RICH MOYLE

ATTEST:

_______________________________
PATRICIA VANCHERI CITY CLERK
## EXHIBIT A

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Source of Funding:</strong></td>
<td></td>
</tr>
<tr>
<td>2018 Adopted Budget for General Fund (001) Revenues</td>
<td>$30,750,840</td>
</tr>
<tr>
<td>0011 399001  Transfer from Fund Balance</td>
<td>50,000</td>
</tr>
<tr>
<td><strong>Revised 2018 Budget for General Fund (001) Revenues</strong></td>
<td>$30,800,840</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Expenditures:</strong></td>
<td></td>
</tr>
<tr>
<td>2018 Adopted Budget for General Fund (001) Expenditures</td>
<td>$30,750,840</td>
</tr>
<tr>
<td>0010906 512010  Salaries &amp; Wages</td>
<td>32,600</td>
</tr>
<tr>
<td>0010906 521010  FICA Taxes</td>
<td>2,500</td>
</tr>
<tr>
<td>0010906 522010  401 (A) Retirement</td>
<td>4,600</td>
</tr>
<tr>
<td>0010906 523020  Disability Insurance</td>
<td>300</td>
</tr>
<tr>
<td>0010906 523030  Life Insurance</td>
<td>200</td>
</tr>
<tr>
<td>0010906 523010  Health/Dental Insurance</td>
<td>9,800</td>
</tr>
<tr>
<td><strong>Revised 2018 Budget for General (001) Expenditures</strong></td>
<td>$30,800,840</td>
</tr>
</tbody>
</table>
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission

FROM: Ambreen Bhatty, City Manager

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

DATE: April 10, 2018

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

Tonight, staff is presenting an Ordinance on second reading for your consideration of adoption that will extend the moratorium on the issuance of any new licenses or permits for uses that involve the cultivation, processing and dispensing of medical marijuana/cannabis for an additional six months (until November 1, 2018) from the current expiration date of April 30, 2018.

BACKGROUND:
On April 26, 2016, the City Commission approved Ordinance No. 16-04-1327 instituting the moratorium in response to the approval of House Bill 1313 regarding the medical use of Cannabis for terminally ill patients. The moratorium was extended for six months, until May 1, 2017, by Ordinance No. 16-10-1343 on October 11, 2016. The moratorium was extended again in April 2017 by Ordinance No. 17-04-1350 since the State legislators had not yet taken action on the bill. On June 13, 2017, the Commission was advised in Memorandum No. 2017-043 and during the Commission meeting by the City Attorney that the State had approved legislation (Senate Bill 8-A now known as F.S. Chapter 2017-232) that basically gave cities two options regarding medical marijuana; ban the dispensaries or allow them with very minimal ability to regulate them. In order to provide additional time to research this new legislation and analyze its potential impact, the Commission approved Ordinance No. 17-10-1363 on October 10, 2017 extending the moratorium until April 30, 2018.

During this time, the City’s professional staff has actively monitored actions taken by municipalities within Broward County. There is no comparable community who has legalized medical marijuana that can provide data on the impact of the industry since the business is very new in Florida and the States that have this industry have a very different philosophy and level of legalization. The attached spreadsheet was recently updated by Broward County Planning Directors Council. There are thirteen municipalities who have banned these establishments and eight others who have adopted regulations and allow them. Their ordinances may need amendment to come into compliance with the legislation that was ultimately adopted, Senate Bill 8-A now known as Chapter 2017-232. At this time there are an additional 10 cities that have temporary moratoriums in effect.
The City’s professional planning staff requests that the moratorium be extended to allow time to set up a workshop to present the current legislation to the Commission and discuss the two options with them. Once the Commission provides direction, the staff will prepare an Ordinance for their consideration pertaining to medical marijuana dispensaries within the City.

This item was approved unanimously on first reading at the March 27th, 2018 Commission meeting. There was discussion and direction from the Commission to schedule the workshop so the item could be moved forward expeditiously. The City Administration is working with the City Attorney’s office to schedule a presentation and coordinate calendars.

The Commission also inquired why other cities made the decision to ban as opposed to allow these establishments within the State’s strict regulations. The reasons for the decision vary by municipality. Given the limited ability of cities to regulate establishments based on the number, location, distance separation and the direction from the State to treat these establishments the same as pharmacies; some cities have chosen to ban them. Staff will present further information for the Commission’s consideration at the workshop.

**RECOMMENDATION:**

The City Administration recommends City Commission’s consideration of the attached Ordinance for adoption on second reading to extend the moratorium for an additional six months to November 1, 2018, on the issuance of building permits and local business tax receipts for uses that involve the cultivating, processing, and dispensing of medical marijuana/cannabis throughout the City.
### STATUS OF MEDICAL MARJUANA ZONING REGULATIONS - Dec. 2017

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Temporary</th>
<th>Regulating</th>
<th>Use</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coconut Creek</td>
<td>Ban</td>
<td>Regulate</td>
<td></td>
<td>Ord. 2017-9 adopted 4/13/17 - may amend for SB-8A in 1/18</td>
</tr>
<tr>
<td>Cooper City</td>
<td>Ban</td>
<td></td>
<td></td>
<td>Ordinance 14-10-4</td>
</tr>
<tr>
<td>Coral Springs</td>
<td>In effect</td>
<td></td>
<td></td>
<td>Moratorium extended to 1/17/18 (Ord. 2017-10)</td>
</tr>
<tr>
<td>Dania Beach</td>
<td>Ban</td>
<td>Regulate</td>
<td></td>
<td>Ordinance pending</td>
</tr>
<tr>
<td>Davie</td>
<td>Ban</td>
<td></td>
<td></td>
<td>Ordinance adopted 11/1/17</td>
</tr>
<tr>
<td>Deerfield Beach</td>
<td>Ban</td>
<td>Regulate</td>
<td></td>
<td>8/15/17 Commission revised ordinance (voting not to ban)</td>
</tr>
<tr>
<td>Fort Lauderdale</td>
<td>In effect</td>
<td></td>
<td></td>
<td>Moratorium in effect 180 days</td>
</tr>
<tr>
<td>Hallandale Beach</td>
<td>Ban</td>
<td>Regulate</td>
<td></td>
<td>Ord. adopted 6/7/2017 - may need to amend for SB-8</td>
</tr>
<tr>
<td>Hillsboro Beach</td>
<td>Ban</td>
<td></td>
<td></td>
<td>Ord. 2017-256 adopted 9/13/2017</td>
</tr>
<tr>
<td>Hollywood</td>
<td>Ban</td>
<td>Regulate</td>
<td></td>
<td>City has existing separation of 1/2 mile for pharmacies</td>
</tr>
<tr>
<td>Lauderdale-By-The-Sea</td>
<td>Ban</td>
<td></td>
<td></td>
<td>2nd reading on 9/13/2017</td>
</tr>
<tr>
<td>Lauderdale Lakes</td>
<td>Ban</td>
<td></td>
<td></td>
<td>1st reading 11/6/2017</td>
</tr>
<tr>
<td>Lauderdale</td>
<td>In effect</td>
<td>Regulate</td>
<td></td>
<td>No Commmercial Area</td>
</tr>
<tr>
<td>Lazy Lake</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lighthouse Point</td>
<td>Ban</td>
<td></td>
<td></td>
<td>Ordinance 2017-0918</td>
</tr>
<tr>
<td>Margate</td>
<td>Ban</td>
<td></td>
<td></td>
<td>Staff directed to draft Ord. to ban 12/18/17</td>
</tr>
<tr>
<td>Miramar</td>
<td>Ban</td>
<td></td>
<td></td>
<td>Ord., Approved 11/27/2017</td>
</tr>
<tr>
<td>North Lauderdale</td>
<td>In effect</td>
<td>Regulate</td>
<td></td>
<td>Moratorium - City intends to extend to 5/18</td>
</tr>
<tr>
<td>Oakland Park</td>
<td>Ban</td>
<td></td>
<td></td>
<td>Moratorium effective until 10/30/18 - City intends to regulate</td>
</tr>
<tr>
<td>Parkland</td>
<td>Ban</td>
<td>Regulate</td>
<td></td>
<td>Moratorium Ord. 2014-15; City intends to ban</td>
</tr>
<tr>
<td>Pembroke Park</td>
<td>In effect</td>
<td></td>
<td></td>
<td>Moratorium effective until 12/31/17</td>
</tr>
<tr>
<td>Pembroke Pines</td>
<td>Ban</td>
<td></td>
<td></td>
<td>2nd reading on 9/6/17</td>
</tr>
<tr>
<td>Plantation</td>
<td>Ban</td>
<td></td>
<td></td>
<td>Ord. 2520 adopted 10/2014</td>
</tr>
<tr>
<td>Pompano Beach</td>
<td>In effect</td>
<td></td>
<td></td>
<td>6 mo. moratorium approved 7/25/17 (Ord. 2017-61)</td>
</tr>
<tr>
<td>Sea Ranch Lakes</td>
<td>Ban</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Southwest Ranches</td>
<td>Ban</td>
<td></td>
<td></td>
<td>Ord. 2017-099 adopted 7/27/2017</td>
</tr>
<tr>
<td>Sunrise</td>
<td>In effect</td>
<td></td>
<td></td>
<td>Moratorium effective until 1/28/18</td>
</tr>
<tr>
<td>Tamarac</td>
<td>In effect</td>
<td></td>
<td></td>
<td>6 mo. moratorium approved 5/3/17 (Ord. 2017-52)</td>
</tr>
<tr>
<td>West Park</td>
<td>In effect</td>
<td></td>
<td></td>
<td>Moratorium extended to 1/2019</td>
</tr>
<tr>
<td>Weston</td>
<td>In effect</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wilton Manors</td>
<td>Regulate</td>
<td></td>
<td></td>
<td>Ord. adopted 2016 regulating locations (City may amend)</td>
</tr>
<tr>
<td>Unincorporated (BMSD)</td>
<td>Regulate</td>
<td></td>
<td></td>
<td>Ordinance pending 1/2018</td>
</tr>
</tbody>
</table>

Total: 13  10  8

Prepared by EPGMD/Planning & Development Management Division
ORDINANCE NO. __________________

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, EXTENDING THE MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS FOR USES THAT INVOLVE THE DISPENSING OF MEDICAL MARIJUANA/CANNABIS WITHIN THE CITY OF NORTH LAUDERDALE UNTIL NOVEMBER 1, 2018, WHICH WAS ENACTED PURSUANT TO ORDINANCE NO. 16-04-1327 ORIGINALLY ADOPTED ON APRIL 26, 2016, AND WAS EXTENDED UNTIL MAY 1, 2017 PURSUANT TO ORDINANCE NO. 16-10-1343 ADOPTED ON OCTOBER 11, 2016, WHICH WAS EXTENDED UNTIL NOVEMBER 1, 2017, PURSUANT TO ORDINANCE NO. 17-04-1350 ADOPTED ON APRIL 25, 2017 WHICH WAS EXTENDED UNTIL APRIL 30, 2018, PURSUANT TO ORDINANCE NO. 17-10-1363 ADOPTED ON OCTOBER 10, 2017 BUT IN NO EVENT LONGER THAN THE TIME NEEDED FOR THE CITY ADMINISTRATION TO COMPLETE A COMPREHENSIVE ANALYSIS OF THE ISSUES RELATED TO THE REGULATION MEDICAL MARIJUANA USES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, specifically, on October 11, 2016 the City Commission adopted Ordinance 16-10-1343 effectively extending the moratorium on the approval or issuance local business tax receipts and building permits for uses that involve the cultivation, processing, and dispensing of medical marijuana/cannabis for an additional six-months until May 1, 2017; and

WHEREAS, specifically, on April 25, 2017 the City Commission adopted Ordinance 17-04-1350 effectively extending the moratorium on the approval or issuance local business tax receipts and building permits for uses that involve the cultivation, processing, and dispensing of medical marijuana/cannabis for an additional six-months until November 1, 2017; and
WHEREAS, specifically, on October 10, 2017 the City Commission adopted Ordinance 17-10-1363 effectively extending the moratorium on the approval or issuance local business tax receipts and building permits for uses that involve the cultivation, processing, and dispensing of medical marijuana/cannabis for an additional six-months until April 30, 2018; and

WHEREAS, during the 2017 Special Legislative Session, the Florida Legislature passed Senate Bill 8-A, related to the usage of medical marijuana and associated dispensaries; and

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

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

WHEREAS, the City Administration requests an additional six (6) month extension, which is November 1, 2018, to the City’s moratorium to allow sufficient time to prepare a presentation to present the Commission with their rational, legal options during a workshop; and

WHEREAS, the City Commission finds that extending the moratorium on the approval or issuance local business tax receipts and building permits for uses that involve the cultivation, processing, and dispensing of medical marijuana/cannabis within the City is in the best interests of the citizens and residents of the City.
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE
CITY OF NORTH LAUDERDALE, FLORIDA THAT:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as
being true and correct and are hereby made a specific part of this Ordinance. These clauses
represent the legislative findings of the City Commission. It is the purpose and intent of this
Ordinance to promote the health, safety and welfare of the residents of North Lauderdale.

SECTION 2. The temporary moratorium on the approval or issuance local business tax
receipts and building permits for uses that involve the dispensing of medical marijuana/cannabis
within the City is hereby extended for a period of an additional six months, which is until
November 1, 2018, to allow time to prepare a presentation to the Commission clearly outlining
their legal options with the goal of preparing an Ordinance consistent with the direction received
from the Commission and with actions taken by the State of Florida regulating the cultivation,
processing, and dispensing of medical marijuana/cannabis. Ordinance Nos. 16-04-1327, 16-10-
1343, 17-04-1350 and 17-10-1363 adopted on April 26, 2016, October 11, 2016, April 25, 2017
and October 10, 2017 respectively, are hereby incorporated herein by reference, and shall remain
in full force and effect for the duration of this moratorium.

SECTION 3. If any clause, section, or other part or application of this Ordinance shall
be held by any court of competent jurisdiction to be unconstitutional or invalid, such
unconstitutional or invalid part or application shall be considered as eliminated and so not
affecting the validity of the remaining portions or applications remaining in full force and effect.

SECTION 4. Notwithstanding the time limit on the moratorium herein established, in
the event the City Commission finds that additional time is needed for staff to conclude its
review of regulations related to the cultivation, processing, and dispensing of medical
marijuana/cannabis, within the City and the drafting of regulations of those businesses then the term of this agreement may be extended for an additional one hundred and eighty (180) days.

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

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


PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE SECOND AND FINAL READING, THIS _____ DAY OF __________________, 2018.

CITY OF NORTH LAUDERDALE, FLORIDA

APPROVED AS TO FORM: ____________________________

MAYOR JACK BRADY

SAMUEL S. GOREN, CITY ATTORNEY

VICE MAYOR RICH MOYLE

ATTEST:

PATRICIA VANCHERI, CITY CLERK
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission
FROM: Ambreen Bhaty, City Manager
BY: Tammy L. Reed-Holguin, Community Development Director
DATE: April 10, 2018
SUBJECT: First Reading: Moratorium on Uses Including Automated Car Washes, Auto Wash Racks and Automobile Detailing or a Combination of These Uses

Tonight we are presenting the attached ordinance for your consideration on first reading to adopt a moratorium on the issuance of building permits and local business tax receipts for automated car washes, auto wash racks and automobile detailing or a combination of these uses throughout the City.

BACKGROUND:
The City has seen an influx in the number of automated car washes, auto wash racks and automobile detailing services in the City. North Lauderdale currently has 10 car washes and one newly approved site plan for a car wash within its 5.2 square miles of City limits. With limited commercial space left, diversity in uses would be more beneficial for the residents and to the economic vitality of the City. A review of commercial uses in relation to the goals of redevelopment in the City’s Comprehensive Plan will identify needed amendments to the zoning code to support these goals.

Resolution No. 18-02-6490 was adopted by the Commission on February 27th confirming the City Manager’s Administrative Order issued February 21, 2018 that instituted Zoning-in-Progress while this study is undertaken. Adoption of the attached ordinance imposes a moratorium on the approval of any applications or the issuance of any new licenses or permits for uses including automated car washes, auto wash racks and automobile detailing or a combination of these uses for 12 months from the date of adoption. At the conclusion of the study, staff will make recommendations for amendments to the zoning code if applicable and present them to the Planning and Zoning Board and City Commission for consideration.

On February 27, 2018, the City Commission approved a resolution ratifying the notice of intent to institute the moratorium being presented tonight.

The Planning and Zoning Board considered this item at their meeting on April 3, 2108 and recommend Commission’s consideration of adoption.
RECOMMENDATION:
The Administration recommends Commission’s approval of the attached Ordinance on first reading to institute a moratorium on the issuance of building permits and local business tax receipts for automated car washes, auto wash racks and automobile detailing or a combination of these uses throughout the City.
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ESTABLISHING A MORATORIUM ON THE APPROVAL OR ISSUANCE OF ANY NEW LICENSES OR PERMITS AND THE PROCESSING OF QUASI-JUDICIAL AND ZONING ITEMS PERTAINING TO USES INCLUDING AUTOMATED CAR WASHES, AUTO WASH RACKS AND AUTOMOBILE DETAILING OR A COMBINATION OF THESE USES WITHIN THE CITY FOR TWELVE MONTHS AFTER THE ADOPTION OF THE ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR EXCEPTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

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 insure appropriate development in the City, and from time to time recognizes the need to study and amend aspects of such; and,

WHEREAS, following an executive retreat, the City created redevelopment corridors along major thoroughfares and identified uses, architectural designs and site development strategies that support the redevelopment of the corridors;

WHEREAS, the City has amended its Comprehensive Plan supporting the redevelopment in these overlay districts and major corridors; and,

WHEREAS, it has been found that the Land Development Regulations, in some instances, are incompatible with or non-supportive of the redevelopment of these corridors; and,

WHEREAS, the City has seen an influx of applications for uses pertaining to automated car washes, auto wash racks and automobile detailing; and

WHEREAS, there are currently (10) ten licensed automobile car washes, one recently approved site plan for another freestanding car wash and (1) one automobile detailing service within the 5.2 square miles of the City limits; and

WHEREAS, it is the City’s desire to diversify the uses on the limited commercial property remaining in the City to strengthen the redevelopment efforts; and

WHEREAS, based upon this data and concerns raised by the City Commission during previous meetings, the City Manager has determined that there is a need to conduct a review of uses related to automated car washes, auto wash racks and automobile detailing or a combination of these uses, within the City; and,
WHEREAS, on February 21, 2018, the City Manager issued an Administrative Order, pursuant to Section 106-61 of the City’s Code, announcing Zoning-in-Progress relating to automated car washes, auto wash racks and automobile detailing or a combination of these uses in zoning districts throughout the City; and,

WHEREAS, Section 106-61, Code, provides that upon the issuance of an Administrative Order by the City Manager, the matter must be placed on the agenda for the next City Commission meeting for review and adoption of a resolution confirming the Administrative Order, and,

WHEREAS, the City Commission confirmed the Administrative Order at the February 27th, 2018 City Commission meeting by resolution and directed City staff to review the zoning matters relating to automated car washes, auto wash racks and automobile detailing or a combination of these uses in zoning districts throughout the City, as such is in the best interests of the City and its residents and property owners.

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 and confirmed as being true and correct and incorporated herein by this reference.

SECTION 2. The City Commission confirms the February 21, 2018, Administrative Order, and authorizes the City Manager to review and study uses including automated car washes, auto wash racks and automobile detailing or a combination of these uses in all zoning districts in the City.

SECTION 3. The City Commission hereby declares a moratorium shall be immediately imposed on the approval of any applications for site plans, rezoning, sign waivers, or special exception use permits or the issuance of any new licenses or permits during the term of the moratorium for the above-named uses within the City unless the City’s Community Development Department confirms that the application has a previously approved site plan, and for which building permits have yet to be issued or are open and pending, as of the date of the Administrative Order, February 21, 2018; or, as permitted by Section 106-61(i) and (j) of the City’s Code of Ordinances.

SECTION 4. The City Manager should provide recommendations relating to appropriate zoning districts no later than twelve (12) months from the date of adoption of this resolution, but in no event longer than the time needed to complete a comprehensive analysis of the issues relating to automated car washes, auto wash racks and automobile detailing or a combination of these uses within the City.

SECTION 5. 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 6. All ordinances or parts of ordinances, resolutions or part of resolutions in conflict herewith are to the extent of such conflicts hereby repealed.

SECTION 7. This ordinance shall take effect immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE FIRST READING, THIS ___ DAY OF __________________, 2018.

PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE SECOND AND FINAL READING, THIS ___ DAY OF __________________, 2018.

CITY OF NORTH LAUDERDALE

APPROVED AS TO FORM: __________________

MAYOR JACK BRADY

______________________________

SAMUEL S. GOREN, City Attorney

VICE MAYOR RICH MOYLE

ATTEST:

______________________________

PATRICIA VANCHERI, City Clerk
RESOLUTION NO. 2018-6490

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, CONFIRMING THE FEBRUARY 21, 2018 ADMINISTRATIVE ORDER ISSUED BY THE CITY MANAGER RELATING TO REVIEW OF USES INCLUDING AUTOMATED CAR WASHES, AUTO WASH RACKS AND AUTOMOBILE DETAILING OR A COMBINATION OF THESE USES IN ZONING DISTRICTS THROUGHOUT THE CITY; APPROVING AND AUTHORIZING THE CITY ADMINISTRATION TO CONDUCT SUCH REVIEW; PROVIDING FOR A TIME PERIOD FOR THE REVIEW; PROVIDING FOR LIMITATIONS ON ISSUANCE OF LICENSES AND PERMITS DURING THE TIME OF THE REVIEW; PROVIDING FOR LIMITATIONS ON THE PROCESSING OF QUASI-JUDICIAL AND ZONING ITEMS PERTAINING TO THESE USES; PROVIDING THAT THE ADOPTION OF THIS RESOLUTION COMMENCES THE AMENDMENT PROCESS FOR AMENDMENTS TO THE CITY’S CODE OF ORDINANCES RELATING TO THE ABOVE-MENTIONED USES WITHIN THE CITY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; 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, the City created redevelopment corridors along major thoroughfares and identified uses, architectural designs and site development strategies that support the redevelopment of the corridors;

WHEREAS, the City has amended its Comprehensive Plan supporting the redevelopment in these overlay districts and major corridors; and,

WHEREAS, it has been found that the Land Development Regulations, in some instances, are incompatible with or non-supportive of the redevelopment of these corridors consistent with the amendments to the City’s Comprehensive Plan; and,

WHEREAS, the City has seen an influx of applications for uses pertaining to automated car washes, auto wash racks and automobile detailing; and

WHEREAS, there are currently (10) ten licensed automobile car washes, one recently approved site plan for another freestanding car wash and (1) one automobile detailing service within the 5.2 square miles of the City limits; and

WHEREAS, it is the City’s desire to diversify the uses on the limited commercial property remaining in the City to strengthen the redevelopment efforts; and
WHEREAS, based upon this data and concerns raised by the City Commission previous meetings, the City Manager has determined that there is a need to conduct a review of uses related to automated car washes, auto wash racks and automobile detailing or a combination of these uses, within the City; and,

WHEREAS, on February 21, 2018, the City Manager issued an Administrative Order, pursuant to Section 106-61 of the City’s Code, announcing zoning in progress relating to automated car washes, auto wash racks and automobile detailing or a combination of these uses, in zoning districts throughout the City; and,

WHEREAS, Section 106-61, Code, provides that upon the issuance of an Administrative Order by the City Manager, the matter must be placed on the agenda for the next City Commission meeting for review and adoption of a resolution confirming the Administrative Order, and,

WHEREAS, the City Commission believes that the February 21, 2018, Administrative Order should be confirmed, and that City staff should review the zoning matters relating to automated car washes, auto wash racks and automobile detailing or a combination of these uses, in zoning districts throughout the City, as such is in the best interests of the City and its residents and property owners.

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 incorporated herein by this reference.

SECTION 2. The City Commission confirms the February 21, 2018, Administrative Order, and authorizes the City Manager to review and study uses including automated car washes, auto wash racks and automobile detailing or a combination of these uses, in all zoning districts in the City.

SECTION 3. The City Manager should provide recommendations relating to appropriate zoning districts no later than twelve (12) months from the date of adoption of this resolution, but in no event longer than the time needed to complete a comprehensive analysis of the issues relating to automated car washes, auto wash racks and automobile detailing or a combination of these uses, within the City.

SECTION 4. During the study period set forth in Section 3 above, no licenses or permits will be issued nor applications for site plans, rezoning, sign waivers, or special exception use permits will be accepted by City staff for the above-named uses within the City unless the City’s Community Development Department confirms that the application has a previously approved site plan, and for which building permits have yet to be issued or are open and pending, as of the date of the Administrative Order, February 21, 2018; or, as permitted by Section 106-61(i) and (j) of the City’s Code of Ordinances.

SECTION 5. The City Commission hereby acknowledges that the adoption of this Resolution commences the amendment process for amending Chapter 106 of the City’s Zoning Code as those provisions related to uses including automated car washes, auto wash racks and automobile detailing or a combination of these uses, within the City.
SECTION 6. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 8. This Resolution shall become effective upon adoption.


Mayor Jack Brady

Vice Mayor Rich Moyle

ATTEST:

Patricia Vancheri, City Clerk

APPROVED AS TO LEGAL FORM
BY CITY ATTORNEY:

Samuel S. Goren, Esquire
ADMINISTRATIVE ORDER
CITY OF NORTH LAUDERDALE

TO: CITY ADMINISTRATION AND DEPARTMENT HEADS

FROM: AMBREEN BHATTY, CITY MANAGER

DATE: February 21, 2018

SUBJECT: REVIEW OF USES INCLUDING AUTOMATED CAR WASHES, AUTO WASH RACKS AND AUTOMOBILE DETAILING IN ZONING DISTRICTS THROUGHOUT THE CITY

I, AMBREEN BHATTY, WITH POWERS VESTED IN ME AS THE CITY MANAGER OF NORTH LAUDERDALE, HEREBY ISSUE AN ADMINISTRATIVE ORDER TO REVIEW USES INCLUDING AUTOMATED CAR WASHES, AUTO WASH RACKS AND AUTOMOBILE DETAILING IN ALL ZONING DISTRICTS THROUGHOUT THE CITY AND TO REVIEW THE ZONING CODE AS IT PERTAINS TO THESE USES INCLUDING, BUT NOT LIMITED TO, SECTIONS 106-467 AND 106-468 OF THE CITY’S CODE OF ORDINANCES. AS A RESULT, ZONING IN PROGRESS IS IN PLACE WHILE THE CITY STAFF REVIEWS AND PREPARES RECOMMENDATIONS PERTAINING TO THE ZONING REGULATIONS REGARDING USES INCLUDING AUTOMATED CAR WASHES, AUTO WASH RACKS AND AUTOMOBILE DETAILING.

AMBREEN BHATTY, CITY MANAGER

DATE: 2-21-2018
TO: Honorable Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Rodney Turpel, Fire Chief
David Sweet, Deputy Fire Chief
Susan Nabors, Director of Finance

DATE: April 10, 2018

SUBJECT: Letter Of Intent to purchase a 2019 Freightliner M2 Chassis and remount of Patient Holding Compartment

On February 2, 2018 while transporting a patient to Planation General Hospital, Rescue 34 sustained significant damage from an auto accident occurring on State Road 7 in Lauderhill. The City’s Insurance Adjusters commissioned from the Florida League of Cities (FLC) declared Rescue 34 a total loss and has offered the City the actual cash value (ACV) of the vehicle in the amount of $62,725.00. The total cost to purchase a new rescue apparatus is estimated to be $325,000.00.

Please be advised that damage to this Rescue 34 was mainly to the front cab section and the rear box or patient holding compartment is still in very good condition. With this being stated, the Fire Rescue Administration is recommending to retain the original totaled rescue apparatus and contract with the vendor “REV-RTC/Hall-Mark RTC” under approved State Contract bid (Orange County Contract #Y13-1056-JS) to rebuild and remount the patient holding compartment of this damaged truck on a new 2019 Freightliner M2 Chassis. This project once completed would be equal to purchasing a brand new 2019 Rescue apparatus at a significantly reduced cost. The total cost for this project is $165,176.00 compared to a new apparatus at $325,000.00. The Staff recommends using this vendor for this work due to the fact that they were the original manufacturer of the damaged Rescue 34 and also maintain these types of rescue units throughout the State.

The City of North Lauderdale will receive at least $59,075 ($62,725 (ACV) less $1,000 deductible and less $2,650 salvage value) from FLC. City staff believes the ACV of the totaled vehicle is more than currently offered by FLC and is continuing to communicate with FLC and their appraiser to increase the ACV amount. The remaining balance to fund this project will not exceed $106,101.00, which will be paid out of the Fire Rescue Reserve Budget. Although staff is
still working with FLC to finalize amounts, in order to expedite the delivery of the remounted vehicle, a letter of intent to contract with REV-RTC/Hall-Mark RTC to purchase the new Chassis and rebuild this vehicle needs to be issued to now. This will enable REV-RTC/Hall-Mark RTC to begin the process of acquiring the 2019 Freightliner M2 Chassis. The average build time for the unit is 120-150-days from delivery of the new Chassis.

RECOMMENDATION:

The City Administration is recommending the Commission’s consideration and approval of the attached resolution authorizing the City Manager or her designee to execute a letter of intent with REV-RTC/Hall-Mark RTC for the purchase of a 2019 Freightliner M2 Chassis and total remount using the Patient Holding Compartment of the damaged 2014 Rescue unit 34.
RESOLUTION NO._____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO EXECUTE A LETTER OF INTENT TO PURCHASE A 2019 FREIGHTLINER FIRE RESCUE VEHICLE M2 CHASSIS AND A TOTAL REMOUNT USING THE PATIENT HOLDING COMPARTMENT OF THE DAMAGED 2014 RESCUE UNIT 34; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a need exists for the replacement of the totaled 2014 Rescue 34 to a 2019 Freightliner M2 chassis and remount;

WHEREAS, this vehicle will be replaced by a new 2019 Freightliner M2 chassis, purchased from REV-RTC/Hall-Mark RTC; the Orange County Contract #Y13-1056-JS, specification at a purchase price of $165,176.00 and,

WHEREAS, REV-RTC/Hall-Mark RTC has agreed to remount the patient holding compartment of the City of North Lauderdale totaled Rescue unit 34 on this new 2019 Freightliner M2 chassis

WHEREAS, this vehicle shall be equipped with all necessary components and recommended equipment as required by the Fire Department; and

WHEREAS, the delivery of this vehicle would occur in approximately 120-150 calendar days after receiving the purchased chassis and,

WHEREAS, the funds for this purchase will be available in the FY 2018 Fire Rescue Reserve Funds and insurance monies for unit and,

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

Section 1: That the City Manager or her designee is hereby authorized to issue a Letter of Intent to Purchase to REV-RTC/Hall-Mark RTC for the purchase of a new freightliner M2 chassis with a full remount using the patient holding compartment of the City of North Lauderdale totaled Rescue unit 34 on this new 2019 Freightliner M2 chassis in an amount not to exceed $165,176.00.

Section 2: That the vehicle will be purchased using the current Orange County Contract Quote # Y13-1056-JS with funds allocated in the FY 2018 fire rescue Reserve budget and insurance monies.
Section 3: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this___________day of______________________, 2018.

APPROVED AS TO FORM:

_______________________________
CITY ATTORNEY SAMUEL S. GOREN

_______________________________
MAYOR JACK BRADY

_______________________________
VICE MAYOR RICH MOYLE

ATTEST:

_______________________________
PATRICIA VANCHERI, CITY CLERK
Rescue Remount

DATE: March 30, 2018
The Proposal has been prepared for:

North Lauderdale Fire Rescue
6151 Bailey Road
North Lauderdale, FL 33068

We propose to furnish the City of North Lauderdale Fire Department for one (1) Remounted Rescue Transport Vehicle on a 2019 Freightliner Extended Cab & Chassis performed by REV RTC.

Delivery will approximately 120-150 calendar days after receipt of New and Old Chassis. Terms of payment shall be Net 30 Days.

| Remounted as per Specifications Attached Orange County Contract: Y13-1056-JS | $165,176.00 |
| Total: | $165,176.00 |

This quote is valid for 60 days unless extended in writing. Pricing is based on enclosed written specifications.

Company

By: Sally Wilson
Title: Ambulance Sales
Date: March 30, 2018

Purchaser

By: ____________________________
Title: ____________________________
Date: ____________________________
PROPOSAL SUBMITTED TO: 
Sally Wilson

PHONE NUMBER: 
352-629-6305

FAX NUMBER: 

CUSTOMER: 
North Lauderdale

S/O NUMBER:

REQUESTED BY: 

DATE OF REQUEST: 

ESTIMATED DELIVERY: 

<table>
<thead>
<tr>
<th>Qty.</th>
<th>Brand</th>
<th>Part No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>FRGHT</td>
<td></td>
<td>Freightliner Extended Cab</td>
</tr>
<tr>
<td>1</td>
<td>REV</td>
<td></td>
<td>Inbound inspection</td>
</tr>
<tr>
<td>26</td>
<td>REV</td>
<td></td>
<td>Prep new chassis for box install</td>
</tr>
<tr>
<td>18</td>
<td>REV</td>
<td></td>
<td>Modify rear of cab for pass thru</td>
</tr>
<tr>
<td>1</td>
<td>REV</td>
<td></td>
<td>New trim package</td>
</tr>
<tr>
<td>1</td>
<td>REV</td>
<td></td>
<td>New battery tray</td>
</tr>
<tr>
<td>8</td>
<td>REV</td>
<td></td>
<td>Transfer rear step assy</td>
</tr>
<tr>
<td>55</td>
<td>REV</td>
<td></td>
<td>Transfer chassis electrical</td>
</tr>
<tr>
<td>8</td>
<td>REV</td>
<td></td>
<td>Transfer siren speakers</td>
</tr>
<tr>
<td>120</td>
<td>REV</td>
<td></td>
<td>Transfer patient box to new chassis</td>
</tr>
<tr>
<td>10</td>
<td>Horton</td>
<td>10010849</td>
<td>Body mount isolator</td>
</tr>
<tr>
<td>60</td>
<td>REV</td>
<td></td>
<td>Transfer all cab mounted equipment</td>
</tr>
<tr>
<td>14</td>
<td>REV</td>
<td></td>
<td>Connect all HVAC to chassis</td>
</tr>
<tr>
<td>24</td>
<td>REV</td>
<td></td>
<td>Install new body mounts</td>
</tr>
<tr>
<td>1</td>
<td>REV</td>
<td></td>
<td>Pick up and delivery (in state)</td>
</tr>
<tr>
<td>1</td>
<td>REV</td>
<td></td>
<td>Paint top of cab to match curent color</td>
</tr>
<tr>
<td>1</td>
<td>REV</td>
<td></td>
<td>Letter and stripe cab</td>
</tr>
<tr>
<td>1</td>
<td>REV</td>
<td></td>
<td>Seat belts and cushion for 4 point belts</td>
</tr>
<tr>
<td>1</td>
<td>REV</td>
<td></td>
<td>Remove interior panels as need, prep and weld in new supports for 4 point belts, replace wall panels with new and install new belt system</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Custom Compartments for Roll Up Doors</td>
</tr>
</tbody>
</table>

Total: $165,176.00

Pricing on above items valid for 30 days
If final repair bill will exceed quote by 10%, customer will be notified prior to any additional services performed.

Revised July 6, 2004
TO: Mayor and City Commission
FROM: Ambreen Bhatt, City Manager
BY: George Krawczyk, Public Works/Utilities Director
DATE: April 10, 2018
SUBJECT: SW 79th Ave Canal Bank Rehabilitation Design and Construction Project

As you are aware, there has been a critical canal bank erosion issue along the properties located at 717,719 and 721 SW 79th Avenue. The staff conducted a study last year to analyze the issue and a report was presented to the City Commission. In regards to the findings, it was determined that there is a canal undercutting 8 feet below the surface that extends 5 feet into the bank creating a cave like condition. As a result, the limestone has cracked at this location and the bank is failing.

In order to address this issue cost effectively, staff asked the same engineer from Total Municipal Solutions that studied the canal bank, to submit a proposal to prepare design documents. Total Municipal Solutions is a small local firm that has prior experience with this type of work. In addition, this vendor is a part of the City’s pool of consultants, approved under the City’s RFQ 16-06-361.

The scope of services for this vendor includes the following tasks:

- Provide the design service for the sheet pile.
- Provide geotechnical services for design.
- Provide construction inspection services and final certifications.
- Assist City staff with the project management and the permitting of this project.

This vendor is ready to begin work as soon as possible and has submitted a proposal in an amount not to exceed $52,725.00 to complete the entire scope of services listed above. Once this phase is completed, the staff will be placing a “Request for Proposal” on the street for the actual construction of the project. Staff will then be presenting the lowest and most responsive bidder to the Commission for approval.

RECOMMENDATION:

The City Administration recommends that the City Commission approve the attached resolution authorizing the City Manager or her designee to award Total Municipal Solutions, Inc., under the terms of RFQ 16-06-361, for civil engineering services in an amount not to exceed $52,725.00 for the design, geotechnical services, construction inspection services, final certifications, and project management for the canal bank rehabilitation project on SW 79th Ave.
RESOLUTION NO. ____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO AWARD TOTAL MUNICIPAL SOLUTIONS INC, UNDER THE TERMS OF RFQ 16-06-361, FOR CIVIL ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED $52,725.00, FOR THE DESIGN, GEOTECHNICAL SERVICES, CONSTRUCTION INSPECTION SERVICES, FINAL CERTIFICATIONS, AND PROJECT MANAGEMENT FOR THE CANAL BANK RESTORATION PROJECT ON SW 79TH AVE; 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 of the City of North Lauderdale, Florida authorizes the City Manager to accept the professional service proposal from Total Municipal Solutions Inc, under the provisions of the City of North Lauderdale RFQ No. 16-06-361 General Professional Services.

Section 2: That the funding for this project, in an amount not to exceed $52,725.00, is appropriated in Fiscal Year 2018.

Section 3: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 10th day of April, 2018.

APPROVED AS TO LEGAL FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR JACK BRADY

______________________________
VICE MAYOR RICH MOYLE

ATTEST:

______________________________
PATRICIA VANCHERI, CITY CLERK
Total Municipal Solutions, Inc.
...more for less and we've done it

Providing full Public Works, Utilities and Engineering Services to Local Governments

SBE/DBE/MBE
FDOT Prequalified
Categories 3.1 and 10.1
Miami-Dade County Technical Certifications

Raj Verma, P.E.
Charles Billias
Ram Tewari P.E.
Don Gentile
Darby Blanchard
Rishi Verma

April 4, 2018

George Krawczyk, PE
Public Works and Utilities Director
City Of North Lauderdale
701 SW 71st Avenue
North Lauderdale 33068

Re: Proposal for Project Management, Design and Construction Administration Services for Canal Bank Rehabilitation Project on SW 79th Avenue

Dear Mr. Krawczyk:

Pursuant to our discussions and change in the bidding methodology, Total Municipal Solutions, Inc. (TMS) is submitting a revised cost proposal in the amount not to exceed $52,725 for project management, design and construction administration services for the Canal Bank Rehabilitation Project on SW 79th Avenue. The restoration work would be limited to the full width along the residential properties located (canal side) at:

717 SW 79th Avenue
719 SW 79th Avenue
721 SW 79th Avenue

The breakdown of the proposal is as follows:

- Design services by specialty subconsultant: $18,500
- Special hydrographic survey, geotechnical investigation by subconsultants: $ 8,600
- Construction inspection services and final certification by subconsultant: $16,400
- Overall project management, coordination and permitting: $ 9,225
- Total: $52,725

The design and construction inspection services (CEI) will be performed by TMS' specialty subconsultant, Lakdas/Yohalem Engineering (LYE). LYE has extensive experience in the design and CEI performance of seawall construction. Presently, they are doing similar type of work for the City of Fort Lauderdale and Port Everglades.

Please do not hesitate to contact us if you have any questions. The Total Municipal Solutions Team is looking forward to working with the City on this important project.

Sincerely,

Raj Verma, PE
President
(954) 448-9056

2901 W. Abieca Circle, Davie, FL 33328  896 SW 70th Avenue, Miami 33144
www.TotalMunicipalSolutions.com  (954) 448-9056
RESOLUTION NO. _________________

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

WHEREAS, Claire Pierre has submitted an application to serve as a regular member of the Code Enforcement Board; and

WHEREAS, Vice Mayor Moyle recommends the appointment of Claire Pierre to fill a position on the Code Enforcement Board with a member from his district; and

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

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

Section 1: That Claire Pierre be and the same is hereby appointed as a regular member of the North Lauderdale Code Enforcement Board.

Section 2: That Claire Pierre shall serve in said capacity for a three year term commencing on April 3, 2018 through May 31, 2021 or until resignation, whichever comes first.

Section 3: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 10th day of April, 2018.

APPROVED AS TO FORM:

________________________________
CITY ATTORNEY SAMUEL S. GOREN

________________________________
MAYOR JACK BRADY

________________________________
VICE MAYOR RICH MOYLE

ATTEST:

________________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, PROVIDING FOR THE APPOINTMENT OF JEHAN D. WILSON (SPONSORED BY COMMISSIONER JERRY GRAZIOSE) TO SERVE ON THE COMMUNITY SUSTAINABILITY BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a vacancy exists on the Community Sustainability Board; and

WHEREAS, Jehan D. Wilson, who resides in District “B” desires to serve on said Board; and

WHEREAS, Commissioner Jerry Graziose recommends the appointment of Jehan D. Wilson to fill said vacancy.

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

Section 1: That Jehan D. Wilson, be and the same is hereby appointed as a member of the Community Sustainability Board.

Section 2: That she shall serve in said capacity until April 10, 2021 or until resignation, whichever comes first.

Section 3: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this _____________ day of April, 2018.

APPROVED AS TO FORM:

____________________________________
CITY ATTORNEY SAMUEL S. GOREN

____________________________________
MAYOR JACK BRADY

____________________________________
VICE MAYOR RICH MOYLE

ATTEST:

____________________________________
PATRICIA VANCHERI, CITY CLERK
April 4, 2018

The Honorable Rick Scott  
Governor of the State of Florida  
The Capitol  
400 S. Monroe Street  
Tallahassee, FL 32399-0001

RE: Opportunity Zones Designation in City of North Lauderdale

Dear Honorable Governor Scott:

The Opportunity Zones program was established by the Tax Cut and Jobs Act of 2017 to encourage long-term investment in economically distressed communities. The Act requests the Governor of each state to nominate up to 25 percent of eligible low-income census (LIC) tracts as Opportunity Zones. Five percent of the census tracts nominated may come from eligible contiguous tracts.

The predominance of North Lauderdale’s census tracts, with the exception of one contiguous zone and one development on the east side of the City, meet the qualifications for designation as a low-income Opportunity Zones. There is ample opportunity for private investment in an array of projects throughout the City. In order to focus the redevelopment efforts in the areas with the greatest potential for success through investment and leveraging of resources, the City of North Lauderdale urges you to nominate the following three out of the eleven eligible low-income (LIC) census tracts for Federal designation as Qualified Opportunity Zones:

LIC Census Tracts:

- Census Tract #12011020404 (Tract includes commercial corridor on State Road 7)  
  According to the American Community Survey 2015 estimates (ACS – 2015), this North Lauderdale census tract has 8,217 residents whose median income is $45,077, with a 14.2% poverty rate and a 21% unemployment rate.

  North Lauderdale is a predominantly residential community with valuable pockets of commercial properties. This tract encompasses several neighborhoods that provide affordable housing and have attracted investors who renovate properties for rental purposes. The tract borders the City’s designated Civic Redevelopment Corridor (Rock Island Road) on the west and the City’s designated State Road 7 Redevelopment Corridor on the east. The City joined with the Treasure Coast Regional Planning Council in 2006 to develop and adopt the State Road 7 Redevelopment Plan. Private investment would
spur the completion of projects to make the connection with the cities to the north and south.

- **Census Tract #12011020412 (Tract is entirely in North Lauderdale)**
  According to the American Community Survey 2015 estimates (ACS – 2015), this North Lauderdale census tract has 3,521 residents whose median income is $31,424, with a 37.1% poverty rate and a 33% unemployment rate.

  This census tract is located on the west side of the City encompassing neighborhoods, commercial areas and schools. The amenities cater to young families. The City recently invested in one of the shopping centers with a matching grant for commercial rehabilitation. This spurred investment in a four-story office building that was vacated by a single user, non-profit, was recently sold, rehabilitated and is now 80% occupied by a variety of tenants, making it a successful reuse project. There are other commercial and residential properties that could benefit from investment to also be put back on the market including a gas station, shopping center and strip centers.

- **Census Tract #12011050309 (Tract is partially in Tamarac and has also been nominated by the City of Tamarac)**
  According to the American Community Survey 2015 estimates (ACS – 2015), this North Lauderdale census tract has 2,467 residents whose median income is $32,865, with a 29.8% poverty rate and a 23% unemployment rate.

  Regional redevelopment is a priority of the City. North Lauderdale has partnered with the City of Tamarac to provide services to residents, for more efficient government operations and to create regional plans for the redevelopment of both areas. This particular census tract includes the southern State Road 7 corridor in both cities. It also includes a mobile home park in North Lauderdale that has an approved site plan, land use and zoning for redevelopment into market rate housing with a mixed use component on the east side to provide commercial services for the residents.

The City embraces partnering with neighboring communities to make a regional economic impact. Two of the three zones make that connection by revitalizing the State Road 7 corridor that crosses not only municipal but also county boundaries and by joining with City of Tamarac for an area to the south that also includes a portion of the State Road 7 corridor. The Opportunity Zone program would substantially improve the ability to attract private development opportunities and will improve the quality and to create a more vibrant economic future by cultivating economic diversity, enhancing training and re-development opportunities.

We look forward to your approval of an Opportunity Zone with the City of North Lauderdale. Thank you for your consideration.

Sincerely,

Jack Brady
Mayor, City of North Lauderdale
Cc: U.S. Senator Marco Rubio
    U.S. Senator Bill Nelson
    U.S. Representative Alcee L. Hastings
    Representative Patricia Hawkins-Williams
    Representative Barrington A. Russell
    Senator Perry E. Thurston, Jr.
    Andrea C. Knowles, Executive Director
    Mark Kruse, Governor’s Office of Policy & Budget
    Michael DiNapoli, Florida Department of Economic Opportunity
    Kathe Lerch, South Florida Regional Planning Council
    City Commissioners of North Lauderdale
    Ambreen Bhatti, City Manager
    Sam Goren, City Attorney
INTER-OFFICE MEMORANDUM
CITY CLERK’S DEPARTMENT

TO: Mayor and City Commission
FROM: City Clerk Patricia Vancheri
DATE: April 10, 2018

SUBJECT: Broward League of Cities Board of Directors Appointments

The Broward League of Cities is requesting each Member City to pass a Resolution appointing a Director, an Alternate Director and a Second Alternate Director to serve on the Board of Directors for the time period effective June 2018 through May 2019. The deadline to submit the appointments to the Broward League of Cities is April 27, 2018.

The current slate of officers is Mayor Jack Brady, Director; Commissioner Graziose, Alternate and Commissioner Wood, Second Alternate.

COMMISSION ACTION NEEDED:

Select among your peers Commissioners to serve in the three positions cited above; fill in the names in the attached Resolution; read and adopt the Resolution with the names inserted.
RESOLUTION NO. __________________________

A RESOLUTION OF THE NORTH LAUDERDALE CITY COMMISSION
APPOINTING A DIRECTOR, AN ALTERNATE DIRECTOR AND A
SECOND ALTERNATE TO THE BROWARD LEAGUE OF CITIES
BOARD OF DIRECTORS EFFECTIVE JUNE 2018 THROUGH MAY
2019; PROVIDING THAT A COPY OF THIS RESOLUTION BE SENT TO
MARY LOU TIGHE, EXECUTIVE DIRECTOR OF THE BROWARD
LEAGUE OF CITIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Broward League of Cities has requested that each member city provide a
Resolution naming, from among their peers a director, alternate director and second alternate
director to serve on the League Board of Directors.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of North
Lauderdale, Florida:

Section 1. That ____________________________ be and the same is hereby selected to
serve as a Director of the Broward League of Cities Board of Directors.

Section 2. That ____________________________ be and the same is hereby selected to
serve as an Alternate Director of the Broward League of Cities Board of Directors.

Section 3. That ____________________________ be and the same is hereby selected to
serve as a Second Alternate Director of the Broward League of Cities Board of Directors.

Section 4: That the City Clerk shall provide an executed copy of this Resolution to Mary
Lou Tighe, Executive Director, Broward League of Cities.

Section 5: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the North Lauderdale City Commission this 10th day of April,
2018.

APPROVED AS TO LEGAL FORM:

_________________________________  __________________________
SAMUEL S. GOREN CITY ATTORNEY         MAYOR JACK BRADY

ATTEST: ____________________________  __________________________
CITY CLERK, PATRICIA VANCHERI            VICE MAYOR RICH MOYLE
MEMORANDUM

To: City Clerks

From: Mary Lou Tighe, Executive Director

Date: March 19, 2018

Re: 2018-19 Board of Director Appointments

According to the League By-Laws:

- Each city shall appoint a Director, Alternate, and Second Alternate to attend and vote at any Board of Directors or General Membership meeting held where he/she represents his/her municipality.
- It is the responsibility of each Director to communicate with his/her respective municipal officials, employees, and constituents concerning actions taken or to be taken by the Board of Directors or the general membership. Directors are responsible for bringing issues of collective importance to the attention of the Board of Directors.
- Each member of the Board of Directors shall notify his or her Alternate to attend Board of Director Meetings when that voting member will not attend. The Alternate shall have the right to participate and vote. In the event the Alternate cannot attend, the Alternate shall notify his or her Second Alternate to attend Board of Director meetings when the Alternate cannot attend. The Second Alternate shall have the right to participate and vote.

Please agenda the selection of your Director, Alternate, and Second Alternate for your next commission meeting as the deadline for board appointments is April 27, 2018. Once completed, please forward the information below to scocrhane@browardleague.org.

=================================================

Municipality: ______________________________

Commissioner/Council Appointments:

Director: ________________________________

Alternate: ________________________________

Second Alternate: _________________________
City of North Lauderdale
Application to Request City Ceremonial Item

Date: 4/2/18

Requests for Ceremonial Items must be submitted 4 weeks prior to the requested Commission meeting date. The City Commission typically meets the 2nd and last Tuesday of each month.

1. Type of Ceremonial Item Requested:
   - ___ Key to the City
   - ___ Certificate/Plaque of recognition or appreciation
   - ___ Proclamation
   - ___ Letter of Honor (Requires notification to the Commission and no approval)

2. Individual, Agency, or Organization Requesting Ceremonial Item:
   Name, Address, Phone ____________________________
   On Behalf of Mayor ____________________________
   AND Commission ____________________________

3. Purpose of Ceremonial Item: ____________________________
   To provide Certificate of Appreciation to Fire Dept. Staff for two calls of assistance:
   Please fill in 5 Bullet Points as to why this Ceremonial Item is deserved:
   - Provide assistance (Mutual Aid)
   - Safe Life
   - Protect Property
   - Treat Injured
   - Search & Rescue

4. Item to be presented at:
   - ___ Commission meeting on May 8, 2018
   - ___ Another event
     Location City Hall Date 5-8-2018

5. Person Attending Meeting to Receive Ceremonial Item
   Name/Phone Number ____________________________ See Additional Page
City of North Lauderdale
Application to Request City Ceremonial Item

Date: 4/5/18

Request for Ceremonial Items must be submitted 4 weeks prior to the requested Commission meeting date. The City Commission meets the 2nd and last Tuesday of each month.

1. Type of Ceremonial Item Requested:
   • ______ Key to the City
   • ___√ Certificate/Plaque of recognition or appreciation
   • ______ Proclamation
   • ______ Letter of Honor (Requires notification to the Commission and no approval)

2. Individual, Agency, or Organization Requesting Ceremonial Item:
   Name, Address, Phone On behalf of Mayor and Commission
   ________________________________ by Commissioner Samson Borgelin

3. Purpose of Ceremonial Item:__________ To receive Plaque of Recognition:
   “Indigent Defense and Exemplar Award”
   Occasion/Celebration: HAITIAN HERITAGE MONTH (May 2018)
   Please fill in 5 Bullet Points as to why this Ceremonial Item is deserved:
   • ___ Demonstrating an exceptional commitment to Champion the cause of Indigents
   • ___ Fighting for equal justice and human dignity, and anti-poverty
   • ___ Supporting residents in achieving their legal and life goals
   • ___ Zealously advocating for the rights of fellow humans
   • ___ Working tirelessly to promote just public policy to protect the right of all
   • ___ Outstanding demonstration of the spirit of diversity and extraordinary competence

4. Item to be presented at:
   • ___√ Commission meeting on May 8, 2018
   • Another event
   • Location City Hall Date: May 8, 2018

5. Person Attending Meeting to Receive Ceremonial Item
   Name/Phone Number ___________________________ (See next page)

These remarkable behind-the-scenes individuals deserve the Commission of North Lauderdale recognition for their contributions to impact and better the life of everyone particularly for in North Lauderdale.

| INDIGENT DEFENSE and EXEMPLAR AWARD by Commissioner Samson Borgelin, District D, N Lauderdale |
|-----------------------------------------------|-----------------------------------------------|-----------------------------------------------|
| HONOREES                                      | Area of Contribution                             | Phone Number                                 |
| Marie Floré Lindor-Latortue, Dr.              | Radio-Host, Business Consultant, Professor       | 305-308-2889                                 |
| Father Gabriel Lormeux, Priest                | Priest/Educator, North Lauderdale                | 954-562-0250                                 |
| Ronald Surin, Attorney at Law                 | Lawyer and TV Host, Fort Lauderdale             | 954-463-0709                                 |
| Richard Salzmann, DMD                         | Periodontist/Missionary, Cooper City             | 954-435-1102                                 |
| Jacqueline Charles, Journalist                | Top Reporter for Miami Herald                    | 786-369-6184                                 |
First Incident:

Mutual Aid to City of Parkland, at
Major Stoneman Douglas High School on
February 14, 2018.

Battalion Chief: Jon Socher
Lt. Chris Passino
FF/PM Matt Santana
FF/EMT Nick Ruesga

Second Incident:

Mutual Aid to City of Pompano Beach,
at a large condominium fire on March 13, 2018.

Lt. Esnell Morales
DE Randy Monroe
FF/PM Matt Hurt
MEETING AGENDA

Tuesday, APRIL 10, 2018
Immediately Following North Lauderdale City Commission Meeting

1. ROLL CALL
   President Jack Brady
   Treasurer Jerry Graziose
   Secretary Lorenzo Wood
   Director Rich Moyle
   Director Samson Borgelin
   Executive Director Michael Sargis
   Foundation Attorney Samuel S. Goren
   Foundation Clerk Patricia Vancheri

2. APPROVAL OF MINUTES
   a. January 16, 2018

3. OLD BUSINESS
   a. Financial Update – Susan Nabors, Chief Financial Officer

4. NEW BUSINESS
   a. Donation of $3,600 - to City to implement Rachel’s Challenge Program
   b. Authorizing Treasurer Graziose to issue check in amount of $3,600 to City for Rachel’s Challenge

5. BOARD COMMENTS

6. ADJOURNMENT
North Lauderdale Recreation Foundation is a 501 3C Registered Not for Profit Corporation
Minutes
January 16, 2018

The North Lauderdale Recreation Foundation met on Tuesday, January 16, 2018 at the Municipal Complex. The meeting convened at 8:46 pm.

1. ROLL CALL - Clerk called roll. All present (President Brady by teleconference)
   
   President Jack Brady
   Secretary Lorenzo Wood
   Director Samson Borgelin
   Foundation Attorney Samuel S. Goren
   Treasurer Jerry Graziose
   Director Rich Moyle
   Executive Director Michael Sargis
   Foundation Clerk Patricia Vancheri

2. APPROVAL OF MINUTES

   a. September 27, 2017 – Treasurer Graziose moved to approve the Minutes as submitted. Seconded by Secretary Wood. Minutes approved unanimously by voice vote.

3. OLD BUSINESS

   a. Budget Report – Susan Nabors, Chief Financial Officer, provided the Profit & Loss Statement from October 1, 2017 through January 16, 2018 and the Balance Sheet as of January 16, 2018. Both are attached to these Minutes. Currently there is $40,873.40 in the bank.

4. NEW BUSINESS

   a. Submission of State Renewal Application – this application was submitted and has been accepted and approved by the State; the application is good for another year, so the Foundation can solicit sponsorships. Non-profit status has also been renewed through December, 2018. CFO Nabors has submitted the tax form so all of the Federal and State paperwork has been submitted and the Foundation is in good standing.

   b. Donation to City to help offset cost of Bus Purchase – The City has purchased a used handicap accessible school bus for $32,000 and the Foundation actually had previously approved a donation of $7,500. Treasurer Graziose made a motion to approve a check in the amount of $7,500 as a donation to the City of North Lauderdale. President Brady seconded the motion. Motion approved unanimously by voice vote.
c. Secretary Wood moved to authorize the treasurer to authorize Treasurer Graziose to sign check in amount of $7,500. Seconded by Treasurer Graziose. All in favor. Executive Director Mike Sargis sought reimbursement of $70.00 which he paid to the State for the renewal fee on behalf of the Foundation. Secretary Wood moved to authorize the reimbursement and the check to be signed by the Treasurer. Seconded by Treasurer Graziose. All in favor.

5. BOARD COMMENTS - None

6. ADJOURNMENT – There being no further business, the meeting adjourned at 8:52 pm.

Respectfully submitted,

Patricia Vancheri,
Foundation Clerk
The City of North Lauderdale Recreation Foundation, Inc.
Balance Sheet
As of January 16, 2018

Jan 16, 18

ASSETS
Current Assets
Checking/Savings
TD Bank - Checking
Total Checking/Savings
Total Current Assets
TOTAL ASSETS

40,873.40
40,873.40
40,873.40
40,873.40

LIABILITIES & EQUITY
Equity
Retained Earnings
Net Income
Total Equity
TOTAL LIABILITIES & EQUITY

40,043.00
-59.66
40,873.40
40,873.40

The City of North Lauderdale Recreation Foundation, Inc.
Profit & Loss
October 1, 2017 through January 16, 2018

Oct 1, '17 - Jan 16, 18

Ordinary Income/Expense
Expense
Bank Charges
Total Expense

69.66
69.66

Net Ordinary Income
Net Income

-59.66
-59.66