1. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Wood

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. December 12, 2017

4. PRESENTATIONS

a. Outstanding Citizen Awards for Assistance Before, During and After Hurricane Irma (Commissioner Borgelin)
   
   - Ana Ziade
   - Ben Myers
   - Craig Halick
   - Demetria Rawls
   - Dorothy Borgelin
   - Jeffrey Lampkin
   - Ramner Fleurigene
   - Pastor Louverture Lubin
   - Eugene Jones
   - Hal Batson
   - Luis Batista
   - Mark Luke Moroso
   - Montfort Alexis
   - Peter Von Stetina
   - Susan Liburd
5. PROCLAMATIONS
   a. National Slavery and Human Trafficking Prevention Month - January

6. PUBLIC DISCUSSION

7. QUASI-JUDICIAL ITEMS
   a. **SUBJECT:** SEU 17-07
      Youfit Health Club
      7346 W. McNab Rd.

      Special Exception Use permit to allow for a gymnasium in accordance with Section 106-467 (7) “Supplemental Regulations” of the City Code of Ordinances in a General Business (B-2) zoning district.

      **APPLICANT:** Brandi Vaquero, Youfit Health Clubs Inc.

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

      **MOTION:** To approve the Special Exception Use Permit allowing a gymnasium, in accordance with Section 106-467 “Supplemental Regulations” of the City Code of Ordinances in a General Business (B-2) zoning district, subject to the seven (7) conditions outlined in staff memorandum.

   b. **SUBJECT:** SPR 16-01 SITE PLAN EXTENSION
      First Haitian Baptist Church
      1350 S. State Road 7

      **APPLICANT:** Dr. Rev. Willem Philippi

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

      **MOTION:** To extend SPR 16-01 for six (6) months, retroactive from December 28, 2017.
c. **SUBJECT:** Site Plan SPR 17-06
   Folio # 494111280023 Avon Lane and McNab Road

   Preliminary Site Plan approval to allow for an automated car wash facility within in a (B-3) General Business Zoning district.

   **APPLICANT:** Daniel Luna, T Car Wash Operations LLC.

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

   **MOTION:** To approve the preliminary site plan subject to the fifteen (15) conditions outlined in staff memorandum and with direction for Administration and the applicant to continue work together to finalize the site plan.

8. **ORDINANCES SECOND READING**

   a. [ORDINANCE – Second Reading – Statement of Ethical Practices](http://example.com) (Sponsored by Mayor Jack Brady)

      THIS ITEM HAS BEEN TABLED TO A TIME UNCERTAIN. THERE WILL BE NO DISCUSSION OR VOTE ON THIS ITEM AT THIS MEETING.

      AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, (“CITY”), RELATING TO CAMPAIGN ETHICS, CREATING SECTION 2-37, ARTICLE II, NORTH LAUDERDALE CODE OF ORDINANCES, TO BE ENTITLED “ETHICAL CAMPAIGN PRACTICES” REQUIRING ALL CANDIDATES FOR MUNICIPAL OFFICE IN THE CITY OF NORTH LAUDERDALE TO AFFIRMATIVELY AGREE TO SUBSCRIBE TO THE BROWARD COUNTY STATEMENT OF ETHICAL CAMPAIGN PRACTICES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

9. **OTHER BUSINESS**

   a. [ORDINANCE - First Reading: Amendment to Chapter 6 “AMUSEMENTS AND ENTERTAINMENTS” of the City’s Code of Ordinances](http://example.com)
AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING ARTICLE III “GAME MACHINES AND BILLARDS” SECTIONS 6-58 AND 6-59 WITHIN CHAPTER 6 “AMUSEMENTS AND ENTERTAINMENTS” OF THE NORTH LAUDERDALE CODE OF ORDINANCES, TO DEFINE AND PROVIDE REQUIREMENTS RELATED TO AMUSEMENT CENTERS PRIMARILY FAMILY-ORIENTED; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

b. ORDINANCE - First Reading: Amending Section 106-184 “Fences, Walls and Hedges” and Section 94-14 “Functional Types of Signs” to Provide for Regulations Regarding Screening and Signage on Temporary Construction Fences.

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING SECTION 106-184 WITHIN CHAPTER 106 OF THE NORTH LAUDERDALE CODE OF ORDINANCES, ENTITLED “ZONING” TO DEFINE AND PROVIDE REQUIREMENTS RELATED TO THE INSTALLATION OF TEMPORARY CONSTRUCTION FENCES; AMENDING SECTION 94-14 WITHIN CHAPTER 94 OF THE NORTH LAUDERDALE CODE OF ORDINANCES ENTITLED “SIGNS” TO PROVIDE FOR CONSTRUCTION SIGNS ON TEMPORARY CONSTRUCTION FENCES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

c. RESOLUTION - Amendment #6 to Contract with the Staffing Connection for Crossing Guard Services to provide for Florida Statutory Minimum Wage Increase

Motion, second and vote to read
Attorney reads title
Staff presentation
Commission motion and second to adopt
Commission discussion
Commission vote
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDMENT TO THE ORIGINAL AGREEMENT FOR CROSSING GUARD SERVICES WITH STAFFING CONNECTION TO INCREASE THE HOURLY RATE BY $0.15 EFFECTIVE JANUARY 1, 2018 DUE TO A CHANGE IN THE FLORIDA STATUTORY MINIMUM WAGE; AND PROVIDING FOR AN EFFECTIVE DATE.

10. REPORTS
   a. Parks and Recreation Update – Michael Sargis (Verbal)
      • Holiday Camp Registration
      • Youth Football Program
      • Spring Youth Soccer Season
      • North Lauderdale Days

11. COMMISSION COMMENTS
   a. [Request for Ceremonial Items (Commissioner Wood)]
   b. Discussion and possible Motion to direct City Attorney’s office to draft a resolution urging the Federal Emergency Management Agency ("FEMA") to change FEMA's Policy requiring PRE-Approval for Disaster Debris Removal from Private Roads and Treat Disaster Debris Removal from Private Roads in Residential Communities in the same manner as Public Roads for the purpose of FEMA Reimbursement for Disaster Debris Removal Costs. (Commissioner Wood)
   c. Discussion and possible Motion to approve attendance and purchase of table of at the ADRC/Areawide Council on Aging’s 38th Annual Board & Advisory Council Installation Dinner – Thursday, January 18, 2018 - $1,250 Sponsorship Table of Ten
   d. Discussion and possible Motion to approve attendance and purchase of table at the Aging & Disability Resource Center’s 12th Annual Valentine’s Luncheon & Fashion Show – Friday, February 9, 2018 - $800 Sponsorship Table of Ten

12. CITY MANAGER COMMENTS

13. CITY ATTORNEY COMMENTS

14. ADJOURNMENT

[CONVENE TO NORTH LAUDERDALE RECREATION FOUNDATION]
CITY OF NORTH LAUDERDALE
COMMISSION MEETING
TUESDAY, DECEMBER 12, 2017

MINUTES

The North Lauderdale City Commission met at the Municipal Complex on Tuesday, December 12, 2017. The meeting convened at 6:00 p.m.

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

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

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

3. APPROVAL OF MINUTES

   a. November 14, 2017 – Commissioner Graziose moved to approve with corrections previously submitted. Clerk advised that corrections were made prior to this meeting and the correct Minutes were posted on the website and the corrected Minutes have been provided. Commissioner Wood seconded the motion. Clerk polled Commission. Minutes approved unanimously.

4. PRESENTATIONS

City Manager Bhaty invited BSO Captain Faer to introduce new deputies. Captain Faer stated he is lucky to have a great staff and introduced new deputies, Deputy Hogan who has been with the department for about a year; Deputy Petrillo just transferred from Parkland; and Deputy Ackerman just off of FTO. Also introduced was School Resource Officer (SRO) Deputy Chase coming from Lauderdale Lakes District.
a. Retirement of Captain Michael Cohen after 35 years of Distinctive Service with the City of North Lauderdale Fire Department

Fire Chief Rodney Turpel gave a summary of Captain Michael Cohen’s history with the Fire Department from his first day as a Firefighter in September of 1982 to his retirement after 35 years of distinctive service, having started in a department with 10 fulltime firefighters and many volunteers. Chief Turpel stated that Captain Cohen was his Lieutenant when he started years ago and said there is not enough time to go over all the good things about Captain Cohen. Deputy Chief Dave Sweet added that Captain Cohen has been with them since actually, the original 12 Firefighters at the old Station and has gone through the growth of the department with new stations, new types of service and new equipment. He thanked Captain Cohen and said it has been a great ride and they have learned a lot from him. Chief Turpel presented a plaque in appreciation of Captain Cohen’s service.

Mayor Brady called for a brief intermission, after which time the meeting resumed.

5. PUBLIC DISCUSSION – No one signed in.

6. OTHER BUSINESS

a. SUBJECT – Economic Development Strategic Plan

i. RESOLUTION – Accepting Ranking of Evaluation Committee for RFP #17-10-371 for Consulting Services for Economic Development Strategic Plan

Commissioner Graziose moved to read. Seconded by Commissioner Wood.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING THE RANKING OF THE EVALUATION COMMITTEE WITH REDEVELOPMENT MANAGEMENT ASSOCIATES (RMA) AS THE TOP RANKED FIRM FOR CONSULTING SERVICES TO CREATE A CITYWIDE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY; AND PROVIDING AN EFFECTIVE DATE.

Katherine Randall, Assistant Community Development Director, presented the item based on backup memorandum stating that the City’s Economic Development goal is to create and maintain a strong, vibrant local economy, which goal was set during the City Commission’s visioning workshop on April 8, 2016. Ms. Randall indicated that Administration followed Commission’s guidelines by hiring staff with experience in economic development, creating and funding a program to provide grants to commercial property owners for renovations and merging with the Tamarac Chamber of Commerce to provide services to all business owners. Ms. Randall stated the next step to the City’s continued success in economic development is to prepare a long term strategy. A Request for Proposals (RFP #17-10-371) was prepared and
advertised during October, with opening of eight submitted sealed proposal packages on October 27, 2017. The City convened an evaluation committee to publicly review and rank the proposals based on criteria outlined in staff memorandum. On November 14, 2017 the Committee convened to review and rank the proposals. The top three consultants were asked to come in for an oral presentation on November 29, 2017 and after oral presentations the Evaluation Committee selected the highest ranked firm, Redevelopment Management Associates (RMA). Ms. Randall indicated that the current budget included for this project included $50,000 for the preparation of the Economic Development Strategy; however the proposal from the top ranked firm came in at $67,500, and the additional funding will be transferred from revenue sources within the Department and therefore will not require amendment of the adopted FY 2018 budget. City Administration recommends Commission’s acceptance of the ranking of the Evaluation Committee with RMA ranked in the number one position and authorize the City Manager or her designee to negotiate and enter into a contractual agreement with RMA. Commissioner Graziose moved to accept the ranking. Seconded by Commissioner Wood. Vice Mayor Moyle commented that this is a fantastic idea and is happy with our Community Development Department for going forward with this and Katherine Randall and Tammy Reed-Holguin are doing a fantastic job in developing our economic base in our City. He said he never knew there were companies that do this and he is amazed. Commissioner Borgelin said he received a call from a resident in his area that wants to know what is in it for them regarding redevelopment of houses that are not in such good shape in the Silver Lakes area. Ms. Randall replied that they are doing the strategy to see what we can do for a long term goal. The strategy is a comprehensive development strategy designed to bring together the public and private sectors in the creation of an economic action plan. City Manager Bhatty responded to Commissioner Borgelin’s question by stating that this particular agenda item before them addresses the commercial property and economic development in the City; not the residential component of the City. She indicated that this company, Redevelopment Management Associates will develop a kind of road map for us on how we can improve the economic development initiatives in the City; it will also list some of the ideas and policies that we can adopt to promote economic development to encourage more businesses to come in. City Manager Bhatty reiterated that his plan will be focused on the commercial component of the City and not the residential. Commissioner Borgelin asked where it says that the City has focused on revitalizing neighborhoods for many years by providing first time homebuyer assistance and home repair grants, what do I tell them. Ms. Randall said we currently have a purchase assistance program, as well as minor repair and wind mitigation going on and the programs are available on the City’s website. Ms. Bhatty said those programs are still available for residential assistance. City Manager Bhatty replied alright. Commissioner Wood thanked Community Development
for this program and stated it is paramount to the development of the businesses where people would want to shop and businesses that would want to come to the City to set up. He said he wants to go after funding and grants that would help our commercial industry and he is happy to see Community Development helping to formulate a plan. Commissioner Wood also commented that he sees from the memo that the cost is a little more and he is willing to pay a little more but has questions about benchmarks and when they roll those out will they see it on the dais. Ms. Randall replied that they will give them a year for completion of this plan with an action plan at the completion of the project. She said they will be meeting with them monthly and they will be reporting to [the Commission]. Commissioner Wood asked about the company and Ms. Randall stated they are local and are currently doing work in Pompano. Commissioner Wood’s final question was does the company hire minorities and are they fully engaged in the community. Ms. Randall said she will have to get back on that, but the presenters were a male and a female. Commissioner Graziose thanked Ms. Randall for her work since she came on and commented that they still have a lot of empty storefronts along State Road 7 and they have a lot to offer in his area for redevelopment and he looks forward to see new businesses. No further discussion. Clerk called the question. All YES.

RESOLUTION NO. 17-12-6472 PASSED AND APPROVED UNANIMOUSLY

   ii. RESOLUTION – Authorizing an Agreement with Redevelopment Management Associates as the Top Ranked Firm for Consulting Services to Create a Citywide Comprehensive Economic Development Strategic Plan

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN ACCEPTABLE AGREEMENT WITH REDEVELOPMENT MANAGEMENT ASSOCIATES (RMA) CONSULTING SERVICES IN AN AMOUNT NOT TO EXCEED $67,500, TO CREATE A CITYWIDE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY; AND PROVIDING AN EFFECTIVE DATE.

Attorney Goren commented that this is the financial part of this item. Ms. Randall stated she covered everything previously and on the criteria they did consider the prices but wanted more experience. Commissioner Graziose moved to adopt. Seconded by Commissioner Wood. No Commission discussion. Clerk called roll. All YES.

RESOLUTION NO. 17-12-6473 PASSED AND APPROVED UNANIMOUSLY
b. RESOLUTION - Comprehensive Pay and Classification Plan Amendment- Fiscal Year 2018

Commissioner Wood moved to read. Seconded by Commissioner Graziose.

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 DECEMBER 13, 2017; 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 stated that this item is a recommendation to amend the FY 2017/18 Comprehensive Pay and Classification Plan to add one Community Development Specialist position. On July 11, 2017 the Commission approved this Comprehensive Pay and Classification Plan but at the time staff was unaware of the volume of work created by the single family rental program and also in July, 2017 the prior Business Specialist resigned from the City. This allowed for some reorganization of duties and expansion of the business licensing program and has generated additional workload related to notifications, tracking and customer contact. These functions have created additional work, but has also produced additional revenue to the City. Ms. Yarmitzky stated that the addition of a Community Development Specialist will be instrumental in the implementation of new programs and online permitting services for our residents and will also be assisting with other areas of Community Development, including economic development and neighborhood improvement programs. Current staff cannot handle the additional responsibilities and it is anticipated that the position can be filled with an in-house promotional opportunity. Ms. Yarmitzky reported that the Finance Director has reviewed the addition of this position and has agreed that the General Fund budget can absorb the salaries and benefits of this position. Administration recommends Commission’s consideration and approval. Commissioner Graziose moved to adopt. Seconded by Commissioner Wood. Commissioner Graziose expressed that he is happy the program is working and he can see the differences in his neighborhood and with the revenue generated by the program this will be a cost neutral. Commissioner Wood echoed the comments by Commissioner Graziose and reflected on his time on the Code Enforcement Board in years past where residents would rent with substandard living conditions and with this program a lot of that has been taken care of and monitored and hiring for this position will enhance the program. Commissioner Borgelin asked how we will educate the public that is renting, because in his area there is a lot of diversity and a lot of complaints and will this position require the person to be bilingual. City Manager Bhatty said she will address the two separate questions. Ms. Bhatty responded to the first one, relating to the rental inspection program required by landlords, by stating they go to the Property Appraiser to find the name of the property owners who rent their properties; the first indication is that those persons don’t have homestead exemption. They also get in touch with banks that own the properties and if there are any investor groups that rent out the properties. Ms. Bhatty said they then notify the property owners by letter that they have to come to register and pay the fee. Then Inspectors
visit the properties to make sure the rental properties meet all the safety standards that are required and there are signs that they look for indicating that the property is a rental and that there are no illegal structures. Further, Ms. Bhatty explained that the in-house person being considered for the position is currently an intern who has been helping on a part-time basis, while attending school at FAU for urban planning who has gained experience and knowledge that is needed for this position. Commissioner Borgelin said thank you for the answer, but is the person bi-lingual. Ms. Yarmitzky said bi-lingual would be preferred, and she is not sure, but this position works very closely with the Code Compliance Officers who are actually the ones who go out in the field and would make contact with the renters and we do have multi-lingual officers; a Creole speaker and a Spanish speaker. Ms. Bhatty said this position is more for in the office to handle the paperwork so that the Inspectors can handle the work in the field and the Inspectors also are bi-lingual. Commissioner Borgelin said he is asking because he wants to encourage educating the public about programs that affect the renters. Ms. Bhatty replied that this program applies only to the landlords who are renting their properties out. Commissioner Borgelin said thank you. No further discussion, Clerk polled Commission. All YES.

RESOLUTION NO. 17-12-6474 PASSED AND APPROVED UNANIMOUSLY

c. RESOLUTION – Microsoft Enterprise Software Product License Purchases

Commissioner Graziose moved to read. Seconded by Commissioner Wood.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF MICROSOFT ENTERPRISE SOFTWARE LICENSES FROM SOFTWARE HOUSE INTERNATIONAL AS LISTED IN SECTION ONE OF THIS RESOLUTION; PROVIDING FOR THE AMOUNT NOT TO EXCEED $44,178.64 AND PROVIDING FOR AN EFFECTIVE DATE.

Mitch Williams, Information Technology Manager, presented the item based on backup memorandum. He indicated that in April of 2013 the City purchased a 6 month “true-up” Enterprise Software License Agreement in order for the City to be able to align and consolidate all Microsoft Software Licenses for a three year contract. In December of 2016 the City Commission approved to renew the contract with Microsoft for an additional three years with payment obligations in December of 2016, 2017 and 2018 respectively. Mr. Williams stated that they are seeking approval of the payment of the second installment at a cost not to exceed $44,178.64 for the period starting December 2017 through November 30, 2018. Mr. Williams stated he can answer any questions. Commissioner Graziose made a motion to approve. Commissioner Wood seconded the motion. Commissioner Borgelin asked what we plan on doing with those products if this resolution is approved, as we are fortunate enough to live in a country which is privileged to have access to those products, and can we donate products to other cities or places that may need it. Mr. Williams replied by explaining that these are software licenses and by law we can’t transfer those licenses to any organization besides the one that is authorized to use them, which is the City of North Lauderdale. Commissioner Borgelin said I
understand you have the license, but what about the products itself. Mr. Williams explained that the license allows us to run the software and it is not an object to give away. City Manager Bhatty interjected, and Commissioner Borgelin said go ahead and educate me. She stated that she thinks Commissioner Borgelin is talking about the hardware and what we typically do with the hardware [equipment], like old computers, is that when they meet their life span, the Commission adopts a resolution to declare the items as surplus and directs a method of disposal of those items; after time this equipment becomes obsolete. Also, Ms. Bhatty advised that we typically use a company, Bidera, to auction off the items. She explained that this particular item before you is for software licenses which incur a cost to buy those licenses which are not transferrable. Commission Borgelin stated clear enough, thank you. Commissioner Graziose commented that in the past the City worked with North Lauderdale Elementary a few years ago to provide surplus computers which helped parents learn to use the computer. Commissioner Borgelin stated he just wanted to make a case that when an opportunity for surplus comes up he would not only like to see it going local but would like to help other countries because the equipment may be obsolete here, but other places are far behind. Ms. Bhatty replied that when items become surplus it is decided at that time by Commission as to how to dispose of it. No further discussion; Clerk called roll. All YES

RESOLUTION NO. 17-12-6475 PASSED AND APPROVED UNANIMOUSLY

d. RESOLUTION – Urging FEMA to Conduct a Comprehensive Review of Florida’s Special Needs Shelters (Sponsored by Commissioner Jerry Graziose)

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 DIVISION OF EMERGENCY MANAGEMENT TO CONDUCT A COMPREHENSIVE REVIEW OF THE FLORIDA’S SPECIAL NEEDS SHELTERS TO ENSURE COMPLIANCE WITH CHAPTER 2006-71, LAWS OF FLORIDA; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO BROWARD COUNTY, THE BROWARD LEAGUE OF CITIES, THE BROWARD LEGISLATIVE DELEGATION, THE SCHOOL BOARD OF BROWARD COUNTY, GOVERNOR SCOTT, THE DIVISION OF EMERGENCY MANAGEMENT, AND EACH MUNICIPALITY WITHIN BROWARD COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Goren commented that this resolution was discussed by Commissioner Graziose at several Commission meetings and by motion it was directed that the City Attorney’s office prepare this resolution which is on the table for consideration and he will answer any questions or comments. Commissioner Graziose moved to adopt. Seconded by Commissioner Wood. Commissioner Borgelin asked for elaboration as it is not too clear and for example, what if the shelter does not have a generator. Commissioner Graziose stated that in Broward County there
are five special needs shelters for people who do not live in nursing homes. He explained that they [the special needs shelters] are for residents who have relatives at their house who are on oxygen; might be home-bound or bed-ridden and in a declared emergency they register with Broward County who picks them up and takes them to one of those five special needs shelters. Commissioner Graziose explained that after Hurricane Irma, when the power was out for several weeks, some of the shelters could run lights and kitchens but it did not run air conditioning. Since that, the State passed a law stating that generators had to be put in grocery stores and gas stations and also special needs shelters. The State tried to provide funding for all the special needs shelters in Florida, but unfortunately ran out of money and only able to do three of the five shelters in Broward County. This came to light after Hurricane Irma and the disaster in Hollywood. Commissioner Graziose said it is a State law that did not get finished in Broward County and wants to bring it back as some North Lauderdale residents are on the special needs list and to let the Governor know that two shelters did not get done and to make sure this doesn’t get dropped before another hurricane to prevent anyone getting hurt. Commissioner Borgelin thanked Commissioner Graziose for elaborating and now he understood it is also for North Lauderdale residents. Commissioner Graziose said it is for any residents in Broward County, but we do have North Lauderdale residents on the lists. City Manager Bhatty interjected that none of the shelters are stationed in North Lauderdale, but any resident that has a special need is entitled to go to these shelters. Commissioner Borgelin said his residents asked where the shelters were. Commissioner Graziose stated that special needs residents are advised by their doctors to register with Broward County and if there is a storm, the news media will advise, of the 45 shelters in Broward, which ones are open for the general public and our Fire Department puts out a brochure every year which lists a hurricane plan and preparedness and they can access information on the City website. City Manager Bhatty explained that the schools in North Lauderdale are not used for shelters because they are older buildings which do not meet the Category 5 hurricane wind code, and newer buildings built with those higher standards are used. Commissioner Borgelin stated for the record that he wanted to make himself clear that when he asks questions it is because the Sunshine Law does not allow Commissioners to be talking about business and there was no workshop, so before he votes this is his chance to ask. City Manager Bhatty replied he can ask as many questions as he wants and she hopes to be able to answer. No further discussion; Clerk called roll. All YES.

RESOLUTION NO. 17-12-6476 PASSED AND APPROVED UNANIMOUSLY

e. RESOLUTION – Urging Broward County to Install a Pedestrian Crossing at 1700 Block of Rock Island Road (Sponsored by Commissioner Jerry Graziose)

Commissioner Wood moved to read. Seconded by Commissioner Graziose.

Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, URGING BROWARD COUNTY TO INSTALL A PEDESTRIAN CROSSING AT THE 1700 BLOCK OF ROCK ISLAND ROAD; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO BROWARD COUNTY AND THE BROWARD METROPOLITAN PLANNING
ORGANIZATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Goren commented that this is an item also directed by Commission to be drafted for the purpose of this discussion relating to a very site specific request and need; Commissioner Graziose is the sponsor if there are any comments or questions. **Commissioner Wood moved to adopt. Commissioner Graziose seconded.** Commissioner Borgelin commented that he had a discussion with City Manager over this, but with the absence of a traffic light in that area between McNab and Bailey Road how is the crossing going to improve there and how will it be any safer there. City Manager Bhatti responded that they are proposing a pedestrian crosswalk between those two lights to help people coming from Players Place into the Park across the street to discourage jay-walking, as well as people coming from Broadview to the new shopping center. She said the question Commissioner Borgelin had raised is that in addition to the painted crossing on the road will there be any flashing light or lighting fixture that would indicate to drivers that there is a pedestrian crossway so that they can slow down. Commissioner Graziose answered that Broward County Traffic Engineering has a new design for pedestrian crossings; there is a new one in the City already on Bailey Road at SW 68th Avenue and you can drive by and see what the new design looks like. He explained on the new pole design there is a button to press and strobe lights around the fixture comes on if a pedestrian wants to cross and by State law pedestrians have the right of way as long as they cross correctly. He said there is no City Park and people from Players Place are crossing for the park on the East and also people are crossing for the shopping center. They are shooting for this crossing as it is a dark area and feels it would be a big safety enhancement. Commissioner Borgelin said that’s good; he is visual and wanted to know if there would be lights. Commissioner Wood said pedestrians have a hard time crossing even if there is a light and said it is the responsibility of the drivers to watch the roadway as well as people trying to cross. He provided an example of how Las Olas Blvd. uses their pedestrian crossing by having an orange flag used to signal if a pedestrian is crossing. Commissioner Borgelin said he likes the idea and we may also need something like that on 81st past 19th Street. Vice Mayor Moyle added that this kind of crossing is a benefit to the residents and we really need to have more of this kind of thinking because pedestrians need to be protected and they also need to be responsible to not cross where they shouldn’t for their own safety. He mentioned that he would like to commend four of our own City Public Works employees whom he witnessed crossing in the correct crosswalk and said he is very appreciate of that. **No further discussion; Clerk called the question. All YES.**

RESOLUTION NO. 17-12-6477 PASSED AND APPROVED UNANIMOUSLY

f. **RESOLUTION –** Urging the Broward Metropolitan Planning Organization to Support Revisions to the Florida Statute 1006.23 to Specifically List the Crossing of Railroad Tracks as a Hazardous Walking Condition (Sponsored by Commissioner Jerry Graziose)

Commissioner Wood moved to read. Seconded by Commissioner Graziose.
Attorney Goren read:
A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, URGING THE BROWARD COUNTY METROPOLITAN PLANNING ORGANIZATION (“MPO”) TO SUPPORT REVISIONS TO 1006.23, F.S., THE STATE OF FLORIDA HAZARDOUS WALKING CONDITIONS STATUTE TO SPECIFICALLY LIST THE CROSSING OF RAILROAD TRACKS AS A HAZARDOUS WALKING CONDITION; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE BROWARD COUNTY MPO, THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, AND THE BROWARD LEAGUE OF CITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Goren advised that at the last Commission meeting the City Attorney’s office was directed to draft this resolution which would support a supplement to the FS 1006.23 asking for additional requirements and it was supported by Commissioner Graziose who can answer questions. **Commissioner Graziose moved to adopt. Seconded by Commissioner Wood.** Commissioner Borgelin asked how this will benefit the City of North Lauderdale. Commissioner Graziose responded that this is designed for all children in Broward County; there are schools near the work place and choice schools. He commented that neighborhood residents have more opportunities to go to other schools and there is after school activities and agencies that they go to. All the way from Hallandale to Deerfield, if they walk from school to after school care, many have had to cross railroad tracks. Commissioner Graziose said any of our students could be at any of those schools all over the County and not just in North Lauderdale. He said this Hazardous Walking Condition Statute is set up by the State to cover all children in all cities and the reason this was brought up was that there is a new railroad coming in to play called “Brightline” with the hopes of having the first trains operating at the end of this year between Miami and West Palm Beach and eventually to Orlando. At full operation this would be 17 trains a day, 34 round trip. Right now there are four railroad lines going through the entire Broward County and children have been hit and killed by trains, which is why the School Board said that elementary students will not cross, but the school board has to absorb all the costs. If this is added to the Hazardous Walking Statute which the MPO has reviewed, the County will get funding from the State of Florida to offset the costs of bussing which would go back into education which affects all of our students here in Broward County. Commissioner Graziose said right now, only students who live more than 2 miles get bus transportation and if under 2 miles it has to meet the Florida Hazardous Walking Statute for Elementary Schools K-5. He reported that Florida is number one for pedestrian fatalities, not only on the roads but also the railroads. Commissioner Wood echoed that supporting this would give legislature more teeth to fund this appropriately. He said resolutions are our main mechanism to lobby and if other cities see our resolution adopt also, then legislature sees that other cities support it as well and our Representative can pick it up and take it to the State house. He also reiterated that although we don’t have railroads running through our City, some of our children go to other schools due to magnet programs and may be walking; improving the walking hazard conditions and adding that language into that statute will help us. Commissioner Borgelin said he is kind of lost and would like his colleague to clarify; he said we are far away from the tracks and how will this improve and affect us. He said he still doesn’t get it. Commissioner Graziose stated that not all of the students go to North Lauderdale schools; they go to a school of choice and go to other schools. He said Commissioner Wood brought up the magnet programs and we have many students from
North Lauderdale in magnet programs and these programs were initially put into schools on the east side of the County because of dropping enrollment and whatever; these schools are located within walking distance of railroad tracks. Commissioner Graziose said one school, Cypress Elementary School in Pompano, actually has its back right up against a railroad track; so if students are going there and enrolled in afterschool programs, they could be walking. He said this Statute covers all children no matter where and we do have an opportunity here to enhance the safety of these students. Commissioner Graziose said it has happened that students have moved from Pompano into North Lauderdale and the students were kept at the Pompano school; people transit from one side to the other and children can be enrolled in any school in the County. He said we are just trying to enhance the Statute that covers all cities in Florida. City Manager Bhatty said this is to benefit all kids in general, whether they live in North Lauderdale or another city and we should be urging the State legislation to adopt rules and regulations statewide to protect all kids by amending this statute. Commissioner Graziose reiterated that this is where it starts, when a City recognizes a problem or an issue that the State doesn’t know about, we can initiate a grassroots effort to get it changed. He said he brought it up to the MPO because he worked with the situation for many years and in the past signed the Hazardous Walking report for the School District which impacted 6200 elementary school age children from every city. Commissioner Graziose said they are trying to get the School Board and cities on line to identify issues in the neighborhoods and it starts here. Commissioner Borgelin said thank you, he appreciates the explanation and this helps him and some people in the audience and until the last two comments he wasn’t convinced but he understands it now and supports the benefits. Mayor Brady reiterated that it benefits children no matter where. No further discussion; Clerk called roll. All YES.

RESOLUTION NO. 17-12-6478 PASSED AND APPROVED UNANIMOUSLY

7. REPORTS

a. Economic Development Activities

Katherine Randall, Assistant Community Development Director, presented a PowerPoint presentation outlining some of the week’s past events in the City such as a ribbon cutting and grand opening for Offlease Only; Teleperformance’s food giveaway to the community; and a Chamber of Commerce Christmas Gala. She reported that the City’s Economic goal is to maintain a strong, vibrant economy and we are now a part of the Tamarac/North Lauderdale Chamber of Commerce and are working on growing our economy. A copy of the PowerPoint is available in the City Clerk’s office.

b. Public Works Updates

George Krawczyk, Public Works Director, reported that there is no more storm related debris in the City and everything has been hauled off from Pompano Park and Public Works and Parks and Recreation Departments are working together to restore Pompano Park’s irrigation and sod to get the site back to pre-storm condition. Paving is due to be started on Kimberly Blvd. when schools are out on Christmas break. The medians will be done during the next phase and that will be brought back later.
Mr. Krawczyk reported that they have met with the residents regarding a beautification project to put up decorative wall on Rock Island Road from McNab Road to Tam O’Shanter. There are 22 properties affected by this proposed wall and owners were invited to meet to answer questions as it is in the sign off phase to get consent from property owners. Mr. Krawczyk said once he has gathered support from the residents, he will bring the project back to Commission with a proposal from the vendor who does our walls. He said it is anticipated to be approximately $550,000 but this number will be fine-tuned before it comes back to Commission, and they would like to start the project by March.

c. Parks and Recreation Updates

Mike Sargis reported that a contractor will be coming in soon to run a temporary fence in the back part of Pompano Park and the front part will be re-opened by the basketball courts hopefully by the end of next week. Also, he reported that the Holiday Parade was unfortunately cancelled due to the weather for the second year in a row. They were trying to re-schedule the tree lighting ceremony, but have not been able to get a musical group to perform, so it may be cancelled as well. Mr. Sargis reported that they have collected 218 “Letters to Santa” from kids which has been fairly successful. Also, 8 North Lauderdale schools have submitted lists and will be participating in the City Commission Toy Giveaway which is scheduled for Wednesday, December 20th at 6:30 pm at Champions Hall; invitations will be going out to schools on Friday. Commissioner Graziose asked when Pompano Park would be complete and Mr. Sargis replied that he believes it will be finished by February.

Commissioner Borgelin commented that one of the Community Leaders asked why the parade was cancelled at 10 o’clock and why can’t we get a contract for a backup plan as everyone was disappointed. Mr. Sargis replied that no one is more disappointed than his staff that starts planning the parade in August by reaching out to band directors; cheerleading instructors and ROTC instructors to line them up for the parade. He said the cost for these groups is about $13,000. Every group gets paid to cover busses and transportation and to make sure the City does not incur those costs if the event gets cancelled; it needs to be cancelled before the drivers report to work, otherwise we would have to pay the bands and groups even if they did not perform. Mr. Sargis said that is why a decision needs to be made so early otherwise the bills would need to be paid even if we don’t have the parade. He also commented that the Fire Department sits through weekly conference calls with the National Weather Service and they are provided a number to call with regard to events. He called every few hours starting Thursday, and was in constant touch through early Saturday and the forecasters said heavy rain was expected in North Lauderdale through 1:00 with a possibility of thunder, strong winds and possible tornado and possibly through 6:00 pm. Also, another factor with regard to the need to cancel was that the cars being used through Offlease could not have the tops down if there was a chance of rain. Mr. Sargis stated that with regard to a “rain date”, they looked into it once before but if you book a rain date, you have to pay for both booked days. He reported that they are trying to find out from Coral Springs how they book their rain dates to see if it is something we can look at into the future. Mr. Sargis said in 29 years, the parade has only been rained out 3 times and unfortunately it was two in a row and they certainly did not want to cancel the parade but the number one goal is the safety of Staff, BSO, Fire, and the spectators, as they use a lot of electric cords up and down the street, so they want to prevent any electrocution from wires in
puddles; we err on the side of caution and safety. City Manager Bhatti interjected that even if we had a backup date there is no guarantee that Mother Nature would cooperate with us on that date too, and every conversation this week was that there would be 90-100% chance of rain and under those conditions we could not risk the safety of 96 units in the parade mostly consisting of kids.

Further, Commissioner Borgelin asked Mr. Sargis to provide a schedule for Jaycee Park. Mr. Sargis replied that banners have been ordered to be put up around the park to let people know they are soliciting ideas in the next couple of weeks, with a goal of the end of January to bring to the Commission some changes to the parks as well as an ordinance to prohibit overnight parking in some of the parks. Mr. Sargis reported that $80,000 has been budgeted for Jaycee Park to do some lighting, fencing, exercise station and walking trail. Next year they will budget for parking and restrooms.

8. COMMISSION COMMENTS

Commissioner Borgelin - addressed some members of the audience in Creole. He then introduced them as elected officials from Haiti who are here for a conference. Mr. Montfort Alexis, who serves on the Planning & Zoning Board, addressed the Commission and stated that he appreciates the good work the Commission does for the City and he has chosen this City to show the Haitian officials how cities in America operate, which is a positive experience for them. Mr. Alexis stated that these officials are here for training with an organization that is here in the City called Udev that was put in place by one of our residents and they want to form a partnership between Haiti and the Haitian despot here in the City. Mr. Alexis introduced Donald Bartelsow as a resident of the City, and the Commission took a photograph with the visitors. Commissioner Wood commented he appreciated the presence of the Haitian officials and commented that several months ago had an opportunity to meet the Mayor of Cape Haitian through County Commissioner Dale Holness. Commissioner Borgelin related Commissioner Woods comment to the audience in Creole.

Commissioner Wood – Thanked Public Works, Public Safety, City Manager and Commission for the permanent calming devices in place on the Boulevard of Champions, which is recording data regarding speeding. He also gave kudos to a friend from Dade County, All Tree Service, who came to the rescue of Village United Methodist with regard to storm debris pickup. Also thanked everyone for the group effort of the City Commission, Administration and Staff for becoming a part of the Tamarac/North Lauderdale Chamber of Commerce which has been his goal since becoming a Commissioner. Thanked Captain Faer for help getting the SRO and also the School Board of Broward County for hearing the City’s request for funding for this. Further, he spoke about Doral and Rio Pinar at Rock Island Road being very pragmatic intersections regarding left hand turns going south creating many accidents and would like to see those streets become a right hand turns only.

Commissioner Graziose – Stated that the new sign on the front lawn of City Hall looks very nice and thanked all involved. Also, at the new school crossing put up at 81st at Belmont, they got a count and there are more crossing there than at the previous crossing, so it was a good move that is doing well at that location. Further, commented that the City’s new Kiwanis group is doing well and bought gifts for five children and met their goal for their 5K and that the Kiwanis is available to residents and businesses. The Kiwanis meets every other Monday at City Hall at 6:00 pm.
**Commissioner Borgelin** – Spoke about situations happening in his District that has been brought to his attention regarding another shooting and is wrong with these kids in the community who are showing abnormal behavior. He said it is happening mostly with one particular group of kids around Silver Lakes and the Hamptons. He commented that they say there is not enough things for us to do. He wanted to know what can we do to plan social programs for them to address their needs. Commissioner Borgelin said he was looking at a report from the [New] Times that talked about 30 cities and North Lauderdale came in number 27 as the worst cities based on the report regarding pros and cons of violent crimes and things going on. He said that is not something we can control, but with the kids we have now, he would like to sit down with the community to see what can be done to address this big issue for the next few years as this reflects a lot on our City. He also spoke about the basketball hoops not being there at Silver Lakes, the parks are closed, and commented that there is not enough tailored to this certain age of youth for them to do and said they feel very left out. He said this is affecting the City image with regard shootings to young blacks and we have to do something about it. City Manager Bhatty questioned the report showing that North Lauderdale was 27 and asked where it was, because there was a report in Sun-Sentinel last week that listed cities throughout the Country and Fort Lauderdale came as the least safe, not North Lauderdale. She said she would like to read the report that Commissioner Borgelin referred to. Commissioner Borgelin said he would get the article to her but he will look at it again as he may be wrong, but thought it spoke about the 30 worst cities, but what caught his attention was about the violence.

Captain Faer approached the Commission and stated he also would like to see that article also because he could name many other cities that beat North Lauderdale; however he said one shooting is too many and it is a shocking thing to us still and the fact that we are talking about it is good. Captain Faer said he wishes they had an answer to what is going on, but we do have the Boys & Girls Club; a great Teen Club program and as a City we do reach out. The Sheriff’s Office has programs where they reach out to kids; give food and gifts to families; and different programs where they reach out to the community. Captain Faer said he would love to be a part of any think tank or group that would get together to try to come up with any solution to the problems. In this particular case, with regard to those kids who were involved in that shooting that occurred last Saturday, they were investigated prior to that on Wednesday by the violent crimes unit, but weren’t doing anything illegal at the time; then this shooting occurred. This incident was investigated heavily but people involved do not want to participate with the police; but they were able to identify the kids. Captain Faer encouraged people to get information to the police, they are putting in additional resources and are open to ideas in working with the community. He said this is a big deal to him when these things happen in the community he is responsible for and said if there is going to be a community forum to discuss any ideas, he will be happy to partake in it and together we can work on it. City Manager Bhatty interjected that some of these shootings are domestic dispute related and also because guns are readily available, but not all of them are crime related or drive-by shootings. Assistant City Manager Sargis shared the article referred to with City Manager, having pulled it up online. He indicated that the article was from New Times publication. Commissioner Graziose said it is not reputable; it’s a tabloid. Mr. Sargis read the portion of the article referencing North Lauderdale and stated the article also ranked Coral Springs as 28th; Tamarac as 26th; Pembroke Park 25th and Plantation 24th so they didn’t have much good to say about any of the cities around here.
Further, to answer Commissioner Borgelin’s question about the basketball courts at Silver Lakes, Mr. Sargis stated that those courts were built and paid for by the School Board and the City entered into an agreement during the 80’s or 90’s that we would open the courts at night for the residents in that area. Unfortunately, last year there were numerous incidents where high school and older kids were coming onto the courts up to 6:00 pm while the after school care kids from Silver Lakes were leaving and causing all kinds of crimes by stealing cell phones from students and robbing students. He said even though the park area wasn’t open, the basketball court became a hangout, so the Principal had the backboards taken down and the lights shut off; it was a School Board issue to close the courts off, not a City issue. Commissioner Borgelin said when those things are shut down for the kids, then they result to violence and we need to get some programs from the City for the kids who have nothing to do and he also said they have to learn some vocational trades, and we need to make it available for them. Borgelin said with regard to community development we need to sit down and find out what is there for them because if we do not people tell him he to inform your colleagues because election is coming and if nothing is done for them they don’t know who they are going to vote for so he is passing the message. City Manager Bhatty responded by saying that some of those kids are coming from out of our City and committing these crimes within North Lauderdale, but we can do some brainstorming. Commissioner Graziose interjected we have kids in North Lauderdale who are eligible to apply and register to go to Coconut Creek and Atlantic Vocation Technical Center for High School; it is set up for educational programs and also vocational programs for any student who may want to become an electrician, plumber or mechanic. He said the opportunity is there as North Lauderdale kids go there now. Commissioner Borgelin said he agrees, but he is reporting what his residents are saying, kids will be kids, and though the opportunity is there, unless someone is there to reinforce them and give it to them; but he is not sure if going to a school is what they really want because you have to provide the means for them to get there. Mayor Brady said what kids need is a pat on the back and encouragement. Commissioner Borgelin said he is repeating what one particular household told him is that the only time they see the people is when the police arrest someone. That household that has about ten people said they feel the City abandons them and there is a girl who told him there is nothing for young black girls to do around 10th Street and 10th Court. Commissioner Borgelin said this is a problem we need to start looking at. Mayor Brady said the Boys & Girls Club is available up to 17 and they provide snacks and a hot meal and we do need to find out what ages are falling through the cracks. Commissioner Borgelin said it is young adults and young men who are making poor decisions and it is going to take more than that to make a better future for them. Commissioner Graziose stated you should be telling them there is a program at Atlantic Technical available all the way up to adult that they can take advantage of and it is close by. Commissioner Borgelin stated it is not just his problem for him to tell them about, it is for all of us as leaders. Commissioner Wood stated he hears what Commissioner Borgelin is saying on this topic that concerns all of us in every district. He said also has had issues in his district and has addressed them with Public Safety and has begun to address those issues with the residents; and that when the incidents occur close to home it is shocking. Commissioner Wood indicated that the park where one incident occurred has been sealed off until the City can come up with the means to make it more secure for all concerned citywide. With regard to the young person involved in the incident in the park Commissioner Wood gave some background reporting that the young person had not lived in North Lauderdale for over three years but used North Lauderdale address to attend the school he is an administrator
Commissioner Wood stated that as an administrator and being concerned for his district community, he paid a home visit to the family of the student involved who had been an “at risk” student and also had a conversation with the family when the student returned to school. He said as a black administrator, he reached out to this young black student to try to get that student to make better choices. He reiterated that he is very concerned and that when residents say they don’t know who we are, he is out in his community and tries to serve all of the community and respects all Commission districts. Commissioner Wood stated this hit home to his district and he heard it was touch and go for this young man. He said that guns are our biggest problem and he would like to get the guns out of the hands of the young people, get them to listen and get them in the right direction, as this young man had guns in his home. At this point Commissioner Wood said it is out of our hands, but if we can sit down and strategize to come up with some ways of helping these young people, he is all for it.

**Vice Mayor Moyle** – Commented that it is not guns that is the problem; what we need to be teaching young people is that it is not good to shoot somebody else and we have laws against that. He said we need to teach them that there are consequences, possible jail time and all the ramifications that go with it. Vice Mayor Moyle said he thinks we need to understand that some people don’t value life and the rest of us do; those people need to be held accountable.

**Bruny DeSaint** – 850 SW 63 Terrace – Addressed the Commission and stated that he hears all these allegations and solutions, but he grew up in this community since he was a child and has been in the community at 10th Court and 10th Street; attended North Lauderdale Elementary, Silver Lakes Middle and Coconut Creek which all lack opportunities for vocational programs. He said we do not have the opportunities we need to provide for ourselves. He said we can go out and get a job but we don’t fit the description; we can fill out applications seeking jobs, but it is not enough. He claimed that they have other categories that they look for and prefer – we don’t fit their culture. He said there is so much that is neglected every day in terms of young African-Americans here and they make up a majority of this city. He claimed that nobody is out in the community making new programs for young people who see trauma every day and there is no opportunity for them. He asked what kind of programs does Atlantic Vo-Tech have. Commissioner Graziose replied that they merged with Coconut Creek High School and students who attend there have the ability to go across the street to Atlantic Vo-Tech who has any type of program you can think of like electrician, plumbing and mechanics. Mr. DeSaint said what about economics. Commissioner Graziose said yes, even economics and commented that even Veterans are going there for training. He reported that they have students from North Lauderdale who go to Coconut Creek which has merged with Atlantic Vo-Tech; so they have a choice to go to regular high school and/or the high school program at Atlantic Vo-Tech and all of the labs and garages are in the same building. Commissioner Graziose said when they graduate high school they will have a trade. He said they also have a nursing program and the number of programs is unlimited and if you go over there you would be impressed. Mr. DeSaint said he hears this but what is being done to market it to these kids, because the programs could be there, but how are they finding out about it, as these are people who don’t have opportunities. Commissioner Graziose replied that the majority of the students in North Lauderdale are in the boundary of Coconut Creek High and are a part of the programs that are offered to all students within the boundary. Mr. DeSaint said he had never had anybody come and present the programs to his school. Commissioner Graziose said the programs are new within the last few years and are now
opportunities that are available. Mr. DeSaint asked if these programs are funded. Commissioner Graziose said the programs are part of the Public School system. Commissioner Wood interjected that the programs that Commissioner Graziose speaks of is a school related program as long as the student is still in the K-12 program or high school, 9-12. He stated that if a student finishes 9th grade requirements and has completed their course work in the mid-point of their sophomore year they can enroll at Atlantic Vo-Tech; McFatter Technical College; Sheridan Technical College and the public school will take part of the FTE public dollars that the State of Florida provides for funding to allow the student to attend, to earn a high school diploma or a two year degree. Commissioner Wood said when students come to 9th grade orientation, they are told about that caveat. He said students and parents have to take the initiative to come out to talk to the teachers and counselors. He said after the student leaves high school, they will have to pay to attend and they will have to go after financial aid or grants. Commissioner Wood said he has six students are participating in the programs, two of which live in North Lauderdale, so it can be done. Mr. Bruny said he will look into and promote this, but his concern is not people having the initiative, but how will they have the time do the research as this is the issue not being addressed, because these are people that work double shifts and in the families it is not the kids fault and not the parents fault because they do not have the means to do it and the kids only have access to the streets. Commissioner Wood stated that each school has a mechanism such as Guidance or Parent Night to get the word out about shared time programs and get more minority participation, but it takes the commitment of the student and the parent to take the initiative to take advantage of the programs available. He said it is a School Board initiative and as a City have had Coconut Creek here to promote the programs and we can invite them back again. Mr. DeSaint said if there is anything he can do to get the word out he would be available. City Manager Bhatty commented that one thing we can do at our level to promote these types of programs is to get a synopsis of what they are and what the requirements are and use our public information resources to make students aware. To wrap this up, Commissioner Borgelin stated that most of the youth he is talking about mainly are not in school anymore. He said he would like to see City sponsorship or vouchers for transportation or something, or take 10 to 20 out of the street somehow or what can be done to save a few and find some grants if available. City Manager Bhatty recommended having a workshop in the future to brainstorm. She also mentioned that the City has a good Explorer program run by our Fire Department which helps if they want to become a firefighter. Fire Chief Turpel reported that the Fire service is always in need of young personnel, both male and female, and they do go to market this to the middle schools and they have some dynamic things going on. He said they have the Explorer program and also the Minority program that the Commission has supported that was started off with Keith Martin from the Broward Sheriff’s Office, as well as Paramedic programs. Fire Chief Turpel invited Mr. DeSaint to the Fire Station to discuss the programs offered. City Manager Bhatty reported that one young person who was outstanding in the Firefighter program was chosen to be put through the Fire Academy and is now an Intern in the department. She encouraged young men like Mr. DeSaint to look into becoming a part of this program.

8 (a) Request for Recognition of Residents of District “D”

Commissioner Borgelin submitted an Application to Request City Ceremonial Items to recognize persons in his district for their assistance before, during and after the hurricane, to be presented at the next City Commission meeting. Commissioner Graziose commented that he is all for
recognizing people who go above and beyond, but we really need to have the application completely filled out and some of the errors corrected before we bring it up at the next meeting. Ms. Bhatty said the form was filled out, and City Clerk had a conversation with the Commissioner, so we will correct the date. Commissioner Graziose stated that Section 1 was not filled out. Mayor Brady stated it will be done. Commissioner Graziose stated, yes, once it is done correctly. Attorney Goren stated for the record if there is a consensus, without objection, to proceed to the next meeting for this item. (A copy of the corrected Application is attached and made a part of these Minutes)

9. CITY MANAGER COMMENTS

a. Request and possible motion to approve rescheduling the first Commission Meeting in January from January 9th to January 16th

City Manager Bhatty stated she is making this request as we have 5 Tuesdays in January so it gives us the opportunity to move the meeting, for the reason that the Department Heads would have to have agenda items ready for review by January 2nd and due to days off for the holidays and vacation days, it will not allow enough time for items to be prepared.

Vice Mayor Moyle made a motion to reschedule the January Commission meeting from January 9th to January 16th. Seconded by Commissioner Graziose. All in favor by voice vote.

10. CITY ATTORNEY COMMENTS

Commissioner Borgelin requested this item be transcribed verbatim:

a. ORDINANCE – First Reading – Statement of Ethical Practices (Sponsored by Mayor Jack Brady)

Attorney Goren - “If you will allow me to read the Ordinance title into the record, I will then give you a brief explanation of the basis for this and the direction given to me by the City Commission at the last regular Commission meeting. With your concurrence, Mayor and Commission to read by title I will then explain the direction given by the Commission. Mayor Brady - “Motion to read”. Commissioner Wood - “Second”. Commissioner Graziose - “Second..yes”. Mayor Brady “All in favor” All aye by voice. Mayor Brady “Any opposed?” No response. Attorney Goren – “Thank you Mayor and Commission, Item 10 (a) is:

“AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, (“CITY”), RELATING TO CAMPAIGN ETHICS, CREATING SECTION 2-37, ARTICLE II, NORTH LAUDERDALE CODE OF ORDINANCES, TO BE ENTITLED “ETHICAL CAMPAIGN PRACTICES” REQUIRING ALL CANDIDATES FOR MUNICIPAL OFFICE IN THE CITY OF NORTH LAUDERDALE TO AFFIRMATIVELY AGREE TO SUBSCRIBE TO THE BROWARD COUNTY STATEMENT OF ETHICAL CAMPAIGN PRACTICES; PROVIDING FOR CODIFICATION; PROVIDING FOR
CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.”

Attorney Goren - “Mayor and Commission, at the last regular Commission meeting, the Mayor and Commission, by majority vote, directed the drafting of this ordinance. Let me give you a few minutes of history so you can understand the premise on which the motion was made. In the year 2000, the County Commission adopted a Countywide Ordinance numbered as 2000-06; it was referred to as the Broward County Ethical Campaign Practices Act and was adopted in the year 2000, in February 2000 some seventeen plus years ago, and the ordinance was adopted essentially as follows: “It shall apply to any candidate for elected public office whose constituency resides in whole or in part within Broward County or when the boundaries of the public office sought are located in whole or in part within the County”- and essentially what it established was upon becoming a candidate for elected public office, a candidate shall obtain from the officer before whom the candidate qualifies, the statement described in sub-section “e” for the purpose of voluntarily executing said statement and agreeing to abide by the ethical campaign practices established in this section. A candidate’s decision regarding whether to execute the statement is strictly voluntary. And since the year 2000, this Ordinance, which applies countywide, has been in every city qualifying package in Broward County for local municipal elections, including North Lauderdale. The Ordinance which is again a County ordinance is in fact voluntary within the cities, it is not a mandatory obligation, and it begins with – it actually has ten points of light in the ordinance – the first of which begins, and I can simply state it, “I shall not make my race, color, religion, gender, national origin, physical disability or sexual orientation an issue in my campaign” and it goes on to state other fair practices in connection with elections in the County, for both County Commission seats and for City official seats for City Commission as well. The Ordinance that was established by the County also attaches with it a form which I mentioned earlier; the form essentially is a check box that indicates whether or not the candidate who has filed other documents in connection with their qualification, in fact have signed the affidavit of the form required by the County code as a voluntary act. It is called the Broward County Statement of Ethical Campaign Practices and the brackets are quote “voluntary”. This City Commission took it upon itself, at the last regular Commission meeting, to look at this somewhat differently and directed me to prepare an ordinance that would make it a code violation or a code section which would in fact make the voluntary provisions of the County code mandatory in the City of North Lauderdale. Right now, to qualify for office in the City, you are required three basic conditions in the Charter, one of which you must be eighteen years of age and an elector in the City – you have to be a voter. Number two is if you run from a district you have to live in the district for at least a year to run for that seat. And, if you are running for Mayor, you have to live in the City for at least a year. Those are the only qualifications to run for public life on this dais - eighteen years of age; qualified elector or voter and live in the district for a year or the City for a year. The proposal which is before you this evening does not modify the Charter, it modifies the Code of Ordinances. Because, absent a voter approval in the Charter you can’t add to the Charter by ordinance unless you have submitted to the voters which is something required by state law. This ordinance parrots, it mirrors, it is exactly the mirror image of the County Ordinance and would become a City ordinance which would require candidates for office on this dais, when they qualify for office, to actually execute that affidavit by saying that they will comply with the County’s Act. Commissioner Graziose – “um hmm”. Attorney Goren – To the extent that a
candidate would refuse to sign that affidavit, the candidate would still qualify for office because
the qualifications are under the Charter – eighteen years of age; elector and living in the district –
what it would do, however, would subject the candidate to an eventual Code violation in the City
which could be prosecuted by a Code officer before a Special Magistrate and fined for that
particular purpose. Unless that section were in the Charter itself, it would only be vested as an
ordinance violation. The consequence of this discussion is that we have taken the County
Ordinance, which is again referred to as the fair – to get the complete name – the Broward
County Statement of Ethical Campaign Practices Act and we have actually implanted it within
and embedded it within a separate ordinance in the City creating a new section 2-37 in the City’s
Code of Ordinances. And I can read all of the sections to you, it takes the same ten components
running from “I shall not make those issues an issue” to the last item – 10. - I will not use or
permit the use of campaign material that falsifies, distorts, or misrepresents facts – and it says “I
will neither use nor permit the use of malicious untruths or innuendos about an opponent’s
personal life, nor will I make or condone unfounded accusations discrediting an opponent’s
credibility”. It goes on to talk about the same issues we have taken expressly from the County
Ordinance and placed it in the City ordinance. It is now before you for first reading; if you pass
it on first reading, it will be moved to another meeting in January for public hearing, where there
will be public comments given on the ordinance and I submit it to you because you have asked
that I draft it; not just asked, you directed me to draft it, so I have done so in accordance with
your wishes and I am happy to respond to questions in connection with the matter. This is
strictly a policy issue for the City Commission; this is less a legal matter than it is a policy matter
for the Mayor and Commission to consider. I am happy to respond to questions, and if there are
legal questions, happy to respond to all legal questions as well in the context of this specific
proposal. \textbf{Commissioner Graziose} – I’m going to make a motion to adopt. \textbf{Commissioner
Wood} – Second. \textbf{Commissioner Borgelin} – Discussion? \textbf{Mayor Brady} – Commission
discussion. \textbf{Commissioner Borgelin} – Yes. Um, I object to this personally because, um, this is
the package and I brought my book right here for the, uh, my manual for the general election that
we had and um, I understand, it is my understanding to me it is unconstitutional because it has
been there for so long – the City of North Lauderdale has been doing for all the elections there,
Suddenly it just needs to be changed and I don’t know where it is coming from; I have a smell
where it is coming from, I do. Uh, and why it is coming right now I don’t know and why does it
need to be fixed if it’s not broken. Um, this sheet’s right there, all the ten points are here, that’s
true, but what do we do with it? North Lauderdale is under Broward County and also why
should North Lauderdale have something different and I don’t know which other cities, I don’t
know, I have not done my research, because it’s just put there, right there last time and this time.
So we have Sunshine Law that does not allow us to discuss that so far and we don’t have our
workshop going on where we should discuss that. But I think it is something that needs to take a
lot of discussion there; I was thinking about it because where it says a candidate’s decision
regarding whether to execute the statements is strictly voluntary and not only that, it says this
ordinance will say that upon becoming a candidate for an elected public office, the candidate
shall obtain that one whereas this paper says that it is something that needs to be done five days
after the candidate become an elected official. So, I would like to see which other cities in
Broward County have something like that; and it has been like that and I understand a lot of
points in this paper here, on this line, I am going to totally disagree with that. Because, guess
what, someone is benefitting from it; I don’t know who it is, it could be a former, uh, another
person here, okay. And I am sure of that, because right here, this is why the Florida Election
Commission is there for. Any violations there; anything that happens there; the Commission of Ethics that is what they are there for. The same thing someone accuses me of doing there, they use their office, their title, their race, all that to convince - try to convince, other people. They even put their party right there under the North Lauderdale, under the Democratic, Broward County Democratic Black Caucus official there. Okay, I have more proof than that. Okay, and if they are bitter because they lost an election and are trying to go after new people coming here. This is not going to happen there, as far as that’s me, because I am saying that I am getting very upset about that there. It’s dirty tricks; people are doing things there; everybody goes through the same thing there. It’s voluntary right there, it says on the paper right there. There are two forms for people to do to fill out and somebody is digging into my stuff there and come clean; come clean and don’t just print it in there. For years the same way people have been elected here in North Lauderdale, okay. Now why suddenly they want to make a change there; I don’t know if it’s because the demographics are changing or not, I don’t know, but something is stinking here it needs to be addressed. Enough is enough. Enough is enough. I don’t know because I am upset I cannot express myself; I didn’t expect to be upset like that but I mean if there is more to it going on then something needs to be done and I might even have to bring it up to black elected officials or Broward black elected officials to say something is going on; it is not fair; it is not fair; not fair for what has happened there. I don’t know how to express myself but it smells; something there. Like I said, I got pictures of the same person who accuses me of doing that. I said I am not going to go to that level to uh, to uh report that person; I could also go in front of the Committee because this person paid some money, put himself on this paper right here with the President Obama, Hillary Clinton, right there as a Democrat and then goes to peoples house saying that not to vote because, and use the gender saying that I was um, there was three people in a race – a vice mayor and a black man and a Hispanic lady. That’s using that and using their office saying that they were a vice mayor for that and other people have seen this happening. The whole Commission; the whole Commission went there and canvassed against one – against me. Did I say anything; no I didn’t say anything there. Now why is it suddenly; suddenly people are saying, well, you have to give it to the candidate to sign whereas the paper says clearly it is five days after the person becomes an elected official that if he or she chooses to execute, because it is voluntary – it’s right there, right there. It’s right there, I just put a question because it said if I was to become eligible. So it is something I need to take care of somewhere else, I don’t know how far it is, because I am not good at this point. I don’t know how best to express myself because it is clearly – and I don’t want to use the race card – but it is very, very nasty what’s happening there; very nasty. You lose an election – it’s over. You want to come back, go and let people see you in the community; see what you’ve been doing there – stop – stop attacking people – stop going and digging, digging, digging – I have enough with that; I have enough with that. Mayor Brady – Commission motion….Commissioner Borgelin - And if I have to have people come here in this room – fill it up outside – I will do that...done. Mayor Brady – Commission motion and second. Commissioner Graziose – we have a motion and second, sir – that was discussion and that’s Vice Mayor Moyle. Vice Mayor Moyle – Mayor, I would like to say something. Attorney Goren – Vice Mayor wants to be heard Mayor. Mayor Brady – Yes, Rich. Vice Mayor Moyle – First of all, I don’t see anything wrong – Mayor Brady – Rich you are going to have to talk up. Vice Mayor Moyle – I don’t see anything wrong with the message of this ordinance. I think what it is saying is that politics are not generally gentlemanly but this is what we need to do if we are running for political office – we need to be gentlemanly. And, I think it outlines all the parameters of what that is in an election very well.
So, I support this ordinance. **Mayor Brady** – Is that it, Rich? **Vice Mayor Moyle** – that’s it. **Commissioner Graziose** – Mayor call the question. **Mayor Brady** – Yeah, call the question Patty. **Clerk Vancheri** – **Commissioner Borgelin** – NO, I don’t know what else to say - NO; **Commissioner Graziose** – YES; **Commissioner Wood** – YES; **Vice Mayor Moyle** – YES; **Mayor Brady** – YES. **Clerk Vancheri** – Ordinance passes on first reading; it will be on the next agenda after advertising.

**Attorney Goren** – Stated this is not on the agenda, but as a City Attorney report; a couple of days ago we sent to you our internal Goren, Cherof, Doody & Ezrol proposed Bills that are filed this year. It is a 48 page document tracking a number of Bills this year which I will not go into this evening, but will go over with you in January. There are some very serious preemption Bills again this year which have a major potential impact on local government; from how you cut trees in the City to how you must answer the public’s questions when in fact you are making a deliberation where the law does not allow you today and does not require you reply back to individual citizens to answer questions. He stated there are some very invasive items and multiple weapons Bills this year in the mix, all of which are very scary in the context of open carry and that kind of thing. He asked that the Commission look at the report and they will respond back in detail come January. City Manager Bhatty commented that one Bill that is really good is that when unfunded mandates are imposed that they must be more transparent.

**11. ADJOURNMENT** – There being no further business, the meeting adjourned at 9:43 p.m.

Respectfully submitted,

Patricia Vancheri, City Clerk
City of North Lauderdale
Application to Request City Ceremonial Item

Date: 12/18/17

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: Samson Borgelín
   - Commission: 954-275-9570

3. Purpose of Ceremonial Item: Outstanding Citizenship

Please fill in 5 Bullet Points as to why this Ceremonial Item is deserved:

   • Recognition of your qualities of
   • Dependability, Service, Leadership
   • Patriotism in your community.
   • Your words and actions will not go unnoted. THANK YOU for serving your people.

4. Item to be presented at:
   - √ Commission meeting on 1/16/18
   - ___ Another event
   - Location: City Hall Date: 1/16/18

5. Person Attending Meeting to Receive Ceremonial Item

Name/Phone Number: See Attached List

Ana Ziaide
Ben Myers
Craig Halick
Demetria Rawls
Dorothy Borgelín
Jeffrey Lampkin
Eugene Jones
Hai Batson
Luis Batista
Mark Luis Moroso
Montfort Alexis
Peter Von Stetina
Ramnar Fleurgene
Susan Liburd
John Kassow
To add Name to Veteran
PROCLAMATION

NATIONAL SLAVERY AND HUMAN TRAFFICKING PREVENTION MONTH

WHEREAS, the month of January is recognized as National Slavery and Human Trafficking Prevention Month and during this month, we reflect on this appalling reality and pledge to do all in our power to end the horrific practice of human trafficking that plagues innocent victims around the world; and

WHEREAS, human trafficking is a modern form of the oldest and most barbaric type of exploitation which has no place in our world;

WHEREAS, an estimated 25 million people are currently victims of human trafficking for both sex and labor. Human traffickers prey on their victims by promising a life of hope and greater opportunity, while delivering only enslavement; and

WHEREAS, instead of delivering people to better lives, traffickers unjustifiably profit from the labor and toil of their victims, who they force — through violence and intimidation — to work in brothels and factories, on farms and fishing vessels, in private homes, and in countless industries; and

WHEREAS, Americans must learn how to identify and combat the evil of enslavement, especially those who are most likely to encounter the perpetrators of slavery and their victims, including healthcare providers, educators, law enforcement officials and social services professionals. All Americans can learn to recognize the signs of human trafficking and how to report suspected instances by becoming familiar with telltale signs of traffickers or the signals of their victims, and thereby save innocent lives; and

WHEREAS, the City of North Lauderdale is committed to sending a strong message to perpetrators that Florida is a zero tolerance state for all forms of human trafficking and will make every effort to protect human life and dignity.

NOW, THEREFORE, We, the City Commission of the City of North Lauderdale, Florida hereby proclaim January, 2018 as

NATIONAL SLAVERY AND HUMAN TRAFFICKING PREVENTION MONTH

and encourage the citizens of the City of North Lauderdale to support awareness of this crime.

Dated this 16th day of January, 2018

_________________________________
MAYOR JACK BRADY
TO: Mayor and City Commission

BY: Ambreen Bhatti, City Manager

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

DATE: January 16, 2018

SUBJECT: SEU 17-07
Youfit Health Club
7346 W. McNab Rd.

Special Exception Use permit to allow for a gymnasium in accordance with Section 106-467 (7) “Supplemental Regulations” of the City Code of Ordinances in a General Business (B-2) zoning district.

APPLICANT: Brandi Vaquero, Youfit Health Clubs Inc.

The applicant is requesting a Special Exception Use permit (SEU 17-07) to allow Youfit, a gymnasium, to operate at 7436 W. McNab Road within a bay in the Arena shopping plaza. This request is made in accordance with Article IV Special Exception Uses; Section 106-156 that allows uses not intended for a zoning district to be permitted as a special exception use 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.

Youfit is proposing to operate a gymnasium that will be open to its clients continuously (24 hours) from 5 AM Monday till 10 pm Friday and from 8 AM till 8 PM Saturday and Sunday. All activities are contained indoors and the building is adequately sound-proofed.

**Economic Analysis**
The economic impact would be beneficial to the City of North Lauderdale based on job creation and investment in the City. Youfit has reportedly spent $1.5 million dollars in renovating the space to accommodate their gymnasium, which also holds a separate business inside of it called Juice Blends. Additionally, Youfit will hire and provide jobs for 44 employees. Youfit has incorporated an additional commercial space that had not been leased, thereby, expanding their business and making it one of the largest facilities in South Florida.

**Traffic/ Parking Analysis**
Based on the information provided by the applicant for the proposed commercial use of 24,320 square feet of customer service area, the parking requirement according to Section 106-223 (a) (32) for retail (1 parking space for each 250 Sq. Ft., the use closest in definition), is 98 spaces. The applicant provides 98 parking spaces citing majority of the plaza spaces will be available for use due to the other businesses in the plaza having different hours of operation. The traffic impact is minimal as an independent traffic
study provided by the applicant suggests by indicating only five additional trips per hour will be generated by the gymnasium use. This is according to generally accepted traffic analysis methods.

**RECOMMENDATION**

The Planning and Zoning Board met on January 9th, 2018 and recommended the special exception use request for the City Commission’s approval. The item passed 4 – 0 in favor for a recommendation of approval.

Staff recommends approval by the City Commission of the proposed SEU permit subject to the following conditions:

1. That the applicant complies with all applicable codes of the City regarding the development and operation of a “Gymnasium” as the primary use.
2. That all terms, conditions, and provisions imposed by the City Commission, Planning and Zoning Board, and staff, including all life, health, and safety Codes pertaining to this facility are met prior to commencing, and during operation.
3. That the applicant adheres to the hours of operation and use stated in the letter of intent.
4. In the event that outside parking problems arise as a result of the operation of this establishment, such as noise, parking, traffic and/or other nuisances, the applicant makes all improvements required to mitigate these nuisances so as not to negatively impact adjacent commercial and residential area.
5. Applicant shall obtain proper approvals such as Certificate of Occupancy and Local Business Tax Receipt from the City.
6. The applicant adhere to all related and applicable Fire codes
7. The applicant shall comply with all City and Florida Building Codes regarding the operation of a gymnasium.

**MOTION:**

If the City Commission concurs with the recommendation for approval from the Planning and Zoning Board and City Staff, a motion is in order as follows:

“To approve the Special Exception Use Permit allowing a gymnasium, in accordance with Section 106-467 “Supplemental Regulations” of the City Code of Ordinances in a General Business (B-2) zoning district.”
To: Tammy L. Reed-Holguin, Community Development Director

From: Dwayne L. Dickerson, Esq.

Date: December 5, 2017

Re: Justification Narrative related to Special Exception Use Approvals for Youfit Health Club Gymnasium

As you are aware, the law firm of Dunay, Miskel and Backman, LLP represents Arena Shoppes, LLP ("Arena Shoppes") who is the owner of the shopping center located at 7300 West McNab Road on the southwest corner of McNab Road and Rock Island Road ("Shopping Center") within the City of North Lauderdale ("City"). Florida. The Shopping Center property is identified by the Broward County Property Appraiser as Property Identification/Folio Number 494111160010. As part of the redevelopment of the Shopping Center, Youfit Health Club and Gymnasium ("Youfit") has finished its build out of their +/- 24,943 square foot tenant space located within the Shopping Center. Youfit will occupy the tenant space located on the northwest corner of the Shopping Center as shown on the site plan attached hereto.

The Shopping Center is located within the B-2 Community Business zoning district. Pursuant to Code of Ordinances ("Code") Section 106-468, Gymnasium uses located within the B-2 zoning district require Special Exception Use approval. Special Exception Use approval is governed by Article IV of the Code.

**INTENDED HOURS OF OPERATION**

The proposed hours of operation for Youfit are as follows:

- **Monday:** Opens at 5:00am
- **Tuesday:** 24 hours
- **Wednesday:** 24 hours
- **Thursday:** 24 hours
- **Friday:** Closes at 10:00pm
- **Saturday:** 8:00am – 8:00pm
- **Sunday:** 8:00am – 8:00pm
TYPE OF VEHICLES WHICH WILL UTILIZE THE SITE

The applicant proposes that customers will use regular personal vehicles to visit the Youfit site. The applicant is not proposing the use of buses or vans for transportation of visitors to or from their site.

TRAFFIC IMPACT ANALYSIS

A Traffic Impact Analysis/Statement was prepared for the Youfit use and is attached hereto. The Traffic Impact Analysis/Statement concluded that the projected increase in vehicle trips that the Youfit use creates is minimal or “de minimis”.

PUBLIC FACILITY IMPACT ANALYSIS

The Shopping Center is existing and the Youfit space was converted from existing retail space; therefore, all public facilities are already in place to support the Youfit use.

ECONOMIC IMPACT ANALYSIS

The applicant has invested approximately $1,289,000 into their tenant space during construction. During the build-out phase of construction, the applicant supplied approximately twenty-five (25) temporary jobs to subcontractors and five (5) members of their full-time construction crew to help transform the tenant space.

Youfit currently has approximately forty-four (44) employees, not to mention the multiple vendors they utilize for service work monthly including, but not limited to, A/C maintenance, alarms, pest control, IT, etc.

Further, Arena Shoppes spent approximately $1.5 million in total alone in the Youfit tenant space. Shopping Center wide, Arena Shoppes spend over $7.2 million in total in renovations. Arena Shoppes created more than fifty (50) temporary jobs at the site with all the subcontractors. Permanent jobs not only include the forty-four (44) Youfit employees, but also include all of the new jobs and employees at Fallas, Ross, Dollar Tree, Cr8tive Outfitters and Rainbow which lead to more than one-hundred (100) permanent jobs.

It is important to also note that the investment made by Arena Shoppes in the overall Shopping Center has had a positive impact on the Kroenke center next door as the three (3) surviving tenants’ sales have substantially increased and they are looking to stay now long term.
October 25th, 2017

Roger Julianelli, is the Chief Administrative Officer for Youfit Health Clubs. Along with this position, he is a shareholder of Youfit. Roger is entitled and authorized to sign on behalf of Youfit Health Clubs. If you have any questions or concerns you may contact me, the phone number is (954) 642-5200.

Sincerely,

Rick Berks - Youfit Health Clubs

NOTARY:
State of Florida
County of Broward
Subscribed and sworn to before me on this 25th day of Oct., in the year of 2017, by

Rick Berks
Name of document signer

Amber Shinupon
Notary Public

Typed or Printed Name: Amber Shinupon
My Commission Expires: 11/3/17

Youfit Health Clubs Corporate Office
1350 E Newport Center Drive, Suite 110, Deerfield Beach, FL 33442
954-642-5200 | Office@youfit.com
October 24th, 2017

I, Rick Berks, authorize Brandi Vaquero to apply for the Special Exception Use permit for Youfit Health Clubs. She may apply for any license/permits required for YF North Lauderdale LLC, located at 7346 W McNab Rd, North Lauderdale 33068.

Sincerely,

Rick Berks - Youfit Health Clubs

NOTARY:
State of Florida
County of Broward
Subscribed and sworn to before me on this 24th day of Oct., in the year of 2017, by

Rick Berks
Name of document signer

Typed or Printed Name: Amber Shrimpton
My Commission Expires: 11/5/17
January 10, 2018

City of N Lauderdale
701 Southwest 71st Avenue
N Lauderdale, FL 33068

Re: YF N Lauderdale (Arena Shoppes)
7346 McNab Road
N Lauderdale, FL 33068

By email: adisbury@nlauderdale.org

Attn: Mr. Andrew Disbury

As Chief Administrative Officer of Youfit Health Clubs, I hereby grant permission to Dwayne Dickerson Esquire to represent Youfit Health Clubs at the special exception use permit request.

I trust all is in order.

Yours truly,

[Signature]

Roger L. Julianelli
CAO

Cc: D. Dickerson

*Corporate Offices: 1350 East Newport Center Drive, Suite 110, Deerfield Beach, FL 33442*
*Phone: 954-642-5200* www.youfit.com*
KBP Consulting, Inc.

November 7, 2017

Dwayne L. Dickerson, Esq.
Partner
Daniell, Miskel & Backman, LLP
18 SE 4th Street, Suite 36
Boca Raton, Florida 33432

Re: Rock Island Square – North Lauderdale, Florida
Traffic Statement

Dear Dwayne:

Rock Island Square is an existing shopping center located in the southwest corner of the intersection at West McNab Road and Rock Island Road in North Lauderdale, Broward County, Florida. More specifically, the subject site is located at 7300 West McNab Road. Presently, Rock Island Square consists of 141,517 square feet of general retail space, two (2) fast food restaurants with drive-through windows (i.e. McDonald’s and Taco Bell), and a gasoline/service station with convenience store (i.e. Chevron). There is currently a plan to convert 24,943 square feet of the existing general retail space to a health/fitness club (i.e. Youfit Health Club). No other land use changes for the site are proposed. (A preliminary site plan for this project is presented in Attachment A to this memorandum.) The purpose of this technical memorandum is to document the trip generation characteristics of the existing (general retail) and the proposed (general retail and health/fitness club) land use scenarios at this location.

Trip Generation Comparison

A trip generation analysis comparing the existing general retail space and proposed general retail and health/fitness club space has been conducted utilizing the trip generation equations and rates contained in the Institute of Transportation Engineer’s (ITE) Trip Generation Manual (10th Edition). (Since no changes are proposed for the existing fast food and gasoline/service station outparcels, no trip generation calculations are necessary for these land uses.) According to the subject ITE manual, the most appropriate land use categories for the subject site are Land Use #820 – Shopping Center and Land Use #492 – Health/Fitness Club. The peak hour trip generation equations and rates used to determine the vehicle trips associated with this analysis are presented below.

Shopping Center – ITE Land Use #820

- AM Peak Hour: \[ T = 0.50\sqrt{X} + 151.78 \] (62% in / 38% out)
  where \( T = \text{number of trips} \) and \( X = 1,000 \text{ square feet of gross leasable area} \)
- PM Peak Hour: \[ T = 0.74\ln(X) + 2.89 \] (48% in / 52% out)

Health/Fitness Club – ITE Land Use #492

- AM Peak Hour: \[ T = 1.31X \] (51% in / 49% out)
  where \( T = \text{number of trips} \) and \( X = 1,000 \text{ square feet of gross floor area} \)
- PM Peak Hour: \[ T = 0.67\ln(X) + 2.44 \] (57% in / 43% out)

Table 1 on the following page summarizes the trip generation characteristics associated with the Rock Island Square shopping center in North Lauderdale, Florida.

8400 North University Drive, Suite 309, Tamarac, Florida 33321
Tel: (954) 560-7103 Fax: (954) 582-0989
### Table 1

**Trip Generation Summary**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Size</th>
<th>AM Peak Hour Trips</th>
<th>PM Peak Hour Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>In</td>
<td>Out</td>
</tr>
<tr>
<td><strong>Existing Use</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shopping Center</td>
<td>141,517 SF</td>
<td>138</td>
<td>85</td>
</tr>
<tr>
<td>Total</td>
<td>141,517 SF</td>
<td>138</td>
<td>85</td>
</tr>
<tr>
<td><strong>Proposed Uses</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shopping Center</td>
<td>116,574 SF</td>
<td>130</td>
<td>80</td>
</tr>
<tr>
<td>Health / Fitness Club</td>
<td>24,943 SF</td>
<td>17</td>
<td>16</td>
</tr>
<tr>
<td>Total</td>
<td>141,517 SF</td>
<td>147</td>
<td>96</td>
</tr>
<tr>
<td><strong>Difference (Proposed - Existing)</strong></td>
<td>0 SF</td>
<td>9</td>
<td>11</td>
</tr>
</tbody>
</table>

Compiled by: KBP Consulting, Inc. (November 2017)

As indicated in Table 1 above, the proposed general retail and health / fitness club land use scenario at the Rock Island Square shopping center is anticipated to generate 243 AM peak hour vehicle trips (147 inbound and 96 outbound) and 708 PM peak hour vehicle trips (348 inbound and 360 outbound). When compared with the existing general retail development on this site, this represents an increase of 20 vehicle trips in the AM peak hour and an increase of five (5) vehicle trips in the PM peak hour. These trip generation increases are considered to be minimal and do not warrant further traffic impact analyses.

**Conclusions**

When comparing the trip generation characteristics of the proposed general retail and health / fitness club land use scenario for the Rock Island Square shopping center with the existing general retail development at this site, the projected increase in vehicle trips is considered to be minimal or, "de minimis". This is particularly evident during the PM peak hour (which is the standard time period for evaluating traffic impacts in Broward County) when a nominal increase of five (5) vehicle trips is projected.

If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

KBP CONSULTING, INC.

Karl B. Peterson, P.E.
Florida Registration Number 49897
Engineering Business Number 29939

8400 North University Drive, Suite 309, Tamarac, Florida 33321
Tel: (954) 560-7103 Fax: (954) 582-0989
TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Tammy Reed-Holguin, Community Development Director

DATE: January 16, 2018

SUBJECT: SITE PLAN EXTENSION: FIRST HAITIAN BAPTIST CHURCH
(SPR 16-01) 1350 S. State Road 7

APPLICANT: Dr. Rev. Willem Philippi

The applicant, Dr. Rev. Willem Philippi, has submitted a request for a site plan extension for the new First Haitian Baptist Church to be located at 1350 S. State Road 7. The most current site plan (SPR 16-01) was approved by the City Commission on June 28, 2016 and expired on December 28, 2016. The applicant has stated the factors that contributed to the delay in starting construction on the project (see attached letter).

According to Section 98-142(g) of the City Code “…… a final site plan which has been approved pursuant to the provisions of this Chapter shall be effective for a period of eighteen (18) months during which time active building permits must be issued for the project in order for the site plan approval to remain effective.”

The applicant is making progress on the implementation of the site plan. The applicant and his new architectural team met with City staff on June 19 and October 31, 2016 to discuss proposed changes to the floor plan demonstrating the applicant’s desire and effort to keep the project active. In addition, their contractor applied for a demolition permit on December 6, 2016 for the removal of the existing church on the property. The permit is going through the review process.

The applicant is not proposing any changes to the original site plan and since applicable codes have not changed in the last few years, it would not require review by the Development Review Committee or the Planning and Zoning Board.

RECOMMENDATION:
The City Administration recommends that the Commission grant a six month extension of site plan SPR 16-01 given the justification provided by the applicant.

If the Commission concurs with staff’s recommendation, a motion is in order to extend SPR 16-01 for six (6) months, retroactive from December 28, 2017.
December 26, 2017

Dear Sir/Ma’am

Final Site Plan Approval Extension Request

This letter is to request for an extension of the site plan approval for the First Haitian Baptist Church of North Lauderdale. Our site plan was approved on June 28, 2016. We now have a new experienced team that is ready to start construction as soon as possible, but the task is taking longer than we expected. We are in constant contact with our builders (engineers, architect and general contractor) to make the process move as quickly as possible.

We have been instructed by our builders that we need to request an extension of our site plan approval from the City of North Lauderdale, while they are actively working with the team to start construction. We requested the design from a previous architect to be kept from $1 - $1.2 million or below, but we were deceived once we started receiving all the bids which were coming near $2.2 million to build the church. So, reaching non-negotiable state, we had to redesign the building to meet the church financial budget.

Please, take in consideration the need to grant the church an extension. We did all we could to achieve the 18 months site plan approval period to start building, but we will need more time. The 18 months period ends on December 28, 2017. We need an extended, permitted period to finish gathering our building team to start construction.

Thank you for your favorable consideration to this request. We look forward to working in partnership with the City.

Sincerely,

[Signature]

Dr. Rev. Willem Philippi
Pastor
First Haitian Baptist Church of North Lauderdale
TO: Mayor and City Commission  
FROM: Ambreen Bhatti, City Manager  
BY: Tammy Reed – Holguin, Community Development Director  
DATE: January 16, 2018  
SUBJECT: Site Plan SPR 17-06  
Folio # 494111280023 Avon Lane and McNab Road  
Preliminary Site Plan approval to allow for an automated car wash facility within in a (B-3) General Business Zoning district.  
APPLICANT: Daniel Luna, T Car Wash Operations LLC.  

T Car Wash Operations, LLC is proposing to build an automated car wash that is 3,029 square feet, on 1.21 acres of vacant land located on the west end of the new Walmart site on McNab Road.

The development includes a state-of-the-art automated car wash housed in a single 3,000 square foot bay. It provides an area with free vacuums for clients to clean the inside of the cars once washed and no detailing is permitted. The vacuum area is enclosed with an 8 foot wall around the equipment and is located on the east side of the car wash so the building also serves as a noise buffer for the residences to the west. The building includes a small office space in the rear where two employees will be on-site. The site meets all required City Code parking requirements by providing 32 spaces including 2 ADA spaces where Section 106-223 (20) of the City Code of Ordinances only requires 12 parking spaces including one ADA. The additional parking requirement was imposed by Walmart who sold the parcel to the developer. All required building setbacks are met and the site provides the required 24 foot - 2 lane two way street to exit and enter the facility. There is one entrance to the site from within the provided access road. There is no direct access to the site from McNab Road. The residential community on the west will be buffered by an existing wall and landscaping. There is an increase of the anticipated traffic impact due to the additional use of the space. The developer has met with representatives from the Belmont HOA and received their input regarding the project. They will continue to work with the Belmont HOA and the City’s staff to insure that the site is attractive and minimizes potential noise impact.

In an effort to build a project consistent with the City’s plan for the McNab Road Redevelopment Overlay District; staff requested that the applicant include architectural features and a color palette to match or at a minimum complement the Walmart and other outparcel buildings and sites to provide a cohesive look for the development. The applicant has stated that they feel this will compromise the branding of their client’s product. They incorporated some stone on the rear of the building where the office is located which in staff’s opinion, does not provide enough
visual effect to tie the developments together. Administration requests that direction be given to continue work on the aesthetics of the project to incorporate more of the existing design features in the overall development.

The proposed use of the parcel is consistent with the Master Business List that allows autowash racks in B-2 and B-3 zoning districts. However it is inconsistent with the vision that the Commission has shared regarding the diversification of uses. The City currently has a total of ten (10) facilities that provide car washing within an approximately 5 square mile area. Given the limited vacant, commercial space within the City, the Commission has emphasized the importance of a diversification of uses. The proposed business is not unique to the area. There are three car wash facilities located on McNab Road between the proposed car wash and Rock Island Road alone. The ten existing facilities within the City include 3 free standing car washes; Jeff’s on State Road 7, Stars and Stripes on McNab and J&J on Southgate and 7 gas stations that have automated car washes; 3 on State Road 7, 2 on McNab, one on Southgate and one on 81st Avenue providing at least one car wash for every geographical area in the City.

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

The Development Review Committee met on October 10, 2017 for a formal review. After considerable review and discussion, the committee recommended approval of the preliminary and final site plan to the Planning and Zoning Board with direction to the applicant to work with the adjacent residents from the Belmont community and to incorporate the design features and color palette from the existing developments on the Walmart site into their project.

The Planning and Zoning Board met on December 5th, 2017 and approved the item with a 4-1 vote for recommendation of approval to the City Commission.

RECOMMENDATION:
If the City Commission concurs with the Planning and Zoning board, a motion is in order for the approval of the City Commission of the preliminary site plan subject to the following conditions with direction for Administration and the applicant to continue work together to finalize the site plan:

1. The applicant shall comply with applicable City Codes and Florida Building Codes.
2. All terms, conditions and provisions imposed by the Planning and Zoning Board, City Commission, DRC and Staff including all life, health and safety Codes pertaining to this development shall be met prior to the issuance of building permits.
3. The developer will continue to work with the Belmont HOA to identify and address to their satisfaction any potential impacts of the project.
4. The developer will work with staff to incorporate architectural features and a color palette to match or at a minimum complement the Walmart and other outparcel buildings and sites to provide a cohesive look for the development.
5. The DRC, Planning and Zoning Board and City Commission reserve the right to impose any additional requirements deemed necessary during subsequent approval reviews.
6. Copies of all applicable permits and approvals by other regulatory agencies shall be provided to the City prior to issuance of building permits.

7. All conditions required by Code and/or set forth by the City engineer shall be met.

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

9. Photometric Plan approval by staff is required.

10. The applicant shall comply with all provisions contained in Chapter 102 “Vegetation” of the City Code and shall submit detailed landscaping plans for landscaping permit.

11. Prior to the issuance of building permits, the applicant shall provide a written verification that all County impact fees associated with this project have been paid.

12. Prior to the issuance of the Certificate of Occupancy by the City Building Department, the applicant shall pay all applicable assessment and impact fees to the City.

13. Upon the purchase of the outparcel, the applicant shall provide a copy of the executed cross access easement agreement to provide for vehicular and pedestrian access across and through the parcel owned by Walmart Stores, Inc. development.

14. The applicant acknowledges and agrees to abide by the rules of the Property Association created by the primary property owner, Walmart, which runs with the land and governs owners of the Property, or portions of the Property, including, but not limited to, the use, condition and maintenance of the Property as well as coordination of signage and building elevations.

15. If necessary, proper easements will be dedicated to the City of North Lauderdale.
Real Estate
Michele Butler-Thuo, Senior Manager I, Real Estate and Portfolio Management

Date: September 19, 2017
TO: City of North Lauderdale, Florida
RE: Agent Authorization – Outlot #1 Sale at Walmart store #1851 North Lauderdale, FL (“Outlot”)

Wal-Mart Stores East, LP (“Walmart”) is under contract with T Car Wash Operations, LLC (“Buyer”) for the sale of the Outlot. On behalf of Walmart, I hereby authorize Bowman Consulting (the “Engineer”) and GBM Architecture, P.A. (the “Architect”) (both of whom have been hired by Buyer) to make application submittals for permits related to the proposed development of the above-referenced Outlot, as shown on the attached sketch.

The authorization for the Engineer and Architect is expressly limited to (i) signing and delivering applications for permits and approvals that are related to the development of the Outlot, and (ii) advancing the requisite funds to file such applications. Further, this authorization does not empower the Engineer or Architect to either negotiate on Walmart’s behalf or otherwise obligate Walmart in any manner whatsoever, including any attempt to obligate Walmart to pay for or construct improvements in connection with its development of the Outlot.

Should you need additional information or have any questions regarding this authorization, please do not hesitate to contact Don Draper at Donald.Draper@walmart.com or 479-277-5039.

Respectfully,
WAL-MART STORES EAST, LP,
a Delaware limited partnership
By: WSE Management, LLC, a Delaware limited liability company, General Partner

By: Michele Butler-Thuo
Sr. Manager I, Real Estate & Portfolio Management

STATE OF ARKANSAS
COUNTY OF BENTON

The foregoing instrument was acknowledged before me this 19 day of September, 2017, by Michele Butler-Thuo, as Sr. Manager I, Real Estate & Portfolio Management of WSE Management, LLC, a Delaware limited liability company, the General Partner of Wal-Mart Stores East, LP, a Delaware limited partnership, on behalf of the company and the partnership. She is personally known to me OR produced as identification.

Print Name: Ryan Pettijohn
Notary Public, State of Arkansas
Commission number:______________
My commission expires:______________

[Notary Seal]
13 September 2017  
Re: Spin Carwash – North Lauderdale

**Project Background**

The purpose of this letter is to accompany the Site Plan Approval/DRC Application for the above referenced commercial project. The project is located on Outparcel No. 1 within the Walmart shopping center located at West McNab Road, N. Lauderdale 33068. The zoning designation is B-3, General Business District and the associated Parcel ID number is 4941 11 28 0023. The parcel is currently vacant.

The purpose of the development is to construct a new, one-story 3,029 square foot Spin Carwash, which will consist of a 125 feet conveyor strip carwash with a single tunnel. The carwash building has a maximum height of ±25 feet. The business will hire six employees, and there will be an attendant present during operation. The hours of operation will be between 7:00AM-7:00PM. Vehicles take approximately 2-3 minutes to complete the wash through the fully automated tunnel (no detailing), and the system can accommodate three vehicles at a time (capable of cleaning 130 cars every hour).

The impervious area of the project is 29,263 square feet/0.67 acres (55%); the pervious area of the project is 23,642 square feet/0.54 acres (45%). Twelve parking spaces are required, and 33 are being provided on site – including two accessible parking spaces.

The building will be constructed to meet Florida Building Code and Florida Life Safety Code. The construction will take approximately (4-6) four to six months and is scheduled to be completed by the second quarter of 2018.

Please do not hesitate to contact me with any questions regarding the project or this application.

Jenny Baez | Project Coordinator  
Bowman Consulting

13450 W Sunrise Blvd, Suite 320, Sunrise FL 33323  
office: 954.314.8468 | mobile: 954.682.9014  
jbaez@bowmanconsulting.com | bowmanconsulting.com
AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, 
(“CITY”), RELATING TO CAMPAIGN ETHICS, CREATING SECTION 
2-37, ARTICLE II, NORTH LAUDERDALE CODE OF ORDINANCES, 
TO BE ENTITLED “ETHICAL CAMPAIGN PRACTICES” REQUIRING 
ALL CANDIDATES FOR MUNICIPAL OFFICE IN THE CITY OF 
NORTH LAUDERDALE TO AFFIRMATIVELY AGREE TO SUBSCRIBE 
TO THE BROWARD COUNTY STATEMENT OF ETHICAL CAMPAIGN 
PRACTICES; PROVIDING FOR CODIFICATION; PROVIDING FOR 
CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN 
EFFECTIVE DATE.

WHEREAS, campaigns clearly outline the positions and character of municipal 
candidates so that voters can make informed decisions about whom they wish to see elected; and

WHEREAS, unethical campaigns reinforce cynicism and negative feelings about 
government that can stymie officials once they are elected; and

WHEREAS, the ethical principles that apply generally to public life such as conflict of 
interest, access to government, integrity, also apply to campaigns for political office; and

WHEREAS, Broward County enacted the Broward County Ethical Campaign Practices 
Act on January 25, 2000; and

WHEREAS, the City Commission deems it to be in the best interests of the citizens and 
residents of the City of North Lauderdale to adopt this ordinance.

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

Section 1. The foregoing “Whereas” clauses are hereby ratified as true and correct and 
incorporated herein by this reference.

Section 2. The City Commission of the City of North Lauderdale hereby creates Section 
2-37, Article II, of the City’s Code of Ordinances as follows:

Sec. 2.37 – Ethical Campaign Practices

(a) Applicability. The requirements of this section shall apply to all candidates for elected 
public office whose constituency resides in North Lauderdale or when the boundaries of 
the public office sought are located in North Lauderdale.
CITY OF NORTH LAUDERDALE, FLORIDA

ORDINANCE NO. _____________

(b) Ethical campaign practices. Upon becoming a candidate for an elected public office, a candidate shall obtain from the Clerk before whom the candidate qualifies the statement described in subsection (c) for the purpose of executing said statement and agreeing to abide by the ethical campaign practices established in this section. A candidate’s completion of this statement is mandatory.

(c) In accordance with subsection (b), the following statement of Broward County’s Ethical Campaign Practices, as may be amended, shall be provided to each candidate for elected office in North Lauderdale:

BROWARD COUNTY STATEMENT OF ETHICAL CAMPAIGN PRACTICES

As a candidate for public office in Broward County, I believe that political issues can be freely debated without appealing to racial, ethnic, religious, sexual, or other prejudices. I recognize that such negative appeals serve only to divide this community and create long-term moral, social, and economic problems.

Therefore:

1. I shall not make my race, color, religion, gender, national origin, physical disability, or sexual orientation an issue in my campaign.
2. I shall not make my opponent's race, color, religion, gender, national origin, age, marital status, familial status, physical disability, or sexual orientation an issue in my campaign.
3. I will condemn any appeal to prejudice based on race, color, religion, gender, national origin, age, marital status, familial status, physical disability or sexual orientation.
4. I shall not attack or question my opponent's patriotism.
5. I shall not publish, display, or circulate any anonymous campaign literature or political advertisement nor shall I tolerate or permit members of my campaign organization to engage in such activities.
6. I shall not tolerate nor permit members of my campaign organization to engage in activities designed to destroy or remove campaign materials or signs lawfully displayed on public or private property.
7. I shall not tolerate my supporters engaging in these activities which I condemn nor shall I accept their continued support if they engage in such activities. I will not permit any member of my campaign organization to engage in these activities and will immediately and publicly repudiate the support of any other individual or group which resorts to the methods and tactics that I hereby condemn.
8. I shall run a positive campaign emphasizing my qualifications for office and my positions on issues of public concern and I will limit my attacks on an opponent to legitimate challenges to that person's record, qualifications, and positions.
9. I will neither use nor permit the use of malicious untruths or innuendoes about an opponent's personal life, nor will I make or condone unfounded accusations discrediting an opponent's credibility.
10. I will not use or permit the use of campaign material that falsifies, distorts, or misrepresents facts.
Executed on this day _____ of ____________________, 201__.

WITNESSES:                       BY CANDIDATE:

_________________________________  ____________________________
Signature  

_________________________________  ____________________________
(Print Name)

STATE OF FLORIDA  )
 ) SS.
COUNTY OF BROWARD  )

The foregoing instrument was acknowledged before me this ___ day of ________________, 2017, by ______________________________, who is personally known to me or who has produced ______________________________ as identification and who did/did not take an oath.

Witness my hand and official seal, this _____ day of ____________________, 2017.

_________________________________
Signature of person taking acknowledgment
[Public Notary, State of Florida]

_________________________________
Name of person taking acknowledgment
(Typed, Printed or Stamped)
(d) All candidates shall file the original and a copy of the executed statement in subsection (c) with the Clerk before whom the candidate qualifies within five (5) days after becoming a candidate for the elected public office.

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

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

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

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


_______________________________________
MAYOR JACK BRADY

_______________________________________
VICE MAYOR RICH MOYLE

ATTEST:

_______________________________________
PATRICIA VANCHERI, City Clerk

APPROVED AS TO FORM:

_______________________________________
SAMUEL S. GOREN, City Attorney
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission

FROM: Ambreen Bhattty, City Manager

BY: Sam Goren, City Attorney
Tammy Reed-Holguin, Community Development Director

DATE: January 16, 2018

SUBJECT: First Reading: Amendment to Chapter 6 “AMUSEMENTS AND ENTERTAINMENTS” of the City’s Code of Ordinances

Tonight we are requesting your consideration on first reading for an amendment to Chapter 6 “Amusements and Entertainments” of the City Code of Ordinances to facilitate the attraction and construction of family-oriented amusement and entertainment venues.

Background:
As we continue the City’s redevelopment initiatives, we are in the process of developing incentives and streamlining processes for projects that support the redevelopment efforts while identifying portions of the City Code that may hinder the attraction of desired types of establishments. Most recently, it was found that clarification is needed regarding businesses that provide amusements and entertainments that cater to adults vs. those providing a family-oriented venue.

In 2007, Chapter 6 of the City Code of Ordinances, “Amusements and Entertainments”, was revised to address certain activities within businesses that were having a negative impact on public safety and perception. Uses such as amusements/recreation enterprises (indoor) and billiard rooms, poolrooms were reclassified as secondary uses and only allowed with a Special Exception Use permit (SEU). There were some very specific restrictions put on the number of machines and/or tables allowed in each business and the maximum floor area they could occupy. The Ordinance has been very effective in alleviating the undesirable situations that were occurring in businesses that catered to adult activity. However, Staff has found that the Code’s intention has an over-reaching and unintentional effect on businesses that are mostly family-oriented and do not historically create the issues related to public safety.

The attached Ordinance proposes to amend the Code to facilitate the attraction and opening of businesses that cater to families and provide amusements that are focused on the entertainment of children and young people. The primary use of these businesses is most often a restaurant with amusement games as an accessory use. The businesses usually offer packages for parties and family entertainment. The proposed amendments delineate a definition for amusement centers that are primarily family-oriented and allow
for a larger, designated amusement area with an unrestricted number of game machines based on square footage per machine, provided no gambling is involved.

These amendments will assist in insuring the attraction and retention of businesses that cater to the family as a unit and promote the public health, safety, morals, convenience, comfort, amenities, prosperity, and general welfare of the community as stated in the City’s Zoning Code and reinforced in the City’s redevelopment efforts.

**RECOMMENDATION:**

The City Administration recommends Commission’s consideration and approval of the first reading of the attached ordinance amending Chapter 6 “Amusements and Entertainments” of the City’s Code of Ordinances to facilitate the attraction and construction of family-oriented entertainment venues.
AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA,
AMENDING ARTICLE III “GAME MACHINES AND BILLARDS”
SECTIONS 6-58 AND 6-59 WITHIN CHAPTER 6 “AMUSEMENTS AND
ENTERTAINMENTS” OF THE NORTH LAUDERDALE CODE OF
ORDINANCES, TO DEFINE AND PROVIDE REQUIREMENTS
RELATED TO AMUSEMENT CENTERS PRIMARILY FAMILY-
ORIENTED; PROVIDING FOR CODIFICATION; PROVIDING FOR
CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING 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 recognize the need to study
and amend aspects of such; and,

WHEREAS, the City, with its professional staff reviewed the City’s Land Use
Regulations for the purpose of evaluating the regulation of amusement/recreation
enterprises/indoor in the City; and,

WHEREAS, Administration identified the need to amend the Code to clarify the
distinction between gaming devices as a secondary use in primarily adult-oriented atmospheres
and amusement centers in family-oriented venues; and

WHEREAS, it is the recommendation of Administration to amend the Code pertaining
to amusements and entertainment (indoors) to lead to better implementation of the goals and
objectives of the City’s Comprehensive Plan and the City Commission’s vision for economic
development; and,

WHEREAS, the City is desirous of further defining uses that have been reclassified as
secondary, including amusement/indoor recreational enterprises and billiards and differentiating
between adult vs. family-oriented venues.

WHEREAS, the City Commission finds that it is in the best interests of the health,
safety, and welfare of the City and its residents and property owners to amend the current
provisions of Chapter 6, Amusements and Entertainments, Article III, entitled “Game Machines
and Billards,” in order to provide for the conditions for amusements and entertainment,
differentiating between adult and family-oriented venues which will further the City’s
redevelopment efforts and promote the “Hometown USA” character and image of North
Lauderdale.

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

Section 2. The City Commission of the City of North Lauderdale hereby amends, Sections 6-58 and 6-59 of Chapter 6 of the City’s Code of Ordinances as follows:

- **ARTICLE III. - GAME MACHINES AND BILLIARDS**[2]
  - **Sec. 6-51. - Short title.**
    
    This article shall be known and cited as the "Comprehensive Game Machine, Coin-Operated Device and Billiard Ordinance" of the city.
    
    (Ord. No. 07-04-1184, § 2, 4-10-07)
  
  - **Sec. 6-52. - Definitions.**
    
    The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
    
    *Amusement center* means any business establishment, which offers mechanical amusement devices to the public.
    
    *Billiard hall/pool hall* means any business establishment which offers game tables on which any of several games may be played by driving small balls against one another or into pockets with a cue.
    
    *Billiard/pool table* means an oblong game table on which any of several games may be played by driving small balls against one another or into pockets with a cue.
    
    *Mechanical amusement device or game machine* means any mechanical or electronic machine or device which, upon the insertion of a coin, slug, token, plate or disc, or other method of payment to operate may be operated by the public generally, for use as a game, entertainment or amusement, whether or not registering a score.
    
    *Primary use* means the use of 15 percent or more of the gross square footage of the public use floor area of the establishment, or in any event, the placement of more than four machines or more than two billiard/pool tables at any one location.
    
    *Secondary use* means the use of less than 15 percent of the gross square footage of the public use floor area of the establishment, or in any event, the placement of four or less machines or the placement of two or less billiard/pool tables at any one location.
    
    (Ord. No. 07-04-1184, § 2, 4-10-07)
  
  - **Sec. 6-53. - Penalties for violations.**
Violation of this article shall be subject to punishment in accordance with the provisions of Section 1-7 or, alternatively, at the discretion of the city, shall be subject to punishment within the jurisdiction of the city's code enforcement board or special magistrate.

(Ord. No. 07-04-1184, § 2, 4-10-07)

- **Sec. 6-54. - License required.**

  It shall be unlawful for any person to set up for operation, operate, lease or distribute for the purpose of operating any mechanical amusement device, as hereinafter defined, without first having obtained a license therefor.

(Ord. No. 07-04-1184, § 2, 4-10-07)

- **Sec. 6-55. - Gambling devices prohibited.**

  Nothing in this article shall in any way be construed to authorize, license or permit any gambling devices whatsoever, or any mechanism that has been judicially determined to be a gambling device, in any way contrary to law, or that may be contrary to any future laws of the state.

(Ord. No. 07-04-1184, § 2, 4-10-07)

- **Sec. 6-56. - Enforcement of article provisions.**

  The city manager, the community development director, or his designee, the chief of police, police officers and code enforcement officers of the city are hereby directed, authorized and empowered to enforce the provisions of this article.

(Ord. No. 07-04-1184, § 2, 4-10-07)

- **Sec. 6-57. - Inspections.**

  The police services, in addition to the community development department through the code enforcement division, shall, from time to time, make periodic inspections to ascertain whether or not there is compliance with the provisions of this article.

(Ord. No. 07-04-1184, § 2, 4-10-07)

- **Sec. 6-58. - Mechanical amusement devices and billiards.**

  (a) Amusements and entertainments (indoor)

  Amusement centers and billiard/pool halls as a primary use are prohibited within the city.

  (b) Amusements and entertainments (indoor)

  Amusement centers and billiard/pool halls shall be allowable as a secondary use in a B-2 or B-3 zoning district as a special exception use only in conjunction with the following primary uses:

  (1) Establishments in which the primary income is derived from serving food, which means more than 60 percent of its monthly gross receipts is earned or received from the sale of food. For purposes of determining whether an establishment is a primary
use establishment, the city manager shall appoint one or more persons with expertise in the areas of accounting and bookkeeping, which persons shall have the power to periodically enter such establishments, during regular business hours, to inspect, examine and review the establishment's books of account, records, and any other pertinent documents which will aid in such determination.

(2)

Bowling alleys; clubs (civic, private, non-commercial); hotels and motels; lodge halls; skating rinks; restaurants and theater and motion picture houses.

(Ord. No. 07-04-1184, § 2, 4-10-07)

**Sec. 6-59. - Special exception use permit.**

(a) Amusement and entertainments (indoor) Amusement centers and billiard/pool halls shall be allowable as a secondary use under the following conditions only by special exception use permit of the governing body:

(1) Establishments with at least 2,000 gross square feet of public use floor area shall be permitted up to four game machines with a ratio of not more than one machine per 40 square feet of public use floor in the secondary use area.

(2) Establishments shall have a minimum of 4,000 gross square feet of public use floor area with a ratio of not more than one billiard/pool table per 600 square feet of gross public use floor area in the secondary use area; no more than two tables allowed.

(3) Establishments with both uses (game machines and billiards) shall have a minimum of 4,266 gross square feet of public use floor area and shall be permitted no more than four game machines and two billiard/pool tables, occupying less than 15 percent of the gross square feet of public use floor area for the secondary use.

(4) (1) Locations shall not be permitted within 1,000 feet of any parcel of land zoned RS-5, RM-10 or RM-16 or upon which there is an established public or private school, daycare, public park, public library or place of worship.

(5) (2) Locations shall not be permitted within 1,000 feet of another similar establishment.

(6) (3) A security guard or supervisor over the age of 21 years shall be employed during non-school hours throughout the regular school year when the establishment is open for business.

(7) (4) Hours of operation shall be determined by the governing body but shall not exceed those of the primary business.
(b) Amusement centers and billiard/pool halls catering to adults shall be allowable as a secondary use under the following additional conditions only by special exception use permit of the governing body:

(1) Establishments with at least 2,000 gross square feet of public use floor area shall be permitted up to four game machines with a ratio of not more than one machine per 40 square feet of public use floor in the secondary use area.

(2) Establishments shall have a minimum of 4,000 gross square feet of public use floor area with a ratio of not more than one billiard/pool table per 600 square feet of gross public use floor area in the secondary use area; no more than two tables allowed.

(3) Establishments with both uses (game machines and billiards) shall have a minimum of 4,266 gross square feet of public use floor area and shall be permitted no more than four game machines and two billiard/pool tables, occupying less than 15 percent of the gross square feet of public use floor area for the secondary use.

(c) Amusement centers with primarily family-oriented activities shall be allowable under the following additional conditions:

(1) As an accessory use to establishments in which the primary income is derived from serving food, which means more than 60 percent of its monthly gross receipts is earned or received from the sale of food. For purposes of determining whether an establishment is a primary use establishment, the city manager shall appoint one or more persons with expertise in the areas of accounting and bookkeeping, which persons shall have the power to periodically enter such establishments, during regular business hours, to inspect, examine and review the establishment's books of account, records, and any other pertinent documents which will aid in such determination.

(2) As an accessory use in establishments where more than 15% but less than 50% of the floor area is devoted to these family-oriented automatic gaming devices and activities.

(3) The number of machines is limited based upon the area that accommodates no more than 40 square feet per device.

(Ord. No. 07-04-1184, § 2, 4-10-07)

- **Sec. 6-60. - Standards for operation of facilities.**

(a) In addition to the requirements contained in section 6-59, an application for a special exception use permit as a secondary use establishment shall include an operational plan which, at a minimum, shall be designed to:

(1) Avoid nuisances and maintain the quiet enjoyment of the property in the immediate area.

(2)
Not alter the surrounding business area or its environment.

(3)

Not lessen the value of the surrounding businesses nor occupations therein.

(4)

Not create a safety hazard for individuals in the surrounding area.

(5)

Not be in violation of any city ordinances.

(6)

Prevent loitering, as defined by this Code and state general law.

(7)

Provide for the availability of bathroom facilities, as provided for in the Florida Building Code.

(8)

Provide for safe traffic conditions as set forth in this Code regarding parking and demonstrate that the proposed use will not adversely affect traffic conditions so as to create a nuisance.

(9)

Prohibit persons under 17 years of age from using amusement games/billiard tables during regular school hours, and provide for the enforcement thereof.

(10)

Specify the minimum number of employees to be on duty at any time, ensuring the presence of at least one person 21 years of age or older during the hours of operation.

(11)

Specify the maximum number of persons permitted on the premises, which number shall not exceed the limit established by the fire department, and/or the Florida Building Code.

(12)

Designate a specific area for the mechanical amusement devices or billiard/pool tables and specify the net square footage of floor area where mechanical amusement devices or billiard/pool tables shall be located.

(b)

Local business tax receipts which are issued by the city for such machines and tables shall at all times be posted and/or attached to such machines and tables and prominently displayed.

(Ord. No. 07-04-1184, § 2, 4-10-07; Ord. No. 07-06-1191, § 2, 5-29-07)

• Sec. 6-61. - When licenses due and payable.

All licenses shall be due and payable on or before October 1 of each year. No license shall be issued for any fractional portion of a year, except that any license for a location may be issued after April 1 and to
expire on September 30 of the same year, upon the payment of one-half of the amount fixed as the price of such license for one year.

(Ord. No. 07-04-1184, § 2, 4-10-07)

- Sec. 6-62. - Fees for licenses.

The fees for such licenses shall be those certain fees set forth by ordinance (see appendix F).

(Ord. No. 07-04-1184, § 2, 4-10-07)

**Section 4.** It is the intention of the City Commission of the City of North Lauderdale that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Lauderdale, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word “Ordinance” may be changed to “Section,” “Article” or such other word or phrase in order to accomplish such intention.

**Section 5.** If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

**Section 6.** 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 7.** This Ordinance shall become effective upon passage and adoption.

(REMAINDER OF THIS INTENTIONALLY LEFT BLANK)


_____________________________________
MAYOR JACK BRADY

ATTEST:

_______________________________________
PATRICIA VANCHERI, City Clerk

VICE MAYOR RICH MOYLE

APPROVED AS TO FORM:

_______________________________________
SAMUEL S. GOREN, City Attorney
TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Tammy Reed - Holguin, Community Development Director
DATE: January 16, 2018
SUBJECT: First Reading: Amending Section 106-184 “Fences, Walls and Hedges” and Section 94-14 “Functional Types of Signs” to Provide for Regulations Regarding Screening and Signage on Temporary Construction Fencing.

Tonight, staff is presenting an Ordinance for your consideration on first reading to amend Section 106-184 “Fences, Walls and Hedges” and Section 94-14 “Functional Types of Signs” of the City’s Code of Ordinance to provide regulations regarding screening and signage on temporary construction fencing.

BACKGROUND:
The City has seen an influx in development over the past year and many new commercial and residential projects are coming to the City. Marketing these developments to attract residents and new businesses has been a focus of the City Commission. To help facilitate the marketing of these new developments, Staff recommends the attached amendments to the City’s Code.

Very often contractors will erect a temporary construction fence around the area where they are working, primarily for safety reasons. These fences are usually chain link and do not conceal what can often be unsightly earthwork and bulky machinery. Recently an application for construction fencing came through for permitting purposes that included screening on the chain link fence which blocked the construction work from view and provided a venue to those passing by to know what is being constructed, by whom and how to contact the developer. The Code does not currently include provisions to allow this type of screening and project identification. This type of screening can be seen in other cities such as Sunrise and Pembroke Pines and if done correctly and maintained, it provides an attractive alternative to advertising the project on temporary wooden signage. The proposal before you tonight allows for temporary construction fencing to be screened with certain features relative to the upcoming project.

RECOMMENDATION:
The City Administration recommends City Commission’s consideration of the attached Ordinance on first reading to amend Section 106-184 “Fences, Walls and Hedges” and Section 94-14 “Functional Types of Signs” of the City’s Code of Ordinance to provide regulations regarding screening and signage on temporary construction fencing.
ORDINANCE NO. ______________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING SECTION 106-184 WITHIN CHAPTER 106 OF THE NORTH LAUDERDALE CODE OF ORDINANCES, ENTITLED “ZONING” TO DEFINE AND PROVIDE REQUIREMENTS RELATED TO THE INSTALLATION OF TEMPORARY CONSTRUCTION FENCES; AMENDING SECTION 94-14 WITHIN CHAPTER 94 OF THE NORTH LAUDERDALE CODE OF ORDINANCES ENTITLED “SIGNS” TO PROVIDE FOR CONSTRUCTION SIGNS ON TEMPORARY CONSTRUCTION FENCES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, City staff continuously review the City Code to identify and update the code where necessary; and

WHEREAS, City staff have identified an increase in site plan reviews for the development or improvement of the City’s shopping centers and other commercially zoned properties; and

WHEREAS, upon conducting site plan reviews, City staff identified the need to include and define “Temporary Construction Fence” in the City Code; and

WHEREAS, temporary construction fences provide a unique opportunity to inform the public of the development of that subject construction site; and

WHEREAS, City staff recommend that the City Commission allow temporary construction fences to include construction signs when printed on the opaque screening attached to a temporary construction fence; and,

WHEREAS, the City Commission deems it to be in the best interests of the health, safety and welfare of the citizens and residents of the City to amend Section 106-184 of Chapter 106, entitled “Zoning” of the City’s Code of Ordinances to define and provide for temporary construction fences and to amend Section 94-14 of Chapter 94, entitled “Signs” of the City’s
Code of Ordinances to allow construction signs to be printed on temporary construction fence screening.

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

Section 1. The foregoing “Whereas” clauses are hereby ratified as true and correct and incorporated herein by this reference.

Section 2. The City Commission of the City of North Lauderdale hereby amends, Section 106-184 of Chapter 106 of the City’s Code of Ordinances as follows:

CHAPTER 106: ZONING
Sec. 106-184. – Fences, wall and hedges

(a) As used in the context of fence, wall and hedge regulations throughout the comprehensive zoning regulations of the city, the following words shall have the meanings indicated unless from the context in which they are used another meaning is clearly indicated:

(1) Fence means a structure or partition erected for the purpose of having the effect of enclosing a piece of land dividing the land into distinct portions or providing ornamental relief and which impedes or restricts normal ingress or egress. A non-continuous fence or series of fence sections which when placed impedes movement shall also be considered a fence.

…

(7) Temporary construction fence means a chain link fence, which may not exceed a height of 6 feet from the grade upon which it is installed, used to enclose any area where active construction is in progress only for the duration of the construction.

(78) Wall means a generally vertical and solid structure erected and supported on the ground and/or on another structure throughout the entire length of the wall, erected for the purpose of having the effect of providing security, enclosure, dividing land into distinct portions or providing ornamental relief, and which impedes ingress and egress. A non-continuous wall or series of wall sections which when placed impedes movement shall also be considered a wall.

…

(p) The community development department, shall provide for the administrative review and approval of fences installed as part of a multistory or multi-structure complex which is under the same ownership or management, including those complexes located
along the rights-of-way specified in subsection 106-184(o) and for all temporary construction fences. The administrative review shall include a review of the type of fence, including the material of construction, and the color and height of the fence. The administrative review shall provide the owner or management company with alternative building materials and/or color for the fence.

…

(s) Temporary construction fences are required for all outdoor construction projects. Temporary construction fences may only be permitted for the duration of the active construction period of the site development. All temporary construction fences must comply with the applicable provisions of Florida Building Code, as amended. The community development department may require additional conditions of approval to address safety concerns. Upon permit approval by the community development department, the temporary construction fence may be erected no sooner than the time of application for the primary building permit and must be removed within two (2) weeks of completion of construction. Completion of construction shall be evidenced by the issuance of a certificate of occupancy or expiration of the building permit. An opaque, flexible, screen made of mesh, or other material approved by the community development department, may be attached and must be maintained in good visual condition throughout the construction period. A Construction sign may be attached or printed on the opaque screen. All other sections of the City Code pertaining to fencing must be met.

Section 3. The City Commission of the City of North Lauderdale hereby amends, Section 94-14 of Chapter 94 of the City’s Code of Ordinances as follows:

CHAPTER 94: SIGNS

Sec. 94-14. – Functional types of signs and regulation therefore.

Functional types of signs and regulations for same are as follows:

…

(6) Construction. A sign advertising the development or improvement of a property by a builder, contractor or other person furnishing services, material or labor to the premises, which sign is intended for a limited period of display and erected on the same lot as the work being done.

a. Such signs shall only be permitted for the duration of active construction.
b. Such signs shall not be permitted to exceed four feet per face in any residential district.
c. Such signs shall not be permitted to exceed 16 feet per face in any nonresidential district.
d. Such signs shall not be illuminated.
e. Such signs shall include the contractor's name and phone number for new construction, home remodeling, roofing, swimming pools, siding and other similar activities.

f. Such signs, if printed on an opaque screening attached to a temporary construction fence, may include an architectural rendering of the approved site plan, the name of the development, and the contractor or developer’s name and phone number.

Section 4. It is the intention of the City Commission of the City of North Lauderdale that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Lauderdale, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word “Ordinance” may be changed to “Section,” “Article” or such other word or phrase in order to accomplish such intention.

Section 5. If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

Section 6. 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 7. This Ordinance shall become effective upon passage and adoption.

(REMAINDER OF THIS INTENTIONALLY LEFT BLANK)
PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON THE FIRST READING, THIS _____ DAY OF __________________, 2018.


_______________________________________
MAYOR JACK BRADY

ATTEST:

_______________________________________
PATRICIA VANCHERI, City Clerk

VICE MAYOR RICH MOYLE

APPROVED AS TO FORM:

_______________________________________
SAMUEL S. GOREN, City Attorney
CITY OF NORTH LAUDERDALE
FINANCE DEPARTMENT

To: Mayor and City Commission
From: Ambreen Bhatti, City Manager
By: Susan Nabors, Finance Director
Date: January 16, 2018
Subject: Amendment #6 to Contract with the Staffing Connection for Crossing Guard Services to provide for Florida Statutory Minimum Wage Increase

The City of North Lauderdale piggy-backs on the City of Tamarac’s contract with Staffing Connection for school crossing guard services. On December 05, 2017 a letter was sent from Staffing Connection to the City of North Lauderdale advising of an upcoming minimum wage rate change. Effective January 1, 2018 the Florida minimum wage increased from $8.10 to $8.25 per hour or an increase of $0.15. This increase will be passed on as a direct flow through to the employees of Staffing Connection. Therefore, the current hourly contract rate of $11.16 will increase to $11.31 based on the Florida minimum wage increase. Since the City piggy-backed on the Tamarac contract and this increase applies to us too, the City of Tamarac prepared Amendment #6 to the current crossing guard agreement amending the hourly rate to $11.31 on behalf of both cities.

Funding for this service is budgeted in General Fund account number 0012101-534110 in the amount of $380,500 for FY 2018, which is sufficient to cover this increase. The request letter from Staffing Connection and Amendment #6 are attached.

RECOMMENDATION:

The City Administration recommends that the City Commission adopt the attached resolution authorizing the City Manager to sign an amendment to the original contract with Staffing Connection to increase the hourly rate by $0.15 beginning January 1, 2018 and continuing through the remainder of the contract for crossing guard services provided there are no additional changes to the Florida minimum wage.
RESOLUTION NO. ______________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDMENT TO THE ORIGINAL AGREEMENT FOR CROSSING GUARD SERVICES WITH STAFFING CONNECTION TO INCREASE THE HOURLY RATE BY $0.15 EFFECTIVE JANUARY 1, 2018 DUE TO A CHANGE IN THE FLORIDA STATUTORY MINIMUM WAGE; AND PROVIDING FOR 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 enter into an amended agreement with Staffing Connection for an increase in the hourly rate of $0.15, to a rate of $11.31 per hour, effective January 1, 2018 due to a change in the Florida Statutory minimum wage and continuing through the remainder of the contract provided there are no additional changes to the Florida minimum wage.

Section 2: That the funding for this service is budgeted in the General Fund.

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 16th day of January, 2018.

APPROVED AS TO LEGAL FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR JACK BRADY

______________________________
VICE MAYOR RICH MOYLE

ATTEST:

______________________________
PATRICIA VANCHERI, CITY CLERK
December 5th, 2017

Ambreen Bhatti  
City Manager  
City of North Lauderdale  
701 SW 71st Avenue  
North Lauderdale, FL 33068

Dear Ambreen:

Florida’s minimum wage for non-tipped employees will increase January 1st, 2018 to $8.25 per hour. This is a .15 cents per hour increase from the current minimum wage of $8.10 per hour. This has been reported by the Florida Department of Economic Opportunity. Please review the link listed below. The increase will raise our current hourly bill rate from $11.16 per hour to $11.31 per hour.


The 2018 Florida minimum wage is $8.25 per hour, effective January 1, 2018. Florida law requires the Florida Department of Economic Opportunity to calculate a minimum wage rate each year. The annual calculation is based on the percentage increase in the federal Consumer Price Index for Urban Wage Earners and Clerical Workers in the South Region for the 12-month period prior to September 1, 2017.

Crossing guards are back on post January 9th, 2018 after the winter break and the first payroll will be January 15th, 2018 at the new bill rate of $11.31 per hour.

Please call with any questions.

Sincerely,

[Signature]

Sharron R. Cook  
Branch Manager  
School Crossing Guard Division
CITY OF TAMARAC
INTEROFFICE MEMORANDUM
FINANCIAL SERVICES DEPARTMENT

TO:  Michael C. Cernech
     City Manager

DATE: December 12, 2017

FROM: Keith K. Glatz
      Purchasing & Contracts Manager

RE: Agreement Amendment #6 –
    Action Labor of Florida, LLC
    a/k/a Staffing Connections
    for Crossing Guards

THROUGH: Mark C. Mason
         Director of Financial Services

Please find attached Agreement Amendment #6 to the Agreement between the City and Action Labor of Florida, LLC a/k/a Staffing Connections, for the provision of School Crossing Guards for the City.

Section 5.1 of the Contractor’s Agreement provides for a direct pass-through adjustment to be made when necessitated by an adjustment to either the Florida Minimum Wage, or the Federal Minimum Wage, to a higher level than the Florida Minimum Wage. On January 1, 2018, the Florida Minimum wage will be raised from $8.10 to $8.25, which represents a $0.15 increase, or just under 2%. Please note the attached back-up from the State of Florida Department of Economic Opportunity which validates this change.

Based on a direct pass-through cost of $0.15 when applied to our current contract rate of $11.16 per hour, the new contract rate is adjusted to $11.31 per hour. This change will apply to the City, as well as to the cities of Coral Springs, Sunrise and North Lauderdale who piggy-back our Agreement.

Once this has been approved, please forward the entire package back to the Purchasing & Contracts Division for distribution, and please feel free to contact me if you have any additional questions.

Based on the number of agency employees and prospective number of hours to be worked, funding is available in the amount of $160,800 for FY 2018.

APPROVED

DISAPPROVED _____________________________

Attachments
AGREEMENT AMENDMENT # 6
BETWEEN THE CITY OF TAMARAC
AND ACTION LABOR OF FLORIDA LLC
a/k/a STAFFING CONNECTION

The CITY OF TAMARAC (City) and Action Labor of Florida LLC, a/k/a Staffing Connection (Contractor), a Florida limited liability corporation, with principal offices located at 6555 N. Powerline Road, #306 Fort Lauderdale, FL 33309, agree to amend the original Agreement which was effective October 1, 2013 as follows:

Amend Section 5, “Contract Sum and Cost Adjustments” to reflect an increase in cost from $11.16 to $11.31 per hour in accordance with Section 5.2 of the Agreement which provides for a price adjustment when necessitated by an adjustment to the Florida Minimum Wage, or an adjustment to the Federal Minimum Wage to a higher level than the Florida Minimum Wage. Changes in the Florida minimum wage shall be as outlined in Florida Statute 448.110, and this change is effective January 1, 2018. The adjustment shall read as follows:

5) Contract Sum and Cost Adjustments

5.1 The contract price for the work described herein shall be $11.31 per hour for crossing guards and $11.31 per hour for supervisors. Crossing guard shifts shall be for two (2) hours, three (3) hours or five (5) hours per day. Supervisor shifts shall be for six (6) hours per day.

All other provisions of the original agreement remain in effect as written.

Remainder of Page Intentionally Blank

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY OF Agreement Amendment # 6
ACTION LABOR OF FLORIDA LLC
THE ORIGINAL OF WHICH IS ON FILE IN CITY HALL
WITNESS MY HAND AND OFFICIAL SEAL
OF THE CITY OF TAMARAC, FLORIDA.
THIS __________ day of ____________, 2017

CITY CLERK
IN WITNESS WHEREOF, the parties hereby have made and executed this Amendment to Agreement on the respective dates under each signature, the City of Tamarac signing through its City Manager, and Action Labor of Florida LLC, a/k/a Staffing Connection, signing by and through its President, duly authorized to execute same.

CITY OF TAMARAC

Michael C. Cernech, City Manager

[Signature]

Date

Patricia A. Teufel, CCH
City Clerk

[Signature]

Date

Approved as to form and legal sufficiency:

Samuel S. Goren, City Attorney

[Signature]

Date

Action Labor of Florida LLC, a/k/a Staffing Connection

[Company Name]

[Signature of President]

Type/Print Name of President

Karen Hoover

[Signature]

Type/Print Name of Corporate Secy.

Karen Hoover

[Signature]

(Date)

(CORPORATE SEAL)
December 5th, 2017

Keith Glatz
Purchasing and Contracting Manager
City of Tamarac
7525 NW 88th Avenue
Tamarac, FL 33321

Dear Keith:

Florida’s minimum wage for non-tipped employees will increase January 1st, 2018 to $8.25 per hour. This is a .15 cents per hour increase from the current minimum wage of $8.10 per hour. This has been reported by the Florida Department of Economic Opportunity. Please review the link listed below. The increase will raise our current hourly bill rate from $11.16 per hour to $11.31 per hour.


The 2018 Florida minimum wage is $8.25 per hour, effective January 1, 2018. Florida law requires the Florida Department of Economic Opportunity to calculate a minimum wage rate each year. The annual calculation is based on the percentage increase in the federal Consumer Price Index for Urban Wage Earners and Clerical Workers in the South Region for the 12-month period prior to September 1, 2017.

Crossing guards are back on post January 9th, 2018 after the winter break and the first payroll will be January 15th, 2018 at the new bill rate of $11.31 per hour.

Please call with any questions.

Sincerely,

[Signature]

Sharron R. Cook
Branch Manager
School Crossing Guard Division
Florida’s Minimum Wage
(Updated October 13, 2017)

The 2018 Florida minimum wage is $8.25 per hour, effective January 1, 2018. Florida law requires the Florida Department of Economic Opportunity to calculate a minimum wage rate each year. The annual calculation is based on the percentage increase in the federal Consumer Price Index for Urban Wage Earners and Clerical Workers in the South Region for the 12-month period prior to September 1, 2017.

On November 2, 2004, Florida voters approved a constitutional amendment which created Florida’s minimum wage. The minimum wage applies to all employees in the state who are covered by the federal minimum wage.

Employers must pay their employees the hourly state minimum wage for all hours worked in Florida. The definitions of employer, employee, and wage for state purposes are the same as those established under the federal Fair Labor Standards Act (FLSA) and its implementing regulations. Employers of tipped employees, who meet eligibility requirements for the tip credit under the FLSA, may credit towards satisfaction of the minimum wage tips up to the amount of the allowable FLSA tip credit in 2003. However, the employer must pay tipped employees a direct wage. The direct wage is calculated as equal to the minimum wage ($8.25) minus the 2003 tip credit ($3.02), or a direct hourly wage of $5.23 as of January 1, 2018.

Employees who are not paid the minimum wage may bring a civil action against the employer or any person violating Florida’s minimum wage law. The state attorney general may also bring an enforcement action to enforce the minimum wage. FLSA information and compliance assistance can be found at: https://www.dol.gov/whd/flsa/.

Florida Statutes require employers who must pay their employees the Florida minimum wage to post a minimum wage notice in a conspicuous and accessible place in each establishment where these employees work. This poster requirement is in addition to the federal requirement to post a notice of the federal minimum wage. Florida’s minimum wage poster is available for downloading in English, Spanish, and Creole from the Florida Department of Economic Opportunity’s website at: http://www.floridajobs.org.

The federal poster can be downloaded from the U.S. Department of Labor’s website at: https://www.dol.gov/whd/regs/compliance/posters/flsa.html.

Go to the Department of Economic Opportunity’s Bureau of Labor Market Statistics http://www.floridajobs.org/labor-market-information
TO: City Commission and City Manager

FROM: Commissioner Lorenzo Wood

BY: Patricia Vancheri, City Clerk

DATE: January 12, 2018

SUBJECT: Request for Certificates of Appreciation

Pursuant to Ordinance #17-06-1356, Sec. 2-33. - Procedures, issuance of ceremonal items, Commissioner Lorenzo Wood is requesting to present certificates of appreciation on behalf of the Mayor and Commission to Walmart and Manager Dylan Paradis and employees to recognize them for donating goods and services to North Lauderdale Schools for a Holiday Toy Drive. The completed Application to Request a Ceremonial Item is attached to this memorandum.
City of North Lauderdale
Application to Request City Ceremonial Item

Date: 01/12/17

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
   • XXX 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 __________________________
   Lorenzo Wood on behalf of Mayor and Commission

3. Purpose of Ceremonial Item: __________________________
   Express Appreciation for Donation/Support
   Please fill in 5 Bullet Points as to why this Ceremonial Item is deserved:
   • ______ Donated goods and services to Commission sponsored Toy Drive to benefit 8 North Lauderdale Schools
   • __________________________
   • Walmart's continued support of Community causes and events
   • __________________________
   • __________________________

4. Item to be presented at:
   • __xx Commission meeting on February 27, 2018
   • ______ Another event
     o Location __________________________ Date ____________

5. Person Attending Meeting to Receive Ceremonial Item
   Walmart Store Manager
   Dylan Paradis and Staff
   TBD
MEETING AGENDA

Tuesday, January 16, 2018
Immediately Following North Lauderdale City Commission Meeting

1. ROLL CALL

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

3. OLD BUSINESS

a. Budget Report – Susan Nabors, Chief Financial Officer

4. NEW BUSINESS

a. Submission of State Renewal Application
b. Donation of $5,000 to City to help offset cost of Bus Purchase
c. Authorize Treasurer Graziose to sign check in amount of $5,000

5. BOARD COMMENTS

6. ADJOURNMENT
MEETING MINUTES

Wednesday, September 27, 2017

The North Lauderdale Recreation Foundation met on Wednesday, September 27, 2017 at the Municipal Complex immediately following the regular City Commission meeting. The meeting convened at 8:40 p.m.

1. ROLL CALL – Clerk called roll.

   President Jack Brady          Treasurer Jerry Graziose
   Secretary Lorenzo Wood       Director Rich Moyle -Excused
   Director Samson Borgelin      Executive Director Michael Sargis
   Foundation Attorney Jim CheroF Foundation Deputy Clerk Elizabeth Garcia -
                               Beckford

2. APPROVAL OF MINUTES

   a. April 25, 2017 – Secretary Lorenzo Wood moved to approve the Minutes as submitted. Seconded by Treasurer Graziose. Minutes approved unanimously by voice vote.

3. OLD BUSINESS

   a. Financial Update – Susan Nabors, Chief Financial Officer, provided an update on the current fiscal year activity based on the back up memorandum, advising $14,950 was received in contributions with interest of $7.16, expenditures of $157.13 and currently $41,445.19 available for future use in the foundation bank account; stating this is through September 25, 2017.

4. NEW BUSINESS

   a. Audit – Susan Nabors, Chief Financial Officer referenced the financial audit from the previous year ending September 30, 2016, which was received in June 2017. There were no audit comments on the foundation.

   b. Authorizing Payment of $500 to Grau and Associates – Susan Nabors, Chief Financial Officer advised they are seeking approval for payment for the audit services. Secretary Wood moved to approve $500 check for the audit. Seconded by Treasurer Graziose. Motion approved.

5. BOARD COMMENTS – Director Borgelin inquired how Hurricane Irma has affected the program. Executive Director Mike Sargis stated they are getting ready to start their sponsorship drive on October 1st and they will see then if it has affected the association.

6. ADJOURNMENT – There being no further business the meeting adjourned at 8:45 p.m.

Respectfully submitted and
Transcribed by Deputy Clerk Elizabeth Garcia-Beckford

Board of Directors
Michael Sargis, Executive Director  Jack Brady, President  Lorenzo Wood, Secretary  Jerry Graziose, Treasurer
Board Members Rich Moyle and Samson Borgelin, Samuel S. Goren, Board Attorney
North Lauderdale Recreation Foundation is a 501 3C Registered Not for Profit Corporation