CITY OF NORTH LAUDERDALE
COMMISSION MEETING
TUESDAY, JANUARY 30, 2018
REGULAR MEETING – 6:00 p.m.

AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Vice Mayor Moyle

2. ROLL CALL

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

3. APPROVAL OF MINUTES

   a. [January 16, 2018]

4. PRESENTATIONS

   a. Fire Department Promotional Ceremony (Fire Chief Turpel)
      • Captain Ian Sargent
      • Captain Bradley Myers
      • Lieutenant Johann Rose
      • Lieutenant Christopher Xiste

   b. Outstanding Citizen Awards for Hurricane Assistance (Commissioner Borgelin)
      (Continuation from last City Commission Meeting)
      • Craig Halick
      • Jeffrey Lampkin
      • Pastor Louveture Lubin
      • Mark Luke Moroso
      • Peter Von Stetina
      • Susan Liburd
5. PROCLAMATIONS

a. American Heart Month (February) and National Wear Red Day (Feb. 2) – (Liza Guzman)

b. National African American History Month (February)

6. PUBLIC DISCUSSION

7. ORDINANCES SECOND READING

a. Ordinance – Second 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.

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

AN ORDINANCE OF THE CITY 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.

b. Ordinance – Second Reading - Amendment to Chapter 6 “Amusements and Entertainments” of the City’s Code of Ordinances

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

8. CONSENT AGENDA

- Remove items from consent agenda if desired
- Commission motion, second and vote to read
- Attorney reads consent agenda
- Commission motion, second and vote to adopt the consent agenda

a. **RESOLUTION – FEMA Pre-Approval for Disaster Debris Removal from Private Roads**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, 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; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

b. **RESOLUTION – Re-Appoint Bonnie O'Leary to the Community Sustainability Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, PROVIDING FOR THE RE-APPOINTMENT OF BONNIE O'LEARY (SPONSORED BY COMMISSIONER GRAZIOSE) TO SERVE ON THE COMMUNITY SUSTAINABILITY BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.
c. **RESOLUTION – Re-Appoint Stephen Cook to the Community Sustainability Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, PROVIDING FOR THE RE-APPOINTMENT OF STEPHEN COOK (SPONSORED BY MAYOR BRADY) TO SERVE ON THE COMMUNITY SUSTAINABILITY BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE

d. **RESOLUTION – Appoint Ann Marie Reid to the Community Sustainability Board**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, PROVIDING FOR THE APPOINTMENT OF ANN MARIE REID (SPONSORED BY VICE MAYOR RICH MOYLE) TO SERVE ON THE COMMUNITY SUSTAINABILITY BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

9. **OTHER BUSINESS**

a. **RESOLUTION - Signatories on Investments of Certificates of Deposits (CDs) at Qualified Public Depositories (QPDs)**

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

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA AUTHORIZING THE CREATION OF THE LIST OF SIGNERS FOR ALL ACCOUNTS WITH FINANCIAL INSTITUTIONS WHERE CERTIFICATE OF DEPOSITS ARE PURCHASED; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

b. **RESOLUTION - Phase II – Field Light Project at Jack Brady Sports Complex**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Mike Sargis)
- Commission motion and second to adopt
- Commission discussion
- Commission vote
A RESOLUTION OF THE CITY OF NORTH LAUDERDALE AUTHORIZING THE EXPENDITURE OF $930,000.00 TO MUSCO LIGHTING UTILIZING THE CLAY COUNTY, FLORIDA BID #13/14-8, FOR PHASE II OF THE FIELD AND COURT LIGHTS REPLACEMENT PROJECT AT THE JACK BRADY SPORTS COMPLEX; AND PROVIDING FOR AN EFFECTIVE DATE.

c. **RESOLUTION - New Youth Football and Cheerleading Program**

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE NORTH LAUDERDALE PANTHERS YOUTH FOOTBALL AND CHEERLEADING PROGRAM TO BE THE OFFICIAL YOUTH FOOTBALL/CHEERLEADING PROGRAM IN THE CITY OF NORTH LAUDERDALE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

10. REPORTS

   a. **Hurricane Irma Financial Report** (Susan Nabors)

   b. **Public Information/Parks and Recreation Update** (Mike Sargis)

11. COMMISSION COMMENTS

   a. **Request for Ceremonial Items** (Commissioner Graziore)

12. CITY MANAGER COMMENTS

   a. **Broadview Pompano Park Community Bazaar** – March 10, 2018 – 2:00 pm to 9:00 pm

   b. **ADRC Valentine Luncheon** – Friday, February 9th at 11:00 am

13. CITY ATTORNEY COMMENTS

14. ADJOURNMENT
CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, JANUARY 16, 2018

MINUTES

The North Lauderdale City Commission met at the Municipal Complex on Tuesday, January 16, 2018. The meeting convened at 6:00 p.m.

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

2. **ROLL CALL** – Clerk called roll. All present.
   
   Mayor Jack Brady *(By Teleconference)*  
   Vice Mayor Rich Moyle  
   Commissioner Jerry Graziose  
   Commissioner Lorenzo Wood  
   Commissioner Samson Borgelin  
   City Manager Ambreen Bhatti  
   City Attorney Samuel S. Goren  
   City Clerk Patricia Vancheri  

3. **APPROVAL OF MINUTES**
   
   a. **December 12, 2017** – Commissioner Graziose moved to approve the Minutes as submitted. Seconded by Commissioner Wood. Commissioner Borgelin requested a revision under Item 8 – Commission Comments – Commissioner Borgelin’s second comment. Clerk Vancheri stated she will review the recording and make the correction. Upon approval, the record copy of the Minutes will reflect the correction. Commissioner Graziose revised his motion to approve the Minutes to include the correction. Commissioner Wood seconded. Clerk polled Commission. Minutes approved unanimously with the proposed revision.

4. **PRESENTATIONS**
   
   Prior to presentations, Mayor Brady made request for a motion to direct the City Administration and City Attorney’s office to draft a letter from the City, to be signed by the Mayor, to be sent to the President of the United States at the White House, requesting a retraction and apology for any and all adverse comments about the Haitian Americans and other similar situations that were reported last week. **Commissioner Wood moved to accept Mayor Brady’s request for the drafting of a letter to the President of the United States. Commissioner Graziose seconded the motion. Motion approved unanimously by voice vote.**
a. **Outstanding Citizen Awards for Assistance Before, During and After Hurricane Irma**

Commissioner Borgelin stated this group of citizens were present and received Certificates of Recognition for their volunteerism in the community.

- Ana Ziade
- Ben Myers
- Eugene Jones
- Dorothy Borgelin
- Hal Batson
- Ramner Fleurigene
- Montfort Alexis

5. **PROCLAMATIONS**

a. **National Slavery and Human Trafficking Prevention Month – January** – Clerk read Proclamation into the record.

6. **PUBLIC DISCUSSION**

**Peter Mason** – 11620 NW Coral Springs Dr. – Commented that the Tamarac North Lauderdale Chamber of Commerce is having Expo month in February; the first Expo will be February 2nd at the Tamarac Community Center from 8:00 – 12:45 and February 22 will be a Business2Business after hours in North Lauderdale at the Polish American Club. Both Expos are designed to bring local businesses together to build important relationships and networking connections to get resources. Information is available on the Tamarac North Lauderdale website [www.tamaracnorthlauderdale.org](http://www.tamaracnorthlauderdale.org)

**Nyoka Stewart** – 5140 NW 43 Court, Lauderdale Lakes – Commented she was present on behalf of Mayor Hazelle Rogers to thank the City of North Lauderdale for hosting the Senior Domino Tournament event. She indicated that this event is a recreational tool for Seniors and she invited everyone to attend, meet the players, participate in the event and stay for the award ceremony at the end.

**Bruny DeSaint** – 850 SW 63 Terrace – Stated he is new to this process and is trying to get to know his district Commissioner and asked what is the general relationship to the Mayor. Vice Mayor Moyle replied that the question is not relevant to this meeting. Mr. DeSaint then referred to a discussion at the last meeting with regard to Code of Ordinances Sec.2.37. Vice Mayor Moyle advised that the item has been tabled. City Attorney Goren interjected that the item has been tabled indefinitely for further review. Mr. DeSaint again asked about the relationships between the Mayor and his Commissioner with regard to elections and a Commission seat. Vice Mayor Moyle replied that this Commissioner has been one of the best Commissioners he has served with in 25 years who is intelligent, well-spoken and out to make sure that everyone in his District is getting the best possible government that they can get. He stated that he doesn’t think that these questions are appropriate in a public discussion meeting and Commissioner Wood can speak for himself about that. Vice Mayor Moyle also said that [Commissioner Wood’s] relationship with the Mayor goes back many years, wherein he was taught health and driver’s
education by the Mayor, but that has nothing to do with this particular position that he holds now, and there is no strange relationship going on. Mr. DeSaint said he wanted to verify if there was any type of favoritism with the Board, the Clerk, the Attorney, for the best interest of his community as he is trying to learn the process.

**Elie Serafin** – 6860 SW 19th Manor – Stated he has lived in the City for five years and this is his first time attending a Commission meeting. He said he wanted to learn how the process works and thanked the Mayor and Commission for all the great work that they do for the community.

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.

City Attorney Goren read the item and all persons present to speak on the item rose and were duly sworn. Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. She stated that Youfit is operating a gymnasium that is open to its clients continuously 24 hours from 5:00 am on Monday through 10:00 pm Friday and from 8:00 am to 8:00 pm on Saturday and Sunday with all activities contained indoors. There is a separate business inside called Juice Blends. Youfit will hire and provide approximately 44 employees. Youfit has incorporated an additional commercial space which has expanded their facility making it one of the largest in South Florida. Parking space requirements have been met and the traffic impact is minimal. The Planning and Zoning Board met on January 9, 2018 and passed the item in favor of a recommendation of approval. Staff recommends approval of the Special Exception Use Permit subject to the conditions outlined in the memorandum. The Applicant was present for questions. Attorney Dwayne Dickerson, with the law firm of Dunay, Miskel & Backman, at 14 SE 4 St. Boca Raton, representing the applicant and previously sworn, addressed the Commission. He stated that this item has come before the Commission previously and this Special Exception Use permit request was just an oversight that should have been presented along with the Site Plan for approval and this is just a housekeeping item. Public hearing opened. Mr. Bruny DeSaint, 850 SW 63 Terrace, asked about Youfit’s hiring and wages. Attorney Dickerson replied that he does not have specifics about wages, but he would be happy to follow up; the location is open and operating and typically before a facility of this nature opens, they will have an open house or campaign to solicit opportunities for employment and at this point they do have a full staff. Mr. Dickerson stated that they do have facilities opening throughout South Florida and can share any information with the City that he receives from Youfit. Public hearing closed. **Commissioner Graziose moved 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. Seconded by Commissioner Wood. Attorney Dickerson stated for the record that the Applicant does agree with the conditions of approval set forth by staff. Clerk polled Commission. All yes. Motion passed unanimously.

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

APPLICANT: Dr. Rev. Willem Philippi

Attorney Goren stated this item is to seek a site plan extension and asked if any persons were present to speak on the item. Tammy Reed-Holguin, Community Development Director, was duly sworn. Applicant was not present. Attorney Goren advised that the item could be presented in the absence of the Applicant and the only challenge would be if there were any questions for the applicant. Ms. Reed-Holguin presented the item indicating that the applicant submitted a request for a Site Plan extension. The Commission previously approved the current Site Plan on June 28, 2016 and in order for a Site Plan to remain active, there must be a building permit issued and construction work begun. The Site Plan expired on December 28, 2017, and for reasons outlined in Dr. Philippi’s backup letter, they are asking for an extension. Staff is certain that they are moving forward and want this Site Plan to remain active. Attorney Goren interjected that there are no additional modifications or conditions, so absent that, then the Applicant could remain silent unless the Commission had a question, then it would need to be deferred. Vice Mayor Moyle opened public hearing. No one spoke. Public hearing closed. Mayor Brady made a motion to approve the extension of SPR 16-01 for six (6) months, retroactive from December 28, 2017. Commissioner Wood seconded the motion. Clerk polled Commission. All yes. Motion passed unanimously.

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.

Staff and Applicant’s representatives for this item were duly sworn by Attorney Goren. Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum and a PowerPoint presentation. She indicated that this automated car wash is proposed for the vacant land located on the west end of the new Walmart site on McNab Road. The site meets all of the City Codes for parking requirements. There is one entrance internal to the site by entering the shopping plaza. The residential property on the west will be buffered by an existing wall and landscaping. The Developer met with Belmont Homeowners Association and got their input on the site plan and the applicant will continue to work with them. Ms. Reed-Holguin stated that this particular use is consistent with our master business list that allows auto wash racks in B-2 and B-3 zoning districts; however, it is inconsistent with the vision that the
Commission has shared regarding diversification of uses. She indicated that the reason she is pointing this out is because there are ten carwashes within the City; three of those are on McNab Road in close proximity of this particular carwash. Ms. Reed-Holguin stated that she is bringing this up due to the limited commercial space in the City and we already have this particular use in seven other gas station locations. She also commented that she wanted to discuss the elevation and that they had previously worked with Walmart on the colors of the building and the features that we wanted to make a focal point of in the City; they did a good job and they are proud of the way Walmart looks. Also staff has worked with the other tenants on the elevations to make sure it mirrored the Walmart development. Ms. Reed-Holguin reported that they asked Spin Car Wash to incorporate some of those design features; staff is not completely satisfied with the architectural part of the plan and that is one of the conditions of this approval. When the item was taken to the Planning and Zoning Board on December 5th, at least one of the members had similar concerns and the vote was 4-1 largely because of that. Ms. Reed-Holguin said if the Commission chooses to approve the preliminary site plan, one of the conditions is that the Developer continues to work with the staff to incorporate the architectural features and color palette to match or compliment the Walmart and other outparcels for a cohesive look to this development and also a condition that they continue to work with Belmont on any other concerns that may need addressed, as well as the other conditions listed in the backup. Attorney Dwayne Dickerson, with the law firm of Dunay, Miskel & Backman, at 14 SE 4 St. Boca Raton, representing the applicant and previously sworn, addressed the Commission and gave background on how facility will operate along with a PowerPoint presentation. He indicated some of the important features, like the stonework they incorporated in the design; commented on the stacking of the vehicles; the affordability of the carwash; free vacuuming service and that two to three employees will always be present to make sure everything from the carwash to the payment system is working smoothly; and stated they meet or exceed every code requirement. Attorney Dickerson also elaborated on the landscaping and buffers on the site and stated that they met with the Belmont HOA who had questions that they successfully answered. He also commented that this is a sun-up/sun-down use which has little impact with regard to hours of operation and commented that the photometrics meet or exceed Code and there is no glare or spillage onto adjacent properties. Attorney Dickerson also described the water filtration system of the state of the art equipment which recycles between 60-65% of the water used on the site, with 35-40% going back through the sewer system after being filtered. He also commented with regard to the architectural features, that they want a clean, modern look for their facility and they believe that they are consistent with their branding, while balancing the needs of the community and the City. Attorney Dickerson reiterated that they have changed the orientation of the building; changed landscaping; have worked with and will continue to work with Belmont; and have done whatever staff has recommended with regard to code requirements. The only thing they are adamant about is maintaining their corporate identity and branding with their logo and color schemes, which is the only thing they have not acquiesced to the City’s demands. Jack Brown, previously sworn, the designer of the building who works with GBM Architecture, 2801 SW 3rd Avenue, Fort Lauderdale, presented a PowerPoint presentation giving a fly-through bird’s eye view of the building and the site, and described the color palette. He indicated that they are really trying to hold on to the clean and modern palette as all their other sites are the same and it is an iconic building. Attorney Dickerson interjected that there is 45% of pervious green on this site which far exceeds most commercial developments. Commissioner Borgelin asked what the satisfaction level of the Belmont Homeowner’s Association is regarding any potential impacts of
the project, as they will be continuing to work with the HOA. Attorney Dickerson replied that they had a very positive meeting with the HOA and any potential concerns that they may have had have been addressed. Their concerns before they got to see the project was lighting, noise, buffers and hours of operation. Mr. Dickerson stated those concerns were favorably addressed and he does not believe there are any outstanding concerns, and he believes the City is pro-active on making sure their resident’s concerns are met as we go through the construction process. Commissioner Borgelin also asked how much revenue this will bring to the City. Attorney Dickerson replied that it is a vacant site now, and the developers actively market the City properties to look for the best uses that are willing to come to North Lauderdale, and which will have the highest tax revenue. Attorney Dickerson stated that the developers who have developed other properties in the City have done an awesome job with making sure that the developments they are bringing in are in the best interests to the City with regard to the tax base, as it is a vacant property currently. City Manager Bhatty interjected that the revenue this will generate will depend on the square footage of the building in ad valorem taxes as a developed property; other revenue will be based on sales, as we get a portion of the sales tax revenue shared with the State. Commissioner Borgelin asked if any comparative studies have been done to see what business would generate more revenue. Again, City Manager said, it depends on the square footage of the building as commercial ad valorem taxes are based on that. Commissioner Graziose commented that the carwash is being constructed in District B, his district, and he introduced Brenda Jacobson, the President of the Belmont Homeowner’s Association, who was present in the audience. Commissioner Graziose reported that he has spoken with Ms. Jacobson several times, including earlier this evening, and they have no issues. He said it is a fine community; he has worked on conquering other issues there and if they have any concerns, Ms. Jacobson will contact him. He said Ms. Jacobson has done a fine job as President of the HOA with improvements and upgrades. Commissioner Graziose stated that he strongly urges recommendation #4, with regard to working with the corporate design and the color of the wall to keep what the City has envisioned for that area. He gave an example that if WaWa can change, the carwash can change. Also, Commissioner Graziose commented on the maintenance of the landscaping all around the Belmont and would like to see a written agreement to protect the Belmont, as they have had problems with the other two developers regarding maintenance of the landscape. Commissioner Wood echoed previous comments and stated that he appreciates that the facility will recycle the water. He also said this is a permitted B3 use so there is no special variance, but the City has a vision and we want to attract businesses that will help our community thrive. Commissioner Wood said the land sitting vacant doesn’t really help us, so when the land is sold and developed it becomes more profitable to the landowners and the City. He commended staff for the vision that they worked hard on for that area, but also said that condition #4 should be revisited to keep with the City’s vision to be uniform. Commissioner Wood also inquired about the noise of the facility. Attorney Dickerson explained how they mitigate the noise and indicated that there is no impact. Vice Mayor Moyle asked where the vacuums were located; Mr. Brown, the architect, explained the location of the vacuums and how the noise is deflected. Mr. Brown said the loudest thing you hear around this area is the cars. He also stated that they are adamant about the color of white on their buildings. He stated the scale of the Walmart is large, and their building is intimate and when speeding down McNab you don’t see their building on the east and on the west there are trees so the only sense of the building is when you are right there. Mr. Brown indicated that they clad the building in natural stone, and they are proud of the design and would like to keep it a white iconic building and
hopes the City will consider it. City Manager stated that the reason staff has been trying to keep the design features is because this project is being built in pieces and they do not want a hodgepodge of different architectural designs and colors in a development that actually should have been developed as a master plan so that all the components coordinate and complement each other. Also, to elaborate on the revenues, City Manager stated that square footage of the building drives the value; the bigger the footage, the bigger the value of the building and that value is added onto our taxable value for citywide property by the Property Appraiser’s Office.

Public discussion was opened. No one spoke. **Commissioner Graziose moved to approve the preliminary site plan subject to the fifteen (15) conditions outlined in staff memorandum, with special emphasis on Item #4; consideration of a written agreement with the Belmont regarding landscaping and with direction for Administration and the applicant to continue work together to finalize the site plan. Mayor Brady seconded the motion.** Attorney Goren interjected that this was for the preliminary site plan and it will come back for review and that there are commitments to work with the applicant and developer between now and the time it comes back. Commissioner Borgelin stated that he likes the design and everything he sees, but this is the sixth or seventh car wash and he claims he will hear from a lot of residents if he were to approve this project; so as much as he likes it he finds it very hard to approve. Vice Mayor Moyle stated that we really have no control over who comes into our City based on revenue and the kind of revenue we collect. He said he initially had a vision for that entire property that probably would have brought in much more revenue than we are getting right now. However, Vice Mayor Moyle said if we want to do that somewhere maybe we should look into businesses that bring in the best and most revenue. He said the thing is, we are here to serve the people of our City, not to determine how much taxes we derive from businesses and residents. He said that is not our job, other than to fund the City operations. **No further discussion; clerk called the question.** Mayor Brady – YES; Commissioner Wood – YES; Commissioner Borgelin – NO; Commissioner Graziose – YES; Vice Mayor Moyle – YES. Motion passed on a 4-1 vote; Commissioner Borgelin dissenting.

8. **ORDINANCES SECOND READING**

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

Vice Mayor Moyle stated that this item was tabled to a time uncertain and we will move on to other business. Commissioner Borgelin interjected that there are probably people in the audience that do not know what “tabled” is and they may be here for this item. Attorney Goren explained that this published item on the agenda, at the request of the Mayor, Administration and City Attorney’s office has been deferred or tabled from the agenda to a time uncertain, which means that it is going to be reviewed by staff and administration with a report back to the Commission. To the extent that it does return, it will be on a noticed basis so the public will know when, where and what time it will be heard. Attorney Goren stated for the record that this item is not legally under consideration this evening in any way, shape or form. So, for those folks who came out this evening to comment on the item, there is no item to discuss. Vice Mayor Moyle reminded Commissioner Borgelin that he is running the meeting and all requests to speak go through the Chair, and this item has been tabled and we cannot discuss it.
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

Commissioner Graziose moved to read. Commissioner Wood seconded.

Attorney read:

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.

Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum. She indicated that this item is being presented for consideration and approval on first reading to facilitate the attraction and construction of family-oriented amusement and entertainment venues. Staff is in the process of developing incentives and streamlining processes for projects that support redevelopment efforts. It was found that clarification is needed regarding businesses that provide amusements and entertainments that cater to adults vs. those providing a family-oriented business. In 2007, Chapter 6 of the Code of Ordinances was revised to address certain activities within businesses that had a negative impact on public safety and perception. Ms. Reed-Holguin outlined specific restrictions that were put on secondary uses that were allowed only by a special exception use permit. She stated the Ordinance was very effective in alleviating undesirable situations occurring in businesses catering to adult activity; however, staff feels that the Code’s intention has an over-reaching and unintentional effect on businesses that are mostly family-oriented and do not create the same issues to public safety. The primary use of these businesses is most often a restaurant with amusement games as an accessory use. These businesses usually offer packages for parties and family entertainment. Staff is looking for Commission’s consideration of the attached ordinance that would separate the “Amusements and Entertainments” into adult-oriented vs. family-oriented activities. The
ordinance in the backup indicates the changes by strikethroughs for deletions; underlines for additions and Ms. Reed-Holguin commented on some of those changes and the creation of another section of this Code that pertains only to family-oriented amusement centers. She said it is very clear on what is allowed in each of the scenarios. Ms. Reed-Holguin stated that Commission’s approval is being sought on first reading with the intention of making the Code more open to other types of businesses that we see coming to our City related to family activities. Commissioner Grazirose moved to approve. Seconded by Commissioner Wood. Commissioner Grazirose asked what impact would this have on Players with regard to a school going in on State Road Seven. Ms. Reed-Holguin replied that Players is an existing business and this would not impact them. Commissioner Grazirose also asked if it would have an impact on the billiards in the barber shop near Pompano Park. City Manager Bhatty commented that those businesses were grandfathered in, and what the amendment to this Code by ordinance is going to do is help businesses like “Chuck E Cheese” which we are looking to have come in to the City. City Manager stated they will look into the barber shop to see if it is up to Code. No further discussion; Clerk called roll. Commissioner Borgelin – NO; Commissioner Grazirose – YES; Commissioner Wood – YES; Mayor Brady – YES; Vice Mayor Moyle – YES. Ordinance passes on first reading with a 4-1 vote; Commissioner Borgelin dissenting.

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.

Commissioner Grazirose moved to read. Commissioner Wood seconded.

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.

Tammy Reed-Holguin, Community Development Director, presented the item based on backup memorandum and a PowerPoint presentation which is available in the City Clerk’s office. She indicated that this item is being presented for consideration and approval on first reading to amend these sections of the Code of Ordinances pertaining to regulations regarding screening and signage on temporary construction fencing. Ms. Reed-Holguin stated that they have seen an influx of development over the past year and many new development and projects are coming to the City. Marketing these developments has been a focus of the City Commission, so to help facilitate the marketing of these new developments, staff is recommending some amendments to the City’s existing fence and sign Code. Ms. Reed-Holguin commented that often chain link fences are erected around temporary construction sites and many cases they are not attractive and
some have screening which blocks the work from view. She indicated that in other cities, they have seen displays on the mesh fencing that indicates what the project is, when it is coming and contact information for the contractor or developer, and provides an attractive alternative to advertising these projects on the temporary wooden signs that we use now. This was brought to attention by one of the developers and on reviewing the Code, there was nothing that would permit this to be done. Ms. Reed-Holguin stated staff, along with the City Attorney’s office, looked at how they could amend the Code to accommodate this and bring it forward for consideration. **Commissioner Graziose moved to approve. Seconded by Mayor Brady.** Commissioner Graziose commented that he is totally in favor of this, but at a later time he would also like to look at amending the Code to include fencing of vacant properties that have been closed or abandoned; for example old Red Lobster. He would like to get owners of the buildings to have some type of barrier to keep people from driving onto the properties and dumping debris on those sites. Commissioner Graziose said some businesses have done that on State Road 7 and there are ways to make the chain link fences more attractive with slats. Commissioner Borgelin asked if there are going to be any warning signs. Ms. Reed-Holguin replied that OSHA, that controls construction sites, requires them to put certain types of warning signs on fences, which is totally different than this code. Commissioner Borgelin asked where the warning signs would be located. Ms. Reed-Holguin replied that is something that is controlled by OSHA. Commissioner Graziose interjected that they have safety inspectors for that. Commissioner Wood said he has seen these signs on Atlantic through Pompano that hype up businesses and this is a good amendment that he supports. **No further discussion; Clerk called roll. ALL YES. Ordinance passed unanimously on first reading.**

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

Commissioner Graziose moved to read. Commissioner Wood seconded.

Attorney read:

**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.**

Susan Nabors, Finance Director, presented the item based on backup memorandum. She indicated that on December 5th a letter was received from Staffing Connection advising that the Florida minimum wage was increasing. This is a direct pass through to Staffing Connection so the school crossing guards will get higher wages as a result of this increase effective January 1st. The current contract rate is $11.16, increasing to $11.31. We do piggyback off the City of Tamarac’s contract, which will expire and go out to bid again in 2019. Ms. Nabors stated Commission’s approval is being sought approve this increase. **Commissioner Graziose moved to approve. Seconded by Commissioner Wood. No discussion; Clerk called roll. ALL YES.**

**RESOLUTION NO. 18-01-6479 PASSED AND APPROVED UNANIMOUSLY**
10. REPORTS

a. Parks and Recreation Update – Michael Sargis

- **Holiday Camp Registration** – 207 kids registered for this camp at $90.00 for 9 days; 93% were North Lauderdale residents; North Lauderdale was one of the only cities in the area that offered a Holiday Camp.

- **Youth Football Program** – Reported that last year the private football organization fell apart and a new group has approached the City and Commission seeking to start a new tackle and flag football program. The Commission would ultimately decide, but the City has not done this for years and the City has been providing other programs with the exception of football. Mr. Sargis stated that in order to get a permit to use the facility at North Lauderdale Elementary, the group would need to provide the City and the School Board of Broward County with insurance; get the City’s approval and the School’s Principal to use the field in the evening hours; must meet the City’s strict coaching policy by going through a strenuous background check; must charge 20% more for non-resident fees which goes to the City to offset costs. If this is done, a permit could be issued. Mr. Sargis said this group would be starting with no equipment and it was suggested that they start with a flag football program since it is less costly and tackle equipment is expensive. Also they were advised to reach out to teams like the Miami Dolphins for funds to outfit a program. Mr. Sargis said to outfit a team of 100-150 kids would cost $30,000-$50,000 to start up. Unless there is total objection from the Commission, a resolution will be brought back to the next meeting to recognize the group and give them the ability to go out and raise money, to say that the City will partner with them without money. Vice Mayor Moyle asked what the age groups that would participate are. Mr. Sargis replied mostly upper elementary school and middle school; football goes by weight and tackle football starts around 75 lbs.; tackle would be 5th – 8th grade and flag may be younger since it is non-violent. Commissioner Borgelin asked who would take care of insurance. Mr. Sargis replied that they would need to purchase a certificate of insurance through a company that sells recreation insurance for athletic programs. That would be included as part of the registration fee that would be charged to the kids; that’s why this is a very expensive process. Commissioner Borgelin asked if a policy would be written for the parent for insurance in case things happen so they don’t sue the City. Mr. Sargis replied the City and also the School Board would need a certificate of insurance before a permit is issued. Commissioner Borgelin asked about kids with medical issues. Mr. Sargis replied that there may be a physical required, but he will have to come back with that answer. Commissioner Wood said he did speak with a representative from this group about the program and had an interesting conversation. He said students look for good programs and they will go to other schools that have the programs. Commissioner Wood said we want to bring in programs for boys and girls, but it sounds very expensive to start and the City has limited resources, but we would have to look into it with fundraising supported by the City. Also, Commissioner Wood asked what the group would do to attract students and players to this program, and they are putting together a plan. Mayor Brady said he would support anything to do with our children. Vice Mayor Moyle said he cannot support tackle football for kids because of the concussion aspect that happens with adults; so if we are going to do anything on our fields it should be flag football. He said the young kids and high school kids want to play football but when they are that young, and he loves it, but they shouldn’t be allowed to do that
even if their parents agree because they are not old enough to really understand fully what could happen to them. Vice Mayor Moyle reiterated it should be flag football and recommends that the City sponsor this and not have an individual come in to try and run that program. Mr. Sargis stated that he and the City Manager did have a conversation about this and this organization would have their work cut out for them to be able to draft kids into the program. He said we do not have a field that they can use as a home field; all we can provide is a practice field and they would need to go out and lease a School Board facility or another field which is a huge expense. Mr. Sargis said another issue is that tackle football is a program that does not have the registration numbers that it used to have for the very reason of the concussion issue as a lot of parents are concerned about that. He said even in Youth Soccer, the National Recreation and Parks Association tried to come out with a requirement that kids under a certain age have to wear a headband or padded headset or make heading the ball illegal. That didn’t pass, but people are afraid of concussions in both football and soccer. Mr. Sargis reported that in the past two years the State tried to pass some laws that require if a child in a youth program gets a concussion, they need to be medically cleared by an independent doctor before returning; the enforcement of that would be almost impossible for us to attend games to make sure that kids didn’t get a concussion and if they did to make the parent have them checked before they could return. The State has tried over the past two years to impact some of those more violent youth sports programs.

- **Spring Youth Soccer Season** – Registration has started for both Youth Soccer and Youth Baseball. Youth Soccer will be starting a new spring soccer season. Information about the programs can be obtained from the Parks and Recreation Department.

- **North Lauderdale Days** – Food Vendors are being actively being solicited for North Lauderdale Days. Mr. Sargis provided a list of the diverse vendors from last year and also provided a vendor application for the Commission to distribute to interested vendors they may come across. Returning vendors have already received applications. Commissioner Borgelin asked how do we let groups know how to participate? Mr. Sargis replied that we have three different applications; one for food vendors; for a business expo if a group wants to come and sell something; or if a group wants to advertise what they do. Every business in North Lauderdale gets a business expo flyer delivered to their door and also weekend staff takes two Saturdays to distribute information to every plaza and every church. Commissioner Graziose also commented that the information can be provided to En USA, the Spanish newspaper, by February to advertise North Lauderdale Days. Mr. Sargis stated he has begun the process to have a flyer provided to the newspaper. He also said about 27 banners are put up throughout the City; 50,000 flyers go through the schools; a direct door to door postcard mailer advertising North Lauderdale Days is mailed; plus 3.4 million robo-calls go out.

11. **COMMISSION COMMENTS**

   a. **Request for Ceremonial Items**

   Commissioner Wood advised this request is to recognize the local Walmart for their support of the Mayor and Commission Holiday Toy Giveaway held in December for North Lauderdale schools’ students. He stated that Walmart went above the call of duty and it was heartwarming to see the kids receive their gifts at the event. Commissioner Wood said the students and
Principals of the schools were appreciative and he thanked City staff who assisted the Commission with the shopping, wrapping and distributing. All in favor by consensus.

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 commented that the above-mentioned resolution would assist the private communities and HOA’s that may not have the funds for removal during and after a hurricane so that the burden is shared. He also thanked Public Works, City Manager and Staff who worked very hard with the HOA’s in the City to make sure all forms required by FEMA was filled out and the efforts to make the contractors stayed on task. City Manager Bhatty reiterated that FEMA has many rules and regulations regarding entering private property therefore this resolution process would enable the City to be pre-approved to go on private properties. Commissioner Wood’s comments served as a motion to approve the drafting of the resolution. Commissioner Graziose seconded the motion. No further discussion; Clerk called roll. ALL YES.

Commissioner Borgelin interjected that the west side of Kimberly Boulevard was still bumpy. City Manager Bhatty said they will look into it.

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

Commissioner Graziose moved to approve the purchase of a table for this event. Seconded by Commissioner Wood. All in favor by voice vote.

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

Commissioner Graziose moved to approve the purchase of a table for this event. Seconded by Commissioner Wood. Clerk called roll; All in favor.

Commissioner Graziose – Reported that he attended the Broward League of Cities Board of Directors meeting on behalf of Mayor Brady. An agenda item was a review of the City of North Lauderdale’s Resolution regarding Special Need Shelters; they commended the City for bringing this to light. He commented that the BLC is working on developing a book to provide to all the cities, representing each city in Broward with its own page. Also mentioned attending a ribbon cutting at Chow Time; stated the North Lauderdale Hazardous Waste event went well on Saturday; commended BSO on the arrest for the car break-ins at Flannigan’s; and thanked Public Works for the lights on State Road 7. He also mentioned perhaps bringing up a moratorium on car washes.
**Commissioner Wood** – Thanked City staff for a wonderful Martin Luther King Jr. celebration last Friday. Also thanked Ms. Williams, Principal at North Lauderdale K-8 and her students for their participation; Keynote Speaker Levi G. Williams Jr., Esq. and Stephanie Bostic Hayes, Guest Singer. Public Works was thanked for the solar powered speed indicator as a traffic calming device on the Boulevard of Champions. Again thanked City Manager for support in seeking School Resource Officers and asked for an update on getting the second officer; Captain Faer replied hopefully soon. Commissioner Wood mentioned that the School Board was very accommodating for meeting the City half-way regarding the SRO’s and asked that a formal letter be sent to thank them for their continued support of our City’s schools.

**Commissioner Borgelin** – Thanked City Manager and Commission for support during the loss of his Mother in Canada and commented that they will be holding a memorial service here. Also, he commented that we have a lot of Haitians here and stated that he is an educator with a job to educate people and said it is sad to hear some of the comments of our Country’s leaders and the impact it will have on children that have not had an opportunity to learn the history and contributions of countries like Africa, Haiti and others. He stated that this hurts to the core and he has a responsibility to represent the people; he is proud of where he comes from and is proud to be a Haitian-American; and has to stand for what is right and advise that this is not acceptable. He asked to write a letter expressing concerns about the President’s statements. Vice Mayor Moyle commented that he agrees completely; some people don’t think before they speak and don’t think about the consequences. He cited a proverb that says “it is better to be silent and people think you a fool, than to open your mouth and confirm it”. He said the comment was uncalled for and not in keeping with what is ethical and right; he totally agrees with drafting the Mayor’s letter.

**Mayor Brady** – Thanked the Commission and City Manager for doing a great job and said he is happy to be able to join by teleconference to keep up from home.

**Vice Mayor Moyle** – Commented on needing better monitor equipment speakers on the dais and asked that we look into the air conditioning vents overhead. City Manager Bhatty replied that IT is looking into better audio system.

12. **CITY MANAGER COMMENTS**

City Manager Bhatty passed out a flyer that indicates some information such as Broward County Transits free transportation programs available; Community School Programs and Volunteer opportunities. This information will also be available in the next City Newsletter. She indicated that this information will also be available to the young man [Bruny DeSaint] who was here earlier and inquired about programs available during a previous meeting. Also, she commented that a meeting has been scheduled with the local School Principals, for tomorrow morning [Jan. 17th at 9:30], including the charter schools, and 5 schools have responded. The meeting was noticed as a public meeting so that the Commission could attend. There is no specific item for discussion; this is an informal first meeting to open communication and get acquainted and the meeting will be attended by the Fire Chief, Public Works and Parks and Rec.
13. CITY ATTORNEY COMMENTS

City Attorney Goren reported that the Legislation is in session and his firm provides a report which relates to bills that are pending in local government that are tracked by his office. He advised that there is a website link to this report which will be updated weekly. The legislation is looking closely at several preemption issues for local governments to make them State issues. City Attorney’s office will keep the Commission posted.

Attorney Goren advised that when this meeting adjourns, they will convene to the North Lauderdale Recreation Foundation immediately after.

Commissioner Borgelin asked if those residents who did not attend to receive certificates tonight could be invited back at the next meeting. Consensus was yes.

City Manager Bhatty commented that she has been emailing the City’s response of support or opposition to Tallahassee through the Florida League of Cities and the committees regarding some of the challenging pending bills.

14. ADJOURNMENT – there being no further discussion, the meeting adjourned at 8:46 pm.

Respectfully submitted,

Patricia Vancheri, City Clerk
WHEREAS, February 2018 is American Heart Month; and February 2, 2018 is National Wear Red Day; and

WHEREAS, while progress has been significant in reducing deaths from heart disease, it is still the No. 1 killer of both women and men; and

WHEREAS, about 801,000 people in the U.S. die each year from heart disease, stroke and other cardiovascular diseases, or about one of every three deaths in America; and

WHEREAS, cardiovascular diseases and stroke kill one woman every 80 seconds in the U.S.; and

WHEREAS, about 2.1 million American adults are living with some form of cardiovascular disease or the after-effects of stroke; and

WHEREAS, about 80% of cardiovascular disease may be prevented through everyday healthy living steps, including physical activity, good nutrition, not smoking, maintaining healthy weight, and controlling blood pressure, cholesterol and blood glucose levels;

WHEREAS, ninety percent of women have one or more risk factors for developing heart disease, yet only one in five American women believe that heart disease is her greatest health threat; and

WHEREAS, women involved with the American Heart Association’s Go Red For Women® movement live healthier lives, and nearly ninety percent have made at least one healthy behavior change; and

WHEREAS, Go Red For Women encourages women to take charge of their health and schedule a Well-Woman visit to learn about health status and risk for diseases; and

WHEREAS, the American Heart Association is celebrating February 2017 as American Heart Month and promoting education and awareness by encouraging citizens to learn the warning signs of heart attack and stroke;

NOW, THEREFORE, I Jack Brady, Mayor of the City of North Lauderdale, do hereby proclaim the City’s support of National Wear Red Day on February 2, 2018 and the month of February 2018 as American Heart Month in the City of North Lauderdale.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of North Lauderdale to be affixed this 30th day of January, 2018.

______________________________
MAYOR JACK BRADY
Proclamation

National African American History Month
“African Americans in Times of War”

WHEREAS, in 1926 Dr. Carter G. Woodson, who earned a doctorate degree from Harvard, launched Negro History Week and Americans have recognized Black History Month or National African American History Month annually since then as a celebration and recognition of achievements by black Americans in U.S. History; and

WHEREAS, this year’s theme, “African Americans in Times of War” commemorates the centennial of the end of the First World War in 1918, and explores the complex meanings and implications of this international struggle and its aftermath. The First World War was initially termed as “The Great War”, “The War to End All Wars”, and the war “to make the world safe for democracy”; and

WHEREAS, those concepts provide a broad, useful framework for focusing on the roles of African Americans in every American war, from the Revolutionary War Era to that of the present “War against Terrorism”; and

WHEREAS, Times of War inevitably provide the framework for many stories related to African American soldiers and sailors, veterans, and civilians. This is a theme filled with paradoxes of valor and defeat, of civil rights opportunities and setbacks, of struggles abroad and at home, of artistic creativity and repression, and of catastrophic loss of life and the righteous hope for peace; and

WHEREAS, the theme suggests that contemporary conditions, past and present, give us cause for critical pause in our studies and deliberations to consider the specific and unique issues faced by African Americans in times of war, such as opportunities for advancement; successful integration; veterans experiences when they returned home; the impact of migration and urban development; educational opportunities; health care development; roles of civil rights and roles of African American businesses, women and religious institutions; and

WHEREAS, these diverse stories reveal war’s impact not only on men and women in uniform but on the larger African American community.

NOW, THEREFORE, I, Jack Brady, Mayor of the City of North Lauderdale, Florida do hereby proclaim the month of February 2018 to be

National African American History Month

in North Lauderdale and urge all residents to join in the celebration of this significant and historical observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of North Lauderdale to be affixed this 30th day of January, 2018.

_____________________
MAYOR JACK BRADY
CITY OF NORTH LAUDERDALE  
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Tammy Reed - Holguin, Community Development Director

DATE: January 30, 2018

SUBJECT: Second Reading and Adoption: 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.

Tonight, staff is presenting an Ordinance for your consideration of adoption on 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.

The Commission unanimously approved the Ordinance on first reading on January 16, 2018.

RECOMMENDATION:
The City Administration recommends City Commission’s consideration of the attached Ordinance of adoption on second 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)


_______________________________________
MAYOR JACK BRADY

ATTEST:

_______________________________________
PATRICIA VANCHERI, City Clerk

_______________________________________
VICE MAYOR RICH MOYLE

APPROVED AS TO FORM:

_______________________________________
SAMUEL S. GOREN, City Attorney
Tonight we are requesting your consideration of adoption on second 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.

The City Commission approved the Ordinance on first reading on January 16, 2018 by a vote of 4-1.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and adoption on second 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.
ORDINANCE NO. ______________

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

• 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
RESOLUTION NO. ____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, 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; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, FEMA’s Public Assistance Program and Policy Guide provides that prior to removing disaster debris from private roads, the City of North Lauderdale (City) must request and receive approval from FEMA, which may require a physical inspection of the location by FEMA, in order for the City to obtain reimbursement for the costs of the disaster debris removal (the "Private Road Pre-Approval Policy"); and

WHEREAS, the City is concerned with the threats to public health, safety and welfare and the economic recovery of the community that may result from delaying the removal of disaster debris from residential Private Rights-of-Way within communities within the City following an emergency storm event in order to comply with FEMA’s Private Road Pre-Approval Policy; and

WHEREAS, the City Commission finds it in the best interest of the residents of the City to urge FEMA to change the Private Road Pre-Approval Policy and treat disaster debris removal from private roads that service more than one residential property within communities with Private Rights-of-Way in the same manner as public roads for the purpose of FEMA reimbursement for disaster debris removal costs.
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE
CITY OF NORTH LAUDERDALE, FLORIDA, THAT:

Section 1. The foregoing recitals contained in the preamble to this Resolution are
incorporated by reference herein.

Section 2. The City Commission urges FEMA to change the Private Road Pre-
Approval Policy and treat disaster debris removal from private roads that service more than
one residential property within communities with Private Rights-of-Way in the same manner
as public roads for the purpose of FEMA reimbursement for disaster debris removal costs.

Section 3. The City Clerk is directed to distribute this Resolution to the Florida
Congressional Delegation, FEMA, the United States Conference of Mayors, the Florida
Division of Emergency Management, the Florida League of Cities, the Broward Legislative
Delegation, the Broward County Board of County Commissioners, the Broward County
League of Cities, and each of the municipalities in Broward County.

Section 4. The appropriate City officials are authorized to take any necessary
action to effectuate the intent of this Resolution.

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

Section 6. If any section, sentence, clause or phrase of this Resolution is held to be
invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way
affect the validity of the remaining portions of this Resolution.

Section 7. This Resolution shall become effective immediately upon its passage and
adoption.

APPROVED AS TO LEGAL FORM:

______________________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________________
MAYOR JACK BRADY

______________________________________
VICE MAYOR RICH MOYLE

ATTEST:

______________________________________
PATRICIA VANCHERI, CITY CLERK
RESOLUTION NO. ________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, PROVIDING FOR THE RE-APPOINTMENT OF BONNIE O’LEARY (SPONSORED BY COMMISSIONER GRAZIOSE) TO SERVE ON THE COMMUNITY SUSTAINABILITY BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Bonnie O’Leary’s term of office expired on September 30, 2017; and

WHEREAS, Bonnie O’Leary desires to continue to serve on the Community Sustainability Board; and

WHEREAS, Commissioner Graziose recommends the re-appointment of Bonnie O’Leary to the Community Sustainability Board; and

WHEREAS, the City Commission desires to ratify said appointment.

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

Section 1: That Bonnie O’Leary, be and the same is hereby re-appointed as a member of the Community Sustainability Board.

Section 2: That she shall serve in said capacity for a term of three years until January 30, 2021 or until resignation, whichever comes first.

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

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

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR JACK BRADY

______________________________
VICE MAYOR RICH MOYLE

ATTEST:

______________________________
PATRICIA VANCHERI, CITY CLERK
RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, PROVIDING FOR THE RE-APPOINTMENT OF STEPHEN COOK (SPONSORED BY MAYOR BRADY) TO SERVE ON THE COMMUNITY SUSTAINABILITY BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Stephen Cook’s term of office expired on October 31, 2017; and

WHEREAS, Stephen Cook desires to continue to serve on the Community Sustainability Board; and

WHEREAS, Mayor Brady recommends the re-appointment of Steven Cook to the Community Sustainability Board; and

WHEREAS, the City Commission desires to ratify said appointment.

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

Section 1: That Stephen Cook, be and the same is hereby re-appointed as a member of the Community Sustainability Board.

Section 2: That he shall serve in said capacity for a term of three years until January, 2021 or until resignation, whichever comes first.

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

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this _____________ day January 30, 2018.

APPROVED AS TO FORM:

____________________________________
CITY ATTORNEY SAMUEL S. GOREN

____________________________________
MAYOR JACK BRADY

____________________________________
VICE MAYOR RICH MOYLE

ATTEST:

____________________________________
PATRICIA VANCHERI, CITY CLERK
RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, PROVIDING FOR THE APPOINTMENT OF ANN MARIE REID (SPONSORED BY VICE MAYOR RICH MOYLE) TO SERVE ON THE COMMUNITY SUSTAINABILITY BOARD; PROVIDING FOR TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, Ann Marie Reid, who resides in District “C” desires to serve on said Board; and

WHEREAS, Vice Mayor Rich Moyle recommends the appointment of Ann Marie Reid to fill said vacancy.

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

Section 1: That Ann Marie Reid, be and the same is hereby appointed as a member of the Community Sustainability Board.

Section 2: That she shall serve in said capacity until January 30, 2021 or until resignation, whichever comes first.

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

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

APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________________
MAYOR JACK BRADY

__________________________________
VICE MAYOR RICH MOYLE

ATTEST:

__________________________________
PATRICIA VANCHERI, CITY CLERK
INTERDEPARTMENTAL
MEMORANDUM

TO: Mayor and City Commission

FROM: Ambreen Bhatty, City Manager

BY: Susan Nabors, Finance Director

DATE: January 30, 2018

SUBJECT: Signatories on Investments of Certificates of Deposits (CDs) at Qualified Public Depositories (QPDs)

The City Resolution #15-05-6173, approved adopted May 12, 2015, established the City’s current Investment Policy. The policy sets for objectives and parameters for the management of public funds of the City of North Lauderdale.

One of the authorized investments under the policy is interest-bearing time deposits (CDs) in qualified public depositories, as defined in Florida Statute 280.02. The City currently does not have any CDs in the portfolio. In order to further diversify the portfolio and take advantage of rising interest rates, it is recommended the City begin purchasing CDs for investment of surplus funds. CDs are currently earning a higher yield than the City checking account. The investments are secured through the FDIC and collateral required by the State of Florida for QPDs.

CDs quotes will be solicited from multiple QPD banks and the best yield selected for purchase. There could be a variety of QPD banks from which CDs will be purchased from time to time. In order for the staff to accomplish these transactions, below is the recommended list of personnel authorized to approve these transactions and sign signature cards at any QPD from which CDs are purchased:

- Ambreen Bhatty, City Manager
- Michael Sargis, Assistant City Manager/Parks & Recreation Director
- Susan Nabors, Finance Director
- Sendie Rymer, Controller
- Tammy Reed-Holguin, Community Development Director

Please be advised that a minimum of two signatures from the above list will be required to expend funds to purchase CDs, consistent with our current internal controls to expend funds on investments.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached Resolution authorizing the creation of the list of authorized signers for CD transactions at financial institutions as outlined above.
RESOLUTION NO. ___________________

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA
AUTHORIZING THE CREATION OF THE LIST OF SIGNERS FOR ALL
ACCOUNTS WITH FINANCIAL INSTITUTIONS WHERE CERTIFICATE OF
DEPOSITS ARE PURCHASED; PROVIDING FOR SEVERABILITY;
PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission for the City of North Lauderdale ("City"), previously authorized the use of interest-bearing time deposits (certificates of deposits) for investing the City’s surplus funds; and

WHEREAS, as a best practice to diversify the city’s investments, to reduce risk of loss and preserve principal, the City’s seeks to utilize interest-bearing time deposits previously authorized and to designate the appropriate City representatives who are authorized to have access to the City’s accounts; and

WHEREAS, the City Commission finds that it is in the best interests of the City to approve Ambreen Bhatti, City Manager, Michael Sargis, Assistant City Manager/Parks Director, Susan Nabors, Finance Director and Sendie Rymer, Controller and Tammy Reed-Holguin, Community Development Director to approve transactions and sign signature cards at any of the selected QPDs from which CDs are transacted.

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

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

Section 2. That the City Commission hereby authorizes the creation of the list of authorized users, listed above, for interest-bearing time deposits at qualified public depositories, as set forth.

Section 3. This Resolution shall take effect on immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
NORTH LAUDERDALE, FLORIDA, THIS 30th DAY OF JANUARY, 2018.

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR JACK BRADY

______________________________
VICE MAYOR RICH MOYLE

ATTEST:

______________________________
CITY CLERK PATRICIA VANCHERI
TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Michael Sargis, Assistant City Manager/Parks & Recreation Director
DATE: January 30, 2018

SUBJECT: Phase II – Field Light Project at Jack Brady Sports Complex

The current light systems in the City parks are from 35 to 50 years old. As they all pre-date Hurricane Andrew (1992), they do not meet any of the current wind loads. Because of the age of the systems, it is becoming increasingly difficult to find replacement parts for the systems whenever there is an issue. Therefore it is best to replace these systems.

The planning for this replacement project has been in the works for over the last 5+ years. Initially, the staff had proposed to include it in the City’s P3 proposal and later in the penny sales tax ballot issue in November, 2016. However, both of these proposals never materialized. Appropriation Funds from the State Legislature in the amount of $500,000.00 were also authorized for this project in 2017 but were vetoed by the Governor.

As part of the fiscal year 2017 budget, the City Commission authorized funding for Capital Improvement project for the replacement of field and court lights throughout the City’s park system. As a result, Phase I of the project, in the amount of $643,220.00 for lights at Highland Park, Pompano Park and Landings Park was approved by the City Commission and work will be completed by next month.

Tonight, we are seeking approval from the City Commission to authorize an expenditure of $925,000.00 for the Phase II of the Park Lighting Project for the Jack Brady Sports Complex. The North Lauderdale Parks and Recreation Department hosts over 500 Soccer and Baseball games at the Sports Complex and Highland Park annually and Courts operate 6-days a week year around. The primary users of the sports fields are North Lauderdale residents. With the replacement of these lights and Mother Nature permitting, the City will have fully functional and efficient light system for the next 30+ years.

There are two (2) large vendors that manufacture field lights and control systems – MUSCO Lighting and QUALITE. MUSCO Lighting is by far the leader in the sports light industry and their products can be found at the majority of City Parks, Schools, College and other professional sports venues. MUSCO Lighting has a turnkey contract (bid # 13-14-8) from Clay County that covers engineering, manufacturing, permitting and installation of this type of lighting system.

Utilizing the MUSCO Clay County contract, the cost of this project will be $925,000.00. The new systems will consist of:
- Steel poles – that meet the most current wind loads
- LED lights
- Electrical components and enclosures
- Underground electrical wiring as needed
- Computer controlled operation system
- 25 Year Warranty
- Security Lights in needed areas
- Light Dimmers

Tonight, the staff is seeking approval from the City Commission to authorize an expenditure of $930,000.00 to MUSCO Lighting for the Phase II Park Lighting Project for the Jack Brady Sports Complex, which includes a reserve of $5,000 for any permit fees that cannot be waived or any other unforeseeable costs associated with this project.

**RECOMMENDATION:**

The City Administration recommends Commission’s consideration and approval of the attached resolution authorizing to contract with MUSCO Lighting in an amount not to exceed $930,000.00 from the Parks and Recreation Department’s Capital Budget for the lighting project at the Jack Brady Sports Complex.
RESOLUTION NO. ____________

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE AUTHORIZING THE EXPENDITURE OF $930,000.00 TO MUSCO LIGHTING UTILIZING THE CLAY COUNTY, FLORIDA BID #13/14-8, FOR PHASE II OF THE FIELD AND COURT LIGHTS REPLACEMENT PROJECT AT THE JACK BRADY SPORTS COMPLEX; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of North Lauderdale, Florida has determined a need to replace the existing field and court lights at the Jack Brady Sports Complex;

WHEREAS, the City is piggybacking off the Clay County, Florida Bid #13/14-8, to contract with MUSCO Lighting in an amount not to exceed $930,000.00;

WHEREAS, the City of North Lauderdale has budgeted $930,000.00 in the Parks and Recreation Department’s Capital Budget for this project; and

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

Section 1. This Resolution shall become effective immediately upon its passage and adoption.


APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL S. GOREN

_______________________________
MAYOR JACK BRADY

_______________________________
VICE MAYOR RICH MOYLE

ATTEST:

_________________________________
CITY CLERK PATRICIA VANCHERI
TO: Mayor and City Commission
FROM: Ambreen Bhati, City Manager
BY: Michael Sargis, Parks and Recreation Director
DATE: January 30, 2018

SUBJECT: New Youth Football and Cheerleading Program

In December of 2017, staff was approached by a group of individuals associated with the North Lauderdale Panthers Youth Football and Cheerleading, who are interested in starting a new youth football and cheerleading program in the City of North Lauderdale.

As some Commissioners may recall, the Northwest Broward Raiders were the official youth football provider in North Lauderdale for over 40 years; however due to lack of home playing fields and declining registration, the program folded in July 2017.

In accordance with the City Code, the City Commission authorizes all providers of youth athletics as the sole provider in the City. Therefore if the Commission wants this group to proceed with starting a Youth Football and Cheerleading Program in the City, approval of the attached resolution is required.

In order to be eligible for a field permit, the following steps would need to be in place:

1. Submission of all necessary not-for-profit organization paperwork to the City
2. Submission of all bylaws of the organization – also a requirement for all not for profit status by the State of Florida.
3. Submission of all required insurances to the City
4. Completion of all background checks of coaches and volunteers in accordance with the City Policy

As part of the permit, the City will only provide the following:

1. The field at North Lauderdale Elementary School to be used for this program. It should be noted that as the facility is not large enough to house tackle games, no tackle games will be permitted on the facility. Additionally, any flag games will require a permit from North Lauderdale Elementary School as the City only has access to the parking lot in front of the field off of Kimberly Blvd.

2. The staff will maintain the field and restrooms as well as line the field for practices. Lights will be provided for practices – Monday through Thursday – 6pm to 9:30pm.
3. City will provide assistance with advertising the program but all expenses will be incurred by the program.

4. As is the case when private groups run Youth Baseball, Youth Soccer and Youth Basketball programs, the City will not provide any financial assistance to the program.

Please be advised that the City’s involvement will be limited to basic support and will not become a burden on staff or the City.

**RECOMMENDATION:**

The City Administration recommends Commission’s consideration and approval of the attached resolution authorizing the North Lauderdale Panthers Youth Football and Cheerleading Program to be the official Youth Football/Cheerleader Program in the City of North Lauderdale.
RESOLUTION NO. ______________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE NORTH LAUDERDALE PANTHERS YOUTH FOOTBALL AND CHEERLEADING PROGRAM TO BE THE OFFICIAL YOUTH FOOTBALL/CHEERLEADING PROGRAM IN THE CITY OF NORTH LAUDERDALE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Lauderdale (the “City”) is committed to providing its residents with the best Recreation Programs possible; and

WHEREAS, the City of North Lauderdale has utilized not-for-profits to run various youth sports programs in the past; and

WHEREAS, the City Commission wishes to authorize the North Lauderdale Panthers as the official Youth Football and Cheerleading Program in the City of North Lauderdale.

NOW, THEREFORE, be it resolved by the City Commission of the City of North Lauderdale, Florida:

Section 1. This Resolution shall become effective immediately upon its passage and adoption.


APPROVED AS TO LEGAL FORM:

CITY ATTORNEY SAMUEL S. GOREN

MAYOR JACK BRADY

VICE MAYOR RICH MOYLE

ATTEST:

PATRICIA VANCHERI, CITY CLERK
Pursuant to Ordinance #17-06-1356, Sec. 2-33. - Procedures, issuance of ceremonal items, Commissioner Jerry Graziose is requesting to present certificates of appreciation on behalf of the Mayor and Commission to North Lauderdale K-8 Principal Nichele Williams and Guest Speaker Levi G. Williams to recognize them for participation in the Martin Luther King Jr. ceremony. The completed Application to Request a Ceremonial Item is attached to this memorandum.
City of North Lauderdale
Application to Request City Ceremonial Item

Date: 01-17-18

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

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

2. Individual, Agency, or Organization Requesting Ceremonial Item:
   Name, Address, Phone: Jerry Grazioso on behalf of Mayor and Commission

3. Purpose of Ceremonial Item: Express Appreciation for Support

   Please fill in 5 Bullet Points as to why this Ceremonial Item is deserved:
   • North Lauderdale Elementary School
   • on numerous occasions each year
   • and most recently the Civil MLK Ceremony have always provided
   • students to participate in the ceremony.

4. Item to be presented at:
   • Commission meeting on 8-27-18
   • Another event
     Location: City Hall Date: 2-29-18

5. Person Attending Meeting to Receive Ceremonial Item
   Name/Phone Number: Ms. Michele Williams
   Principal
   North Lauderdale Elementary School
   Cell: 954-614-3921
City of North Lauderdale
Application to Request City Ceremonial Item

Date: 1-17-18

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

1. Type of Ceremonial Item Requested:
   - _____ Key to the City
   - XX 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: 
   Jerry Grazioso on behalf of Mayor & Commission

3. Purpose of Ceremonial Item: Express Appreciation for being Keynote Speaker
   Please fill in 5 Bullet Points as to why this Ceremonial Item is deserved:
   - Show appreciation to Mr. Levi George Williams for being the Keynote Speaker at the City of North Lauderdale Martin Luther King Ceremony, on 1-12-18

4. Item to be presented at:
   - XX Commission meeting on 2-27-18
   - _____ Another event
     o Location: City Hall Date: 2-27-18

5. Person Attending Meeting to Receive Ceremonial Item
   Name/Phone Number: Levi George Williams (PA)
   Cell: 954-629-9587