AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Wood

2. ROLL CALL

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

3. APPROVAL OF MINUTES

   a. April 24, 2018

4. PRESENTATIONS

   a. Certificates of Appreciation to Fire Rescue Staff relating to two calls for assistance - Requested by Commissioner Graziose
      • Marjorie Stoneman Douglas - February 14, 2018
         1. Battalion Chief Jon Sucher
         2. Lt. Chris Passino
         3. Firefighter/Paramedic Matt Santana
         4. Firefighter/EMT Nick Ruesga

      • Intracoastal Tower Condominiums Fire in Pompano Beach - March 13, 2018
         1. Lt. Esnell Morales
         2. Driver Engineer Randy Monroe
         3. Firefighter/Paramedic Matt Hurt
b. Haitian Heritage Month – Certificate of Recognition – Indigents Defense - Requested by Commissioner Borgelin
   1. Dr. Marie Flore Lindor-Latortue
   2. Father Gabriel Lormeus
   3. Attorney Ronald Surin
   4. Richard Salzmann, DMD
   5. Jacqueline Charles, Journalist

c. Principal Nichele Williams, North Lauderdale K-8 – Video Presentation of Accomplishments Resulting from Partnership with the City of North Lauderdale

d. Metropolitan Planning Organization – Metropolitan Transportation Plan Presentation (Daniel Knickelbein and Peter Gies)

5. PROCLAMATIONS

a. Haitian Heritage Month – May 2018
b. EMS Week – May 21-27

6. PUBLIC DISCUSSION

7. OTHER BUSINESS

a. RESOLUTION – Appointing Gerda Brillant as an alternate member of the Planning and Zoning Board

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPOINTING GERDA BRILLANT WRIGHT AS AN ALTERNATE MEMBER OF THE NORTH LAUDERDALE PLANNING AND ZONING BOARD (SPONSORED BY COMMISSIONER GRAZIOSE); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.
b. **RESOLUTION – Appointing Gerda Brillant as an alternate member of the Code Enforcement Board**

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPOINTING GERDA BRILLANT AS AN ALTERNATE MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY COMMISSIONER JERRY GRAZIOSE); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

c. **RESOLUTION - East Rock Island Road Wall Project**

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ACCEPTABLE AGREEMENT WITH PRECAST WALL SYSTEMS INC. IN AN AMOUNT NOT TO EXCEED $260,481 AND TO SET ASIDE $20,000 IN CONTINGENCY FUNDS FOR ANY UNFORESEEN COSTS ASSOCIATED WITH A NEW BUFFER WALL PROJECT ALONG THE EAST SIDE OF ROCK ISLAND ROAD; AND PROVIDING AN EFFECTIVE DATE.

d. **RESOLUTION - Purchase and installation of Station Alerting Devices for Fire Stations 34 and 44 to be compatible with Broward County E-911 System from Keylite Power & Electric Corp**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Chief Turpel/Dep. Chief Sweet)
- Commission motion and second to adopt
- Commission discussion
- Commission vote
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO EXECUTE AN AGREEMENT WITH KEYLITE POWER & ELECTRIC CORP. FOR THE PURCHASE AND INSTALLATION OF STATION ALERTING DEVICES AT FIRE STATIONS 34 AND 44; AND PROVIDING FOR AN EFFECTIVE DATE.

9. REPORTS

10. COMMISSION COMMENTS
   a. Commissioner Graziose – Discussion and possible motion regarding Broward League of Cities Fund Raising Event

11. CITY MANAGER COMMENTS
   a. Upcoming Events
      • Annual North Lauderdale Tamarac Chamber of Commerce Trustee Luncheon – Tuesday, May 15th at 11:45 am – 1:15 pm
      • Memorial Day Ceremony & Unveiling of Sgt. Roshain Brooks Fallen Soldier Memorial – Monday, May 28 at 10:45 am at Veterans Memorial - Rock Island and Kimberly

12. CITY ATTORNEY COMMENTS
   a. SUBJECT – Proposed Revisions to North Lauderdale Charter
      i. ORDINANCE – First Reading – Draft Proposal #1 - Charter Review Time Frame
         • Motion, second and vote to read
         • Attorney reads title
         • Staff presentation (City Attorney)
         • Commission motion and second to adopt
         • Commission discussion
         • Commission vote

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE CITY OF NORTH LAUDERDALE AT ARTICLE IX, ENTITLED “GENERAL PROVISIONS,” AND IN PARTICULAR AMENDING SECTION 9.9 ENTITLED “AMENDMENTS TO CHARTER; REVIEW”; INCREASING THE TIMEFRAME IN WHICH THE CITY COMMISSION
SHALL APPOINT A CHARTER REVIEW COMMISSION FROM EVERY FIVE (5) YEARS TO EVERY EIGHT (8) YEARS, COMMENCING IN 2025; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY OF NORTH LAUDERDALE, ON THE NOVEMBER 2018 GENERAL ELECTION BALLOT AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR THE PLACE AND PLACES WHERE SAID ELECTION IS TO BE HELD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ii. **ORDINANCE – First Reading – Draft Proposal #2 – Procurement Code**

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

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE CITY OF NORTH LAUDERDALE AT ARTICLE IX, ENTITLED “GENERAL PROVISIONS,” AND IN PARTICULAR AMENDING SECTION 9.10 ENTITLED “PURCHASES”; DELETING THE REFERENCES TO PROCUREMENT IN THE CITY CHARTER AND REQUIRING THE CITY COMMISSION TO ADOPT A PROCUREMENT CODE BY ORDINANCE; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY OF NORTH LAUDERDALE, ON THE NOVEMBER 2018 GENERAL ELECTION BALLOT AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR THE PLACE AND PLACES WHERE SAID ELECTION IS TO BE HELD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

13. **ADJOURNMENT**
CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, APRIL 24, 2018

MINUTES

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

2. ROLL CALL – Clerk called roll. All present

   Mayor Jack Brady (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. April 10, 2018

4. PRESENTATIONS

   a. Representative Patricia Williams – Provided a Legislative update as of April, 2018 regarding a summary of key legislation that was introduced in Tallahassee this year. A copy of her report is available in the City Clerk’s office.

5. PROCLAMATIONS – The following proclamations were read into the record:

   a. National Day of Prayer – May 3
   b. National Women’s Lung Health Week – Turquoise Initiative American Lung Association – May 6-12 – Mr. Michael Garcia accepted the Proclamation on behalf of the American Lung Association and thanked the City for the support.
   c. Municipal Clerks Week – May 6-12
   d. International Economic Development Week May 7-12 – Mr. Peter Mason on behalf of the North Lauderdale Tamarac Chamber of Commerce was present to receive the Proclamation. Mr. Mason also commented that April 29 to May 5th is Small Business week and encouraged everyone to go out and celebrate local businesses by spending money locally to keep jobs here.
6. PUBLIC DISCUSSION

Jacky Antoine – 6761 SW 10 Street – Expressed concern with late fees and disconnection fees assessed for water bills and asked for help with the fees. City Manager and Finance Director replied by explaining the billing schedule and disconnection fee which is only applied if a bill is two months behind.

Mackendy Philippi – 1350 S. State Road 7 – Expressed issues with the amount of time to receive permits for the First Baptist Church. City Manager Bhatti said she will look into it first thing tomorrow. She explained that the activity in the Building Department has increased significantly at the same time that they are in the process of filling some positions which have become vacant unexpectedly.

7. QUASI-JUDICIAL ITEMS

a. SUBJECT: Final Site Plan SPR 18-02 Peter Piper Pizza
   Folio#494111280027 McNab Road and Avon Lane

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

   APPLICANT: David Deck, Peter Piper Inc.

   Attorney Goren read the item and all interested parties stood and were duly sworn. Andrew Disbury, Community Development Specialist, presented the item based on backup memorandum for a restaurant with an entertainment use. City Commission approved an attached special exception use permit at the last Commission meeting and this item is being brought back for second reading of the final site plan. This item was approved for recommendation by the Planning and Zoning Board on March 6th and the preliminary site plan was approved by City Commission on March 27th. Dwayne Dickerson, legal counsel for the Applicant was present to answer any questions. Public hearing opened. No one from the public spoke. Commissioner Graziose referred to a paragraph on Page 2 of the backup memorandum regarding the ratio of adults to children and a written response from the applicant, and asked if that was corrected yet. Mr. Disbury replied that the applicant did respond via email stating there was not a set ratio and typically, when there is an event they have their own party room. Commissioner Graziose also questioned the landscaping, to which City Manager replied that the property is owned by Arena who is responsible for the landscaping. Commissioner Borgelin asked if they considered hiring North Lauderdale residents. Attorney Dickerson replied that the applicant works with the City and Chamber of Commerce to give local residents the opportunity to take advantage of employment opportunities through job fairs and sometimes advertising within the local municipalities to find local talent before its opened up to the general public; but, there is no guarantee because they have to make sure applicants are qualified.

   Commissioner Graziose move to approve the Final Site Plan SPR 18-02 subject to the sixteen (16) conditions outlined in staff memorandum. Attorney Dickerson also stated agreement with the conditions of approval outlined in staff memorandum. Commissioner
Wood seconded the motion. Clerk called roll. All YES. MOTION PASSED UNANIMOUSLY.

At this point, Senator Thurston apologized for his late arrival and spoke a few words about the very interesting legislative session over these last few months. He indicated that they anticipated the session to cover the hurricane and need for generators in nursing homes, but in light of the events on February 14th, it became about guns and school safety. He reported that they did accomplish some items and will continue do better work.

8. ORDINANCES SECOND READING

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

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

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

Andrew Disbury, Community Development Specialist, presented this item based on backup memorandum and commented that this item was previously heard and adopted on first reading on April 10th. Commission’s consideration and approval is being sought on second reading to establish a moratorium for a twelve month period. Public hearing opened. Bruny DeSaint, a member of the public commented that he agrees that there needs to be diversity of uses within business zones. Public hearing closed. Commissioner Graziose moved to adopt. Seconded by Commissioner Wood. No Commission discussion. Clerk called roll. All YES.

ORDINANCE NO. 18-04-1370 PASSED AND ADOPTED UNANIMOUSLY

9. CONSENT AGENDA

No items were removed from consent. Commissioner Graziose moved to read. Seconded by Commissioner Wood.

Attorney read:
a. **RESOLUTION** - Appointing Dwayne Smart as a regular member of the Community Sustainability Board

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

RESOLUTION NO. 18-04-6508

b. **RESOLUTION** – Re-installing Gracien Serge Champagne as a regular member of the Code Enforcement Board

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, RE-INSTATING GRACIEN SERGE CHAMPAGNE WHO RESIDES IN DISTRICT “D”, AS A REGULAR MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY COMMISSIONER SAMSON BORGELEIN); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 18-04-6509

c. **RESOLUTION** – Vehicle and Equipment Surplus

A RESOLUTION OF THE CITY OF NORTH LAUDERDALE, FLORIDA AUTHORIZING THE SURPLUS AND DISPOSAL OF ONE FORD F-150 PICK-UP AND ONE HORTON TERRASTAR AMBULANCE UNIT PER CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 18-04-6510

Commissioner Graziose moved to approve the consent agenda. Seconded by Commissioner Wood. Clerk called roll. All YES. CONSENT AGENDA APPROVED UNANIMOUSLY.

10. **OTHER BUSINESS**

a. **RESOLUTION** – 5 Cent Gas Tax 2018

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING AND OTHERWISE AUTHORIZING THE
CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON BEHALF OF SAID CITY, TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED YEAR 2018 (FIFTH CENT) AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN NORTH LAUDERDALE AND BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND, PROVIDING AN EFFECTIVE DATE.

Susan Nabors, Finance Director, presented the item based on backup memorandum. She indicated that the City receives its allocation of this tax on motor fuel through an Interlocal agreement with Broward County and the amount the City receives is based on this distribution formula. This allocation is revised annually by the County and to reflect changes in the population of the County municipalities, and provides the cities to receive 26% of the proceeds of the “fifth cent” of gas tax. The City’s allocation for FY 2019 will be 0.621103% based on the City’s estimated population of 44,408 as stated by the most current edition of the “Florida Estimates of Population” published by the Bureau of Economics and Business Research, Population Division, University of Florida. FY 2017 revenue was approximately $48,352 and is anticipated to be the same for FY 2018 and FY 2019. Commissioner Graziose moved to adopt. Seconded by Commissioner Wood. No Commission discussion. Clerk called roll. All YES.

RESOLUTION NO. 18-04-6511 PASSED AND ADOPTED UNANIMOUSLY

b. RESOLUTION – 3 Cent Gas Tax 2018

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ACCEPTING AND OTHERWISE AUTHORIZING THE CITY MANAGER OF THE CITY OF NORTH LAUDERDALE, FLORIDA, ON BEHALF OF SAID CITY, TO EXECUTE AND OTHERWISE ENTER INTO THE ATTACHED YEAR 2018 (THREE CENT) AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN NORTH LAUDERDALE AND BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL ORDNANCE; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND, PROVIDING AN EFFECTIVE DATE.

Susan Nabors, Finance Director, presented the item based on backup memorandum. She indicated that this is similar to the item just approved and is considered an “additional” local option gas tax and the allocation is also based upon the population of the municipalities. The
City’s FY 2019 allocation will be 1.224767% based on its estimated population of 44,408. The cities receive 51.27% of the three cents of gas tax. FY 2017 revenue was $286,041 and administration anticipates approximately the same for FY 2018 and 2019 year. Commissioner Graziose moved to adopt. Seconded by Commissioner Wood. Commissioner Borgelin questioned where the City’s population numbers come from. Ms. Nabors replied that it changes and the University of Florida has a group that works on estimates of the population that is used for many allocations of State revenues down to the municipalities, and the updates of the estimates are done annually and based upon best projections. He asked that IT correct the number we have online on our website which is way down. Ms. Nabors said we can look into that. City Manager Bhatty reiterated that this number is a projection of entity doing the data collection for future population. She said the number on our website is based on the last Census survey calculations. Ms. Nabors said the census was done in 2010 and the projections are for FY 2019. No further comments. Clerk called roll; All YES.

RESOLUTION NO. 18-04-6512 PASSED AND ADOPTED UNANIMOUSLY

c. RESOLUTION – Interlocal Agreement with Broward County for Temporary Debris Management Sites

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR THE USE OF BROWARD COUNTY DESIGNATED TEMPORY DEBRIS MANAGEMENT SITES AND RELATED FINAL DISPOSAL SERVICES; AND PROVIDING AN EFFECTIVE DATE.

George Krawczyk, Public Works/Utilities Director, presented the item based on backup memorandum. He reported that this past year we used Pompano Park as the Temporary Debris Management Site (TDMS) for storm debris collection after Hurricane Irma and that site is still being restored. This Interlocal agreement will allow the City to work with the County on designated sites. Costs for these sites are based on the volume of the debris and monitored. Contract term will be June 1, 2018 through November 30, 2022. City Manager Bhatty interjected that they are keeping a plan “B” in place and will also apply to the EPA for a permit to use Pompano Park again to have two options. Based on the amount of storm debris, the cost will be kept down as they will only use the County site if necessary and to decrease the damage to our park. Commissioner Graziose moved to adopt. Seconded by Commissioner Wood. Commissioner Borgelin asked what are some basic lessons learned from the hurricane. City Manager Bhatty replied she met with staff two months ago and each department gave their comments on what went right and what could be approved. Staff is continuously working on those items. For example, Staff discussed having the permit in place for the park as previously mentioned and fuel management for emergency vehicles. Ms. Bhatty said most everything fell into place and went well; however, we cannot predict how big or how small an event will be but
we do have plans in place; our hurricane preparedness plans are updated each year and we also work with the County. No further discussion; Clerk called roll. All YES.

RESOLUTION NO. 18-04-6513 PASSED AND ADOPTED UNANIMOUSLY

d. RESOLUTION – Florida Department of Transportation (FDOT) Compensation Agreement for Street Lights Maintenance on State Road 7

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO A COMPENSATION AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF THE STATE ROAD 7 STREET LIGHTS WITHIN THE CITY LIMITS; AND PROVIDING AN EFFECTIVE DATE.

George Krawczyk, Public Works/Utilities Director, presented the item based on backup memorandum. This is regarding the City owned and maintained street lights on State Road 7 and this is an opportunity to work with the FDOT on a compensation agreement program which reimburses cities for the maintenance costs of the lights to ensure that 90% of the lights are operational in accordance with the Manual of Uniform Traffic Control Devices standards. Commissioner Graziose moved to adopt. Seconded by Commissioner Wood. Commissioner Wood commented that he is happy about the street lights, but mentioned that the bus benches on that corridor are dark and need to be illuminated. Mr. Krawczyk replied that those bus bench shelters are solar powered and a staff electrician is replacing the special battery units which are on order. No further discussion; Clerk called roll. All YES.

RESOLUTION NO. 18-04-6514 PASSED AND ADOPTED UNANIMOUSLY

e. RESOLUTION – Supporting the Broward MPO C-14 Greenway Improvements

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, SUPPORTING THE BROWARD METROPOLITAN PLANNING ORGANIZATION (MPO) IN THEIR PURSUIT OF FUNDING RELATED TO THE ENHANCEMENTS OF THE CYPRESS CREEK GREENWAY AND TO IMPLEMENT SAID PROGRAMS IF AND WHEN FUNDING IS AVAILABLE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
Andrew Disbury, Community Development Specialist, presented the item based on backup memorandum. He indicated that this is a resolution in support of the Seagrass to Sawgrass greenway initiative which was started here in North Lauderdale. A while back a plan was approved for a passive park along the greenway and although federal funds could not accommodate that request at the time, the MPO saw fit to look at a planning approach for the whole corridor. The hope is to provide more access and amenities along that greenway along the C-14 canal. Commission’s consideration and approval is being sought supporting the MPO in pursuit of funding. **Commissioner Graziote moved to adopt.** Seconded by Mayor Brady. Commissioner Graziote commented that he was able to get the MPO to set up a committee after the initial effort working on the park and they now have requested the cites of Coral Springs, Tamarac, North Lauderdale, Margate, Coconut Creek and Pompano Beach to do resolutions so the MPO can go out and get grants. He wanted to make sure that everybody remembers that North Lauderdale initiated this project and if it goes right it could be the best bike route in Broward County. **No further discussion; Clerk called roll. All YES.**

**RESOLUTION NO. 18-04-6515 PASSED AND ADOPTED UNANIMOUSLY**

**f. RESOLUTION – Calling the General Municipal Election to be held 11-06-2018**

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, CALLING AND PROVIDING FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON THE 6TH DAY OF NOVEMBER, 2018, TO PROVIDE FOR THE ELECTION OF MAYOR AT LARGE, ONE COMMISSIONER FROM DISTRICT “A” AND ONE COMMISSIONER FROM DISTRICT “B”; PROVIDING FOR TIMES OF SAID ELECTION; PROVIDING FOR A QUALIFYING PERIOD; PROVIDING FOR POLLING PLACES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Attorney Goren stated that as a matter of state law and by the Charter of the City of North Lauderdale, there is a general election in November, 2018 and this resolution calls for publication of that information so that qualifying can begin during the week of June 18 through June 22, 2018. **Commissioner Graziote moved to adopt.** Seconded by Commissioner Wood. No Commission discussion. Clerk called roll; All YES.

**RESOLUTION NO. 18-04-6516 PASSED AND ADOPTED UNANIMOUSLY**
11. REPORTS

a. Memorial Day
Mike Sargis, Parks and Recreation Director, reported that on Monday, May 28th at 10:45 am at the Veterans Memorial on Rock Island and Kimberly Blvd we will be honoring a North Lauderdale resident, Sergeant Roshain Brooks who lost his life while on duty in Iraq, with the unveiling of a fallen soldier monument. Sgt. Brooks attended of North Lauderdale Academy High School until it closed, and graduated from Coconut Creek High School. Coral Glades will be providing bugler and ROTC.

b. Designation of Opportunity Zone in North Lauderdale – Tammy Reed-Holguin
Katherine Randall, Asst. Community Development Director, stating that the Opportunity Zone was established in the Federal Tax Cut and Jobs Act of 2017. The City applied to the Governor’s Office last month and as of April 20th the Governor designated 30 Opportunity Zones in Broward County, of 178 eligible zones. In North Lauderdale we nominated three zones and were granted designation of one zone running between Census Tract 204.12 west of 81st Avenue to east of Rock Island coming up the south of Tam O’Shanter Blvd and north of Riverside. This is the biggest tract that we submitted. Ms. Randall reported that the opportunity zone is a tax credit for investors that invest in that zone and the Opportunity Zones maintain the designation for up to ten years. Investors consist of businesses, developers and financial institutions that invest in targeted areas and can get a tax credit on the capital gain if they sell after ten years City Manager Bhatty stated this in an incentive for the investors, and this zone is in an area that can benefit from repair. This zone covers three Commission Districts; A, C and D. Commissioner Wood spoke on the importance of marketing this zone. City Manager Bhatty gave Commissioner Graziose credit for bringing this grant to the City’s attention. Commissioner Borgelin asked to focus on the old 7-11 property on Kimberly. City Manager Bhatty said they will be working with the Chamber and the Broward Alliance to market the properties. She also reported that the shopping center along Kimberly will be using a matching improvement grant to put on a new façade and make improvements with landscaping.

12. COMMISSION COMMENTS

Vice Mayor Moyle asked Mayor Brady for his comments first.

Mayor Brady – Stated that after listening all night, the Commission is doing a great job; he misses everyone and especially misses the residents. He commented that he is continuing to keep in contact every day with calls, messages and mail.

a. Ceremonial Items Request for May 29, 2018 - Commissioner Borgelin

Commissioner Borgelin - Requested consensus from Commission to present ceremonial items at the May 29th meeting, to persons indicated on the application submitted as backup, in honor of National Haitian American month. Commissioner Borgelin indicated that one honoree is a Dean at Broward College who has impacted North Lauderdale male youth, including those who will be
recognized as an outstanding peer education group, and stated reasons why he wished to honor these persons. There was no Commission comment and no objections.

City Manager Bhatt commented that the National Haitian American Proclamation has been scheduled for presentation at the first Commission meeting in May.

**Commissioner Grazioso** – Thanked Mike Sargis for the Volunteer Appreciation Day at the City pool this past Saturday and said it was a nice way to say thank you to our volunteers and City Board members. Commissioner Grazioso reported that he attended the first Mayor’s MPO Round Table with City Manager, Community Development Director and Public Works Director which was very informative and at a future Commission meeting the MPO will make a presentation about projects, such as the greenway and how they get funded. He also mentioned that on the November ballot, the County will be presenting a one cent sales tax for transportation and they need to get with the cities on that. At the Northwest Council Meeting of Elected Officials, Florida Power & Light made a presentation on Hurricane Irma and staff was asked to invite FPL to come to a Commission meeting to present this informative information as well. The North Lauderdale Tamarac Chamber of Commerce also had two events; one at Chow Time and a ribbon cutting. Commissioner Grazioso reported that with regard to North Lauderdale small businesses, Reggae Pon the Grill has just started to serve a Sunday Brunch with musical entertainment and the Kiwanis Club is having a Pancake Breakfast there on Saturday, May 19. Lastly, North Lauderdale Days and the fireworks were very good.

**Commissioner Wood** – Commented that today is Denim Day, established in 1999 to bring awareness to sexual violence. Stated that North Lauderdale Days was a great time and the people were very happy about it. However, Commissioner Wood said he would like to see if we could have BSO presence next year to control the traffic and walkers to ensure safety of the residents and attendees at the end of the event.

13. **CITY MANAGER COMMENTS**

a. Discussion and approval of amended language to condition #16 for approved final site plan SPR 17-06 for the Spin Car Wash

i. Current approved Commission language in site plan order

Execution by the City of the final site plan order is contingent upon receipt of a written agreement by and between: Walmart, The Arena Group and Spin Car Wash clearly indicating the responsible party(ies) for the landscaping on the site and on both sides of the wall running north to south on the western most side of the property.

ii. Proposed amended language

Execution of the Final site plan order is contingent upon receipt of a written agreement clearly indicating the responsible party (ies) being the property owner and conveying to all future property owners for the landscaping on the site including the landscaping on both
City Manager Bhatty commented that during the approval of the Spin Car Wash Site Plan, there was one condition regarding the landscaping along the Belmont community. She said at that time we were not sure who would be the ultimate owner of the car wash parcel with regard to maintenance. Arena Group is now the responsible party, but upon the sale of the property, the new owner will become responsible. There is a letter that will be signed off on regarding this condition if the Commission approves. **Commissioner Graziose made a motion to accept the proposed amended language as described by the City Manager. Commissioner Wood seconded the motion.** Andrew Disbury stated this is amending the Site Plan which was previously approved and the language is a clarification of the boundaries of the property and the responsible parties for the landscaping. Attorney Dwayne Dickerson, on behalf of Arena Shoppes, LLC, confirmed that Arena is the contract purchaser of the outparcel and upon approval of this business they will close immediately; and that the letter submitted to the City states in part that if this amendment is approved, they acknowledge that the car wash outparcel owner shall be responsible for maintaining the landscape buffer located on both sides of the existing buffer wall which runs approximately 275 feet north to south on the westernmost side of the outparcel. It is also stated in the letter that Arena’s understanding is that this obligation shall transfer from the current owner to all future owners of the carwash outparcel at the time of change in ownership. Commissioner Graziose expressed appreciation for the work that went into these discussions, and wanted to know if Belmont would be copied on the letter. City Manager Bhatty said she will take care of that. **No further discussion; Clerk called roll. All YES. MOTION PASSED UNANIMOUSLY.**

This section of the Minutes is VERBATIM at the request of Commissioner Borgelin:

**City Manager Bhatty:** “The next item that I just want to share with the Commission is one of the concerns or questions that Commissioner Borgelin had raised with me in a private meeting and also at the workshop and the last Commission meeting which was about the language, you know, barrier and things like that. So I did my homework; I went back; so I just want to share my findings with you and actually when Commissioner Borgelin said that there is 12% of the population that is, you know, Creole speaking, actually that number is 18.8%. So then I did further, you know, I looked down, so what they have done is (Sargis helped me to find this information from a survey) that the percentage of total population living in households in which a given language is spoken at home, so that’s how they have broken down. So based on that there are 18.8% of a total population living in households that speak French Creole. But they have further broken down and basically they have done it in two categories; the first category is less than very well speak English or households that speak English very well. So based on that number actually, out of those 18%, 44% actually speak less than very well English in those households. But, 55% of those 18% speak English. But I think the question that he had was that, you know, if when those people who have that language come to the City Hall, if you are able to help them or not. So, officially by law I cannot ask people which language they speak, but based on informal information and official information that I have, I was able to find out that we have six (6) employees at the City Hall. So I looked at just the City Hall employees because that is the area where we provide the most customer service to our residents, so we have six (6) people
currently out of forty (40) people that serve here that speak fluent Creole. We also, and I think the concern that the Commissioner raised with me was downstairs with the water department, so until recently maybe a few months ago, we did have a Creole speaking customer service downstairs but that person was let go of. Right now, they don’t have anyone in the utility billing which are not our employees, they are US Water employees; but, we do have six (6) employees who are present at the City Hall, actually, four (4) of them are present every day from 8:00 to 5:00 in different departments which are here at the City Hall all the time. Two additional, who are Code Officers, are in and out of the City Hall and everybody downstairs in utility billing have very clear instructions that if they ever come across, which they said that they usually do not come across someone that does not speak at all, and if they do they will call for help. So I have given them instructions that if you ever get a customer who you cannot help, call me directly, and I will make sure that I send somebody downstairs to help that customer. We also have about five (5) people who speak Spanish and then I speak two other languages too; and then we have another person who speaks another language – Russian. So we have about fourteen (14) people at the City Hall who speak other languages other than English too, which is 35% of our total workforce at the City Hall. And, I did not include you know, the Fire Department or Police Department or Public Works who are out; because most of the customer service departments are at the City Hall. So, I just wanted to share that in case you are asked the question that we do have enough people willing to help those people who have a language barrier. I just wanted to share that with you.” Commissioner Borgelin – “If I may”. Vice Mayor Moyle “Yes, sir”. Commissioner Borgelin “Okay, thank you. As a matter of fact, I did, when it was my time to comment I just commented on the ceremonial items only, I didn’t have my other part because I didn’t think it was time for me to discuss that, but however, the break down that I asked from the residents and the group that asked me, they were not happy with the report because what you gave was detail the minorities and that was not a question. The question is based on the population in North Lauderdale as one of the cities that have the most Haitians there and look at the – I’m told, based on the study done the number of residents coming, not using online, coming here in front there to pay, a lot of them have issues to be heard, basically they don’t have someone to speak to settle right on the spot comparing to those that speak Spanish right down there if they need to explain or sometimes they bring their own children. So, a population like here, we have English, Creole and Spanish; those are major languages here according to information, there is no reason why a department right there, US Water, the water there, shouldn’t have someone speak Creole to address the population to better serve the population there. And the group is not satisfied with that because they want to make sure because you don’t always have the six employees inside all the time there. City Manager Bhatty - “We have four over here all the time from 8:00 to 5:00 unless they are on vacation one of them, or call in sick. We have two downstairs in the Code Department which are in and out. We have one in Community Development Building Department full time, Osny. We have one in Finance Department; we have two in IT Department. So these people are here all the time and US Water downstairs have full instructions anytime a customer walks in, and I have asked them to call me directly; so I will make sure that one of those people who are here from 8:00 to 5:00 every day will walk downstairs to help that customer right away. Because again, US Water is not- they are not City employees; I cannot interfere with their hiring processes. I can only request them, again, the hiring of the employees is done based on the qualifications and certifications and then if they speak another language that is considered a bonus. But we cannot hire just on the basis of what language they speak but we are sensitive to the needs of our residents. That’s why we have
people at the City Hall who are available to help them. And, again, to the best of my knowledge, Commissioner, I have never heard from anyone that somebody was not able to help. But, if there are people who are complaining, ask them to come and talk to me.” Commissioner Borgelin – “I’m sorry, I’m sorry for any wrong there; to the best of my knowledge it’s not something that first of all, if the US Water is employed or sub..how do you say that? Rich Moyle – the vendor. Sam Goren- their vendor. Commissioner Borgelin – it’s the vendor, then well I’m sure the City can tell them well, based on the population for best practices, okay, what our needs are and basically, I mean because that population really needs that and secondly it’s not because of language barrier. It’s language access services because we don’t have a line where people were calling this an issue or they are calling, well it’s not just Creole but Spanish also, people say the word is that they don’t have people to immediately answer those questions. Secondly, I’m not – there is no way I could go and tell the whole population there. This is an issue there okay, so if someone – you may not hear it – but I hear it all the time and people are saying that they are not receiving the services and sometimes they bring their own children in and with the children there’s a conflict because some of them do not translate the right way for the parents and it is not only an issue of translating, you need someone to be able to communicate with them for whatever issues that they have.” City Manager Bhatty – “So the issue is only for downstairs in Utility Billing Department, that’s what you are saying. Because, we do have people upstairs in the Building Department and in the Code Division. Those are the two divisions that deal with the customer service on a regular basis. Again, Commissioner, it takes 5 minutes for somebody to walk from upstairs, come downstairs and help that customer. That’s the best that I have right now to offer. Again, the US Water had an employee you know, who was able to speak Creole, but they had to let go because of performance basis.” Commissioner Borgelin – “But you can’t just have one person”. City Manager Bhatty – “They had filled that position with whoever met the qualifications. Again, right now it’s not that we don’t have anyone over here to help that customer, that’s all I am trying to say. I am just sharing the current situation. I cannot go and demand US Water that you have to hire someone, because …I don’t know if Sam can support me on that, because I don’t know if I can go and make that demand because they have to look at whoever meets the qualifications when they hire and I don’t get involved with their hiring process. I am just going to present you what we, as a City, have done in departments where we have that ability to help those customers and we can provide that ability to the department downstairs if needed. I just wanted to share that we have six people at the City Hall who can speak Creole.” Commissioner Borgelin – “Well, I appreciate your trying to help, but it will not fly, as far as I am concerned, and other people, because a city like that with a high population with Creole speaking there is no way – you can’t tell me that there is only one person that would qualify to speak the language – there are a lot of people very qualified to serve the population.” Vice Mayor Moyle – “I think you have your answer.” City Manager Bhatty – “I don’t know how I can...you know.” Vice Mayor Moyle “You gave your answer.so.” City Manager Bhatty – “I did the research because I was asked to look into it and I was presenting the facts and this is what we have right now”. Commissioner Graziose – “Yep”. City Manager Bhatty – “And we will try our best, again, if anybody comes and they are not getting help, ask them to call me”. Commissioner Borgelin – “It’s not my worry; it’s not for me to ask because I don’t know about how many thousand people, it’s not for me to ask for. That’s not my job there to go and look and ask for everybody else.” City Manager Bhatty – “Since this issue is raised, I just wanted to share the information that I was able to collect based on our current, you know, employment at the City Hall, that we do have six people who actually speak this language.” Commissioner
Borgelin – “I’m sure this is coming back again because the group needs to study that and I am sure I don’t know the rules; I will look for that to see if we receive federal money or federal services and things like that. So I am sure somewhere, somewhere, I don’t know but I would like if the staff could look for that because there has got to be something regarding to municipalities.” Vice Mayor Moyle – “I don’t want to prolong things, but uh, the State of Florida is an English language speaking state; that is part of the State Constitution. We are an English speaking state and that’s it. I think this issue is over; the City Manager gave you the information that you requested; you don’t like it but that’s too bad. It’s over, do you have any more?” Commissioner Borgelin – “May I say something else please?” Vice Mayor Moyle – “I think you’ve gotten your answer”. Commissioner Borgelin – “Sir, Sir, may I say something?” Vice Mayor Moyle – “There is no discussion.” Commissioner Borgelin – “But I have the right to ask a question; this is everytime I’m here; I have the right”. Vice Mayor Moyle – “You do, but you have done that and it’s over. It’s over.” Commissioner Borgelin – “But that’s dictatorship right there.” Vice Mayor Moyle – “I’m telling you it’s over.” (Vice Mayor Moyle banged the gavel) Commissioner Borgelin – “Okay, Okay, it will come back”.

City Manager Bhatty provided a hand-out regarding efforts to beautify North Lauderdale by having a free tree giveaway event on Saturday, June 23rd at 10:00 am at City Hall; more information can be provided by calling 954-724-7061. There will be an education session sponsored by Broward NatureScape and the National Wildlife Federation prior to receiving the free tree.

14. CITY ATTORNEY COMMENTS

a. Charter Review Committee Recommendations – Sam Goren /Nivia Roldan

Attorney Goren indicated that the Charter Review Committee has been meeting for a number of months. Nivia Roldan, the Vice-Chair of the Charter Review Committee was introduced to give a brief presentation. Ms. Roldan reported that the five member committee had monthly meetings to review the Charter. City Manager also reviewed the Charter and made presentations to the Committee to discuss how the procurement process works. The Committee was satisfied with their review and the presentations. They voted unanimously to recommend changes to Sec. 9.9 referencing the time line for the Charter Review Committee to meet to be changed to every 8 years. The Committee also voted unanimously to recommend a change to Sec. 9.10 pertaining to the procurement process. Ms. Roldan indicated that this Committee has now disbanded. Attorney Goren commented that the recommendation to change Sec. 9.10 would repeal from the Charter anything with regard to procurement and create a procurement Code that meet current requirements and provisions, if presented to and approved by the Commission and subsequently the voters. Attorney Goren thanked Ms. Roldan and also Janet Lanni who was present, as well as the other members who were not present for their hard work. Commissioner Graziose requested certificates of appreciation to be given to the board; agreed by consensus.

At this point, Commissioner Borgelin interjected a request for Attorney Goren to look into Roberts Rules of Order regarding his claim of violations on his right to ask questions. Attorney Goren said he will be happy to help to interpret Robert’s Rules. He stated that if there is debate regarding being cut off by the Chair, there is ability under Robert’s Rules for the body to
overrule the Chair but it requires a motion and a majority vote to do so. No such motion was made.

Attorney Goren reminded the Commission of the date of the Broward League of Cities Ethics Bootcamp Training session on May 4th that his firm will be conducting to provide credit hours for elected officials.

15. ADJOURNMENT – There being no further business the meeting adjourned at 8:22 pm.

Respectfully submitted,

Patricia Vancheri, City Clerk
PROCLAMATION

HAITIAN AMERICAN HERITAGE MONTH

WHEREAS, Haitian Heritage Month is a jubilant celebration in the United States, embracing Haitian heritage and culture; and

WHEREAS, first celebrated in Boston, Massachusetts, in 1998, Haitian Heritage Month is observed nationwide in the month of May from Florida to New York with parades, festivals, and school activities; and

WHEREAS, Haitian Heritage Month is held to salute Haitian and Haitian-American communities and to exhibit appreciation for their culture and heritage, which have immeasurably enriched the lives of the people of this nation and state, and

WHEREAS, as educators, authors, community leaders, activists, athletes, artists, musicians, and politicians, Haitian Americans have made their mark in every facet of society and have contributed to the betterment and diversity of this state and the nation, and

WHEREAS, the United States and the State of Florida have thrived as a melding of immigrants, united by common values and the promise of a better tomorrow, and

WHEREAS, there is a strong connection between Haitians and Florida, with approximately 46 percent of Haitian Americans living and prospering in this state, and

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

Haitian American Heritage Month

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

Dated this 8th day of May, 2018

MAYOR JACK BRADY
PROCLAMATION

44th ANNUAL NATIONAL EMERGENCY MEDICAL SERVICES WEEK
MAY 20-26, 2018

"EMS STRONG: Stronger Together"

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week;

NOW, THEREFORE, We, the City Commission of the City of North Lauderdale, Florida hereby proclaim the week of May 20-26, 2018 as

EMERGENCY MEDICAL SERVICES WEEK
With the theme “EMS STRONG: “Stronger Together”

in recognition of this event and encourage the community to observe this week with appropriate programs, ceremonies and activities.

Dated this 8th day of MAY, 2018

____________________________________
MAYOR JACK BRADY
RESOLUTION NO. ____________________

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

WHEREAS, an alternate position is vacant on the Planning and Zoning Board;

WHEREAS, Gerda Brillant is desirous of being appointed as an Alternate Member of the Planning and Zoning Board; and

WHEREAS, Commissioner Graziose recommends appointing Ms. Brillant who resides in District “B” as an Alternate Board Member; and

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

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

Section 1: That Gerda Brillant be and the same is hereby appointed as an alternate member of the North Lauderdale Planning and Zoning Board.

Section 2: That Ms. Brillant shall serve in said capacity for a three year term commencing on May 8th, 2018 through May 31, 2021 or until resignation, whichever comes first.

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

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 8th day of May, 2018.

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL S. GOREN

______________________________
MAYOR JACK BRADY

______________________________
VICE MAYOR RICH MOYLE

ATTEST:

______________________________
CITY CLERK PATRICIA VANCHERI
RESOLUTION NO. ________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPOINTING GERDA BRILLANT AS AN ALTERNATE MEMBER OF THE NORTH LAUDERDALE CODE ENFORCEMENT BOARD (SPONSORED BY COMMISSIONER JERRY GRAZIOSE); PROVIDING FOR TERM OF OFFICE; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, an alternate position is vacant on the Code Enforcement Board; and

WHEREAS, Gerda Brillant has submitted an application to serve as an alternate member of the Code Enforcement Board; and

WHEREAS, Commissioner Graziose recommends the appointment of Gerda Brillant to fill the vacant alternate position on the Code Enforcement Board with a member from his district; and

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

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

Section 1: That Gerda Brillant be and the same is hereby appointed as an alternate member of the North Lauderdale Code Enforcement Board.

Section 2: That Gerda Brillant shall serve in said capacity for a three year term commencing on May 8, 2018 through May 31, 2021 or until resignation, whichever comes first.

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

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida, this 8th day of May, 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: George Krawczyk, Public Works/Utilities Director

DATE: May 8, 2018

SUBJECT: East Rock Island Road Wall Project

In 2017, the City Commission authorized the staff to move forward with the Rock Island Wall beautification project along the east side of Rock Island Road from McNab Road up to Tam O’Shanter. Currently, the fencing along this roadway consists of different materials and colors and is mostly in disrepair. Installing a wall similar to the one on the west side of Rock Island road will provide uniformity and safety to this main roadway of the City.

The proposed wall is to be constructed on private property and an easement agreement was required to be signed from each individual property owner along the wall area. To reach out and inform the effected residents, staff presented the project at a Community Forum meeting and then each owner was contact via certified letter or door knocking to execute individual easement agreements.

The total length of the project is 2,200 linear feet. As this wall is being placed in the FPL easement, the project will include access gates for FP&L at appropriate locations along with 1,260 linear feet of pre-cast wall. In addition, project will include painting and concrete areas between wall and the existing sidewalk. Since the City’s desire is to match this wall with the wall on the west side of Rock Island Road, staff contacted the original vendor, Precast Wall System Inc., to submit a proposal. This vendor is also a sole source vendor and has installed similar walls in numerous other cities within the County. In addition, this vendor has installed other precast walls in North Lauderdale and therefore already has the molds that were used in North Lauderdale along other roadways in the past.

Based on the proposal submitted by Precast Wall Systems, pricing quoted is close to the original installation per linear foot costs of the wall project back from 2006. Additionally, the City staff has researched neighboring cities that have installed similar walls and have determined that the Precast Wall Systems Inc., pricing per linear foot is in line with them. The total cost of the project is approximately $260,481 that includes the construction, painting warranty, Maintenance of Traffic, fence tie-ins, and sod restoration. The staff is also requesting to set aside $20,000 in contingency funds for any unforeseen costs associated with this project. The anticipated startup date of this project is late August 2018 with the completion date at end of October 2018.

RECOMMENDATION:

The City Administration recommends Commission’s consideration and approval of the attached resolution authorizing the City Manager to enter into an acceptable agreement with Precast Wall Systems, Inc. in an amount not to exceed $280,481 and to set aside $20,000 in contingency funds for any unforeseen costs associated with the a new buffer wall project along the east side of Rock Island Road.
RESOLUTION NO. ______________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ACCEPTABLE AGREEMENT WITH PRECAST WALL SYSTEMS INC. IN AN AMOUNT NOT TO EXCEED $260,481 AND TO SET ASIDE $20,000 IN CONTINGENCY FUNDS FOR ANY UNFORESEEN COSTS ASSOCIATED WITH A NEW BUFFER WALL PROJECT ALONG THE EAST SIDE OF ROCK ISLAND ROAD; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1: That the City Commission authorized the City Manager or her designee to enter into an agreement with Precast Wall Systems Inc. in an amount not to exceed $260,481 and to set aside $20,000 in contingency funds for any unforeseen costs associated with the construction of a new buffer wall along the east side of Rock Island Road.

Section 2: That the funding for this project is available in the FY 2018 Public Works Department’s Capital Budget.

Section 3: That the Pre-Cast Wall Systems Inc. is the sole source vendor and has the exact mold for the City of North Lauderdale Wall system.

Section 4: That this Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Commission of the City of North Lauderdale, Florida this 8th day of May, 2018.

APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL S. GOREN

________________________________
MAYOR JACK BRADY

________________________________
VICE MAYOR RICH MOYLE

ATTEST:

________________________________
CITY CLERK PATRICIA VANCHERI
### Precast Wall Systems, Inc.
1888 NW 22nd Court - Pompano Beach, FL 33069
Phone: (954) 973-8488 Fax: (954) 973-7772
State License #: CBC-1252163
By: RES/ma

| Name: City of North Lauderdale | Date: May 3rd, 2018 |
| Address: 701 SW 71st Ave | Ship To: Rock Island |
| City: North Lauderdale, FL 33068 | Ship Str: |
| Phone: 954-724-7070 | F: 954-720-2064 |
| Attn: George Krawczyk | Ship City: North Lauderdale |
| E-Mail: pkrawczyk@nlauderdale.org |

### Section #1 - Installed Quotation:

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,260 LF of 6' High Cut Coral @ $80.00 PLF</td>
<td>$100,800.00</td>
</tr>
<tr>
<td>Paint: 7 Year 2 Color - Faux Finish @ $15.60 PLF</td>
<td>$19,656.00</td>
</tr>
<tr>
<td>Sod / Grading (8,000 Sq Ft)</td>
<td>$8,000.00</td>
</tr>
<tr>
<td>Fence Removal / Temp Fence / Gates / Tie Ins</td>
<td>$48,300.00</td>
</tr>
<tr>
<td>Concrete Sidewalk / Demo Work</td>
<td>$56,325.00</td>
</tr>
<tr>
<td>MOT</td>
<td>$12,000.00</td>
</tr>
<tr>
<td>Spoils</td>
<td>$3,500.00</td>
</tr>
<tr>
<td>Dumpsters</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>Survey / Layout / As-Buils</td>
<td>$9,400.00</td>
</tr>
</tbody>
</table>

**Note:** This quote does not include repair to damaged sidewalk.

Contractor/Owner shall provide a minimum 30' wide, stable access corridor parallel to the entire length of the wall that is capable of supporting concrete truck traffic and crane operations. Any and all retention ponds or swells that conflict with this requirement cannot be excavated until after wall installation is complete. Customer shall be billed for actual amount of wall installed.

This is an approximate estimate.

1 - Mobilization is included in above price, any other mobilization will be charged $4,500.00

This Quote explicitly excludes any and all provisions and remedies for sub standard soil conditions of any kind.

M.D. T Maintenance of Traffic - if required - extra charge

**Note:** Prices are valid for 30 days from date of quotation

**Note:** This quote excludes soft digging for conflicts with utilities or other obstructions that may occur.

**Note:** Wall shall be erected on centerline of survey. Placed by owner survey crew. Stake Hub & Tac at 50' intervals. Stakes to be labeled centerline of wall and finish grade to be staked at 100' intervals

**Note:** Preliminary pricing only. Job site must be seen before final pricing.

<table>
<thead>
<tr>
<th>Type: Cut Coral</th>
</tr>
</thead>
<tbody>
<tr>
<td>Height: 6 FT</td>
</tr>
<tr>
<td>Post Centers: 20 FT</td>
</tr>
<tr>
<td>Panel Cap (Integral Part of Wall): 5-Cap</td>
</tr>
<tr>
<td>PWS, Inc. Permit Running Fee</td>
</tr>
<tr>
<td>Actual Permit Cost - To Be Determined</td>
</tr>
<tr>
<td>Concrete Color: Gray Portland</td>
</tr>
</tbody>
</table>

PWS, Inc. products shall be supplied with our standard finish (not architectural) Blemishes & marks from stacking, shipping, damage and handling will not be removed by PWS, Inc. PWS, Inc. will rub out all air voids 3/8” in diameter or larger. Any requirements exceeding this will incur additional cost to GC/Owner.

Scheduled Wall Erection Date: Subject to placement of order in writing.

Casings/Soно-Tubes (If Needed): 8 FT (or less) @ $225.00/hole - Above 8 FT @ $325.00/hole

Engineering - James Bushhouse Shop Drawings & Calculations Only (Provided by PWS, Inc.)

**Total For Section #1 Only + Actual Permit Cost TBD**: $260,481.00

### Optional Items:

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grounging of Panels &amp; Posts (20’ Ctr.)</td>
<td>Not a structural req. @ 5 PLF</td>
</tr>
</tbody>
</table>

**Note:** Paint prices are Null & Void if landscaping material is planted prior to wall being painted.

**Note:** Any options executed in Section #2 are in addition to Section #1. Total.

**Note:** Any berms required must be 2000 PSF

**THIS PROPOSAL MUST BE AN ADDENDUM TO ANY & ALL CONTRACTS ISSUED.**

Initial _______ Date _______ Initial _______ Date _______
Owner's Responsibility - Section #3

Item 1: On one side of wall line a minimum of 25' of clear unobstructed level ground is required for construction of wall.
Item 2: Permit cost; site plan, DRC, beautification approval and any other approvals, site plans and sealed surveys.
Item 3: Fill
Item 4: Backfilling
Item 5: Landscaping
Item 6: Site preparation/berms must meet 2000 PSF
Item 7: Owner agrees price does not include labor or material necessary for: buried debris, concrete of any kind, clearing of stumps, boulders or garbage
Item 8: Final surveys needed for final inspection. If permit expires due to lack of final surveys Owner/GC is responsible for all cost incurred.
Item 9: Survey - see section #1 for requirements.
Item 10: Site grade to be minus 6” at wall.
Item 11: Cap rock: No drilling of rock included in price.
Item 12: De-watering of fence line - if needed

Note: Any options executed in Section #3 are in addition to Section #1 totals

Note: Standard AIA contracts A101-1997, are acceptable with minor adjustments to suit each project. If contracts other than an AIA Contract are used, there will be a fee of $500.00 for review of customers contracts. All contracts must have respect for all parties concerned and mediation to handle any disputes.

Note: If work is performed before execution of a contract, all of the rights and liabilities of the parties for the performance of such work are expressly merged and included within and shall be governed by the terms of this proposal.

Terms:

Item 1: Change Order:
   No work can be changed without a change order. Change orders must be given prior to change. Change orders must have an authorized signature

Item 2: Painting:
   If wall is to be painted, wall must be pressure cleaned first and any treatment that would be necessary to satisfy the paint manufacture requirements

Item 3: Site Preparations:
   PWS, Inc. calls for underground locations. However, this does not mean that we locate lines or cables. If we have to dig and find buried cables or plumbing, an extra charge will be made. The lines that the locating companies do not locate will be the owner’s responsibility to locate. If owner or owner’s representative (not PWS, Inc.) fails to locate unknown/unmarked utilities, PWS, Inc. shall be held harmless. It is the owner or owner’s representative responsibility to locate and mark new lines on the property. Site preparations shall be done by either the engineering co., site contractor or owner (not PWS, Inc.). If our crews are put on a stand by condition, while any decisions are being made, we expect to be compensated.

Item 4: Color Concrete:
   PWS, Inc., will not be responsible for uniformity of color or guarantee color match of any kind.

Item 5: Mobilization Charge:
   If for any reason other than our own, we are forced to leave the job site, there will be a charge of $4,500.00 per mobilization.

Item 6: Measurement of Job:
   The entire length of job will be measured, including any extra large poles, such as 24”x24” columns. Prices are adjusted to compensate for the footage cost of wall.

Item 7: This Proposal must be an addendum to any contracts issued

Item 8: No Credit will be given for deductions on specialty orders once contract has been established. Any additional footage will be charged at stated price.

Item 9: PWS, Inc. is not responsible for any damage to trees (roots, limbs, ETC.)

Item 10: It shall be the sole responsibility of the owner/GC to de-energize any powerlines that interfere with the legal installation of the wall, pertaining to OSHA mandated clearance for said powerlines. There will be no exceptions to this clause. This must be made a part of any contract issued.

Item 11: All contracting parties shall act respectfully and hereby give consent to mediate disputes. However, a party’s right to immediately file suit notwithstanding any mediation efforts is preserved so that any litigation shall proceed independently and/or concurrently.

Acceptance of Proposal:
Upon acceptance and signing by both parties this becomes a binding contract. Please initial by each item that is applicable.

Authorized Signature ___________________________ Date ____________

Authorized Signature ___________________________ (Plus all Permit Fee’s)

Terms: UPON COMPLETION UNLESS OTHERWISE NOTED. Invoices in by the 25th of the month, payment by the 10th to 15th of following month. Retainer holding no longer than 30 days. All accounts not paid within 30 days of original billing date shall be subject to a service charge of 1% per month. In the event that it shall become necessary to collect the herein described sums, or any part thereof, the purchaser shall pay all costs thereon, including reasonable attorney’s fees.
TO: Honorable Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Rodney Turpel, Fire Chief
David Sweet, Deputy Fire Chief
Susan Nabors, Director of Finance
DATE: May 8, 2018
SUBJECT: Purchase and installation of Station Alerting Devices for Fire Stations 34 and 44 to be compatible with Broward County E-911 System from Keylite Power & Electric Corp

On September 16, 2013, the City of North Lauderdale, along with most of the other municipalities, signed a Regional Inter-local Agreement (RILA) with Broward County for E-911 Services for Fire Rescue. This RILA stipulated that municipalities would have to purchase hardware such as radios, base stations and station alerting devices at their end and Broward County will purchase devices necessary to provide dispatch capabilities at their end.

Over the past 3 years, the City’s Fire Rescue Department has purchased new standard radios that function under this new system. This was done in 3 phases through FEMA grants and City’s Capital Improvement Plan (CIP) budget.

The next items that are needed to be compatible with this E-911 are the alerting devices for both Fire Stations. Knowing that this purchase would have to be made soon, $200,000 was earmarked in the current year’s CIP budget.

In order to assist the cities to find a competent single provider for the purchase and installation of these devices, Broward County put a bid (# R1426611P1) out on the street and subsequently awarded the contract to Keylite Power & Electric Corp. To ensure that the alerting devices are consistent and compatible with the County system, the City staff is recommending to piggy-back off the County bid (# R1426611P1) and award the contract to the same vendor, Keylite Power & Electric Corp.

The Fire Department recently approached Keylite Power & Electric Corp. and received the proposal for the purchase of alerting devices for Fire Station 34 at a cost of $94,459.31 and
$93,232.77 for Fire Station 44 – a total of $187,692.08. In addition to the purchase, there is a monthly maintenance fee associated with the effective operations of these devices. The devices come with a one year warranty; therefore no maintenance fee will be required in the first year. However, an annual fee will be included in the Fire Department budget in subsequent years.

**RECOMMENDATION:**

The City Administration recommends Commission’s consideration and approval of the attached resolution authorizing the City Manager or her designee to execute an Agreement with Keylite Power & Electric Corp. for the purchase and installation of Station Alerting devices at both Fire Stations within the City.
RESOLUTION NO._____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO EXECUTE AN AGREEMENT WITH KEYLITE POWER & ELECTRIC CORP. FOR THE PURCHASE AND INSTALLATION OF STATION ALERTING DEVICES AT FIRE STATIONS 34 AND 44; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a need exists for new station alerting devices at Fire Stations 34 and 44; and

WHEREAS, the station alerting devices will be purchased and installed by Keylite Electric; and

WHEREAS, Keylite Power & Electric Corp. has agreed to sell and install such alerting devices using the Broward County Contract #R1426611P1, specification for the purchase price of $187,692.08 and,

WHEREAS, this equipment will have all necessary components and recommended equipment as required by the Fire Department; and

WHEREAS, the installation of this equipment will occur in approximately 120 calendar days after receiving the purchase order and,

WHEREAS, the funds for this purchase are available in the FY 2018 Fire Rescue budget CIP account and,

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

Section 1: That the City Manager or her designee is hereby authorized to execute an agreement to purchase and install station alerting devices from Keylite Power & Electric Corp. at a cost not to exceed $187,692.08.

Section 2: That this equipment and installation will be purchased using the current Broward County Contract Quote #R1426611P1 with funds allocated in the FY 2018 Fire Rescue budget CIP account.
Section 3: That this Resolution shall take effect immediately upon adoption.

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

APPROVED AS TO FORM:

_________________________________
CITY ATTORNEY SAMUEL S. GOREN

_________________________________
MAYOR JACK BRADY

_________________________________
VICE MAYOR RICH MOYLE

ATTEST:

_________________________________
PATRICIA VANCHERI, CITY CLERK
Memorial Day Ceremony &
Unveiling of Sgt. Roshain Brooks
Fallen Soldier Memorial

Monday, May 28 at 10:45 AM

Veterans Memorial Located – Southeast Corner of Kimberly Blvd and Rock Island Road

The City of North Lauderdale Parks & Recreation Department invites you to join us as we pay tribute to a Fallen Son of North Lauderdale as we Dedicate a Fallen Soldier Statue in memory of Sgt. Roshain Brooks. In the 55 Year History of North Lauderdale, Sgt. Brooks is one of the 3 North Lauderdale Residents to make the ultimate sacrifice while serving their Country.

Parking for the event will be available at Carl Fusco Park, North Lauderdale/Broward County Library, City Hall and Riverside Christian Shopping Center.

For More Information Please Call the Parks & Recreation Department at 954-724-7061

Mayor Jack Brady  Vice Mayor Rich Moyle  Commissioners: Jerry Graziose, Lorenzo Wood, Samson Borgelin
ORDINANCE NO. __________________________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE CITY OF NORTH LAUDERDALE AT ARTICLE IX, ENTITLED “GENERAL PROVISIONS,” AND IN PARTICULAR AMENDING SECTION 9.9 ENTITLED “AMENDMENTS TO CHARTER; REVIEW”; INCREASING THE TIMEFRAME IN WHICH THE CITY COMMISSION SHALL APPOINT A CHARTER REVIEW COMMISSION FROM EVERY FIVE (5) YEARS TO EVERY EIGHT (8) YEARS, COMMENCING IN 2025; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY OF NORTH LAUDERDALE, ON THE NOVEMBER 2018 GENERAL ELECTION BALLOT AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR THE PLACE AND PLACES WHERE SAID ELECTION IS TO BE HELD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 166, Florida Statutes, as amended, provides for a methodology of Charter amendments supplementary to and not in conflict with the Charter of the City of North Lauderdale, Florida; and

WHEREAS, Chapter 166, Florida Statutes, as amended, provides that such an amendment may be submitted to a referendum vote by the City Council of the City of North Lauderdale, Florida, in an ordinance format; and

WHEREAS, the City Commission has recommended modifications to Article IX, “General Provisions,” and in particular has recommended the amendment of Section 9.9, “Amendments to Charter; Review” to increase the timeframe in which the City Commission shall appoint a charter review commission from every five (5) years to every eight (8) years, commencing in 2025; and

WHEREAS, the City Commission deems the proposed amendment to the City Charter, as detailed herein, to be in the best interests of the citizens and residents of the City.
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
CITY OF NORTH LAUDERDALE, FLORIDA, THAT:

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

Section 2. Article IX, entitled “General Provisions,” shall be revised by amending
Section 9.9 entitled “Amendments to Charter; Review” of the Charter of the City of North
Lauderdale, as follows:

Sec. 9.9 - Amendments to charter; review.

(a) The Charter shall be amended in accordance with the provisions of F.S. ch. 166.

(b) In January, 20002025, and every five-eighth (85) years thereafter, the Council shall
appoint a Charter Review Commission to be composed of five (5) electors of the City which
electors shall hold no other office, appointment, or employment with the City, provided,
however, that members of purely advisory boards of the City shall be eligible for appointment
to the Charter Review Commission. The Charter Review Commission shall review the
Municipal Charter, and within one (1) year after such appointment, recommend to the City
Council such revisions and amendments as the Commission determines to be desirable. Upon
submission to the City Council of any revisions or amendments proposed by the Charter
Review Commission, the City Council shall submit to public hearing, not later than sixty (60)
days subsequent to the receipt by them of such proposed revisions or amendments.

Section 3. The Ballot Title shall be as follows:

TIMEFRAME FOR APPOINTING A CHARTER REVIEW COMMISSION

Section 4. At the General Municipal Election on November 6, 2018, the following
question shall be placed on the ballot for consideration by the qualified electors of the City of North
Lauderdale, Florida, and shall read as follows:
Shall the City Charter be amended to increase the timeframe in which the City Commission shall appoint a charter review commission from every five (5) years to every eight (8) years, commencing in 2025?

This proposed Charter amendment will have no financial impact to the City.

YES ☐ NO ☐

Section 5. Advertisement. The City Clerk of the City of North Lauderdale is hereby authorized and directed to advertise the referendum election contemplated herein all in accordance with the Code of Ordinances of the City of North Lauderdale, Florida, as well as the State of Florida Election Code.

Section 6. Codification. 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 7. Severability. 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 8. Conflicts. 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 9. Effective Date. This Ordinance shall take effect immediately upon its adoption.

PASSED on first reading by the City Commission of the City of North Lauderdale, Florida this ___ day of ______________ 2018.

PASSED and ADOPTED on second reading by the City Commission of the City of North Lauderdale, Florida this ____ day of ______________, 2018.

APPROVED AS TO FORM:

__________________________
MAYOR JACK BRADY

__________________________
VICE MAYOR RICH MOYLE

ATTEST:

__________________________
PATRICIA VANCHERI, CITY CLERK
Draft Proposal #2

ORDINANCE NO. ______________________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CHARTER OF THE CITY OF NORTH LAUDERDALE AT ARTICLE IX, ENTITLED “GENERAL PROVISIONS,” AND IN PARTICULAR AMENDING SECTION 9.10 ENTITLED “PURCHASES”; DELETING THE REFERENCES TO PROCUREMENT IN THE CITY CHARTER AND REQUIRING THE CITY COMMISSION TO ADOPT A PROCUREMENT CODE BY ORDINANCE; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY OF NORTH LAUDERDALE, ON THE NOVEMBER 2018 GENERAL ELECTION BALLOT AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR THE PLACE AND PLACES WHERE SAID ELECTION IS TO BE HELD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 166, Florida Statutes, as amended, provides for a methodology of Charter amendments supplementary to and not in conflict with the Charter of the City of North Lauderdale, Florida; and

WHEREAS, Chapter 166, Florida Statutes, as amended, provides that such an amendment may be submitted to a referendum vote by the City Council of the City of North Lauderdale, Florida, in an ordinance format; and

WHEREAS, the City Commission has recommended modifications to Article IX, “General Provisions,” and in particular has recommended the amendment of Section 9.10, “Purchases” to remove references to procurement from the City Charter and require the City Commission to adopt a procurement code by ordinance; and

WHEREAS, the City Commission deems the proposed amendment to the City Charter, as detailed herein, to be in the best interests of the citizens and residents of the City.
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
CITY OF NORTH LAUDERDALE, FLORIDA, THAT:

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

Section 2. Article IX, entitled “General Provisions,” shall be revised by amending
Section 9.10 entitled “Purchases” of the Charter of the City of North Lauderdale, as follows:

Sec. 9.10 - Purchases.

The City Commission shall adopt an ordinance establishing a procurement code for the City of
North Lauderdale within one hundred eighty (180) days of the adoption of this provision.

[a] Any purchases of supplies, equipment, materials, or services not exceeding the amount of ten
thousand dollars and 00/100 ($10,000.00), except purchases through procurement cards and petty
cash, may be authorized by the purchasing administrator with a minimum of three (3) written
quotations. Purchases of, or contracts for commodities and/or services in excess of ten thousand
dollars ($10,000.00) but not exceeding twenty-five thousand dollars ($25,000.00) shall require
the approval of the City Manager after a minimum of three written quotations have been
submitted. City expenditures in excess of twenty-five thousand dollars and 00/100 ($25,000.00)
for the purchase of supplies, equipment, materials or services shall be approved by the City
Commission. Any purchase of commodities and/or services in excess of twenty-five thousand
dollars and 00/100 ($25,000.00) shall follow administrative procedures approved by the City
Commission for bidding or requests for proposals sought from at least three (3) different sources
of supply. If only two (2) different sources of supply exist, competitive bids shall be sought from
both of them, and the above requirement regarding three (3) sources shall be deemed met.
Expenditures in amounts less than or equal to twenty-five thousand dollars and 00/100
($25,000.00) shall, unless otherwise required by law, not require the approval of the City
Commission. The above requirement shall not be deemed to require receipt of bids from at least
three (3) different sources of supply, nor shall the requirements of this section be deemed to
apply to sole source goods, materials, equipment or services of a unique character not otherwise
obtainable, nor shall the requirements of this section be deemed to apply to professional services
substantially effected by the particular qualities and abilities of the person(s) providing the
professional services. Competitive conditions may be maintained by methods other than
newspaper advertisement.

[b] Excepting that expenditures in excess of twenty-five thousand dollars and 00/100
($25,000.00) shall require the approval of the City Commission, the above stated
requirements regarding maintenance of competitive conditions and bidding shall not be required for the purchase of goods listed on federal, state, county or other governmental and cooperative contracts. If the bidding of said contracts was in substantial compliance with generally accepted competitive bidding conditions. In order to apply the exception contained in this paragraph, said governmental contracts must be current and in force, and further, it shall be ruled by the City Commission that there is no compelling reason to believe that the City would receive bids lower than the government contract price, if the City, for itself, were to solicit its own competitive bids. Purchases from governmental and cooperative contracts meeting the requirements above shall be at prices equal to or less than the amounts fixed by the said contracts. (Cost-plus basis governmental contracts shall not be included in the exception provided for by this paragraph.)

[c] All of the requirements of this section shall be deemed waived if it shall be determined by the City Manager or City Commission that there is a situation, occurrence or exigency necessitating immediate or quick action not permitting adequate time to utilize competitive bidding conditions. The circumstances justifying the waiver of the provisions of this section need not be wholly unforeseen, sudden or unexpected. Circumstances being deemed justification for a waiver of the provisions of this section shall be, in the case of a City Manager's determination, reduced to writing and filed with the City Clerk, with copies to the Commission; and in the case of the City Commission's determination shall be specifically set forth in the minutes of the meeting at which said determination is made.

d] As to any specific purchases of supplies, equipment, materials or services requiring the maintenance of competitive bidding conditions, if, after competitive conditions have been maintained, no bids meeting bid requirements are received or all complaint bids received are too high or all bids are rejected for failure to meet bid requirements (i.e.: bids are non-compliant), the City Commission may by motion approve and authorize the contracting for the said specific purchases without the necessity of seeking out additional bids, provided, however, no such contract shall be authorized or let if such a contract would equal or exceed the bid price for the lowest conforming bid received by the City.

e] The provisions of this section shall be cumulative to all other provisions of law applicable to the City regarding bidding requirements.

Section 3. The Ballot Title shall be as follows:

REMOVING PURCHASE PROVISIONS FROM CITY CHARTER; REQUIRING CITY COMMISSION TO ADOPT PROCUREMENT CODE

Section 4. At the General Municipal Election on November 6, 2018, the following question shall be placed on the ballot for consideration by the qualified electors of the City of North Lauderdale, Florida, and shall read as follows:
Draft Proposal #2

Shall the City Charter be amended to remove the provision related to purchases and require the city commission to adopt an ordinance establishing a procurement code for the City of North Lauderdale within 180 days of the adoption of this charter amendment?

This proposed Charter amendment will have no financial impact to the City.

YES ☐ NO ☐

Section 5. Advertisement. The City Clerk of the City of North Lauderdale is hereby authorized and directed to advertise the referendum election contemplated herein all in accordance with the Code of Ordinances of the City of North Lauderdale, Florida, as well as the State of Florida Election Code.

Section 6. Codification. 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 7. Severability. 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 8. Conflicts. 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 9. Effective Date. This Ordinance shall take effect immediately upon its adoption.

PASSED on first reading by the City Commission of the City of North Lauderdale, Florida this ___ day of ______________ 2018.

PASSED and ADOPTED on second reading by the City Commission of the City of North Lauderdale, Florida this ____ day of ______________, 2018.

APPROVED AS TO FORM:

________________________________
CITY ATTORNEY SAMUEL GOREN

________________________________
MAYOR JACK BRADY

________________________________
VICE MAYOR RICH MOYLE

ATTEST:

________________________________
PATRICIA VANCHERI, CITY CLERK