



REGULAR MEETING OF THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA

FEBRUARY 13, 2017

The City Commission of the City of Lauderhill, Florida, met in a regular public session pursuant to the law and rules of said Commission on Monday, February 13, 2017, at 7:00 p.m. in the Commission Chambers at 5561 West Oakland Park Boulevard, Lauderhill Florida, 33313.

Commissioner Bates called the meeting to order at 7:00 p.m.

Upon roll call, the following were determined to be present:

Mayor Richard J. Kaplan
Vice Mayor Ken Thurston
Commissioner M. Margaret Bates
Commissioner Hayward J. Benson, Jr.
Commissioner Howard Berger
City Manager Charles Faranda

Also Present:

Deputy City Manager Desorae Giles-Smith
City Attorney W. Earl Hall
Finance Director/Assistant City Manager Kennie Hobbs
Police Chief Constance Stanley
City Clerk Andrea M. Anderson

COMMUNICATIONS FROM THE PUBLIC (ADJOURNMENT NO LATER THAN 7:30 P.M.)

1. Winnifred McPherson, Lauderhill Regional Chamber of Commerce
2. Presentation by Lauderhill Local Affordable Housing Committee (LLAHC), Marcia Barry Smith

Adjourned Communications from Public: 7:22 p.m.

MAYOR KAPLAN CALLED TO ORDER THE REGULAR COMMISSION MEETING (TO BEGIN IMMEDIATELY AFTER COMMUNICATIONS FROM THE PUBLIC MEETING, BUT NO LATER THAN 7:00 P.M.)

ROLL CALL – 7:23 P.M.

Upon roll call, the following were determined to be present:

Mayor Richard J. Kaplan
Vice Mayor Ken Thurston
Commissioner M. Margaret Bates
Commissioner Hayward J. Benson, Jr.
Commissioner Howard Berger
City Manager Charles Faranda

Also Present: Deputy City Manager Desorae Giles-Smith
City Attorney W. Earl Hall
Finance Director/Assistant City Manager Kennie Hobbs
Police Chief Constance Stanley
City Clerk Andrea M. Anderson

III. PLEDGE OF ALLEGIANCE, FOLLOWED BY GOOD AND WELFARE

HOUSEKEEPING

Vice Mayor Thurston made a motion to:

ACCEPT:

Version two of the regular City Commission meeting agenda for February 13, 2017.

REMOVE:

ITEM# 2. ORDINANCE NO. 17O-02-108

on the agenda,

seconded by Commissioner Benson. The vote was as follows:

Commissioner Bates	Yes
Commissioner Benson	Yes
Commissioner Berger	Yes
Vice Mayor Thurston	Yes
Mayor Kaplan	Yes

IV. CONSIDERATION OF CONSENT AGENDA

The following Ordinances were read by title only, and Resolutions by resolution numbers only by the City Attorney for approval on the **Consent Agenda:**

V. APPROVAL OF MINUTES:

- A. MINUTES OF THE REGULAR COMMISSION MEETING OF THE CITY COMMISSION, JANUARY 30, 2017

ORDINANCES & PUBLIC HEARINGS - FIRST READING (AS ADVERTISED IN THE SUN-SENTINEL)

#3. ORDINANCE NO. 170-02-109: AN ORDINANCE AMENDING THE CITY CODE OF ORDINANCES, CHAPTER 11½, HOUSING, ARTICLE IV, ASSISTANCE, SECTION 11½-65, AFFORDABLE HOUSING ADVISORY COMMITTEE, TO ALLOW ITS MEMBERS TO SERVE ON OTHER CITY BOARDS OR COMMITTEES SIMULTANEOUSLY WITH SERVICE ON THIS COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY COMMISSION)

#5. ORDINANCE NO. 170-02-111: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA AMENDING THE CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE III, DEPARTMENTS OF GOVERNMENT, DIVISION 8, DIVISION OF PURCHASING; AMENDING SECTION 2-141, EXCEPTION TO BID REQUIREMENTS, TO ADD VARIOUS PROVISIONS CONSISTENT WITH FLORIDA STATUTE, SECTION 287.057; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

ORDINANCES & PUBLIC HEARINGS - SECOND READING: (AS ADVERTISED IN THE SUN-SENTINEL)

#8. ORDINANCE NO. 170-01-103: AN ORDINANCE OF THE CITY OF LAUDERHILL, FLORIDA, AMENDING THE CITY CODE BY AMENDING CHAPTER 2, ARTICLE II, OFFICERS AND EMPLOYEES, DIVISION 3, RETIREMENT, PART 1 "FIREFIGHTERS PENSION FUND"; AMENDING SECTION 2-41 "DEFINITIONS"; AMENDING SECTION 2-55 "SUPPLEMENTAL RETIREMENT BENEFIT"; AMENDING SECTION 2-57 "DEFINED CONTRIBUTION PLAN"; CREATING A NEW SECTION 2-58 "USE OF PREMIUM TAX REVENUES"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#10. ORDINANCE NO. 170-01-105: AN ORDINANCE OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS SCHEDULE A., LAND USE CLASSIFICATIONS; REVISED THE DEFINITION OF LIVE ENTERTAINMENT (OUTDOORS) TO REMOVE CIRCUSES, CARNIVALS, AND OUTDOOR SHOWS; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#11. ORDINANCE NO. 170-01-106: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LAUDERHILL, CHAPTER 12, BUSINESS REGULATIONS, ARTICLE II, CERTIFICATE OF USE AND LOCAL BUSINESS TAX RECEIPT, DELETING SECTION 12-38, CIRCUSES, CARNIVALS AND OUTDOOR SHOWS; DELETING SECTION 12-39 SAME-BUSINESS TAX; DELETING SECTION 12-40 SAME-PARADES IN THEIR ENTIRETY; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

RESOLUTIONS

#12. RESOLUTION NO. 17R-01-37: A RESOLUTION OF THE CITY OF LAUDERHILL APPROVING THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LAUDERHILL AND JOE ALEXANDER TO PROVIDE MARTIAL ARTS CLASSES; PROVIDING TERMS, CONDITIONS AND FEES; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#13. RESOLUTION NO. 17R-02-9: A RESOLUTION OF THE CITY OF LAUDERHILL APPROVING THE LIST OF SOLE SOURCE OR SINGLE SOURCE PROVIDER DESIGNATIONS FOR USE ON AN AS NEEDED BASIS FOR REPAIR AND MAINTENANCE OF SPECIALIZED AND ESSENTIAL EQUIPMENT AND SOFTWARE; PROVIDING FOR PAYMENT FROM THE APPROPRIATE BUDGET CODE NUMBERS ON AN AS NEEDED BASIS; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#14. RESOLUTION NO. 17R-02-40: A RESOLUTION APPROVING THE REMOVAL BY MAYOR RICHARD J. KAPLAN OF SUSAN LINDSAY AS HIS APPOINTEE TO THE LAUDERHILL ART, CULTURE, TOURISM BOARD DUE TO LACK OF ATTENDANCE AT BOARD MEETINGS; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#16. RESOLUTION NO. 17R-02-42: A RESOLUTION APPROVING THE APPOINTMENT OF CHELSEA LEWIS, ESQ. BY THE BOARD TO SERVE AS THE SECOND ALTERNATE MEMBER OF THE LAUDERHILL EDUCATIONAL ADVISORY BOARD EXPIRING NOVEMBER 2018; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#17. RESOLUTION NO. 17R-02-43: A RESOLUTION APPROVING THE MINOR MODIFICATIONS TO THE JOB DESCRIPTION FOR THE CURRENT EXISTING JOB POSITION OF DISPATCHER; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#18. RESOLUTION NO. 17R-02-44: A RESOLUTION APPROVING THE MINOR MODIFICATIONS TO THE JOB DESCRIPTION FOR THE CURRENT EXISTING JOB POSITION OF PLANT MECHANIC; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#19. RESOLUTION NO. 17R-02-45: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL CORRECTING THE EXPIRATION OF TERM LIMITS FOR CERTAIN BOARD MEMBERS OF THE LAUDERHILL CODE ENFORCEMENT BOARD MEMBERS DUE TO A CLERICAL ERROR; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#20. RESOLUTION NO. 17R-02-46: A RESOLUTION AMENDING RESOLUTION 00R-5-114 TO ADD REFERENCE TO A HISTORICAL COMPONENT TO THE ART, CULTURAL, AND TOURISM BOARD'S ("ACT BOARD'S") DUTIES AND RESPONSIBILITIES; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY MAYOR RICHARD J. KAPLAN)

#21. RESOLUTION NO. 17R-02-47: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL CORRECTING THE EXPIRATION OF TERM LIMITS FOR CERTAIN BOARD MEMBERS OF THE LAUDERHILL PUBLIC ART COMMITTEE DUE TO A CHANGE IN TERMS TO BE CONCURRENT WITH THE APPOINTING CITY COMMISSIONER SEATS; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#22. RESOLUTION NO. 17R-02-48: A RESOLUTION APPROVING THE DONATION OF FUNDS IN THE AMOUNT OF \$6,499.00, AS RECOMMENDED BY THE LAUDERHILL EDUCATIONAL ADVISORY BOARD, TO THE LIST OF DESIGNATED ENTITIES AS WELL AS TO THE WINNERS OF THE LAUDERHILL EDUCATIONAL ADVISORY BOARD BLACK HISTORY POSTER CONTEST; PROVIDING FOR PAYMENT FROM BUDGET CODE NUMBER 001-101-8126; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#23. RESOLUTION NO. 17R-02-49: A RESOLUTION APPROVING THE EMERGENCY REPAIR BY SAMMETT POOLS, INC. IN THE TOTAL AMOUNT NOT TO EXCEED \$2,525.00 TO REPLACE THE EXISTING POOL PUMP EQUIPMENT AT JOHN E. MULLINS PARK AND AQUATIC CENTER; PROVIDING PAYMENT FROM BUDGET CODE NUMBER 001-712-4620; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#26. RESOLUTION NO. 17R-02-52: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, SUPPORTING THE COMBINED EFFORTS OF THE UNITED STATES CENTERS FOR DISEASE CONTROL AND PREVENTION AND THE DEPARTMENT OF JUSTICE IN REDUCING THE NUMBER OF OPIOID PRESCRIPTIONS AND ENSURING SAFE DRUG DISPOSAL; DIRECTING CITY STAFF TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR DISTRIBUTION OF THIS RESOLUTION; PROVIDING SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY COMMISSIONER HAYWARD J. BENSON, JR.)

#28. RESOLUTION NO. 17R-02-54: A RESOLUTION APPROVING THE RANKING OF FIRMS AS RECOMMENDED BY THE EVALUATION COMMITTEE FOR TOWING SERVICES (RFP #2017-002); AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE TERMS OF THE CONTRACT; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

Commissioner Bates made a motion to approve the **Consent Agenda**, seconded by Vice Mayor Thurston. The vote was as follows:

Commissioner Bates	Yes
Commissioner Benson	Yes
Commissioner Berger	Yes
Vice Mayor Thurston	Yes
Mayor Kaplan	Yes

VI. PROCLAMATIONS/COMMENDATIONS

- A. A PROCLAMATION DECLARING FEBRUARY 13, 2017, AS DENILSON PIERRE-LOUIS DAY (REQUESTED BY COMMISSIONER HAYWARD J. BENSON, JR.)
- B. A COMMENDATION OF RECOGNITION FROM THE LAUDERHILL POLICE DEPARTMENT TO JOCELYN BOYD OF THE YMCA (REQUESTED BY CITY MANAGER CHARLES FARANDA)

VII. SPECIAL PRESENTATIONS

- A. A SPECIAL PRESENTATION ON GUIDE DOGS BY ANSEL DAVIS (REQUESTED BY VICE MAYOR KEN THURSTON)

VIII. GENERAL PRESENTATIONS (5 MINUTES MAXIMUM)

NONE

ORDINANCES

IX. ORDINANCES & PUBLIC HEARINGS - FIRST READING: (NOT ON CONSENT AGENDA) (AS ADVERTISED IN THE SUN-SENTINEL)

#1. ORDINANCE NO. 170-02-107: AN ORDINANCE OF THE CITY OF LAUDERHILL, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS AND PERTAINING TO MEDICAL MARIJUANA; AMENDING SCHEDULE A., LAND USE CLASSIFICATIONS, BY ADDING A DEFINITION FOR MEDICAL MARIJUANA TREATMENT CENTER, PROVIDING THAT SUCH USE IS PROHIBITED, AND PROVIDING EXCEPTIONS FOR A PERSONAL CAREGIVER AND QUALIFYING PATIENT; AMENDING SCHEDULE B, ALLOWABLE USES, THAT SUCH US IS PROHIBITED IN ALL DISTRICTS CITYWIDE; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

Mayor Kaplan felt unable to support the subject ordinance in its present form. He mentioned the ordinance's wording showed November 2014 Election rather than November 2016. He reviewed the ordinance, stating it advocated the outright banning of the sale of medical marijuana anywhere in the City of Lauderhill without any guidance for enforcement, which he observed many cities were moving towards. If this took place, there would be few, if any, locations in Florida where patients who were legally prescribed medical marijuana could obtain their medicines. He noted the proposed ordinance prohibited the sale of medical marijuana, regardless of the fact that an average 75 percent of voters approved the Constitutional Amendment on the November 2016 ballot that medical marijuana should be made available to patients when prescribed by their medical doctor. Medical marijuana with a low THC had none of the negative effects traditionally associated with marijuana that everyone feared, and it was proven beneficial for patients with glaucoma and seizures. Medical marijuana with a high THC could be prescribed only to patients who were terminally

ill. Mayor Kaplan wondered if the matter should be tabled to allow staff the opportunity to adjust some of the wording, as it seemed it was mostly elected officials in Florida who objected to the sale of medical marijuana, and not the majority of the voters. In sum, he could not support the subject ordinance in light of the fact that a super majority of residents in Lauderhill, Broward County, and the State of Florida supported the mandate for making medical marijuana available to patients. If City staff wished to come back with an ordinance that said Lauderhill would allow the sale of medical marijuana under specific conditions to prevent its being abused, such as distribution by a legitimate pharmacy, he could foresee supporting the ordinance.

Commissioner Benson asked if staff was aware of the standard operating procedures for the implementation of the Constitutional Amendment passed in November 2016.

City Attorney Hall replied that the State had not included any land use language or directives for local governments, so cities were acting on the subject matter independently, though the matter might be addressed in the upcoming legislative session.

Commissioner Benson thought there was a State entity or group overseeing such matters.

City Attorney Hall concurred, stating there were several, such as the League of Cities, though he was not aware of a specifically formed State committee for that purpose.

Commissioner Benson said he supported the Amendment, asking if it might be advantageous for City staff to learn what the directions might be from the State-sanctioned group that was reviewing such matters.

City Attorney Hall remarked an alternative could be for the Commission, if the proposed ordinance was not agreeable, to do a moratorium to allow City staff to study the matter further. Staff could bring forward the moratorium for the Commission's approval to allow staff a set period of time to look at what that State group was doing.

Commissioner Benson thought other cities with like sentiments would prefer to go in that direction. He believed that some protections should be put in place in the City's Land Development Regulations (LDR), but there was a compelling reason for the City to be open to the availability of medical marijuana based on voter response statewide. Thus, he supported tabling the ordinance.

City Attorney Hall agreed, stating he would bring back a moratorium for the Commission's approval at the next meeting.

Commissioner Benson made a motion to Table Ordinance #17O-02-107, seconded by Commissioner Bates. The vote was as follows:

Commissioner Bates	Yes
Commissioner Benson	Yes
Commissioner Berger	Yes
Vice Mayor Thurston	Yes
Mayor Kaplan	Yes

#4. ORDINANCE NO. 17O-02-110: AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER 6, BUILDINGS AND BUILDING REGULATIONS; ARTICLE II, PUBLIC ART PROGRAM; SECTION 6.36, PUBLIC ART COMMITTEE; AMENDING THE TERMS TO BE CONCURRENT WITH THE CITY COMMISSION SEAT TERMS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY MAYOR RICHARD J. KAPLAN)

Mayor Kaplan observed a typographical error under section 6.26, a2, the word “whole” on the second line should say “who”. On page two, 3e, regarding reappointments by Commissioners within 60 days of taking office, this was a timeframe to which he felt Commissioners should not be held.

City Attorney Hall indicated the language “within 60 days of taking office” could be struck from the ordinance’s language.

Commissioner Benson made a motion to Amend Ordinance #17O-02-110 accordingly, seconded by Commissioner Bates. The vote was as follows:

Commissioner Bates	Yes
Commissioner Benson	Yes
Commissioner Berger	Yes
Vice Mayor Thurston	Off the Dais
Mayor Kaplan	Yes

Mayor Kaplan opened the discussion to the public and received no input.

Commissioner Benson made a motion to Approve Ordinance #17O-02-110 as amended, seconded by Commissioner Berger. The vote was as follows:

Commissioner Bates	Yes
Commissioner Benson	Yes
Commissioner Berger	Yes
Vice Mayor Thurston	Yes
Mayor Kaplan	Yes

#6. ORDINANCE NO. 17O-02-112: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA AMENDING THE CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE III, DEPARTMENTS OF GOVERNMENT, DIVISION 8, DIVISION OF PURCHASING; DELETING SECTION 2-147, LAUDERHILL ECONOMIC DEVELOPMENT AGENCY IN ITS ENTIRETY; CREATING A NEW SECTION 2-147, ESTABLISHMENT OF THE AUDIT SELECTION COMMITTEE PURSUANT TO FLORIDA STATUTES, SECTION 218.391; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

Vice Mayor Thurston asked if there were term limits for auditors, as he noticed that ten out of the last 12 years the City used the same audit firm. He thought it was in the best interest of the City to not consistently use the same firm, and he wished to see the City establish a term limit of, perhaps, five years, for an auditing firm.

City Manager Faranda responded the City, generally, used an audit committee that included outside persons, and they made recommendations to the Commission on auditing firms from which to select. Thus, a term limit could be established, but the selection of an auditing firm was the City Commission's choice based on the firms ranked by the audit committee.

Mayor Kaplan believed a past City finance director established a limit of three to five years for any audit firm to conduct the City's annual audit, and he was unaware of the rule changing, the reasoning being that it gave a fresh look every three to five years.

City Manager Faranda would direct City staff to set a policy of a time limit for audit firms hired by the City if it was the Commission's desire.

Vice Mayor Thurston wished the City Commission to give some direction to the audit committee, so they understood the term limit. If any one firm dominated doing the City's annual audit for the last 15 years, he preferred not to see them go through the whole procedure of submitting a proposal.

City Attorney Hall explained the members of the audit committee consisted of other internal auditors, finance directors, CPAs, etc. from other cities, and they added a separate look from that of City staff. This was one of the few times the City used outsiders to review a request for proposal (RFP), and the guidelines the committee followed were by State statute.

City Manager Faranda sought clarification as to how he could create City regulations that told an outside review committee governed by State law that they should limit the firms they chose to rank based on time limits.

City Attorney Hall indicated he would look further into the matter to determine the legally allowable actions on the City's part to establish such time limits on auditing firms.

Commissioner Berger wondered why the City passed an ordinance each year to approve an audit firm.

Finance Director Hobbs replied this was not done every year, rather, the City sent out an RFP for an auditor every three to five years, and those were reviewed by an audit committee, as required by State Statute. From the recommendations made by the audit committee, the City Commission then selected a firm.

Commissioner Berger asked about the deletion of the Lauderhill Economic Agency, of whose existence he was unaware.

City Attorney Hall clarified that the Lauderhill Economic Agency was always on the books but never used, so it was being replaced with a more effective entity; that is, the audit committee.

Mayor Kaplan said the Lauderhill Economic Agency was put in place about 1992 or 1993 by Ilene Lieberman, as that was the first time the City formed any economic board.

City Attorney Hall stated the Commission could vote on the item, as it was just to establish the formation of the audit committee. When the audit committee conducted its business of issuing an RFP for auditing firms, this was where the Commission's comments came in; that

is, whether language for the rotation of firms after a set time period could be included to indicate that the City did not wish included in the RFP the firm that previously did the audit. He felt, in this way, the previously hired firm could read the RFP and know immediately that they were not eligible to bid in the audit firm RFP.

Mayor Kaplan opened the discussion to the public and received no input.

Vice Mayor Thurston made a motion to Approve Ordinance #17O-02-112, seconded by Commissioner Bates. The vote was as follows:

Commissioner Bates	Yes
Commissioner Benson	Yes
Commissioner Berger	Yes
Vice Mayor Thurston	Yes
Mayor Kaplan	Yes

#7. ORDINANCE NO. 17O-02-113: AN ORDINANCE OF THE CITY OF LAUDERHILL, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS, ARTICLE VI., PLANNING AND ZONING BOARD (P&Z); SECTION 12, TERM OF OFFICE; AMENDING THE PROVISIONS TO PROVIDE THAT APPOINTMENTS SHALL BE CONCURRENT WITH EACH INDIVIDUAL CITY COMMISSIONER'S SEAT FOR STAGGERED TERMS, INSTEAD OF THE ENTIRE NEW BOARD BEING APPOINTED WITHIN 60 DAYS FOLLOWING EVERY GENERAL ELECTION; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY MAYOR RICHARD J. KAPLAN)

Mayor Kaplan remarked if the appointment to the P&Z Board went with the term of the elected official, and the City Commission did not typically meet at the end of November or December, and the P&Z Board continued to meet in December and January, the Board might have no quorum for 60 days. He thought there was a City rule that allowed advisory board appointees to remain in place for 60 days after an election to allow newly elected officials time to make their selection, and this allowed boards continuity.

City Attorney Hall responded staff could add a provision to the ordinance that indicated members currently serving in the seats on the P&Z Board would continue to serve for 60 days until the newly elected Commissioner made their appointment.

Commissioner Bates made a motion to Amend Ordinance #17O-02-113 as noted above, seconded by Vice Mayor Thurston. The vote was as follows:

Commissioner Bates	Yes
Commissioner Benson	Yes
Commissioner Berger	Yes
Vice Mayor Thurston	Yes
Mayor Kaplan	Yes

Mayor Kaplan opened the discussion to the public and received no input.

Commissioner Bates made a motion to Approve Ordinance #17O-02-113 as amended, seconded by Vice Mayor Thurston. The vote was as follows:

Commissioner Bates	Yes
Commissioner Benson	Yes
Commissioner Berger	Yes
Vice Mayor Thurston	Yes
Mayor Kaplan	Yes

XI. ORDINANCES & PUBLIC HEARINGS - SECOND READING: (NOT ON CONSENT AGENDA) (AS ADVERTISED IN THE SUN-SENTINEL)

#9. ORDINANCE NO. 170-01-104: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, ARTICLE III, SECTION 5.3.1.A.1.(b.) WAIVER; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

City Attorney Hall reviewed the proposed ordinance, as detailed in the backup, stating if the ordinance passed, businesses could no longer apply for a waiver to sell alcohol after 2:00 a.m.

Vice Mayor Thurston opposed the ordinance, as there were scenarios where business owners of restaurants and other establishments did a good job of policing the patrons, and their businesses could benefit from being able to serve alcohol until 3:00 a.m. or 4:00 a.m. At present, the Commission made this determination, but if the subject ordinance passed, businesses would be unable to make the request.

City Attorney Hall affirmed, if the proposed ordinance passed, the language in the current ordinance that allowed the possibility of applying for a waiver would be removed.

City Manager Faranda explained, the rationale behind the subject ordinance was that the City sought to promote an entertainment district along 441 and elsewhere. Thus, businesses wishing to entertain and sell alcohol past 2:00 a.m. could locate their establishment in the entertainment district. He remarked, in looking at the history of waiver applications, they were generally denied by the City Commission if located in areas outside the entertainment district. Most of the City's other commercial uses were surrounded by residential and, generally speaking, the uses serving alcohol up to 4:00 a.m. were uses the City preferred concentrated in its entertainment districts, and not in areas surrounded by residential communities, due to the traffic and other noise nuisances associated with such uses.

Commissioner Benson felt the mission, as described by City Manager Faranda, was honorable, and the City Commission ought to take this into full consideration. He wondered if approving the ordinance could move the City toward any problematic relations with existing entertainment businesses along the University Drive corridor, such as Vegas Cabaret.

Mayor Kaplan believed no businesses in the City currently served alcohol past 2:00 a.m., and the only area in which it was possible was the entertainment district, but no one sought to take advantage of it. Only bars in the City, not restaurants, had applied for the waiver.

City Manager Faranda affirmed this to be the case. The main issue was the proximity of such businesses to surrounding residential, and this was the rationale behind creating an entertainment district in generally buffered areas with a separation between the residential and heavy trafficked areas.

Commissioner Bates understood the City Manager's concern, but as the City was trying to build an entertainment district along 441, she preferred to leave the decision as a case-by-case basis.

Mayor Kaplan pointed out the ordinance would not restrict businesses located in the entertainment district.

Commissioner Bates said the ordinance's language did not make the distinction.

City Attorney Hall explained there was language in the City's LDR that established and defined the City's entertainment district, and the latter allowed the possibility of the sale of alcohol up to 4:00 a.m.

Mayor Kaplan opened the discussion to the public and received no input.

Commissioner Bates made a motion to Approve Ordinance #17O-01-104, seconded by Commissioner Benson. The vote was as follows:

Commissioner Bates	Yes
Commissioner Benson	Yes
Commissioner Berger	Yes
Vice Mayor Thurston	No
Mayor Kaplan	Yes

RESOLUTIONS

XII. RESOLUTIONS (IF NOT ON THE CONSENT AGENDA)

#15. RESOLUTION NO. 17R-02-41: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE EXPENDITURE IN THE AMOUNT OF \$8,686.00 FOR COSTS ASSOCIATED WITH THE LAUDERHILL TASTE TOUR; PROVIDING FOR PAYMENT FROM THE APPROPRIATE BUDGET CODE NUMBER; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

Mayor Kaplan sought clarification on what exactly the Tour was spending the funds.

City Manager Faranda replied the monies would be spent on promotion, advertising, and putting on the event, which he felt was a very positive economic development tool, in light of the success of SoLa over the past weekend. The City was trying to build the visit Lauderhill idea, and the way to do this was to showcase some of the City's great restaurants.

Mayor Kaplan asked how much the City spent on the subject event in 2016.

City Manager Faranda thought it was a similar amount.

Mayor Kaplan commented in 2016, only 14 people participated.

City Manager Faranda pointed out, part of the success of an event was in its advertisements; that is, the advertising of the restaurants and businesses in the area. There might have been 25 participants in total, as there were two tours, and this led to the City gaining from the outreach, which would lead to the event growing more each year.

Mayor Kaplan stated he could support the event for another year, but noted as an example that his jazz concert series cost \$5,500.00, and attendance was an average of 2,000. As a per person cost, if an event was not bringing in a substantial number of patrons, it became too expensive for what it was yielded.

City manager Faranda understood, but pointed out the goal was not only how many people ate at a particular restaurant on the day of the tour, rather it was how much those on the tour spread the word about the restaurants they visited. The advertising for the event was broad-based and encompassed numerous media outlets, so the funds expended were on more than just the persons taking the tour.

Mayor Kaplan corrected his comment on the number of participants, noting it was 14 people for lunch, 10 people for dinner, so a total of 24 participants. When it got to such a low number, perhaps the program needed to be revamped and done in a different way.

Commissioner Berger questioned if the persons taking the tour paid anything.

Mayor Kaplan replied they paid \$30.00 for the lunch tour, and \$50.00 for the dinner tour.

City Manager Faranda added that the City's expenditure was for advertising, bus drivers, fuel, etc., as this was a campaign to promote some of the fine restaurants in the City.

Mayor Kaplan opened the discussion to the public and received no input.

Commissioner Bates made a motion to Approve Resolution #17R-02-41, seconded by Vice Mayor Thurston. The vote was as follows:

Commissioner Bates	Yes
Commissioner Benson	Yes
Commissioner Berger	Yes
Vice Mayor Thurston	Yes
Mayor Kaplan	Yes

Commissioner Benson exited the meeting.

#24. RESOLUTION NO. 17R-02-50: A RESOLUTION APPOINTING MEMBERS TO THE AUDITOR SELECTION COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

Mayor Kaplan asked Mr. Giancoli when he was leaving as an employee of the City, understanding he would be returning as a consultant, as he was concerned that if he was an audit committee member, he had to complete his task as an employee of the City.

Mr. Giancoli indicated he would be leaving in March.

Mayor Kaplan asked staff to ensure there was sufficient time for Mr. Giancoli to serve on the committee, so his leaving would not cause the committee to be a member short.

Commissioner Bates made a motion to Table Resolution #17R-02-50, seconded by Vice Mayor Thurston. The vote was as follows:

Commissioner Bates	Yes
Commissioner Berger	Yes
Vice Mayor Thurston	Yes
Mayor Kaplan	Yes

#25. RESOLUTION NO. 17R-02-51: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL SUPPORTING ADEQUATE FUNDING OF THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP); PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY VICE MAYOR KEN THURSTON)

Vice Mayor Thurston reviewed the proposed resolution, as detailed in the backup.

Mayor Kaplan opened the discussion to the public and received no input.

Vice Mayor Thurston made a motion to Approve Resolution #17R-02-51, seconded by Commissioner Bates. The vote was as follows:

Commissioner Bates	Yes
Commissioner Berger	Yes
Vice Mayor Thurston	Yes
Mayor Kaplan	Yes

#27. RESOLUTION NO. 17R-02-53: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL CORRECTING THE EXPIRATION OF TERM LIMITS FOR THE LAUDERHILL PLANNING AND ZONING (P&Z) BOARD DUE TO A CHANGE IN TERMS TO BE CONCURRENT WITH THE APPOINTING CITY COMMISSIONER SEATS; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

Mayor Kaplan asked, since the ordinance was amended regarding the 60-day rule, should the resolution be amended accordingly.

City Attorney Hall affirmed it should be amended to add in the 60-day rule.

Commissioner Bates made a motion to Amend Resolution #17R-02-53 as noted above, seconded by Vice Mayor Thurston. The vote was as follows:

Commissioner Bates	Yes
Commissioner Berger	Yes
Vice Mayor Thurston	Yes
Mayor Kaplan	Yes

Mayor Kaplan opened the discussion to the public and received no input.

Commissioner Bates made a motion to Approve Resolution #17R-02-53 as amended, seconded by Vice Mayor Thurston. The vote was as follows:

Commissioner Bates	Yes
Commissioner Berger	Yes
Vice Mayor Thurston	Yes
Mayor Kaplan	Yes

XIIV. QUASI-JUDICIAL MATTER (IF NOT ON CONSENT AGENDA)

XIV. QUASI-JUDICIAL MATTERS, FIRST READING

NONE

XV. QUASI-JUDICIAL MATTERS, SECOND READING

NONE

XVI. UNFINISHED BUSINESS

NONE

XVII. OLD BUSINESS

NONE

XVIII. NEW BUSINESS

NONE

X. COMMUNICATIONS FROM THE PUBLIC OFFICIALS AT 9:00 P.M. OR IMMEDIATELY BEFORE ADJOURNMENT, WHICHEVER SHALL FIRST OCCUR:

City Attorney Hall mentioned, in reading the last *Spotlight*, the City's newsletter, he saw mentioned the Tataki Aisan Bistro, which he recently visited and found the food delicious.

Commissioner Bates stated Parkway Middle School, in conjunction with the City of Lauderdale, would perform two nights of Disney Mulan, Jr., on February 22 and 23, 2017, at

the Lauderhill Performing Arts Center (LPAC). Everyone was invited to support the City's future Broadway and movie stars, and enjoy the LPAC; she was surprised to learn of the number of residents who had yet to attend an event at the LPAC. On March 4, 2017, at 7:30 p.m. at the LPAC, the Mom-O-Palooza event would take place with Lisa Ann Walter, Sherri Shepherd, and Rosa Blasi. Both were ticketed events, and anyone interested in attending could contact the LPAC ticket office. She thanked City staff and the MLK Task Force for taking the 2017 MLK events to another level, starting with the preliminary rounds for the Spelling Bee competition, where participants exhausted all the assigned words given to them, and moved into the National Spelling Bee list of words. She wished to note that, for the first time, the City's Spelling Bee students were acknowledged publicly in a positive article in the *Sun Sentinel* newspaper. It was an exciting time for the parents and families, and the children put their all into the competition with a truly competitive spirit. Commissioner Bates mentioned another MLK event was the Brain Bowl, thanking Becon TV, the Broward County Schools' TV station, for broadcasting the event. The event was sponsored by the MLK Task Force with Hall & Rosenberg, and it was televised at Becon TV; the entire session could be viewed on YouTube. She said the 2017 winner was Sunrise Middle School, and they were to be commended for a job well done, and the educators who participated enjoyed the event as well. On Saturday, February 4, the MLK Task Force took the adult portion of the MLK events to another level with the guest speaker, Michael Baisden, who was well received by the audience, and the Q&A session gave the audience an opportunity to participate. She said the food was great as usual, and she looked forward to an even bigger event in 2018.

Vice Mayor Thurston wished to compliment the City Manager's Office and staff for working so closely with the Lauderhill Regional Chamber of Commerce on the SoLa event, noting SoLa meant So Lauderhill. It was a great event, and he looked forward to an even better one in 2018. He noted, in the absence of Commissioner Benson, he wished to mention the SAKE Awards that would take place at the LPAC on Thursday, February 16, 2017, at 6:30 p.m., where the City's children who participated in athletic programs would be honored. He looked forward to presenting some of the awards. He wished everyone a Happy Valentine's Day.

Commissioner Berger congratulated the Chamber and City staff for the success of the SoLa event at the LPAC. It was well organized, elegantly done, and promoted the City well. He noted the Chamber would be honoring its Ten Ladies of Distinction on March 4, 2017, at the BB&T Center, and he would later hold his event to honor 12 Women of Distinction in celebration of Women's History Month on March 29, 2017, at the LPAC. He wished everyone Happy Valentine's Day.

Mayor Kaplan congratulated Commissioner Bates and all City staff who participated in putting the MLK events together; they were well organized and very enjoyable. He mentioned the last Jazz Picnic in the Park event was well attended by over 400 people throughout the day, and on February 25, 2017, at the Lauderhill Sports Park, there would be a tribute concert to Rod Stewart. Further information could be found on www.lauderhilljazz.com, or by friending on Facebook at Lauderhill Jazz Tribute Concert. He agreed the food at Tataki restaurant was excellent, and they served a variety of Asian cuisines. They were located on the west side of University Drive just above 50th Avenue in the plaza where La Creperie, Rosie Baby's, Hungry Howie's, and Amerena Bakery & Bistro were located. He wished his wife a Happy Valentine's Day.

City Manager Faranda thanked the Chamber for co-hosting the SoLa event with the City, stating City staff and the Chamber worked well together, and the event was well organized. He hoped it would take off and turn into one of the City's signature events.

XIX. ADJOURNMENT

Meeting adjourned at 8:55 P.M.

Andrea Anderson
City Clerk
AA/cp