

# City of Lauderhill

*City Hall  
5581 W. Oakland Park Blvd.  
Lauderhill, FL, 33313  
www.lauderhill-fl.gov*



## Meeting Minutes - Draft

**Monday, December 9, 2019**

**7:00 PM**

**City Commission Chambers**

## **City Commission Meeting**

***LAUDERHILL CITY COMMISSION***

***Mayor Ken Thurston  
Vice Mayor Howard Berger  
Commissioner M. Margaret Bates  
Commissioner Richard Campbell  
Commissioner Denise D. Grant***

***Charles Faranda, City Manager  
Andrea M. Anderson, City Clerk  
Earl Hall, City Attorney***

**I CALL TO ORDER**

**II COMMUNICATIONS FROM THE PUBLIC (AND RESPONSES TO THE PUBLIC, IF THE TIME PERMITS DURING THIS PORTION OF THE MEETING OF THE CITY COMMISSION)**

**III ADJOURNMENT (NO LATER THAN 7:30 PM)**

**I CALL TO ORDER OF REGULAR MEETING**

Mayor Thurston called to order the Regular City Commission Meeting at 7:16 PM.

**II ROLL CALL**

**Present:** 5 - Commissioner M. Margaret Bates, Vice Mayor Howard Berger, Commissioner Richard Campbell, Commissioner Denise D. Grant, and Mayor Ken Thurston

**ALSO PRESENT:**

Desorae Giles-Smith, Deputy City Manager  
Earl Hall, City Attorney  
Constance Stanley, Police Chief  
Andrea M. Anderson, City Clerk

**III PLEDGE OF ALLEGIANCE TO THE FLAG FOLLOWED BY GOOD AND WELFARE**

**HOUSEKEEPING**

**A motion was made by Vice Mayor Berger, seconded by Commissioner Bates, to ACCEPT the Final-Revised Version of the City Commission Meeting Agenda for December 9, 2019. The motion carried by the following vote:**

**Yes:** 5 - Commissioner Bates, Vice Mayor Berger, Commissioner Campbell, Commissioner Grant, and Mayor Thurston

**Abstain:** 0

**IV CONSIDERATION OF CONSENT AGENDA**

**A motion was made by Commissioner Bates, seconded by Commissioner Grant, that this Consent Agenda was approved. The motion carried by the following vote:**

**Yes:** 5 - Commissioner Bates, Vice Mayor Berger, Commissioner Campbell, Commissioner Grant, and Mayor Thurston

**Abstain:** 0

**V APPROVAL OF MINUTES**

**A.** Minutes of the City Commission for November 25, 2019.

**Attachments:** [November 25, 2019 - City Commission Meeting Minutes](#)

These Minutes were approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)

## **VI PROCLAMATIONS / COMMENDATIONS**

- A. A PROCLAMATION HONORING MAYOR OF BROWARD COUNTY DALE V. C. HOLNESS (REQUESTED BY MAYOR KEN THURSTON).
- B. A PROCLAMATION HONORING THE LIFE AND WORK OF ATTORNEY W. GEORGE ALLEN (REQUESTED BY MAYOR KEN THURSTON).
- C. A PROCLAMATION HONORING ZETA PHI BETA SORORITY FOR 100 YEARS OF SERVICE (REQUESTED BY MAYOR KEN THURSTON).

## **VII SPECIAL PRESENTATIONS**

## **VIII GENERAL PRESENTATIONS (5 MINUTES MAXIMUM)**

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

1. ORDINANCE NO. 19O-12-150: AN ORDINANCE OF THE CITY OF LAUDERHILL CALLING FOR A REFERENDUM REGARDING THE PROPOSED AMENDMENT TO THE CITY OF LAUDERHILL CHARTER, ARTICLE III, LEGISLATIVE, SECTION 3.03, ELECTION AND TERM OF OFFICE, TO APPEAR ON THE GENERAL MUNICIPAL ELECTION BALLOT NOVEMBER 3, 2020 BASED UPON THE RECOMMENDATION OF THE CITY COMMISSION; ALLOWING AN ELECTED OFFICIAL THAT LEAVES OFFICE AS A RESULT OF TERM LIMITS TO AGAIN SERVE ON THE CITY COMMISSION FOR UP TO 8 YEARS SO LONG AS THEY REMAINED OUT OF OFFICE FOR AT LEAST 23 CONSECUTIVE MONTHS; PROVIDING THE BALLOT QUESTION TO BE USED IN THE REFERENDUM; AUTHORIZING THE CITY ATTORNEY TO MAKE MINOR MODIFICATIONS TO THE LANGUAGE IF NECESSARY TO MEET THE BALLOT QUESTION TECHNICAL REQUIREMENTS; PROVIDING THAT THE PROPOSED CHARTER AMENDMENT SHALL BE VALID IMMEDIATELY UPON CERTIFICATION OF THE ELECTION RESULTS BY THE SUPERVISOR OF ELECTIONS IF THE REFERENDUM RECEIVES A MAJORITY VOTE IN FAVOR OF THE AMENDMENT WITH A NOVEMBER 2022 EFFECTIVE DATE; PROVIDING THAT NOTICE REQUIREMENTS HAVE BEEN MET; DIRECTING THE CITY CLERK TO FORWARD COPIES OF THIS ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY COMMISSIONER HOWARD BERGER).

**Attachments:** [ORD-19O-12-150-Charter-3.03-referendum-terms of office after limits expired.pdf](#)  
[AR 19O-12-150](#)

Commissioner Campbell sought clarification if there was already language in place, so it was the interpretation of that language that was at issue.

City Attorney Hall responded the current City Charter had no language that allowed an elected official, after completing three consecutive four-year terms, to seek reelection to the City Commission at any time in the future.

Commissioner Campbell questioned the distinction between 24 months and 23 months.

City Attorney Hall stated the reasoning was that there had to be a filing period in which the individual could file in a timely manner without any adverse impacts. With the 24-month timeframe, the person would have to wait two more years before being able to file to run in an election, so staff chose 23 months to allow the individual to file in a timely manner to run for office.

Commissioner Campbell asked if it was 23 months from November.

City Attorney Hall answered correct.

Commissioner Campbell commented filing took place in June.

City Attorney Hall said the individual would have sat out for 23 months, and if they filed in June, they could be sworn in the following November. With 24 months, they could not be sworn in in November, so they would have to wait four years before filing to run again. The 23 months was related to the time needed to allow for being sworn in. The swearing in could take place within the 24-month window, as the person would have missed the deadline for filing, so the intent was to allow candidates who previously served three consecutive four-year terms on the Commission to sit out for 23 months, before they could file to run again. He reiterated the use of a 23 versus 24-month period was for swearing in purposes.

Commissioner Grant wished to know the exact current language in the Charter.

City Attorney Hall reiterated the Charter contained no language that addressed the ability of a Commissioner who served on the Commission for three consecutive four-year terms to run for reelection on the Commission at any time thereafter.

Commissioner Grant sought clarification that if the Commission approved the subject ordinance, the question would be placed on the November 2020 Election ballot.

City Attorney Hall affirmed this to be the case. If the public were to approve it, the ordinance would take effect in 2022.

Vice Mayor Berger remarked, as these were referendum items, their wording was important, asking if the language of the ballot question would differ from that of the subject ordinance.

City Attorney Hall remarked the reason for the current wording was to allow staff to tweak the verbiage, so it would be clear and correct before it was placed on the ballot. He would ensure the language was understandable to a layperson.

Mayor Thurston opened the discussion to the public.

Willie Mae Cooper, Lauderhill resident and president of the West Ken Lark Homeowners Association (HOA), stated she had no problem with the subject ordinance, as the voters should have the opportunity to decide whether to amend previous changes to the City's Charter.

**A motion was made by Commissioner Bates, seconded by Vice Mayor Berger, that this Ordinance be approved on first reading to the City Commission Meeting, due back on 1/13/2020. The motion carried by the following vote:**

**Yes:** 5 - Commissioner Bates, Vice Mayor Berger, Commissioner Campbell, Commissioner Grant, and Mayor Thurston

**Abstain:** 0

2. ORDINANCE NO. 190-12-151: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE VACANT LAND CONTRACT BETWEEN THE CITY OF LAUDERHILL AND LAUDERHILL MARKETPLACE, LLC FOR THE CITY OF LAUDERHILL TO PURCHASE AN APPROXIMATE 6.35 ACRE VACANT PARCEL OF LAND LOCATED AT THE CORNER OF STATE ROAD 7/U.S. 441 AND N.W. 11th PLACE, LAUDERHILL FOR THE PURCHASE PRICE OF \$3,472,158.40; AUTHORIZING THE CITY MANAGER AND/OR HIS DESIGNEE TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS; PROVIDING FOR PAYMENT FROM THE APPROPRIATE BUDGET CODE NUMBER(S); PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

**Attachments:** [AMENDED ORD-190-12-151-Vacant Land Purchase 6.35 parcel 4 - Lauderhill Marketplace.pdf](#)  
[AR 190-12-151](#)  
[Lauderhill Marketplace Land Contract 2019\\_11\\_12.pdf](#)  
[Lauderhill Marketplace MOU.pdf](#)

This Ordinance was approved on the Consent Agenda on first reading to the City Commission Meeting, due back on 01/13/2020. (See Consideration of Consent Agenda for vote tally.)

## **X ORDINANCES & PUBLIC HEARINGS - SECOND READING (NOT ON CONSENT AGENDA) (AS ADVERTISED IN THE SUN-SENTINEL)**

3. ORDINANCE NO. 190-11-147: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL AMENDING THE CODE OF ORDINANCES, CHAPTER 10, GARBAGE AND TRASH/UNSANITARY AND UNSIGHTLY CONDITIONS/ABANDONED

REAL PROPERTY; ARTICLE II, RECYCLABLE WASTE, SECTION 10-22, FEES TO UPDATE THE FEE SCHEDULE; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

**Attachments:** [ORD-190-11-147-Ordinance - 10-22-Recycling Fees.pdf](#)  
[AR 190-11-147](#)

**This Ordinance was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)**

4. ORDINANCE NO. 190-11-148: AN ORDINANCE OF THE CITY OF LAUDERHILL, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE II, OFFICERS AND EMPLOYEES, DIVISION 3, RETIREMENT TO CREATE A NEW PART 5, COORDINATION OF BENEFITS, CREATING NEW SECTION 2-89 AND SECTIONS 2-90 THROUGH 2-95 AS RESERVE TO ALLOW FOR THE COORDINATION OF BENEFITS AMONG ALL CITY OF LAUDERHILL PENSION PLANS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

**Attachments:** [ORD-190-11-148-Coordination of Benefits Ordinance 11-19](#)  
[AR 190-11-148](#)

**This Ordinance was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)**

5. ORDINANCE NO. 190-11-149: AN ORDINANCE APPROVING AN APPROPRIATION OF REVENUE AND EXPENDITURE FUNDS IN FISCAL YEAR 2020; APPROVING AN INTERDEPARTMENT BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$4,124,155.00, A CAPITAL BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$1,937,903.00 AND A SUPPLEMENTAL APPROPRIATION IN THE TOTAL AMOUNT OF \$1,500,000.00; REFLECTING APPROPRIATE ADJUSTMENTS TO VARIOUS REVENUE AND EXPENDITURE ACCOUNTS; PROVIDING VARIOUS BUDGET CODE NUMBERS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

**Attachments:** [ORD-190-11-149-Budget Adjustment & Appropriation FY 2020 \(REV\)](#)  
[AR 190-11-149](#)  
[Capital Adjustment backup](#)

**This Ordinance was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)**

## **XI ORDINANCES & PUBLIC HEARINGS - THIRD READING (NOT ON CONSENT AGENDA) (AS ADVERTISED IN THE SUN-SENTINEL)**

6. ORDINANCE NO. 19O-10-141: AN ORDINANCE OF THE CITY OF LAUDERHILL, FLORIDA, AMENDING THE CITY CODE BY AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE II, OFFICERS AND EMPLOYEES, DIVISION 3, RETIREMENT, PART 1, "FIREFIGHTERS PENSION FUND," AMENDING SECTION 2-41 "DEFINITIONS"; AMENDING SECTION 2-42 "MEMBERSHIP"; AMENDING 2-43 "RETIREMENT DATES AND BENEFITS"; AMENDING 2-49 "CONTRIBUTIONS"; AND AMENDING SECTION 2-54 "DEFERRED RETIREMENT OPTION PLAN (DROP)"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

**Attachments:** [ORD-19O-10-141-Fire COLA Pension Ordinance- Third Reading FINAL.pdf](#)  
[AR 19O-10-141](#)  
[Memo to Commission Re Fire COLA pension.pdf](#)

This Ordinance was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)

## XII RESOLUTIONS (IF NOT ON CONSENT AGENDA)

7. RESOLUTION NO. 19R-12-264: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE LIST OF SOLE SOURCE OR SINGLE SOURCE DESIGNATED COMPANIES THAT PROVIDE VARIOUS KEY SUPPORT, SERVICES, REPAIR, MAINTENANCE, AND/OR ESSENTIAL EQUIPMENT AND SOFTWARE TO THE CITY ON AN AS NEEDED BASIS; PROVIDING FOR PAYMENT FROM THE APPROPRIATE BUDGET CODE NUMBER(S); PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

**Attachments:** [RES-19R-12-264-List-Sole Source Providers 2019 #2.pdf](#)  
[AR 19R-12-264](#)  
[SOLE LETTERS.pdf](#)

This Resolution was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)

8. RESOLUTION NO. 19R-12-265: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL AUTHORIZING THE DISPOSAL OF OBSOLETE, DAMAGED, INOPERABLE AND SURPLUS EQUIPMENT IN THE MOST COST EFFECTIVE AND FAVORABLE MANNER PURSUANT TO CITY CODE SECTION 2-143; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

**Attachments:** [RES-19R-12-265-surplus obsolete disposal equipment 2019 #3.pdf](#)  
[AR 19R-12-265](#)  
[OBSOLETE 11.25 .pdf](#)

**This Resolution was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)**

9. RESOLUTION NO. 19R-12-266: A RESOLUTION OF THE CITY OF LAUDERHILL AWARDING THE BID (#2020-001) TO ADVANCED ATHLETICS SURFACES IN AN AMOUNT NOT TO EXCEED \$56,667.00 FOR THE RESURFACING OF THE WESTWIND PARK TENNIS COURTS; PROVIDING FOR PAYMENT FROM BUDGET CODE NUMBER 307-324-06916; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

**Attachments:** [RES-19R-12-266-bid-westwind tennis court.pdf](#)  
[AR 19R-12-266](#)  
[ORIGINAL FILE NOTIFICATION.\(002\).pdf](#)  
[FINAL RANKING RFP 2020-001 WEST WIND PARK TENNIS COURT RESURFACING.pdf](#)  
[west wind cost schedule.pdf](#)

**This Resolution was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)**

10. RESOLUTION NO. 19R-12-267: A RESOLUTION OF THE CITY OF LAUDERHILL AWARDING THE BID (#2019-051) TO J&J INC. D/B/A EAGLE PAINTING IN AN AMOUNT NOT TO EXCEED \$100,000.00 FOR CLEANING AND REPAINTING CITY-OWNED WALLS AND BUILDINGS WITHIN THE CITY ON AN AS NEEDED BASIS; PROVIDING FOR PAYMENT FROM BUDGET CODE NUMBER 001-313-4610; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

**Attachments:** [RE-19R-12-267-bid-painting city bldgs.pdf](#)  
[AR 19R-12-267](#)  
[ORIGINAL FILE NOTIFICATION.\(002\).pdf](#)  
[FINAL RANKING RFP 2019-051 CLEANING AND REPAINTING OF WALLS.pdf](#)  
[EAGLE PAINTING.pdf](#)

**This Resolution was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)**

11. RESOLUTION NO. 19R-12-268: A RESOLUTION OF THE CITY OF LAUDERHILL AWARDING THE BID (#2019-025) TO FG CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$389,190.14 TO CONSTRUCT A CULVERT LOCATED WEST OF N. UNIVERSITY DRIVE

AND EAST OF N.W. 76TH TERRACE; PROVIDING FOR PAYMENT FROM VARIOUS BUDGET CODE NUMBERS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

- Attachments:** [RES-19R-12-268-bid-culvert](#)  
[AR 19R-12-268](#)  
[ORIGINAL FILE NOTIFICATION.\(002\).pdf](#)  
[FINAL RANKING RFP 2019-025 QUAD DRAINAGE IMPROVEMENTS.pdf](#)  
[QUAD COST SCHEDULE.pdf](#)

Commissioner Bates asked if the culvert already existed, or was a new one being built.

Martin Cala, City Engineer, replied it would be a new culvert behind the Miami Subs; it would connect the two ends of the canal to the left and right along NW 50th Street.

Commissioner Bates inquired if there were any flooding issues in the subject area.

Mr. Cala answered yes, as the goal was to improve any flooding along the northwest quadrant. The way it was currently routed, with the canal behind Miami Subs, any rain that fell by the old Target property flowed west to NW 82nd and came back. With the connection, the water would go toward University Drive by the culvert at the clock tower. He said it was a faster way to reroute the runoff.

Commissioner Bates expressed concern for residents to the west who experienced excessive flooding when it rained heavily, asking if the subject changes would help them in any way.

Mr. Cala affirmed the proposed changes would substantially improve the runoff time.

City Attorney Hall indicated the language would be amended with the correct wording to state west of University and east of NW 76th Terrace.

Commissioner Campbell remarked the wording could be confusing if it said two parallel features crossed one another.

Commissioner Campbell made a motion to Amend Resolution #19R-12-268, as stated above by the City Attorney, seconded by Commissioner Bates. The vote was as follows:

- |                       |     |
|-----------------------|-----|
| Commissioner Bates    | Yes |
| Vice Mayor Berger     | Yes |
| Commissioner Campbell | Yes |
| Commissioner Grant    | Yes |
| Mayor Thurston        | Yes |

**A motion was made by Commissioner Bates, seconded by Commissioner Grant,**

that this Resolution be approved as amended. The motion carried by the following vote:

**Yes:** 5 - Commissioner Bates, Vice Mayor Berger, Commissioner Campbell, Commissioner Grant, and Mayor Thurston

**Abstain:** 0

12. RESOLUTION NO. 19R-12-269: A RESOLUTION OF THE CITY OF LAUDERHILL AWARDING THE BID (#2019-055) TO JOHNSON-DAVIS, INC. IN AN AMOUNT NOT TO EXCEED \$90,000.00 FOR THE SWALE RECONFIGURATION PROGRAM AND TO INSTALL EXFILTRATION TRENCHES THROUGHOUT THE CITY; PROVIDING FOR PAYMENT FROM VARIOUS BUDGET CODE NUMBERS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

**Attachments:** [RES-19R-12-269-bid-swales.pdf](#)

[AR 19R-12-269](#)

[ORIGINAL FILE NOTIFICATION.\(002\).pdf](#)

[FINAL RANKING RFP 2019-055 SWALE RECOGNITION PROGRAM.pdf](#)

[SWALE COST SCHEDULE.pdf](#)

**This Resolution was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)**

13. RESOLUTION NO. 19R-12-270: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL AUTHORIZING A CHANGE ORDER TO GYMDOORS FLORIDA, LLC. IN AN AMOUNT NOT TO EXCEED \$4,600.00 TO AUTHORIZE PAYMENT FOR THE SADKIN CENTER BASKETBALL BACKSTOP REPAIRS; PROVIDING FOR PAYMENT FROM THE APPROPRIATE BUDGET CODE NUMBER 307-326-06212; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

**Attachments:** [RES-19R-12-270-change order - Sadkin basketball hoop.pdf](#)

[AR 19R-12-270](#)

[Sadkin Center - GO Bond - Gymdoors Additional Repairs Recommended - November 2019.pdf](#)

**This Resolution was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)**

14. RESOLUTION NO. 19R-12-271: A RESOLUTION APPROVING THE WAIVER OF COMPETITIVE BIDDING; APPROVING THE AWARD OF BID TO VARIOUS VENDORS FOR DATA COMMUNICATIONS PRODUCTS AND SERVICES AT THE COOPERATIVE PRICING ON AN AS NEEDED BASIS BY THE CITY OF LAUDERHILL BASED UPON THE BIDS SOLICITED BY THE STATE OF FLORIDA CONTRACT

43220000-WSCA-14-ACS; PROVIDING FOR PAYMENT ON AN AS NEEDED BASIS FROM BUDGET CODE NUMBER 001-114-4620; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER CHARLES FARANDA).

**Attachments:** [RES-19R-12-271-PIGGY-data communications.pdf](#)

[AR 19R-12-271](#)

[ORIGINAL FILE NOTIFICATION.\(002\).pdf](#)

**This Resolution was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)**

15. RESOLUTION NO. 19R-12-272: A RESOLUTION APPROVING THE WAIVER OF COMPETITIVE BIDDING; APPROVING THE AWARD OF BID TO TWO VENDORS FOR TECHNOLOGY PRODUCTS, SERVICES, SOLUTIONS, AND RELATED PRODUCTS AND SERVICES AT THE COOPERATIVE PRICING ON AN AS NEEDED BASIS BY THE CITY OF LAUDERHILL BASED UPON THE BIDS SOLICITED BY THE STATE OF FLORIDA CONTRACT 43210000-US-16-ACS; PROVIDING FOR PAYMENT ON AN AS NEEDED BASIS FROM BUDGET CODE NUMBER 001-114-4620; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER CHARLES FARANDA).

**Attachments:** [RES-19R-12-272-PIGGY-technology products.pdf](#)

[AR 19R-12-272](#)

[ORIGINAL FILE NOTIFICATION.\(002\).pdf](#)

**This Resolution was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)**

16. RESOLUTION NO. 19R-12-273: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE DONATION IN THE TOTAL AMOUNT OF \$1,000.00 TO THE CHARITABLE ORGANIZATION YOUTH EMPOWERMENT VILLAGE, INC. TO SPONSOR THE COSTS FOR TWO (2) CHILDREN TO TRAVEL TO TALLAHASSEE ON JANUARY 26-28, 2020; PROVIDING FOR PAYMENT FROM THE ABANDONED PROPERTY ACCOUNT BUDGET CODE NUMBER; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANGER, CHARLES FARANDA).

**Attachments:** [RES-19R-12-273-Donation - Abandoned Property - Youth Empowerment.pdf](#)

[AR 19R-12-273](#)

[Youth Empowerment Village, Inc. 501c3 doc.pdf](#)

**This Resolution was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)**

17. RESOLUTION NO. 19R-12-274: A RESOLUTION OF THE CITY

COMMISSION OF THE CITY OF LAUDERHILL AUTHORIZING A CHANGE ORDER TO WEST CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$77,990.40 TO AUTHORIZE PAYMENT FOR THE INSTALLATION OF A FIRE SUPPRESSION SYSTEM; PROVIDING FOR PAYMENT FROM THE APPROPRIATE BUDGET CODE NUMBER 307-335-06212; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

**Attachments:** [RES-19R-12-274-change order - fire suppression system.pdf](#)

[AR 19R-12-274](#)

[Change order Fire Suppresion10-22-19.pdf](#)

[Golf Course-Change Order-sign.pdf](#)

This Resolution was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)

#### 17A. REMOVED

**17B.** RESOLUTION NO. 19R-12-278: A RESOLUTION OF THE CITY OF LAUDERHILL ACCEPTING THE PROPOSAL FROM SOUTHERN UNDERGROUND UTILITIES IN AN AMOUNT NOT TO EXCEED \$117,379.00 FOR CONSTRUCTION SERVICES, LABOR, EQUIPMENT, MATERIAL AND INCIDENTALS TO REPLACE DEFECTIVE VALVES AND TO ADD NEW VALVES TO THE CITY'S WATER DISTRIBUTION SYSTEM ALONG N.W. 82ND AVENUE AND N.W. 47TH STREET AND N.W. 84th AVENUE AND N.W. 50TH STREET; PROVIDING FOR PAYMENT FROM BUDGET CODE NUMBER 401-917-6372; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

**Attachments:** [RES-19R-12-278-Proposal-water valves.pdf](#)

[AR 19R-12-278](#)

[Proposal 18-0268-03 - \(2\) 12inch WM Valve Replacement \(002\)](#)

[Breakdown-WO4- 12-inch AC Linestops on 82 and 85 Ave-r1](#)

This Resolution was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)

**17C.** RESOLUTION NO. 19R-12-279: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL AUTHORIZING A CHANGE ORDER TO WAYPOINT CONTRACTING IN AN AMOUNT NOT TO EXCEED \$59,524.00 FOR THE INSTALLATION OF A NEW CONNECTED 4" THICK GRADE SLAB AT THE WINDERMERE BASKETBALL COURT; PROVIDING FOR PAYMENT FROM THE APPROPRIATE BUDGET CODE NUMBER 625-225-08313; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

**Attachments:** [RES-19R-12-279-change order - Windermere basketball slab.pdf](#)  
[AR 19R-12-279](#)  
[Slab Proposal.pdf](#)

**This Resolution was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)**

- 17D.** RESOLUTION NO. 19R-12-280: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL AUTHORIZING A CHANGE ORDER TO WAYPOINT CONTRACTING, INC. IN AN AMOUNT NOT TO EXCEED \$27,395.00 FOR FLOOR DESIGN INSTALLATION AT ST. GEORGE PARK; PROVIDING FOR PAYMENT FROM BUDGET CODE NUMBERS 625-225-08315 AND 111-105-04926; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

**Attachments:** [RES-19R-12-280-change order - Waypoint St. George Flooring.pdf](#)  
[AR 19R-12-280](#)  
[WAYPOINT CONTRACT.pdf](#)  
[ST GEORGE FLOOR CHANGE ORDER.pdf](#)

**This Resolution was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)**

- 17E.** RESOLUTION NO. 19R-12-281: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL AUTHORIZING A CHANGE ORDER TO WEST CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$448,445.16 FOR VARIOUS MODIFICATIONS TO THE WEST KEN LARK PARK RENOVATIONS; PROVIDING FOR PAYMENT FROM BUDGET CODE NUMBER 307-329-06939; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

**Attachments:** [RES-19R-12-281-change order - West Construction WKL improvements.pdf](#)  
[AR 19R-12-281](#)  
[West Ken Lark Park - GO Bond - Re-roof - West Construction Change Order .. .pdf](#)  
[West Ken Lark Park - GO Bond - Purchasing Memo - Bid and Additional \\$90.. .pdf](#)  
[West Ken Lark Park - GO Bond - Mobile Modular Trailer Quote](#)  
[West Ken Lark Park - GO Bond - Updated Track & Field Items - West Construction Change Order - 11-12-19](#)  
[FW West Ken Lark Park Trailer](#)  
[Floor Plan](#)

**This Resolution was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)**

**XIII QUASI-JUDICIAL MATTERS (IF NOT ON CONSENT AGENDA)**

18. RESOLUTION NO. 19R-12-275: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING TO LE PARC AT LAUDERHILL, LLC, A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW WITHIN THE RESIDENTIAL MULTIFAMILY (RM-40) ZONING DISTRICT A MULTIFAMILY DWELLING UNITS ATTACHED USE ON A 9.93 + ACRE SITE LEGALLY DESCRIBED AS TRACT 1, AT&T NO. 1 127-18B TRACT 1 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS FOLIO #494231340010, N.W. 40TH AVENUE., LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [RES-19R-12-275-Special X - Le Parc.pdf](#)

[AR 19R-12-275](#)

[DRR \(19-SE-014\) LeParc REVISED.pdf](#)

[Attachment A](#)

[-ORD.14O-02-106 Amd Zoning District Map Change Light Industria  
l to Residential Multi-Family Forty Dwel](#)

[Attachment B- RES 19R-02-29 Conceptual Support of LeParc for  
Incentives to Assist with Development](#)

[Attachment C- RES 19R-04-67 Development Agreement with LeParc  
at Lauderhill, LLC](#)

[Attachment D-LPAC 38th Connection 20181117](#)

[Attachment E- LE PARC COMPLETE SET](#)

[Attachment F - Future Land Use Element](#)

[Attachment G- SpecialExceptionUseApplica](#)

[Attachment H - SIGNED SEU Conditions Affidavit 19-SEU-014 Le  
Parc at Lauderhill, Inc. REVISED.pdf](#)

**This Resolution was approved on the Consent Agenda. (See Consideration of  
Consent Agenda for vote tally.)**

19. RESOLUTION NO. 19R-12-276: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING TO KIDDIE CARE, INC., A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW WITHIN THE COMMERCIAL OFFICE (CO) ZONING DISTRICT THE OPERATION OF A CHILDCARE USE WITH BEFORE AND AFTER CARE, ON A .497+ ACRE SITE LEGALLY DESCRIBED AS A PORTION OF TRACT A, LITTLE FRIENDS SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 84, PAGE 34 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND MORE COMMONLY KNOWN AS 5801 N.W. 19TH STREET, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** [RES-19R-12-276-Special X - KIDDIE CARE](#)  
[AR 19R-12-276](#)  
[Kiddie Care DRR \(19-SE-015\)](#)  
[A. Kiddie Care Preschool Preliminary Site Plan](#)  
[B. Floor Plan](#)  
[C. SEU Application Kiddie Care Inc](#)  
[D. Resolution #18R-03-39](#)  
[AMENDED Conditions Affidavit Kiddie Care Inc 2019](#)

Cheriezson McNally, CEO of Kiddie Care, Inc., and the applicant, stated they were currently running a daycare facility at 5801 NW 19th Street, Lauderhill, introducing his wife, Jennifer McNally, the president of the company and director of the daycare; they were currently at capacity with about 17 employees, including themselves. Regarding the drop-off/pickup area, City staff required them to make certain adjustments before receiving their certificate of use (COU) license. He said the issue was not knowing how long the permitting process would actually take, and in March 2018 when they originally got the special exception, they, unfortunately, thought the language on the exception stated they had 45 days to make the changes. They thought they satisfied all the conditions of approval set by City staff and everything was in order for them to receive the COU. However, based on City staff's belief that they failed to satisfy all conditions, they required the subject work done prior to receiving the COU. Mr. McNally acknowledged they were capable of doing the work, but they did not know what assurances they could give City staff to indicate they would get the work done; they served some 80 children, all Lauderhill residents, and had no wish to inconvenience their parents and staff by having to shut down their business to fix the parking lot.

Mayor Thurston inquired how long it would take Mr. McNally to make the revisions requested by City staff.

Mr. McNally replied they already submitted the site plan modifications to City staff, so it was based on them being accepted.

Mayor Thurston clarified his question was more with regard to the actual construction.

Mr. McNally said they spoke to a number of contractors, and the work required removing two trees, and moving parking spaces to allow two vehicles to go through.

Deputy City Manager Giles-Smith commented the City could immediately provide Mr. McNally with a temporary COU with a date certain within which they had to complete all the work to allow them resolve the issue and get their permanent COU.

Assistant City Manager/Finance Director Kennie Hobbs affirmed the City could immediately issue Mr. McNally a temporary COU with a specific timeframe in which to complete the permitting and required work. However, if the work could not be completed by the date stated in the temporary COU, Mr. McNally could request an extension with proof as to why they needed more time to complete the work. From the City's perspective, the subject business had been operating without the COU,

and the allotted time to do the work expired over a year and a half ago, so the City had to take some action at this point. He emphasized the issue was more related to a health and safety concern with the drop off/pickup area, so staff sought to bring the matter to the Commission's attention, as the business owners did not comply with that staff condition.

Commissioner Campbell sought clarification Mr. McNally was not opposed to fulfilling the condition requested by staff.

Mr. McNally answered no, they were not opposed, as they too wished to resolve the issue. He wished an explanation as to what staff felt constituted a safety issue.

City Planner Chris Torres stated the applicant submitted a site plan modification, and staff was still working with various City departments to determine what, if any, conditions of approval should be applied to the site plan. However, in just taking a quick look, it appeared there might be stacking issues, but with no dimensions on the plan, it was not easy to determine. He said, regarding ADA requirements, he noticed there were no ADA parking spaces on site or striping to get to and from the right of way, and there were circulation problems; staff would be discussing these issues at the Development Review Committee (DRC) meeting on December 17, 2019.

Commissioner Campbell echoed Mr. McNally's inquiry as to what staff determined as a safety concern.

Mr. Torres explained Mr. McNally would not be aware of staff's reasoning, as back in 2018, they had 45 days to submit a site plan modification, so at present, staff had various departments which were determining the scope of work, and any conditions they might have regarding safety and other site plan modifications. The plan needed to go to the Engineering, Police and Fire Departments for their input. Those comments would not be provided until input was given by all departments and relayed to the applicant at the upcoming DRC meeting.

Mr. Hobbs clarified the DRC was made up of all the City departments concerned in such matters, such as Fire, Police, Engineering, Planning & Zoning, the architect, etc. The DRC reviewed all the City's development plans and provided feedback to applicants at those meetings, allowing them time to make revisions deemed necessary.

Commissioner Campbell asked if they operated their business 12 months per year.

Mr. McNally stated they operated Monday to Friday.

Commissioner Campbell questioned if staff's proposal to immediately issue a temporary COU to allow for time to comply was something the applicant could accept.

Mr. McNally said he did not anticipate any issue complying, but they thought staff's request was open ended, so they only wished to make sure they were clear as to what staff was requesting of them. For example, they wished to know what the safety issues were, so they could be sure to address them; they understood the

safety issue of their sidewalks, but they were unclear as it related to the drop-off/pick up area. He acknowledged they did not have any ADA allotted parking spaces, but regarding their drop-off/pickup loop, it was on a one way street, with parents entering to pick up their children; there were no children running around the area. Originally, regarding the safety issue of stacking, he believed the concern was parents' cars would obstruct traffic, but that had not been an issue to date.

Commissioner Campbell remarked Mr. McNally had to work out with staff exactly what the safety issue was, asking if he was amenable to staff's proposal to issue a temporary COU to allow time to resolve the matter.

Mr. McNally answered yes, as long as all required work expected of him to satisfy staff's conditions were made clear.

Mr. Hobbs explained the temporary COU allowed the business owner to continue operating legally, while giving staff and the owner time to determine the issues to be addressed to achieve the compliance needed for the issuance of a permanent COU. This included the applicant attending the DRC on December 17, 2019, at which City staff would layout the various conditions the owner need to comply with based on staff's findings. He reiterated, at the DRC meeting, City staff would completely identify the various issues and ensure the owner understood staff's concerns, after which the owner would be given the chance to rectify the identified issues. If the work was not completed by the expiration date of the temporary COU, the City Manager could grant the owners an extension to come into compliance while remaining in operation.

Commissioner Bates sought clarification on the timeline.

Mr. Torres stated approval was granted March 5, 2018.

Commissioner Bates wished to know the reason for the delay in the applicant satisfying staff's conditions.

Mr. McNally acknowledged they received the information from City staff over a year ago, but they misunderstood the language on the form and thought it said they had 45 days to provide a development plan. Once they understood what was required of them, it took them some time to get the paperwork together.

Jennifer McNally indicated they thought they had 45 days before renewing their COU license, not 45 days from when their special exception was granted. Once City staff gave them clarification, they had the plans drawn up, and they had another meeting scheduled to go over the plan; they had no problem doing the work asked of them. She said they just needed the license and more time to get the required work done to be in compliance.

Commissioner Bates echoed the question on whether the owners were willing to comply with the staff's proposal of issuing them a temporary COU to allow them to remain open, and give them the time needed to go through the process and complete the work.

Ms. McNally answered yes.

Commissioner Bates asked if the Commission needed to amend the subject resolution.

City Attorney Hall affirmed it would have to be amended as follows: As to condition three, the City would extend to the applicant a temporary COU with a date certain to allow them to remain in operation, while allowing more time for them to pull permits and execute the improvements deemed necessary by City staff. In the event the applicant failed to complete the work within the time period set, the temporary COU would be terminated. This language would be added accordingly.

Commissioner Bates made a motion to Amend Resolution #19R-12-276, as stated by the City Attorney, seconded by Commissioner Grant. The vote was as follows:

Commissioner Bates	Yes
Vice Mayor Berger	Yes
Commissioner Campbell	Yes
Commissioner Grant	Yes
Mayor Thurston	Yes

**A motion was made by Commissioner Bates, seconded by Vice Mayor Berger, that this Resolution be approved as amended. The motion carried by the following vote:**

**Yes:** 5 - Commissioner Bates, Vice Mayor Berger, Commissioner Campbell, Commissioner Grant, and Mayor Thurston

**Abstain:** 0

**XIV QUASI-JUDICIAL MATTERS, FIRST READING**

**XV QUASI-JUDICIAL MATTERS, SECOND READING**

**XVI UNFINISHED BUSINESS**

**XVII OLD BUSINESS**

**XVIII NEW BUSINESS**

**XIX COMMUNICATIONS FROM PUBLIC OFFICIALS AT 9:00 PM, OR IMMEDIATELY BEFORE ADJOURNMENT, WHICHEVER SHALL FIRST OCCUR. IF AN ITEM OF LEGISLATION IS BEING DISCUSSED AT 9:00 PM, THE CHAIR MAY DELAY THESE COMMUNICATIONS UNTIL AFTER THE ITEM OF LEGISLATION HAS BEEN RESOLVED.**

City Attorney Hall wished the City Commission and City staff Happy Holidays.

Commissioner Campbell reminded everyone the Lauderhill Lions U6 and U10 each won their Super Bowl; he believed the U10 were the national champions in 2018 as well, and that the City should constantly acknowledge the achievements of its

youth. During the season, there was a game at the Lauderhill Sports Park that attracted over 3,000 attendees, which spoke highly of what was being done in Lauderhill, and he hoped the City would continue to ensure Lauderhill's young residents got the best, as they were giving the City their best. He noted the CASA Youth Classic would be kicking off the coming Wednesday, December 11 through the 15, 2019, and the event would allow youngsters throughout Broward County opportunities for scholarships, with an extension of some international input. There were coaches throughout the U.S. looking at these young players and, over the past 15 years, this program furnished hundreds of young people the chance to go to college, and to play semi-pro and pro soccer; many players were from families lacking the means to forward them in this manner. He encouraged everyone to come out and support them, noting the five-day tournament was free to the viewing public and the participants, and it would be held at the Lauderhill Sports Park at 7:00 pm. and 8:30 p.m. He wished everyone Happy Holidays, stating he looked forward to seeing everyone in the New Year.

Commissioner Bates thanked City staff for the tree lighting ceremonies the previous Thursday; the event was an awesome success. There were at least 3,000 people in the City Hall parking lot, and the children had a ball; City staff put on a mean party. She wished everyone a happy, safe holiday, a Happy New Year, and God's blessings.

Vice Mayor Berger stated the Lauderhill Regional Chamber of Commerce would hold their holiday celebration breakfast the coming Thursday at Lellos restaurant, 1400 N State Road 7, from 7:30 a.m. to 9:30 a.m. He said there were two synagogues in Inverrary, and both would hold Hanukkah lighting ceremonies at City Hall on December 23, 2019. The synagogue located in the plaza at NW 44th Street would hold theirs at 1:00 p.m., and the Synagogue of Inverrary, located at the corner of Inverrary Boulevard and NW 44th Street, would hold their ceremony at 5:00 p.m. Both events would take place inside City Hall. He wished everyone a Happy New Year, urging them to make it a good one.

Commissioner Grant wished everyone Happy Holidays, stating it had been a wonderful year of meeting challenges, and she looked forward to a prosperous and productive 2020. She thanked everyone for giving her the opportunity to serve.

Deputy City Manager Giles-Smith announced City Manager Faranda lost his mother-in-law over the weekend, asking everyone to send him their condolences. She wished everyone Happy Holidays.

Mayor Thurston mentioned the Jazz Picnic in the Park event that took place on December 8, 2019, was fantastic, thanking City staff for doing a tremendous job organizing the event. The performance was great, and attendees had a fantastic time. He wished everyone a safe, happy and merry holiday season.

## **XX ADJOURNMENT - 8:21 PM**