

City of Lauderhill

City Commission Meeting



Notice and Agenda - Revised

Monday, May 10, 2021 - 7:00 PM

Attend via phone: Dial 1-312-626-6799 & Meeting ID: 961 9905 9481

Attend via Computer: <https://www.colvcm.com>

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

LAUDERHILL CITY COMMISSION

Mayor Ken Thurston
Vice Mayor Denise D. Grant
Commissioner Melissa P. Dunn
Commissioner Lawrence Martin
Commissioner Sarai Martin

Desorae Giles-Smith, City Manager
Andrea M. Anderson, City Clerk
Earl Hall, City Attorney

NOTICE

NOTICE IS HEREWITH GIVEN TO ALL INTERESTED PARTIES THAT IF ANY PERSON SHOULD DECIDE TO APPEAL ANY DECISION MADE AT THE FORTHCOMING MEETING OF THE COMMISSION, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS CONDUCTED AT SUCH MEETING, AND FOR SUCH PURPOSE THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH ANY APPEAL MAY BE BASED. IF A PARTY WISHES TO MAKE A PRESENTATION, A COPY OF THE ELECTRONIC MEDIA TO BE USED FOR THAT PRESENTATION (DVD, CD, VIDEO, POWER POINT, ETC.) MUST BE PROVIDED TO THE CITY'S MIS DEPARTMENT AT LEAST 48-HOURS PRIOR TO THE COMMISSION MEETING. IT IS THE PARTY'S RESPONSIBILITY TO PROVIDE ALL DATA AND TO ARRANGE FOR THE EQUIPMENT NECESSARY FOR THE PRESENTATION. IN ADDITION, THAT PARTY IS RESPONSIBLE FOR PROVIDING A SUFFICIENT NUMBER OF COPIES OF ANY INFORMATION THAT IS TO BE DISTRIBUTED TO THE CITY COMMISSION.

ANY INDIVIDUAL WHO BELIEVES THEY HAVE A DISABILITY WHICH REQUIRES A REASONABLE ACCOMMODATION IN ORDER TO PARTICIPATE FULLY AND EFFECTIVELY IN THE MEETING SHOULD CONTACT THE CITY CLERK, ANDREA M. ANDERSON, AT 954-730-3010, AT LEAST 72 HOURS BEFORE THE MEETING.

IN ACCORDANCE WITH THE FLORIDA STATUTES, THIS BOARD/COMMITTEE FINDS THAT A PROPER AND LEGITIMATE PURPOSE IS SERVED WHEN MEMBERS OF THE PUBLIC HAVE BEEN GIVEN A REASONABLE OPPORTUNITY TO BE HEARD ON SUBSTANTIVE MATTERS BEFORE THE BOARD/COMMITTEE, WITH A FEW LIMITED EXCEPTIONS AS PROVIDED IN FLORIDA STATUTES, SECTION 286.0114. FOR THIS PURPOSE, MEMBERS OF THE PUBLIC WILL BE ALLOTTED THREE (3) MINUTES EACH FOR COMMENT AT EACH MEETING.

ALL LOBBYISTS AS DEFINED IN LAUDERHILL CITY CODE SECTION 2-24 MUST REGISTER WITH THE CITY CLERK CONTEMPORANEOUSLY WITH LOBBYING ACTIVITIES. A COPY OF CODE SECTION 2-24 MAY BE OBTAINED FROM THE OFFICE OF THE CITY CLERK.

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****II ROLL CALL****III PLEDGE OF ALLEGIANCE TO THE FLAG FOLLOWED BY GOOD AND WELFARE****IV CONSIDERATION OF CONSENT AGENDA****V APPROVAL OF MINUTES**

- A. Minutes of the City Commission Meeting for April 26, 2021.

[April 26, 2021 - City Commission Meeting Minutes](#)

VI PROCLAMATIONS / COMMENDATIONS

- A. A PROCLAMATION FOR GUN VIOLENCE AWARENESS WEEK (REQUESTED BY COMMISSIONER MELISSA P. DUNN).
- B. A PROCLAMATION FOR BRAIN CANCER AND BRAIN TUMOR AWARENESS MONTH (REQUESTED BY COMMISSIONER LAWRENCE MARTIN).
- C. A PROCLAMATION FOR DR. HERMAN ALLEN (REQUESTED BY MAYOR KEN THURSTON).
- D. A PROCLAMATION DECLARING HAITIAN HERITAGE MONTH (REQUESTED BY VICE MAYOR DENISE D. GRANT).
- E. A PROCLAMATION FOR THE NATIONAL DAY OF PRAYER (REQUESTED BY VICE MAYOR DENISE D. GRANT).

VII SPECIAL PRESENTATIONS

VIII GENERAL PRESENTATIONS (5 MINUTES MAXIMUM)

- A. A PRESENTATION FROM MR. & MRS. TED RICH OF WEST BROWARD OPTIMIST CLUB (REQUESTED BY COMMISSIONER LAWRENCE MARTIN).
- B. A PRESENTATION FROM MIKE HALL OF ABBA FIGURES, INC. (REQUESTED BY COMMISSIONER LAWRENCE MARTIN).
- C. A LEGISLATIVE WRAP-UP PRESENTATION FROM YOLANDA CASH JACKSON (REQUESTED BY CITY MANAGER DESORAE GILES-SMITH).
- D. A PRESENTATION FROM THE LAUDERHILL CHAMBER OF COMMERCE (REQUESTED BY CITY MANAGER DESORAE GILES-SMITH).
- E. AN UPDATE FROM THE PLANNING AND ZONING BOARD (REQUESTED BY CITY MANAGER DESORAE GILES-SMITH).
- F. A PRESENTATION RECOGNIZING TEACHER APPRECIATION WEEK (REQUESTED BY VICE MAYOR DENISE D. GRANT).

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

1. ORDINANCE NO. 210-05-115: AN ORDINANCE GRANTING A VARIANCE REQUEST FROM G.I. OF COMMERCIAL, LLC., SUBJECT TO CONDITIONS, FOR RELIEF FROM THE LAND DEVELOPMENT REGULATIONS, ARTICLE IV, PART 3.0, SUBSECTION 3.1.3, MINIMUM DISTANCE REQUIREMENTS, TO ALLOW A VARIANCE FROM THE MINIMUM 200 FOOT SEPARATION DISTANCE REQUIREMENTS FOR

OUTDOOR MENU BOARDS FROM ANY RESIDENTIALLY ZONED PROPERTIES ON AN APPROXIMATE ± 1.33 ACRE SITE IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT LEGALLY DESCRIBED AS LOTS 10 AND 11, COMMERCIAL BOULEVARD SHOPPES NO.2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 107, PAGE 43, OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 7040-7050 WEST COMMERCIAL BOULEVARD, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

[ORD-210-05-115-VARIANCE-Popeyes.pdf](#)

[AR 210-05-115](#)

[DRR Variance Popeyes Menu Board](#)

[Attachment A](#)

[BCPA Report - 7040 W Commercial Blvd](#)

[BCPA Report - 7050 W Commercial Blvd](#)

[Deed - 7040 W Commercial Blvd](#)

[Deed - 7050 W Commercial Blvd](#)

[Variance Application Form](#)

[Variance Application Justification](#)

[Authorization Letter](#)

[Attachment C](#)

[Popeye's Combined Plan Set 4-21-2021](#)

- 1A.** ORDINANCE NO. 210-05-116: AN ORDINANCE APPROVING AN APPROPRIATION OF REVENUE AND EXPENDITURE FUNDS FROM THE AMERICAN RESCUE ACT IN FISCAL YEAR 2021; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE TOTAL AMOUNT OF \$3,903,851.00; APPROVING A CAPITAL BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF \$5,575,654.00; REFLECTING APPROPRIATE ADJUSTMENTS IN THE TOTAL AMOUNT OF \$9,479,505.00 TO VARIOUS REVENUE AND EXPENDITURE ACCOUNTS; PROVIDING VARIOUS BUDGET CODE NUMBERS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH)

[ORD-210-05-116-Budget Adjustment-American Rescue Act.pdf](#)

[AR 210-05-116](#)

[ARP Supplemental.pdf](#)

- 1B.** ORDINANCE NO. 21R-05-117: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL REQUIRING ALL PERSONS ON CITY OF LAUDERHILL PREMISES TO COMPLY WITH THE CENTER FOR DISEASE CONTROL (CDC) GUIDELINES CURRENTLY IN EFFECT AND AS MAY BE AMENDED FROM TIME TO

TIME, AS DEEMED NECESSARY AND ESSENTIAL TO PROTECT THE HEALTH, SAFETY AND WELFARE OF EMPLOYEES AND MEMBERS OF THE PUBLIC WHILE THE CITY OF LAUDERHILL REMAINS UNDER A DECLARED STATE OF EMERGENCY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH).

[ORD-210-05-117-Proprietary-Mask CDC Requirements 5-6-21.pdf](#)

[AR 210-05-117](#)

[Ex. 1a-governor suspends eo.pdf](#)

[Ex. 1b- Some Broward businesses will keep masks in place after DeSantis orde](#)

[Ex. 2a-Broward County-Admin Policy Requiring Facial Coverings and Social Dis](#)

[Ex. 2b-Palm Beach County To DeSantis We Make The Rules Not You.pdf](#)

[Ex. 3-Personal and Social Activities COVID-19 CDC 5-6-21.pdf](#)

[EO 21-102.pdf](#)

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

2. ORDINANCE NO. 210-03-108: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA AMENDING VARIOUS SECTIONS OF THE LAND DEVELOPMENT REGULATIONS (LDR) AND THE CODE OF ORDINANCES PERTAINING TO MOBILE VENDORS, MOBILE FOOD VENDORS, AND HOME BASED BUSINESS REGULATIONS TO COMPLY WITH FLORIDA STATUTES, SECTION 477.0263; ADDING EXCEPTIONS PERTAINING TO COSMETOLOGY SERVICES; AMENDING LDR SCEHDULE A TO ADD DEFINITIONS FOR MOBILE VENDORS AND MOBILE FOOD VENDOR; AMENDING LDR SCHEDULE B, ALLOWABLE USES, TO ADD PROVISIONS REGARDING MOBILE VENDOR AND MOBILE FOOD VENDOR USES IN RESIDENTIAL AND COMMERCIAL ZONING DISTRICTS; AMENDING LDR ARTICLE III TO ADD SECTION 5.56 SUPPLEMENTAL REGULATIONS FOR MOBILE VENDOR AND MOBILE FOOD VENDOR USES; AMENDING CITY CODE OF ORDINANCES, CHAPTER 12, SECTION 12-5 TO ADD PROVISIONS FOR MOBILE VENDOR AND MOBILE FOOD VENDOR USES; SECTION 12-9 TO ADD PROVISIONS REGARDING HOME BASED BUSINESS REGULATIONS; AMENDING CITY CODE OF ORDINANCE CHAPTER 14, SECTION 14-38 VENDING VEHICLES (A) TO ADD DEFINITIONS OF MOBILE VENDOR AND MOBILE FOOD VENDOR AND (B) TO ADD THAT SUPPLEMENTAL REGULATIONS OF (B) ARE SPECIFIC TO ICE CREAM VENDING VEHICLES; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH).

[ORD-210-03-108-Mobile Vendors Food.pdf](#)

[AR 210-03-108](#)

[Final DRR Mobile Vendors and Mobile Food Vendors.pdf](#)

[Attachment A. FS 477.0263](#)

3. ORDINANCE NO. 210-04-113: AN ORDINANCE APPROVING THE SIX MONTH BUDGET REVIEW OF REVENUE AND EXPENDITURE AMENDMENTS FOR FISCAL YEAR 2021 IN THE TOTAL ADJUSTMENT AMOUNT OF \$3,394,791.00 APPROVING AN INTERDEPARTMENT BUDGET ADJUSTMENT IN THE AMOUNT OF \$1,650,106.00, A CAPITAL BUDGET ADJUSTMENT IN THE AMOUNT OF \$480,511.00 AND A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$1,264,174.00; REFLECTING APPROPRIATE ADJUSTMENTS TO VARIOUS REVENUE AND EXPENDITURE ACCOUNTS AS SPECIFICALLY INDICATED IN THE BREAKDOWN; PROVIDING VARIOUS BUDGET CODE NUMBERS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH).

[ORD-210-04-113-Budget 6-Months Adjustment & Appropriation FY 2021.pdf](#)

[AR 210-04-113](#)

[Supplemental 6 month 2021 Final.pdf](#)

4. ORDINANCE NO. 210-04-114: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL AMENDING THE CODE OF ORDINANCES, CHAPTER 8, ELECTIONS, SECTION 8-10, CODE OF ETHICS FOR CANDIDATES FOR PUBLIC OFFICE; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY COMMISSIONER MELISSA P. DUNN).

[ORD-210-04-114-Code of Ethics 8-10.pdf](#)

[AR 210-04-114](#)

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

5. ORDINANCE NO. 210-04-111: AN ORDINANCE AMENDING THE CITY OF LAUDERHILL CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE IV, CITY COMMISSION, SECTION 2-151, REGULAR MEETINGS TO PROVIDE THAT CITY COMMISSION MEETINGS SHALL START AT 6:00 P.M.; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY MAYOR KEN THURSTON).

[ORD-210-04-111-Code-2 151-6pm Commission Meeting Start Time](#)

[AR 210-04-111](#)

6. ORDINANCE NO. 210-04-112: AN ORDINANCE AMENDING THE CITY OF LAUDERHILL CODE OF ORDINANCES, CHAPTER 2,

ADMINISTRATION, ARTICLE IV, CITY COMMISSION, SECTION 2-159, ORDER OF BUSINESS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY COMMISSIONER SARAI "RAY" MARTIN).

[ORD-210-04-112-Code-2 159. Order of business](#)

[AR 210-04-112](#)

XII RESOLUTIONS (IF NOT ON CONSENT AGENDA)

7. RESOLUTION NO. 21R-05-92: A RESOLUTION APPROVING THE 2021 AMENDMENT TO THE "ADDITIONAL" LOCAL OPTION GAS TAX INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF LAUDERHILL FOR MOTOR FUEL PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL LOCAL OPTION OF THREE CENTS OF GAS TAX ON MOTOR FUEL ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH).
[RES-21R-05-92-INTERLOCAL-GAS 3 CENTAL ADDITIONAL TAX RESO 2021](#)
[AR 21R-05-92](#)
[GASTAX 3 2021 Amendment ex 1 FINAL.pdf](#)
[Gas Tax Memo to Cities 2021.pdf](#)
[Population Chart 2021.pdf](#)
8. RESOLUTION NO. 21R-05-93: A RESOLUTION APPROVING THE 2021 AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF LAUDERHILL FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH).
[RES-21R-05-93-INTERLOC-GAS-5th Cent tax for transit Reso 2021.pdf](#)
[AR 21R-05-93](#)
[GASTAX 5 2021 Amendment ex 2 FINAL.pdf](#)
[Gas Tax Memo to Cities 2021.pdf](#)
[Population Chart 2021.pdf](#)
9. RESOLUTION NO. 21R-05-94: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE LICENSE AGREEMENT BETWEEN THE CITY OF PLANTATION AND THE CITY OF LAUDERHILL FOR THE CITY OF LAUDERHILL FIRE DEPARTMENT TO TEMPORARY USE THE SPECIFIED FIRE VEHICLES ON AN AS NEEDED BASIS AT NO COST TO THE CITY OF LAUDERHILL; PROVIDING FOR INDEMNIFICATION TO THE CITY OF

PLANTATION; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER DESORAE GILES-SMITH).

[RES-21R-05-94-Agrmt-Plantation License Agreement Fire Vehicles.pdf](#)

[AR 21R-05-94](#)

[Plantation License - Fire Rescue Equipment.pdf](#)

10. RESOLUTION NO. 21R-05-95: A RESOLUTION DESIGNATING A DIRECTOR, AN ALTERNATE AND A SECOND ALTERNATE AS MUNICIPAL APPOINTMENTS TO THE BROWARD LEAGUE OF CITIES BOARD OF DIRECTORS FOR THE 2021-2022 YEAR; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH).

[RES-21R-05-95-BLC- Board of Director 2020-21.pdf](#)

[AR 21R-05-95](#)

[Board Request Appointment](#)

11. RESOLUTION NO. 21R-05-96: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE ADDENDUM TO THE RECYCLING COLLECTION AGREEMENT WITH WASTE MANAGEMENT INC. OF FLORIDA WASTE MANAGEMENT TO PROVIDE EXCLUSIVE RESIDENTIAL RECYCLING SERVICES CITYWIDE THROUGH SEPTEMBER 30, 2024 IN ORDER TO RUN CONCURRENT WITH THE SOLID WASTE SERVICES AGREEMENT; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH).

[RES-21R-05-96-Agrmt-Waste Mgmt Addendum Recycling.pdf](#)

[AR 21R-05-96](#)

[Addendum-Waste Mgmt-Recycling FINAL.pdf](#)

[Waste Mgmt Recycling terms letter.pdf](#)

- 11A. RESOLUTION NO. 21R-05-97: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE ELECTION OF WINNIEFORD NISBETH TO SERVE AS THE EMPLOYEE REPRESENTATIVE MEMBER OF THE GENERAL EMPLOYEE PENSION BOARD FOR THE REMAINDER OF THE TERM EXPIRING JANUARY 2023; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, DESORAE GILES-SMITH).

[RES-21R-05-97-Brd-GE Pension election employee member Nisbeth.pdf](#)

[AR 21R-05-97](#)

[General Employees Pension Board List](#)

[Election Correspondence - General Employee Pension Board](#)

[Winnie Nisbeth – General Employee Pension Board Nomination](#)

- XIII QUASI-JUDICIAL MATTERS (IF NOT ON CONSENT AGENDA)**
12. REMOVED
13. REMOVED
14. REMOVED
- 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.**
- XX ADJOURNMENT - 9:52 PM**