City of Lauderhill

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

Meeting Minutes - Draft

Thursday, September 26, 2019

7:00 PM

City Commission Chambers

City Commission Meeting

LAUDERHILL CITY COMMISSION

Mayor Ken Thurston
Vice Mayor M. Margaret Bates
Commissioner Howard Berger
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 7:09 PM.

II ROLL CALL

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

ALSO PRESENT:

Charles Faranda, 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 Bates, seconded by Commissioner Grant, to ACCEPT the Final-Revised Version of the City Commission Meeting Agenda for September 26, 2019. The motion carried by the following vote:

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

Abstain: 0

IV PUBLIC HEARING - SECOND READINGS (AS ADVERTISED IN THE SUN-SENTINEL)

1. ORDINANCE NO. 19O-09-124: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, ADOPTING, APPROVING, CERTIFYING AND RE-IMPOSING THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE HABITAT SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT DESIGNATED AREA AS REFLECTED ON THE ANNUAL TAX BILL FOR COSTS AND EXPENSES ASSOCIATED WITH THE IMPROVEMENT DISTRICT; DECLARING A SAFE NEIGHBORHOOD SPECIAL ASSESSMENT FOR

THE FISCAL YEAR 2020; PROVIDING FOR RE-IMPOSITION OF ANNUAL BILLING ON THE TAX BILL FOR THE ACTUAL COSTS AND EXPENSES FOR THE IMPROVEMENT DISTRICT DESIGNATED AREA; STATING A NEED FOR SUCH LEVY TO COVER THE ACTUAL COSTS ASSOCIATED WITH THE IMPROVEMENT DISTRICT; ALLOWING FOR INCREASES EQUIVALENT TO THE ACTUAL COSTS INCURRED NOT TO EXCEED NON-AD VALOREM SPECIAL ASSESSMENTS OF $250.00 AND 2 MILLS FOR EACH INDIVIDUAL PARCEL OF LAND PER YEAR; PROVIDING FOR THE MAILING OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: ORD-19O-09-124-CC-HABITAT SND Assessment Ordinance FY 2020.pdf
AR 19O-09-124
Ex. A. - Map Habitat.pdf
Ex. B Habitat-Assessment RATE FY 2020.pdf
HABITAT-CERTIFICATE OF ASSESSMENT ROLL 2019.pdf
verification habitat snd.pdf
September 12, 2019 - Non-Ad Valorem Special Assessments - Affidavit of Publication (COPY)

A motion was made by Vice Mayor Bates, seconded by Commissioner Grant, that this Ordinance be approved on second reading. The motion carried by the following vote:

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

Abstain: 0

2. ORDINANCE NO. 19O-09-125: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, ADOPTING, APPROVING, CERTIFYING AND RE-IMPOSING THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE MANORS OF INVERRARY SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT DESIGNATED AREA AS REFLECTED ON THE ANNUAL TAX BILL FOR COSTS AND EXPENSES ASSOCIATED WITH THE IMPROVEMENT DISTRICT; DECLARING A SAFE NEIGHBORHOOD SPECIAL ASSESSMENT FOR THE FISCAL YEAR 2020; PROVIDING FOR RE-IMPOSITION OF ANNUAL BILLING ON THE TAX BILL FOR THE ACTUAL COSTS AND EXPENSES FOR THE IMPROVEMENT DISTRICT DESIGNATED AREA; STATING A NEED FOR SUCH LEVY TO COVER THE ACTUAL COSTS ASSOCIATED WITH THE IMPROVEMENT DISTRICT; ADOPTING THE TAX LEVY OF ZERO (0.0) MILLS AND A NON-AD VALOREM SPECIAL ASSESSMENT OF $150.00 FOR ALL MASTER ASSOCIATION; AND ADOPTING A TAX LEVY OF ZERO (0.0) MILLS AND AN ADDITIONAL NON-AD VALOREM SPECIAL ASSESSMENT OF $250.00 FOR THE CONDO I ASSOCIATION CATEGORY PARCELS; PROVIDING FOR THE

MAILING OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: ORD-19O-09-125-CC-MANORS SND Assessment Ordinance FY 2020.pdf
AR 19O-09-125
Ex. A - Map ManorsSND.pdf
Ex. B Manors- ASSESSMENT RATE 2019.pdf
MANORS - CERTIFICATE OF ASSESSMENT 2019.pdf
verification manors snd.pdf
September 12, 2019 - Non-Ad Valorem Special Assessments - Affidavit of Publication (COPY)

A motion was made by Vice Mayor Bates, seconded by Commissioner Grant, that this Ordinance be approved on second reading. The motion carried by the following vote:

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

Abstain: 0

3. ORDINANCE NO. 19O-09-126: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, ADOPTING, APPROVING, CERTIFYING AND RE-IMPOSING THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE ISLES OF INVERRARY SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT DESIGNATED AREA AS REFLECTED ON THE ANNUAL TAX BILL FOR COSTS AND EXPENSES ASSOCIATED WITH THE IMPROVEMENT DISTRICT; DECLARING SPECIAL ASSESSMENTS FOR THE FISCAL YEAR 2020; PROVIDING THAT THERE WILL BE NO IMPOSITION OF TAX LEVY NOR SPECIAL ASSESSMENTS FOR ANNUAL BILLING ON THE TAX BILL THIS YEAR WITH REGARD TO THE SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT; PROVIDING FOR THE MAILING OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: ORD-19O-09-126-CC_Isles SND Assessment Ordinance FY 2020.pdf
AR 19O-09-126
Ex. A - Map IslesOfInverrarySND.pdf
Ex. B Isles-ASSESSMENT RATE 2019.pdf
ISLES-CERTIFICATE OF ASSESSMENT 2019.pdf
verification idles snd.pdf
September 12, 2019 - Non-Ad Valorem Special Assessments - Affidavit of Publication (COPY)

A motion was made by Vice Mayor Bates, seconded by Mayor Thurston, that this Ordinance be approved on second reading. The motion carried by the following vote:

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

Abstain: 0

4. ORDINANCE NO. 19O-09-127: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, ADOPTING, APPROVING, CERTIFYING AND RE-IMPOSING THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE WINDERMERE/TREE GARDENS SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT DESIGNATED AREA AS REFLECTED ON THE ANNUAL TAX BILL FOR COSTS AND EXPENSES ASSOCIATED WITH THE IMPROVEMENT DISTRICT; DECLARING A SAFE NEIGHBORHOOD SPECIAL ASSESSMENT FOR THE FISCAL YEAR 2020; PROVIDING FOR RE-IMPOSITION OF ANNUAL BILLING ON THE TAX BILL FOR THE ACTUAL COSTS AND EXPENSES FOR THE IMPROVEMENT DISTRICT DESIGNATED AREA; STATING A NEED FOR SUCH LEVY TO COVER THE ACTUAL COSTS ASSOCIATED WITH THE IMPROVEMENT DISTRICT; ALLOWING FOR INCREASES EQUIVALENT TO THE ACTUAL COSTS INCURRED NOT TO EXCEED NON-AD VALOREM SPECIAL ASSESSMENTS OF $500.00 AND 2 MILLS FOR EACH INDIVIDUAL PARCEL OF LAND PER YEAR; PROVIDING FOR THE MAILING OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: ORS-19O-09-127-CC-Windermere SND Assessment Ordinance FY 2020.pdf
AR 19O-09-127

Ex. A - WindermereSND.pdf

Ex B - Windermere-ASSESSMENT RATE 2019.pdf

WINDERMERE-CERTIFICATE OF ASSESSMENT 2019.pdf

verification windermere snd.pdf

September 12, 2019 - Non-Ad Valorem Special Assessments - Affidavit of Publication (COPY)

A motion was made by Vice Mayor Bates, seconded by Commissioner Grant, that this Ordinance be approved on second reading. The motion carried by the following vote:

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

Abstain: 0

5. ORDINANCE NO. 19O-09-128: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, ADOPTING, APPROVING, CERTIFYING AND RE-IMPOSING THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE

CITY OF LAUDERHILL ON THE ANNUAL TAX BILL FOR THE COSTS AND FEES OF PROVIDING STORM WATER SERVICES ONLY TO THOSE AREAS MORE COMMONLY KNOWN AS ST. GEORGE, WEST KEN LARK, BROWARD ESTATES, AND THE SWAP SHOP; DECLARING A STORM WATER ASSESSED COST FOR THE FISCAL YEAR 2020; PROVIDING FOR RE-IMPOSITION OF ANNUAL BILLING ON THE TAX BILL FOR ALL RELATED COSTS AND FEES FOR THE DESIGNATED AREAS; STATING A NEED FOR SUCH LEVY TO COVER THE ACTUAL COSTS AND FEES FOR SERVICES; ALLOWING FOR INCREASES EQUIVALENT TO THE ACTUAL COSTS CHARGED BY THE SERVICE PROVIDER; PROVIDING FOR THE MAILING OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: ORD-19O-09-128-Stormwater Assessment Ordinance FY 2020.pdf

AR 19O-09-128

Ex. A -Map Garbage & Stormwater.pdf

Ex. B Stormwater ASSESSMENT RATE 2019.pdf

STORMWATER-CERTIFICATE OF ASSESSMENT 2019.pdf

verification storm water.pdf

September 12, 2019 - Non-Ad Valorem Special Assessments - Affidavit of Publication (COPY)

A motion was made by Vice Mayor Bates, seconded by Mayor Thurston, that this Ordinance be approved on second reading. The motion carried by the following vote:

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

Abstain: 0

6. ORDINANCE NO. 19O-09-129: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, ADOPTING, APPROVING, CERTIFYING AND RE-IMPOSING THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY OF LAUDERHILL ON THE ANNUAL TAX BILL FOR THE COSTS AND FEES OF PROVIDING GARBAGE, REFUSE AND RECYCLING SERVICES ONLY TO THOSE DESIGNATED AREAS MORE COMMONLY KNOWN AS ST. GEORGE, WEST KEN LARK, BROWARD ESTATES, AND THE SWAP SHOP; DECLARING A GARBAGE ASSESSED COST FOR THE FISCAL YEAR 2020; PROVIDING FOR RE-IMPOSITION OF ANNUAL BILLING ON THE TAX BILL FOR ALL RELATED COSTS AND FEES FOR THOSE AREAS; STATING A NEED FOR SUCH LEVY TO COVER THE ACTUAL COSTS AND FEES FOR SERVICES; ALLOWING FOR INCREASES EQUIVALENT TO THE ACTUAL COSTS CHARGED BY THE SERVICE PROVIDER; PROVIDING FOR THE MAILING OF THIS ORDINANCE; PROVIDING

FOR AN EFFECTIVE DATE.

Attachments: ORD-19O-09-129-CC-Garbage Assessment Ordinance FY 2020.pdf

AR 19O-09-129

Ex. A -Map Garbage & Stormwater.pdf

Ex. B Garbage-RATE ASSESSMENT 2019.pdf

Garbage - Certificate of Assessment Roll 2019.pdf

verification garbage.pdf

September 12, 2019 - Non-Ad Valorem Special Assessments - Affidavit of Publication (COPY)

A motion was made by Vice Mayor Bates, seconded by Commissioner Grant, that this Ordinance be approved on second reading. The motion carried by the following vote:

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

Abstain: 0

7. ORDINANCE NO. 19O-09-130: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, ADOPTING, APPROVING, CERTIFYING AND RE-IMPOSING THE UNIFORM METHOD FOR COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY OF LAUDERHILL ON THE ANNUAL TAX BILL FOR ALL COSTS AND FEES INCURRED BY THE CITY TO PROVIDE SELF-HELP REMEDIES FOR NUISANCE ABATEMENT VIOLATIONS OF CITY CODE CHAPTER 10 RELATIVE TO GARBAGE, TRASH, UNSANITARY AND UNSIGHTLY CONDITIONS WHERE VIOLATORS FAIL TO TIMELY PAY BY SEPTEMBER 30TH; PROVIDING FOR ANNUAL BILLING FOR SUCH NON-AD VALOREM ASSESSMENTS, AS APPLICABLE, ON THE INDIVIDUAL VIOLATORS' BROWARD COUNTY ANNUAL TAX BILL; DECLARING NUISANCE ABATEMENT ASSESSMENT COSTS FOR THE FISCAL YEAR 2020; PROVIDING FOR IMPOSITION OF ANNUAL BILLING ON THE TAX BILL FOR ALL RELATED COSTS AND FEES FOR THOSE AREAS; STATING A NEED FOR SUCH LEVY TO COVER THE ACTUAL COSTS AND FEES FOR SERVICES; ALLOWING FOR INCREASES EQUIVALENT TO THE ACTUAL COSTS CHARGED BY THE SERVICE PROVIDER; PROVIDING FOR THE MAILING OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: ORD-19O-09-130-CC-Nuisance Abatement Assessment Ordinance FY 2020.pdf
AR 19O-09-130

Ex. A-Map -Nuisance Abatement Citywide.pdf

Ex B-Rates-Amended Nuisance Abatement List 2019

NUISANCE ABATEMENT - CERTIFICATE OF ASSESSMENT 2019.pdf
verification nuisance.pdf

September 12, 2019 - Non-Ad Valorem Special Assessments - Affidavit of Publication (COPY)

A motion was made by Vice Mayor Bates, seconded by Commissioner Grant, that this Ordinance be approved on second reading. The motion carried by the following vote:

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

Abstain: 0

8. ORDINANCE NO. 19O-09-131: AN ORDINANCE OF THE CITY OF LAUDERHILL, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF LAUDERHILL, FLORIDA; REIMPOSING FIRE RESCUE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF LAUDERHILL FOR FISCAL YEAR 2020; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: ORD-19O-09-131-Fire Assessment Ordinance FY 2020.pdf

AR 19O-09-131

Ex. A-Map - Citywide.pdf

Ex B - Fire-Rates 2018.pdf

Fire certification.pdf

verification fire.pdf

September 12, 2019 - Non-Ad Valorem Special Assessments - Affidavit of Publication (COPY)

A motion was made by Vice Mayor Bates, seconded by Commissioner Grant, that this Ordinance be approved on second reading. The motion carried by the following vote:

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

Abstain: 0

9. ORDINANCE NO. 19O-09-132: AN ORDINANCE SETTING AND ADOPTING THE 2019-2020 PROPERTY TAX LEVY FOR THE CITY OF LAUDERHILL AT THE OPERATING MILLAGE RATE OF 8.9898 PER

ONE THOUSAND DOLLARS ($1,000); SETTING AND ADOPTING THE 2019-2020 VOTED DEBT SERVICE MILLAGE AT A RATE OF 1.8500 PER ONE THOUSAND DOLLARS ($1,000); PROVIDING FOR AN EFFECTIVE DATE.

Attachments: ORD-19O-09-132-CC FINAL MILLAGE levy Ordinance FY 2020.pdf

AR 19O-09-132

DR 420 Signed (2).pdf

A motion was made by Vice Mayor Bates, seconded by Commissioner Grant, that this Ordinance be approved on second reading. The motion carried by the following vote:

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

Abstain: 0

10. ORDINANCE NO. 19O-09-133: AN ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, BASED ON THE BUDGET ESTIMATE OF EXPENDITURES AND REVENUES THAT EQUAL $189,982,864; ADOPTING THE OPERATING AND CAPITAL BUDGET FOR THE CITY OF LAUDERHILL FOR THE FISCAL YEAR 2020; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: ORD-19O-09-133-CC CAPITAL & OPERATING Budget Final Ordinance FY 2020.pdf

AR 19O-09-133

Budget Recon FY 2020 REVISED.pdf

Commissioner Campbell commented, as a member of a nonprofit organization in the City, if there was any conflict on the subject item, he would recuse himself.

City Attorney Hall noted, for any budget line item referring to CASA, Commissioner Campbell wished to ensure it was known to the public that his vote did not apply to any Commission approval allocating City funding, etc. to CASA. Specifically, Commissioner Campbell expressed his wish to recuse himself from that line item within the budget.

A motion was made by Vice Mayor Bates, seconded by Commissioner Grant, that this Ordinance be approved on second reading. The motion carried by the following vote:

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

Abstain: 0

V CONSIDERATION OF CONSENT AGENDA

A motion was made by Vice Mayor Bates, seconded by Mayor Thurston, that this Consent Agenda was approved. The motion carried by the following vote:

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

Abstain: 0

VI APPROVAL OF MINUTES

A. Minutes of the City Commission for September 12, 2019.

Attachments: September 12, 2019 - City Commission Meeting Minutes

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

VII PROCLAMATIONS / COMMENDATIONS

A. A PROCLAMATION HONORING THE SICKLE CELL DISEASE ASSOCIATION (REQUESTED BY MAYOR KEN THURSTON).

B. A PRESENTATION HONORING SHAK'S HOPE (REQUESTED BY COMMISSIONER DENISE D. GRANT).

VIII SPECIAL PRESENTATIONS

IX GENERAL PRESENTATIONS (5 MINUTES MAXIMUM)

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

11. ORDINANCE NO. 19O-09-140: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL AMENDING THE CODE OF ORDINANCES, CHAPTER 6, BUILDINGS AND BUILDING REGULATIONS, ARTICLE I, IN GENERAL, SECTION 6-10, ENUMERATION OF PERMIT FEES, REGULATION AND INSPECTION FEES, REGARDING PLANNING AND ZONING REVIEW FEES; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: ORD-19O-09-140-Code 6-10 - P&Z fee schedule AMENDED.pdf

AR 19O-09-140

Ex. A-PZ_Fee_Update_Memo_09-09-19.pdf

Ex. B -Fee Schedule Comparison Sheet.pdf

Ex. C -Surrounding Municipalities Fee Schedules.pdf

This Ordinance was approved on the Consent Agenda on first reading to the City Commission Meeting, due back on 10/28/2019. (See Consideration of Consent Agenda for vote tally.)

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

12. ORDINANCE NO. 19O-09-134: AN ORDINANCE APPROVING A BUDGET ADUSTMENT AND A SUPPLEMENTAL APPROPRIATION OF ADDITIONAL REVENUES AND EXPENDITURES TO BALANCE THE FISCAL YEAR 2019 BUDGET; PROVIDING FOR VARIOUS BUDGET CODE NUMBERS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: ORD-19O-09-134-Budget-supp approp FY 2019 End Ord.pdf

AR 19O-09-134

EYO BA.pdf

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

13. ORDINANCE NO. 19O-09-135: AN ORDINANCE AMENDING THE CODE OF ORDINANCES CHAPTER 21, WATER AND SEWER SERVICE, ARTICLE IV, DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES RULES, REGULATIONS, AND RATES; AMENDING SECTION 21-47, SCHEDULE OF RATES AND CHARGES, TABLE 4, WATER SYSTEM MINIMUM CHARGE/AVAILABILITY CHARGE; AND TABLE 5, WATER SYSTEM VOLUMETRIC RATE; AND TABLE 6, SEWER RATES AVAILABILITY CHARGE AND VOLUMETRIC RATE TABLE TO AMEND THE RATE STRUCTURES FOR WATER AND SEWER; PROVIDING THAT THE NEW RATE STRUCTURE SHALL BE EFFECTIVE COMMENCING OCTOBER 1, 2019; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: ORD-19O-09-135-Water & Sewer - Sec._21_47.___Schedule_of_rates.pdf

AR 19O-09-135

Revised Copy of Copy of CPI UB Rates FY20 Oct 2019 (005)

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

14. ORDINANCE NO. 19O-09-136: AN ORDINANCE AMENDING THE CODE OF ORDINANCES CHAPTER 21, WATER AND SEWER SERVICE, ARTICLE IV, DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES RULES, REGULATIONS, AND RATES; AMENDING SECTION 21-47, SCHEDULE OF RATES AND CHARGES, TABLE 7, STORMWATER MINIMUM CHARGE/AVAILABILITY CHARGE; AMENDING THE STORMWATER RATE STRUCTURE EFFECTIVE COMMENCING OCTOBER 1, 2019; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES

FARANDA).

Attachments: ORD-19O-09-136-Stormwater-Sec._21_47.___Schedule_of_rates.pdf

AR 19O-09-136

Revised Copy of Copy of CPI UB Rates FY20 Oct 2019 (005)

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

15. ORDINANCE NO. 19O-09-139: AN ORDINANCE AMENDING THE CITY OF LAUDERHILL CODE OF ORDINANCES, APPENDIX G, FRANCHISES, ARTICLE III, GARBAGE, REFUSE AND TRASH, EXHIBIT "A" AMENDING THE RATE SCHEDULE OF FEES EFFECTIVE OCTOBER 1, 2019; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: ORD-10O-09-139-ARTICLE_III.___GARBAGE__REFUSE_AND_TRASH FY 20 Increase MultiFam Final.pdf

AR 19O-09-139

WM Correspondence_new rates eff 10 01 19.pdf

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

XII RESOLUTIONS (IF NOT ON CONSENT AGENDA)

REMOVE RESOLUTION NO. 19R-08-162 FROM THE TABLE. ITEM WAS TABLED AUGUST 26, 2019.

16. RESOLUTION NO. 19R-08-162: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPOINTING VARIOUS MEMBERS OF THE LAUDERHILL COMMUNITY AND BUDGET ADVISORY BOARD BY THE CITY COMMISSION AS A WHOLE FOR A ONE (1) YEAR TERM EXPIRING JULY 2020; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY THE CITY COMMISSION).

Attachments: RES-19R-08-162-Brd-Community&Budget Committee- 2019 -2020.pdf

AR 19R-08-162

CBAB Map

Community and Budget Advisory Board List

Eula Murray-Hylton - Board Application - Section 1

Janice Thompson - Board Application - Section 1

Nadia Assad - Board Application - Section 1

Trecia Myrie-Reid - Board Application - Section 1

Aryeh Shender - Board Application - Section 2

Jonise Louis - Board Application - Section 2

Claudette dePass - Board Application - Section 3

Dwight Hinkson - Board Application - Section 3

Jessica Coutain - Board Application - Section 3

Ray Martin - Board Application - Section 6

Cassandra Wright - Board Application - Section 7

Samuel Wilkerson - Board Application- Section 8

Mayor Thurston mentioned the subject item was discussed at the Commission's last workshop meeting, and there were members of the Community & Budget Advisory Board (CBAB) present. The request was for the Commission to proceed with appointing members, so they could resume meeting; there was still the need to appoint CBAB members for the eight identified sections of the City. He noted section one had four applicants; section two had two applicants; and section three had three applicants, and the Commission had to select one member to represent each of the three sections.

City Attorney Hall affirmed this to be the case, stating sections six, seven and eight each had one representative, the previous board members, who already indicated their desire to be reappointed.

Commissioner Campbell questioned if previous board members were being retained.

Mayor Thurston responded it was up to the Commission to decide whether to reappoint the previous CBAB members, noting no one submitted applications for sections four and five.

Commissioner Campbell recalled there was a request from the current CBAB members that the Commission reappoint them and, moving forward, efforts would be made to fill the seats for unrepresented areas. He wanted to know what was wrong with making an adjustment by changing the boundaries, as it would not take away representation from any area, rather, it would just increase the size of the boundaries and make the situation more workable than it was at present.

City Attorney Hall reminded the Commission that at the last meeting when the subject matter was discussed, the current Board members asked the Commission to reappoint them so they could resume meeting, and when they came to the next Commission workshop, they could present their thoughts on the boundaries.

Vice Mayor Bates sought clarification that the purpose of the proposed resolution was to reappoint the previous members to of the CBAB.

City Attorney Hall clarified, the proposed resolution was for the Commission to appoint members to the CBAB via the reappointment of previous members and/or from among the aforementioned candidates.

Vice Mayor Bates expressed confusion as to the appointment of Eula Murray-Hylton.

Assistant City Attorney Rosenberg pointed out Ms. Murray-Hylton occupied seat nine, which was an at-large position appointed by the Commission as a whole.

Vice Mayor Bates specifically recalled Mr. Martin stating he spoke with some residents who were interested in serving on the CBAB. She knew the discussion was about reappointing the previous Board members, but there was some confusion.

Assistant City Attorney Rosenberg stated the Commission had to go through the process of appointing all the CBAB members, as she was looking at the list of the previous board members, and seats two, four and five were vacant. It was up to the Commission how to approach making the CBAB appointments.

City Attorney Hall concurred, stating, for example, the Commission could choose to reappoint Ms. Murray-Hylton to seat nine.

Assistant City Attorney Rosenberg indicated she could name the previous board members and the seat they occupied, and the Commission could decide whether to reappoint them or not. Seat one was previously held by Trecia Myrie-Reid, and she was the fourth candidate listed for section one. Seat two had two candidates, and the previous candidate resigned in April of 2019, and the seat remained vacant. Seat three was previously held by Claudette DePass, and she was the third candidate listed. Seat four was previously held by Victor Golding, but no candidate was listed as interested in the backup, so she was unsure if Mr. Golding wished to be reappointed. Seat five was previously vacant and no candidates applied to date. The previous board members for seats six, seven and eight, were Ray Martin, Cassandra Wright, and Samuel Wilkerson respectively, and Ms. Murray-Hylton held seat nine, the at-large appointment; all expressed interest continuing to serve on the CBAB.

Commissioner Campbell wished to know how the list of candidates was compiled.

Assistant City Attorney Rosenberg indicated the names she just mentioned were the prior board members, and there were other candidates, as listed in the backup, for seats one, two and three.

Commissioner Campbell questioned how the Commission was supposed to make any CBAB appointments if they did not know who the applicants were.

Assistant City Attorney Rosenberg believed in the previous appointment process, each candidate came up and gave a brief presentation to the Commission.

Commissioner Campbell suggested making the process simple by reappointing the previous board members, then allow them to make recommendations, as it was not reasonable to select appointees who were unknown to the Commission. Since the most important thing was to get the board to reconvene and begin functioning again, and there were sufficient members to achieve a quorum, that was the place to begin.

City Attorney Hall affirmed the Commission could begin in this manner, as there were already five members available for reappointment. Ms. Myrie-Reid, Ms. DePass, Mr. Martin, Ms. Wright, and Mr. Wilkerson, along with Ms. Murray Hylton.

Assistant City Attorney Rosenberg indicated the reappointment of the CBAB members would be as follows: section one Trecia Myrie-Reid, section three Claudette DePass; sections four and five remained vacant, section six Ray Martin, section seven Cassandra Wright; section eight Samuel Wilkerson, and the at-large appointment would be Eula Murray-Hylton. Section two's previous appointee resigned and remained vacant, section five remained vacant, and the applicant for section four was no longer interested in serving, so two, four and five were vacant.

A motion was made by Commissioner Campbell, seconded by Commissioner Grant, that this Resolution be approved. The motion carried by the following vote:

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

Abstain: 0

17. RESOLUTION NO. 19R-09-205: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE FIRST AMENDMENT TO THE FISCAL YEAR 2018-2019 HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM INTERLOCAL AGREEMENT FOR THE HOUSING REHABILITATION PROGRAM; INCREASING THE EXISTING DISBURSEMENT AMOUNT OF $108,042.00 BY $4,761.00 FOR A REVISED DISBURSEMENT OF FUNDING IN THE TOTAL AMOUNT OF $112,803.00; PROVIDING FOR TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-09-205-Agrmt-HOME 1st Amend FY 2018-19 Housing Rehab Program.pdf
AR 19R-09-205
First Amendment FY18 Lauderhill Housing Rehab.pdf

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

18. RESOLUTION NO. 19R-09-206: A RESOLUTION APPROVING THE CANCELLATION AND RESCHEDULE DATES CALENDAR PRESENTED BY CITY STAFF FOR THE 2020 FISCAL YEAR; ENABLING STAFF TO PROVIDE ADVANCED NOTICE AND PUBLICATION TO THE PUBLIC OF SUCH DATES; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: 19R-09-206-Calendar FY 2020.pdf

AR 19R-09-206

2019-2020 City Commission Schedule (Proposed)

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

19. RESOLUTION NO. 19R-09-207: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL WAIVING COMPETITIVE BIDDING REQUIREMENTS; AUTHORIZING THE PURCHASE OF TWO (2) WACKER NEUSON HEAVY DUTY MOBILE GENERATORS FROM KELLY TRACTOR BASED UPON THE PIGGY BACK OF THE FLORIDA ASSOCIATION CONTRACT (FSA 18-VEH16.0); PROVIDING FOR PAYMENT IN THE TOTAL AMOUNT NOT TO EXCEED $127,980.00 FROM VARIOUS BUDGET CODE NUMBERS INDICATED; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-09-207-PIGGY-Kelly Tractor.-2 generatorsdoc.pdf

AR 19R-09-207

Wacker G100 City of Lauderhill rev0909

G100 spec sheet

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

20. RESOLUTION NO. 19R-09-208: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL WAIVING THE COMPETITIVE BIDDING REQUIREMENTS; APPROVING THE PURCHASE FROM THE SOLE SOURCE APPROVED VENDOR, SANDERS COMPANY, INC., AS THE SOLE DEVELOPER, MANUFACTURER AND PROVIDER OF LIFT STATION PUMPS; AUTHORIZING THE PURCHASE IN AN AMOUNT NOT TO EXCEED $110,000.00 FROM VARIOUS BUDGET CODE NUMBERS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-09-208-Sole Source - Sanders-lift pumps.pdf
AR 19R-09-208
Res. 18-10-243
LS #12 Replacement Pump Quote 992019 Rev
LS 41 Pump Quote 8142019
LS 3 New Pump Quote 7062019
LS 45 Replacement Pump Quote 8082019
PS 48 Rotating Assembly Quote 9112019

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

21. RESOLUTION NO. 19R-09-209: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR THE HOME PURCHASE ASSISTANCE PROGRAM FOR FISCAL YEAR 2016-2017; EXTENDING THE TIME FOR COMPLETION OF THE PROJECT; PROVIDING FOR TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)

Attachments: RES-19R-09-209-Agrmt-HOME Purchasing Assistance 1st Amdnt.pdf
AR 19R-09-209
FY 2016-2017 HOME PA 1ST ILA AMEND.pdf

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

22. RESOLUTION NO. 19R-09-210: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, AUTHORIZING AND DIRECTING THE CITY TO JOIN IN THE FILING OF A BRIEF AT THE FLORIDA SUPREME COURT SUPPORTING THE PLACEMENT ON THE BALLOT OF THE INITIATIVE PETITION ENTITLED “PROHIBITS POSSESSION OF DEFINED ASSAULT WEAPONS”; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY MAYOR KEN THURSTON).

Attachments: RES-19R-09-210-Ban Assault Weapons Constitutional Amendment.pdf
AR 19R-09-210
Proposed Constitutional Amendment.pdf

Commissioner Berger stated Florida’s Attorney General filed a motion with the State Supreme Court saying that the measures and language were misleading and unclear, and that was why the initiative should be removed from the ballot. He felt she had a point, as the measure would ban the possession of virtually every semi-automatic long gun, pointing out most guns in America were semi-automatic. To be included on the ballot, the language should reveal to citizens the effect of the amendment, which it did not. The ballot language was deficient as the title and summary did inform Florida’s electorate that virtually every lawful owner of a semi-automatic long gun would be forced to register with the Florida Department of Law Enforcement (FDLE), and if they did not within one year of the legislation taking effect, the action was punishable by law. He remarked, basically, the ballot question aimed to ban every rifle and shotgun in the country today with the exception of single-shot bolt-action rifles, or single-shot shotguns by calling them assault weapons, which sounded very scary, but that could be applied to everything one wanted to ban. As with any law that sought to restrict the rights of people, and in the subject instance, the Second Amendment, people needed to ask themselves if the law, if passed, would be effective in achieving its stated goal. Commissioner Berger believed the subject amendment failed to pass that fundamental test, noting there was an assault weapons ban from 1994 to 2004 that accomplished little in stopping shootings that resulted from weapons or guns covered under the assault weapons ban at the time. If the language in the ballot question was not correct and clear, the City should not support such an amendment to the Florida Constitution. He said firearms that were legally purchased, owned and used for years, by the proposed legislation, would become banned, and if found in possession of them, owners could be punished for merely continuing to possess their lawfully acquired property if they failed to register them with the State. He agreed action was needed on addressing mass shootings in the country, and he supported red flag laws, keeping guns out of the hands of the mentally ill, and the strengthening of the background check process. He was not in favor of preventing law-abiding citizens from exercising their Second Amendment right; that would be wrong.

Commissioner Campbell commented on looking at the resolution, and it said nothing about semi-automatic weapons, rather it spoke about assault weapons, and not unique to Lauderhill, even schoolchildren were aware of what an assault weapon meant. Basically, it meant guns used in warfare, and he was unsure what the conflict in understanding that those guns were not the same as guns use for hunting purposes. He remained unclear as to the reason for opposition to the proposed ballot question, and while there was constant talk about the rights of those who wished to bear arms, he was more concerned about the rights of millions of citizens who lived in fear of these assault weapons and thought they had no place in a civilized, modern society. If the country were at war, their possession might be appropriate, but the country was not.

Commissioner Berger stated the resolution did talk about prohibiting the possession of semi-automatic rifles and shotguns capable of holding more than ten rounds of ammunition at once, either in a fixed or detachable magazine. A magazine that can hold any round, if it was three or four, could hold a magazine of more than ten rounds of ammunition, which was not uncommon in the U.S.

Mayor Thurston said, as a society, American residents witness assault weapons used to kill large numbers of people. He was of the opinion that the possession of assault weapons should be banned, and he asked for a vote from the Commission on whether the City should support the legislation. He opened the item to the public.

A Lauderhill resident remarked, if there was to be a ban on the possession of assault rifles for persons who owned such guns after they passed background screening, then the ownership of all semi-automatic guns should be banned, particularly those with high capacity magazines, as they all fell into the same category. In all fairness, a responsible citizen should not lose that right.

Mayor Thurston received no further input from the public.

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

Yes: 4 - Commissioner Campbell, Commissioner Grant, Vice Mayor Bates, and Mayor Thurston

No: 1 - Commissioner Berger

Abstain: 0

23. RESOLUTION NO. 19R-09-211: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE FIRST AMENDMENT TO THE FISCAL YEAR 2013-2016 STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM LOCAL HOUSING ASSISTANCE PLAN (LHAP); PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-09-211-SHIP-LHAP 1st Amendnt FY 2013-16.pdf

AR 19R-09-211

2013-2016 LHAP FIRST AMENDMENT

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

24. RESOLUTION NO. 19R-09-212: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE CHANGE IN TITLE OF THE POSITION OF SENIOR PARK RANGER TO SENIOR CITY RANGER AND THE ADDITIONAL MODIFICATIONS TO THE MODIFIED JOB DESCRIPTION FOR SENIOR CITY RANGER; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-09-212-JOB-modification-Senior City Ranger.pdf

AR 19R-09-212

Senior City Ranger 2019 Job Description.pdf

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

25. REMOVED

26. RESOLUTION NO. 19R-09-214: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL ACCEPTING THE PROPOSAL FROM COMMISSION-APPROVED CONSULTANT LANGAN IN THE AMOUNT OF $67,900.00 FOR PROFESSIONAL CIVIL ENGINEERING CONSULTING FOR DESIGN CRITERIA FOR THE GO

BOND N.W. 47TH AVENUE ROADWAY PROJECT; PROVIDING FOR PAYMENT FROM THE APPROPRIATE BUDGET CODE NUMBER; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-09-214-Proposal-Langan-Engineering Consulting NW 47 Ave.pdf
AR 19R-09-214
2016-09-03 NW 47th Avenue Constrution Phase Services.pdf

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

27. RESOLUTION NO. 19R-10-217: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, APPOINTING DESORAE GILES-SMITH TO SERVE AS INTERIM CITY MANAGER EFFECTIVE UPON THE RETIREMENT OF CURRENT CITY MANAGER, CHARLES FARANDA; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY MAYOR, KEN THURSTON).

Attachments: RES-19R-09-217-Appt Interim City Manager.pdf
AR 19R-09-217

Commissioner Campbell stated he was aware of how sensitive the subject issue was, but he thought it his duty to declare his position publicly on this particular issue. Years ago, he was among persons accused of intending to come to City Hall and fire the City Manager and replace him with folks he had never been aligned with, so on this particular issue, there had been considerable discussion for years. He wished to state publicly that he had absolutely no family member or friends with any intention of applying for the Lauderhill City Manager position, so he felt comfortable, as a Commissioner, not having a personal horse in the race. To make sure it was understood, when he did cast his vote, it would be one based on principle. He noted, for those who were not aware, all municipal bodies operated under the Florida Sunshine Law, which could be very tedious at times, but it required members of the Commission not converse on any item that was coming or could come before the Commission outside of a public forum. Commissioner Campbell commented, a few weeks prior, City Manager Faranda announced his resignation, and since then no member of the Commission was able to have any meaningful discussion with each other on the matter. He understood and appreciated the fact that the more experienced members of the Commission worked with Deputy City Manager Giles-Smith for many years, and they clearly understood her job capabilities. However, as a newly elected Commissioner since November 2018, he needed a process, and the Commission had until January or February 2020 to determine the direction in which the City should proceed with hiring its next City Manager. He mentioned being extremely surprised two weekends ago when he saw an agenda item for the discussion of the appointment of Ms. Giles-Smith as City Manager. That was a decision to which he was personally opposed, not to her personally, but opposed to the concept that, as a newly elected Commissioner, it appeared newer members of the Commission were not being given sufficient time to properly examine what they would be voting on. Since the previous Monday, he had the opportunity to speak with several persons in the community, and it was clear to him that there was a feeling from the public there were discussions outside the public, hence he and another member of the Commission opposing the appointment of Ms. Giles-Smith as City Manager. He wished to state, categorically, that this was incorrect. His request was for a process in which, at its end, he could, in a very intelligent way, make a decision and cast his individual vote on hiring a new City Manager. Commissioner Campbell explained he was utilizing the present moment to get the public to understand that he was extremely impressed the previous Monday when he heard community members speak eloquently, testifying to their support for Ms. Giles-Smith as qualified and the best choice for the position of Lauderhill's City Manager. He remarked there was absolutely nothing wrong with holding that position, but as one of the citizens' sitting Commissioners, he personally had an obligation to make sure before he voted that he was as informed as he should be. He hoped that, as the process moved forward on the subject matter, no one would utilize this moment as a political tool, because the appointment of a City Manager was very important for the City. While Commissioners and Mayors might come and go, the City Manager was one of the most stable forces in a city, and it was very important that this decision was taken seriously. He was not yet at the point where he could make such a decision, and the Commission had the time to make sure the proper decision was made. For the public's sake, he wished to note that the subject item on the agenda was a recommendation he supported when it was first forwarded; that is, the appointment of Ms. Giles-Smith for the position of interim City Manager rather than permanent City Manager at the present time.

Mayor Thurston opened the discussion to the public. The public input was available via the audio recording of the meeting

A motion was made by Vice Mayor Bates, seconded by Mayor Thurston, that this Resolution be approved. The motion carried by the following vote:

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

Abstain: 0

27A. RESOLUTION NO. 19R-09-218: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE MEMORANDUM OF UNDERSTANDING EXERCISING THE OPTION TO EXTEND THE SOLID WASTE COLLECTION AND HAULING SERVICES FRANCHISE AGREEMENT WITH WASTE MANAGEMENT OF FLORIDA, INC. FOR UP TO AN ADDITIONAL 120-DAY TERM; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-09-218-Agrmt-Extend Solid Waste.pdf

AR 19R-09-218

L-Option to Renew-WM Solid Waste 09-26-19.pdf

Waste MOU.pdf

Commissioner Campbell sought clarification on the request for an additional 120 days.

City Manager Faranda stated the subject contract had a renewal clause, but the vendor was requesting some changes, so the City agreed to sit with them, and they had 120 days to either come to an agreement or present something to the Commission.

Commissioner Campbell asked about the length of the contract.

Deputy City Manager Giles-Smith replied the contract was for five years, with a five-year extension maximum.

Commissioner Campbell wished to know if the City was considering other vendors, as the subject resolution was to renew the existing contract rather than looking at the possibility of hiring another vendor.

Deputy City Manager Giles-Smith affirmed the City sought to extend the current contract, which the agreement allowed for up to five more years. There was no present plan to explore other vendors.

City Attorney Hall explained, currently, the City had a five-year agreement, and the renewal provision provided the parties mutually agree on the extension, so the service provider wished to meet with City staff to negotiate some terms for the next five years.

City Manager Faranda added, if no renewal terms could be reached amicably, other options were open for the City to pursue at such time.

City Attorney Hall indicated, in order for the City to negotiate with another vendor, a full RFP and bid process had to be done, and at that point the City would negotiate, but the current vendor won the bid six years ago, the City Commission hired the firm for a five-year contract. In that contract, there was a provision that said the parties, by mutual agreement, could renew the contract for up to another five years. In the event the parties could not come to an agreement, staff would break off the negotiation and produce a new RFP or bid to the public.

Mayor Thurston thought it best for the Commission to approve the proposed resolution, and at the next Commission workshop, staff could give a presentation on the history of waste collection in the City and Broward County. In this way, all members of the Commission and the public understood the history and why the City was at the current point. He said there was a time when there were multiple waste collection vendors, but that number had dwindled to one.

Commissioner Campbell wanted to know if the City was stuck with the current vendor because they were the only option, or had the City done an evaluation of their existing service and determined that it was best for the City to extend the existing contract.

Deputy City Manager Giles-Smith commented the City had a good service relationship with Waste Management, so staff saw no reason not to move toward extending their contract. With the previous provider, the City had a number of significant issues and Waste Management smoothed them all out, and any current complaints were minimal in comparison to the former provider, so City staff wished to move forward with negotiating an extension with Waste Management.

Mayor Thurston opened the discussion to the public.

Ruth Carter-Lynch, Lauderhill, stated the disposal of garbage was a big deal. She resided in a condominium, and the vendor hired by the City before Waste Management provided horrendous service. They had days when they had no garbage pickup, and she phoned Ms. Giles-Smith every day for three weeks, asking about various garbage removal issues. She urged the Commission to approve staff negotiating the extension of the contract with Waste Management.

Mayor Thurston received no further input from the public.

A motion was made by Vice Mayor Bates, seconded by Mayor Thurston, that this Resolution be approved. The motion carried by the following vote:

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

Abstain: 0

MOTION FOR RECONSIDERATION

28. RESOLUTION NO. 19R-08-161: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL OPPOSING AND CONDEMNING THE INSENSITIVE AND RACIST COMMENTS MADE BY PRESIDENT DONALD J. TRUMP DIRECTED TOWARDS FOUR UNITED STATES CONGRESSWOMEN; PROVIDING THAT THE RACIST STATEMENTS MADE BY PRESIDENT DONALD J. TRUMP ARE DANGEROUS, DEHUMANIZING AND UNBECOMING OF THE OFFICE OF PRESIDENT; PROVIDING THAT PRESIDENT DONALD J. TRUMP HAS, BY HIS CONDUCT SINCE BECOMING PRESIDENT, FAILED TO DEMONSTRATE THE NORMS OF INTEGRITY, COMPASSION AND EMPATHY THAT ARE EXPECTED FROM THE OFFICE OF PRESIDENT OF THE UNITED STATES OF AMERICA; PROVIDING THAT PRESIDENT DONALD J. TRUMP HAS DEMONSTRATED TIME AND AGAIN THAT HE IS A RACIST; PROVIDING FOR DISTRIBUTION; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY COMMISSIONER RICHARD CAMPBELL).

Attachments: RES-RECONSIDERATION-19R-08-161-Oppose Racism-MOTION FOR RECONSIDERATION.pdf
AR RECONSIDERATION-19R-08-161
RES 19R-08-161 Oppose President Trump Comments

This reconideration of Resolution No. 19R-08-161 was approved on the Consent Agenda. (See Consideration of Consent Agenda for vote tally.)

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

29. RESOLUTION NO. 19R-09-215: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING THE SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO AQSR LAUDERHILL, LLC. D/B/A SONIC DRIVE, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT A RESTAURANT, FAST FOOD WITH DRIVE THROUGH, AND WITH PARKING STALLS, AND WITH OUTDOOR SEATING USE ON A 1.15 ± ACRE SITE LEGALLY DESCRIBED AS SECTION 16, TOWNSHIP 49 SOUTH, RANGE 41 EAST, AND A PORTION OF LOTS 28, 29, AND 30, OR COMMERCIAL BOULEVARD SHOPPES NO. 1 ACCORDING TO THE PLAT THEROF, AS RECORDED IN PLAT BOOK 109, PAGE 28, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 8188 WEST COMMERCIAL BOULEVARD, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: RES-19R-09-215-Special X - Sonic Drive.pdf

DRR (19-SE-008) AQSR Lauderhill, LLC DBA Sonic Drive Thru.pdf

Sonic Signed Affidavit of Conditions

A. SEU Application, Sonic Drive Thru.pdf

B. Resolution No. 09R-10-249.pdf

C. Site Plan, Sonic Drive Thru.pdf

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

30. RESOLUTION NO. 19R-09-216: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING THE SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO GREAT IMPERIAL, LLC., SUBJECT TO CONDITIONS, TO ALLOW IN THE LIGHT INDUSTRIAL (IL) ZONING DISTRICT A MANUFACTURING, PROCESSING FACILITY USE ON A ±2.15 ACRE SITE LEGALLY DESCRIBED AS A PORTION OF TRACT B, INDUSTRIAL, 100, UNIT TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 85, PAGE 2, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 1600-1648 N.W. 34TH TERRACE, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: RES-19R-09-216-Special X - Great Imperial.pdf

DRR Great Imperial LLC FINAL.pdf

19-SE-007 SEU CONDITIONS AFF GREAT IMPERIAL LLC

A. SEU Application, Great Imperial, LLC..pdf

B. Manufacturer's description, Great Imperial, LLC..pdf

C. Floor Plan, Great Imperial, LLC..pdf

D. Inventory of Fixtures and Equipment, Great Imperial, LLC..pdf

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

XIV QUASI-JUDICIAL MATTERS, FIRST READING

XV QUASI-JUDICIAL MATTERS, SECOND READING

31. ORDINANCE NO. 19O-09-137: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, GRANTING A DEVELOPMENT ORDER TO LAUDERHILL MARKETPLACE, LLC AMENDING THE ZONING DISTRICT MAP IDENTIFIED IN LAND DEVELOPMENT REGULATIONS (LDR) ARTICLE III., ZONING DISTRICTS, PART 2.0., DISTRICT REGULATIONS, SUBSECTION 2.2.1., ADOPTION OF ZONING DISTRICT MAP; CHANGING FROM COMMERCIAL ENTERTAINMENT (CE) to GENERAL COMMERCIAL (CG) THE ZONING DISTRICT OF A ± 1.87 ACRE PARCEL LEGALLY DESCRIBED AS A PORTION OF PARCEL “A”, CARISHOCA PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 178, PAGES 161, 162, AND 163, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND MORE FULLY DESCRIBED IN EXHIBIT 1; MORE COMMONLY KNOWN AS A PORTION OF THE VACANT SITE GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH STATE ROAD 7 AND SUNRISE BOULEVARD, LAUERDHILL, FLORIDA; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: ORD-19O-09-137-Carishoca ZDMA Ordinance 2019.pdf
AR 19R-09-137
Lauderhill Marketplace Conceptual Site Plan
DRR LAUDERHILL MARKETPLACE LLC Updated.pdf
Marketplace Zoning Map Amdt Exhibits A-X.pdf
DISPLAY AD for 8-27-19 REZONING DIST MAP (2).pdf

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

32. ORDINANCE NO. 19O-09-138: AN ORDINANCE OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA ADOPTING THE PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN PURSUANT TO FLORIDA STATUTES CHAPTER 163 TO REFLECT CHANGES IN STATE REQUIREMENTS SINCE THE LAST UPDATE TO BE CONSISTENT WITH THE BROWARD COUNTY LAND USE PLAN (BCLUP); APPROVING ITS TRANSMITTAL TO THE APPROPRIATE AGENCIES FOR OBJECTIONS, RECOMMENDATIONS AND

COMMENTS (ORC); PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: ORD-19O-09-138-Comp Plan.pdf

AR 19O-09-138

DRR-Comp Plan Ordinance-DRAFT-8-8-2019.pdf

Attachment 1-A-DEO Letter of Notification- June 2013 Letter.pdf

Attachment 1-B-Lauderhill EAR Notification Acknowledgement Letter.pdf

Attachment 1-C-DEO Letter 2015-2nd Notification of Failure Since 2013 Letter.pdf

Attachment 1-March 16 2015 - City Commission Workshop Meeting Minutes.pdf

Attachment 2-A- Florida DEO-Eubanks Letter-Failure to Submit EAR.pdf

Attachment 2-Lauderhill EAR Notification Acknowledgement Letter (003).pdf

Attachment 3-Calvin, Giordano & Assoc. PO.pdf

Attachment 4-Florida DEO-Eubanks Letter-Failure to Submit EAR.pdf

Attachment 5-Lauderhill EAR-Based Comp Plan Amendments July 2019 update.pdf

Additional Backup On File

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

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.

Commissioner Berger mentioned getting a text about the next Coffee with a Cop event, stating it would be at the Wawa on the corner of University Drive and NW 44th Street, on Wednesday, October 2, 2019, from 8:00 a.m. to 11:00 a.m. It was opened to the public, and it was an informal networking brunch that gave residents and business owners an opportunity to speak with members of the police department.

Commissioner Grant remarked on the recent car seat giveaway sponsored by the Yeboah Law Group, PA, where 50 car seats were given to mothers or families unable to purchase a car seat. The event was held at the Florida Medical Center (FMC), and it went extremely well, with other sponsoring organizations such as

Childnet, Healthy Moms Healthy Babies, and Children Services Council helping to identify those in need of assistance. She proposed an agenda item for the next Commission workshop, a discussion about the Inverarry Country Club owners announcing the shutdown of the historic golf courses in Lauderhill; this was a very important issue. The owners sought to build homes, which meant traffic and other impacts. She felt this was an important discussion, and she would send word out on her chat to the public of the upcoming discussion. She congratulated Ms. Giles-Smith on her recent appointment to Interim-City Manager, remarking on receiving numerous phone calls after the last Commission workshop when the matter of hiring a new city manager was discussed; residents said her facial expression was cold and stone like, but people who knew her, knew she was not like that. She was a Lauderhill resident and shared in the concerns about the direction in which the City was going, adding that Lauderhill was a progressive city that was changing drastically, demographically and otherwise. The City had some good things and some that were not so good, and the present City Manager managed the City's administration exceptionally. Commissioner Grant stated, as the City moved into the future, it was important that the person the City Commission selected for the position of permanent City Manager had a vision for Lauderhill; as scripture dictated: Without a vision, my people perish. It was important for her to be able to not just say yes because she liked Ms. Giles-Smith, which she did, but she needed to understand what Ms. Giles-Smith's vision was for the City to make sure it was aligned with where the City was going. She received numerous calls and wished it made clear she was not on the City Commission to divide anyone, as her campaign slogan was: One Voice, One Lauderhill. It was about everyone coming together collectively as the only way to move forward, and she would continue to stand on that belief, as there was only one race, the human race. Commissioner Grant mentioned having the pleasure to sit and speak with Ms. Giles-Smith for some two hours, extensively discussing the City, and it gave her the confidence to cast her vote to approve the appointment of Ms. Giles-Smith as the City's Interim City Manager. She looked forward to working with Ms. Giles-Smith and her staff, making sure if she was appointed at the City's permanent City Manager, the City Commission and staff, and the community were all on the same page.

City Manager Faranda sought to make sure everyone knew he did not, technically, resign his position as City Manager, rather he retired, and there was a big difference, as a resignation either meant leaving for bigger and better things, or leaving because one was asked to. He was retiring because, from his perspective, there was no other job he could take that was bigger and better than being Lauderhill's City Manager, other than spending more time with his family and grandchildren. He appreciated the support from everyone.

Deputy City Manager Giles-Smith thanked the City Commission for having faith in her by appointing her as Interim City Manager, thanking the members of the public who came to speak on her behalf; the support was overwhelming.

Mayor Thurston noted September 25, 2019, was Dad Take Your Child to School Day, and he participated at two schools: Broward Estates and Lauderhill 6-12, where he thanked fathers for bringing their children to school; it was a good turnout at both locations, and those schools were doing very well. The City should be proud that the schools in Lauderhill were on their way up. He thanked staff for organizing the Beer B-Q on NW 38th Avenue, which was held the previous Saturday night; it had a tremendous turnout. He mentioned being heavily criticized when he admitted not knowing who Ginuwine was, but now he knew, and he thought staff made great choices selecting Ginuwine, Lloyd, Priester and Dixon for the event’s entertainers. He felt he was becoming hip, noting he had a good conversation with Lloyd. He congratulated Ms. Giles-Smith on her appointment as Interim City Manager of the City of Lauderhill.

XX ADJOURNMENT