

City of Lauderdale

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



Meeting Minutes - Draft

Monday, May 11, 2020

7:00 PM

**Attend via phone: Dial 1-312-626-6799 & Meeting ID:
993-4639-9865**

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

City Commission Meeting

LAUDERHILL CITY COMMISSION

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

***Desorae Giles-Smith, Interim 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 7:02 PM.

Mayor Thurston explained the present regular City Commission meeting was being conducted in a new and challenging era. The City of Lauderhill, Broward County, the State of Florida, the United States of America and the world were experiencing a new challenge due to the COVID-19 pandemic. Due to those challenges, the City was permitted to hold virtual governmental meetings in accordance with COVID-19 Center of Disease Control (CDC) guidelines, and the State of Florida Governor Ron DeSantis Executive Orders #20-69 and #20-12, allowing virtual meetings to conduct official government business, waiving the requirement for a physically present quorum. He explained the following:

- Mayor Thurston was present in City Hall
- Vice Mayor Berger, and Commissioners Bates, Campbell and Grant attended the meeting virtually or via conference call
- The City Clerk, City Attorney, City Manager, Deputy City Manager and additional staff attended the meeting virtually, by conference call from areas within City Hall practicing social distancing, or from their homes
- Due to the nature of the meeting and the constraints imposed by appearing virtually, Commissioners who wished to pull an agenda item for discussion were asked to speak up to announce their wishes, if they were appearing virtually, and if not attending virtually, they could text IT Director Doug Downs to be heard
- Members of the public who watched or listened to the meeting were reminded each agenda item was open to the public, as usually done with onsite Commission meetings; however, the City's notice for the present meeting advised members of the public wishing to speak on agenda items should do so live during the Public Comment portion of the meeting, or they should send an email or call the City Clerk's Office using the designated number to leave a comment that would be read during the meeting, and this should be done at least 24 hours prior to the meeting; anyone wishing their message read during the meeting had to give their name, number and address with the message; they could also complete the public comment submission form online
- The City Commission and staff appreciated the public's patience and cooperation during what was a difficult and ever changing time.

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, Interim 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

A. A MOMENT OF SILENCE FOR REVEREND DR. MELVILLE B. HERRON (REQUESTED BY COMMISSIONER M. MARGARET BATES).

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 May 11, 2020. 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 M. Margaret Bates, seconded by Commissioner Denise D. 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 April 13, 2020.

Attachments: [April 13, 2020 - City Commission Meeting Minutes](#)

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

B. Minutes of the City Commission for April 27, 2020.

Attachments: [April 27, 2020 - 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 DECLARING MAY 2020 AS SAFE STORAGE MONTH (REQUESTED BY MAYOR KEN THURSTON).

VII SPECIAL PRESENTATIONS**VIII GENERAL PRESENTATIONS (5 MINUTES MAXIMUM)**

A. A CENSUS 2020 PRESENTATION (REQUESTED BY COMMISSIONER M. MARGARET BATES).

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

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

Abstain: 0

XI RESOLUTIONS (IF NOT ON CONSENT AGENDA)

2. RESOLUTION NO. 20R-05-79: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL CREATING THE JOB POSITION OF CRIME SCENE SUPERVISOR; APPROVING THE JOB DESCRIPTION FOR THE NEW POSITION OF CRIME SCENE SUPERVISOR; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY INTERIM CITY MANAGER, DESORAE GILES-SMITH).

Attachments: [RES-20R-05-79-JOB-creation-Crime Scene Supervisor.pdf](#)

[AR 20R-05-79](#)

[Crime Scene Supervisor.pdf](#)

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

3. RESOLUTION NO. 20R-05-80: A RESOLUTION PROVIDING FOR THE PAYMENT OF THE MONTHLY HEALTH INSURANCE STIPEND AUTHORIZED BY RESOLUTION NO. 17R-04-130 DIRECTLY TO THE CITY'S HEALTH INSURANCE PLAN; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY INTERIM CITY MANAGER, DESORAE GILES-SMITH).

Attachments: [RES-20R-05-80-Health Ins Stipend.pdf](#)

[AR 20R-05-80](#)

Mayor Thurston wished to know the changes that caused the subject item to come back before the Commission.

Interim City Manager Giles-Smith replied it had to do with the City's pension retirees.

Mr. Hobbs explained, currently, part of the benefit package included an insurance stipend that was paid upon separation. The City was contacted by some of its retirees who were filing their income taxes, as they questioned if the stipend should be recognized as income on their end or considered an insurance cost. City staff reached out to the City's tax attorney for direction, and staff now proposed that if the funds received from the stipend were used for expenditures directly related to insurance and/or medical type expenses, those funds would not be taxable. He remarked the subject resolution allowed stipend recipients not to receive a 1099, which would increase their taxable income.

Commissioner Campbell wished to know if a significant number of retirees reached out to the City on the subject issue, as making the proposed change could impact others.

Mr. Hobbs responded more than one retiree contacted City staff, and the latter did not see a negative to the proposed change, as most people tried not to increase their taxable income. Staff knew the intent of the stipend was to cover medical expenses; that is, to help pay for health insurance post retirement, and staff believed the intent was always for the stipend not to be taxable, and this would be reinforced by the proposed resolution. The question was posed to the retirees by their accountants when preparing their tax returns, so the retirees contacted the City for direction.

Interim City Manager Giles-Smith added it was optional for the retired employees to continue to receive the stipend or have the City pay the stipend towards the insurance.

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

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

Abstain: 0

4. RESOLUTION NO. 20R-05-81: A RESOLUTION APPROVING THE 2020 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 INTERIM CITY MANAGER, DESORAE GILES-SMITH).

Attachments: [RES-20R-05-81-INTERLOCAL-GAS 3 CENTAL ADDITIONAL TAX RESO 2020.pdf](#)
[AR 20R-05-81](#)
[Gas Tax Memo to Cities 2020_FINAL.pdf](#)
[GAS TAX 3 2020 Agreement.pdf](#)

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

5. RESOLUTION NO. 20R-05-82: A RESOLUTION APPROVING THE 2020 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 INTERIM CITY MANAGER, DESORAE GILES-SMITH).

Attachments: [RES-20R-05-82-INTERLOC-GAS-5th Cent tax for transit Reso 2020.pdf](#)
[AR 20R-05-82](#)
[Gas Tax Memo to Cities 2020 FINAL.pdf](#)
[GAS TAX 5 2020 Agreement.pdf](#)

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

6. RESOLUTION 20R-05-83: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE RANKING OF QUALIFIED FIRMS PURSUANT TO RFP #2020-014 FOR DESIGN-BUILD SERVICES FOR CITY HALL ANNEX AS RECOMMENDED BY THE EVALUATION COMMITTEE IN AN AMOUNT NOT TO EXCEED \$3,867,142.00; PROVIDING FOR PAYMENT FROM BUDGET CODE NUMBER 307-338-06318; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY INTERIM CITY MANAGER, DESORAE GILES-SMITH).

Attachments: [RES-20R-05-83-Ranking-Design-Build City Annex.pdf](#)
[AR 20R-05-83](#)
[ORIGINAL FILE NOTIFICATION.\(002\).pdf](#)
[FINAL RANKING RFP 2020-014 CITY HALL ANNEX .pdf](#)
[AHRENS PRICE.pdf](#)

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

7. REMOVED

8. REMOVED

9. RESOLUTION NO. 20R-05-86: A RESOLUTION OF THE CITY OF LAUDERHILL APPROVING THE PROPOSAL FROM BCC ENGINEERING IN AN AMOUNT NOT TO EXCEED \$148,350.00 FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES

PURSUANT TO RFP #2019-057 FOR N.W. 38TH AVENUE IMPROVEMENTS; PROVIDING FOR PAYMENT FROM VARIOUS BUDGET CODE NUMBERS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY INTERIM CITY MANAGER, DESORAE GILES-SMITH).

Attachments: [RES-20R-05-86-Proposal-BCC Engineering CEI-N.W. 38th Ave Improvements.pdf](#)
[AR 20R-05-86](#)
[BCC ProposalLauderhillNW38AveROWImprovementslimited CA rev 42120.pdf](#)

Commissioner Campbell mentioned a few months prior, he spoke to former City Manager Charles Faranda, City Attorney Hall and Mr. Hobbs about the City's process of awarding contracts for City projects; specifically, contractors could not be legally forced, to hire local vendors. However, criteria could be included as incentives for contractors hoping to win bids to hire local vendors for City projects. He had not followed up on the result of that discussion, and several City projects going on, as well as other bids coming up for approval. He desired an update on what was in place to satisfy his concern, so as to determine if more could be done.

City Attorney Hall responded every request for proposal (RFP) the City sent out contained language that clearly stated extra points were awarded if a firm would be hiring local contractors; thus, it was stated in Lauderhill's procurement documents. Regarding the subject matter on the agenda, BCC Engineering was previously approved by the City Commission, so that firm was not a new bid in that sense. He indicated every three or four years, the City Commission approved a list of prequalified firms that worked with the City on an as needed basis.

Commissioner Campbell wished to know if the verbiage could be made available to the Commission for review to see if anything more could be added to further incentivize contractors to hire local vendors.

Interim City Manager Giles-Smith affirmed she would send the information to the Commission.

Commissioner Campbell said it was important to do all that was possible, so the City achieved its goal of a certain percentage of local vendors working on City projects.

Commissioner Bates inquired if any interested person could go to the City's website and acquire the information referred to by Mr. Hall.

Interim City Manager Giles-Smith indicated the information was usually included in any bid sent out by the City.

Mr. Hobbs affirmed the extra points for hiring local vendors was included in the RFP language, and staff could provide anyone with a copy of an RFP, and there was local preference language included in the City's ordinance, as well as on the City's purchasing page on the Lauderhill website.

Commissioner Bates suggested Commissioner Campbell direct anyone having an issue with the City's RFPs to go on the Lauderhill website for information on the

procurement practices the City already had in place. If the wish was to improve the existing guidelines, that was another issue.

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

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

Abstain: 0

- 9A.** RESOLUTION NO. 20R-05-87: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL AUTHORIZING AND APPROVING THE AGREEMENT BETWEEN THE UNITED STATES DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE (BJA) AND THE CITY OF LAUDERHILL FOR THE BJA FY 20 CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT (PPE) AND SUPPLIES FOR THE LAUDERHILL POLICE DEPARTMENT; PROVIDING FOR FUNDING IN THE AMOUNT OF \$146,786.00; AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY INTERIM CITY MANAGER, DESORAE GILES-SMITH).

Attachments: [RES-20R-05-87-GRANT Justice-Coronavirus.pdf](#)
[AR 20R-05-87](#)
[Agreement_BJA and Lauderhill.pdf](#)

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

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

XIII QUASI-JUDICIAL MATTERS, FIRST READING

- 10.** ORDINANCE NO. 200-05-113: AN ORDINANCE OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA ADOPTING THE FINAL AMENDMENTS WITH CHANGES 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); PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY INTERIM CITY MANAGER, DESORAE GILES-SMITH).

Attachments: [ORD-20R-05-113-Comp Plan Amendment.pdf](#)
[AR 200-05-113](#)
[ORC Report.pdf](#)
[Comp Plan Update Memo](#)
[Attachement 1- ORC LETTER FROM STATE OF FLORIDA](#)
[Attachment 2- Original 8 Capital Improv Element GOPs](#)
[Attachment 3 - 8 Captial Improv Element DIA](#)
[Attachement 4 - 8 Capital Improvements Element Proposed GOPs
April 2020](#)

This Ordinance was approved on the Consent Agenda on first reading to the City Commission Meeting, due back on 05/08/2020. (See Consideration of Consent Agenda for vote tally.)

XIV QUASI-JUDICIAL MATTERS, SECOND READING

XV UNFINISHED BUSINESS

XVI OLD BUSINESS

XVII NEW BUSINESS

XVIII 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 Bates thanked Ms. Giles-Smith and her staff for the excellent work they were doing under the trying conditions of the COVID-19 pandemic. For those persons watching and listening to the meeting, she hoped they were staying safe, and while doing that, if they had yet to complete and submit their 2020 Census questionnaire, she urged them to go online or on the phone and submit them, or fill them out and mail them. The City's response to the census was up to 49.8 percent; in the 2010 Census, the City had an over 60-percent response rate, so the response to the 2020 Census needed to be better than 60 percent. She noted she would be asking any entity that came before the Commission requesting financial aid if they completed the census.

Commissioner Campbell mentioned, regarding the death of Reverend Herron, he would speak with Mr. Hall and Ms. Giles-Smith to look at the possibilities of what the City could do to highlight his outstanding service throughout his years in Lauderhill. He knew, in particular, Police Chief Stanley might be interested in the effort, as Reverend Herron volunteered at the police department and made a significant contribution. The practices invoked to deal with the COVID-19 pandemic had people moving on silently, but it was important, at some point in the future, for the City to do something to celebrate and highlight the outstanding services to the City performed by Reverend Herron. He was unsure how this would be accomplished,

but he asked his colleagues and staff to think of ways, formally or informally, to show the City's appreciation.

Commissioner Grant thanked Ms. Giles-Smith and her staff for all their hard work, particularly with keeping the Commission updated on all COVID-19-related matters. She was looking forward to the next food drive event set to take place on May 14, 2020; she received the new flyer, and sent them out via social media, etc., hoping everyone would share it further. She was grateful the City could provide this service to the community. Mr. Hobbs and his team were to be thanked for working with her so diligently on identifying the 100 businesses the City was currently helping to assign to various banks, so they could get help with their Paycheck Protection Program (PPP). She noted they started out with 45 businesses, and that number increased to 100, and they had all been assigned to various banks; Alex Sanchez with the Florida Banking Association and several CEOs from lending institutions contacted her to ensure Lauderhill's local community was being served. It was looking quite positive, and Mr. Hobbs and his staff were to be commended for all their hard work in this matter.

Interim City Manager Giles-Smith indicated 12 City parks, mostly passive parks, were reopened as of May 11, 2020, with opening hours of sunrise to sunset, along with the Lauderhill Golf Course. Staff chose to open these parks, where residents could walk and exercise, while staff monitored to ensure park users were following the COVID 19 guidelines. She noted they were starting with 12 parks, but eventually the remaining City parks would open if the first openings were successful. The first priority was to keep residents safe, so her staff and she asked for the public's patience with the City's plan for reopening its parks.

Mayor Thurston thanked Fire Chief Marc Celetti and Assistant Fire Chief Jeffrey Levy with an issue that arose at one of the City's assisted living facilities (ALF), where clients had been hit with COVID 19; they reported eight deaths to date. They currently had 45 confirmed cases and a family reached out to him expressing concern for their loved one, so he immediately contacted Ms. Giles-Smith and Chief Celetti. Chief Celetti responded quickly, directing his staff to contact the daughter who was concerned about her relative at the subject ALF, answering her questions, etc. The daughter later told Mayor Thurston that she was very thankful the City moved so quickly to respond to allay her family's fears. He said, normally, family members were able to visit their loved ones who lived in ALFs, but under the COVID-19 arrangements, ALFs were closed to any visitors, so family members were sometimes unsure what was happening to their loved one, and this created great concern. The City had great fire personnel, and he appreciated their taking the time to satisfy the subject family's concerns.

XIX ADJOURNMENT - 7:49 PM