City of Lauderhill

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

Meeting Minutes - Final

Monday, October 28, 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 7:22 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

A. A MOMENT OF SILENCE FOR REPRESENTATIVE ELIJAH CUMMINGS (REQUESTED BY COMMISSIONER DENISE D. GRANT).

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 October 28, 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 CONSIDERATION OF CONSENT AGENDA

A motion was made by Vice Mayor Bates, seconded by Commissioner Grant, 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

V APPROVAL OF MINUTES

A. Minutes of the City Commission for September 26, 2019.

Attachments: September 26, 2019 - City Commission Meeting Minutes

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

VI PROCLAMATIONS / COMMENDATIONS

A. A PROCLAMATION DECLARING OCTOBER 2019 AS DOMESTIC VIOLENCE AWARENESS MONTH (REQUESTED BY MAYOR KEN THURSTON).

VII SPECIAL PRESENTATIONS

VIII GENERAL PRESENTATIONS (5 MINUTES MAXIMUM)

A. A PRESENTATION BY THE POLICE DEPARTMENT (REQUESTED BY CITY MANAGER CHARLES FARANDA)

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

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

Attachments: ORD-19O-10-141-Fire COLA Pension Ordinance- Third Reading FINAL.pdf
AR 19O-10-141

Memo to Commission Re Fire COLA pension.pdf

This Ordinance was approved on the Consent Agenda on first reading to the City Commission Meeting, due back on 11/25/2019. (See Consideration of Consent Agenda for vote tally.)

2. ORDINANCE NO. 19O-10-142: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA AMENDING THE CODE OF ORDINANCES, CHAPTER 4, ANIMALS AND FOWL, SECTION 4-3, CERTAIN ANIMALS RESTRICTED; PROHIBITING NUISANCE ANIMALS; PROVIDING FOR AN EFFECTIVE DATE

(REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: ORD-19O-10-142-Code-4-3-nuisance animals prohibited.pdf

AR 19O-10-142

This Ordinance was approved on the Consent Agenda on first reading to the City Commission Meeting, due back on 11/25/2019. (See Consideration of Consent Agenda for vote tally.)

3. ORDINANCE NO. 19O-10-143: AN ORDINANCE OF THE CITY OF LAUDERHILL APPROVING THE QUIT CLAIM DEED FROM THE CITY OF LAUDERHILL TO THE LAUDERHILL HOUSING AUTHORITY COMMUNITY DEVELOPMENT CORPORATION FOR THE CONVEYANCE OF 3301 SPANISH MOSS TERRACE #506, BUILDING 10, MORE PARTICULARLY DESCRIBED IN THE QUIT CLAIM DEED AND IDENTIFIED BY THE PARCEL ID# 4941 23 AL 0580; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: ORD-19O-10-143-Transfer Quit Claim Deed City to LHA - 3301 Spanish Moss.pdf

AR 19O-10-143

Deed City to LHA.pdf

This Ordinance was approved on the Consent Agenda on first reading to the City Commission Meeting, due back on 11/18/2019. (See Consideration of Consent Agenda for vote tally.)

4. ORDINANCE NO. 19O-10-144: AN ORDINANCE OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA AMENDING ARTICLE III, ZONING DISTRICTS, PART 5.0 SPECIAL REQUIREMENTS FOR SPECIFIC LAND USE CLASSIFICATIONS, SECTION 5.26, LIVE ENTERTAINMENT, AND SECTION 5.32, RESTAURANTS; AMENDING ARTICLE III, SECTION 3.2.5. COMMERCIAL ENTERTAINMENT (CE) ZONING DISTRICT; AMENDING CODE OF ORDINANCES, CHAPTER 14, ARTICLE II, OFFENCES, SECTION 14-22, NOISES; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: FINAL-ORD-19O-10-144-Noise and Live Enterntainment Ordinance.pdf

AR 19O-10-144

Commissioner Campbell wished to make sure the City addressed the subject issue the right way, as there were several businesses in the City that would be somewhat impacted, and the Commission and staff received a number of calls from residents on the subject matter. He spoke with Mr. Faranda on the matter, asking staff to be clear on the direction the City was going; for example: were the changes more in protecting the residents or the businesses.

CRA Executive Director Sean Henderson thought there was no particular lean towards the residents or businesses; the main focus was to bring consistency to the commercial entertainment district, which consisted of the new overlay implemented in the subject area. As CRA staff went through the matter with the City's planning staff, they realized there were numerous differences related to hours of operation, alcohol sales, and noise. He personally visited the area with police officers and measured what 65 decibels actually meant, and they discovered most of those businesses were adhering to or were close to 55 to 65 decibels. Regarding the complaints he was personally aware of from the George Town area where the light industrial zoned properties abutted, the decibels allowed would be coming down from 70 to 65. He said it was a moving target, and staff looked at other cities, such as Sunrise and Oakland Park, cities that had entertainment districts and such designated areas, and since Lauderhill's layout was different, staff chose a decibel limit that was more suitable, but they remained open to changing the limit as time revealed the effects of the proposed amendment.

Commissioner Campbell questioned the City's current decibel limit.

City Planner Chris Torres replied it was 55 decibels after 6:00 p.m., but 65 decibels was the standard in the code, and light industrial would be reduced from 70 to 65 decibels.

Commissioner Campbell asked if the areas of measurements would change as they related to complaints or the location of the business.

City Manager Faranda commented the way it was explained was, currently, decibel levels were measured at the business property line, and the approval of the amendment meant they would be measured at the property line from which the complaint originated.

Mr. Torres reminded the Commission that when a commercial property abutted a residential property, an eight-foot buffer wall was required between them; the decibels would be measured from the residential property line.

Commissioner Campbell wished to know if the Commission would be making a decision on the changes at the present meeting and, if so, would it be something that would be reviewed over time.

City Manager Faranda said this was the first reading of the ordinance to amend the existing regulations, so a second reading was required for enactment, and as with any other City codes, staff would revisit them to ensure clarity and functionality, and along with any feedback from residents, make adjustments as necessary.

Commissioner Campbell asked, in light of the word "commercial", would the subject changes affect him if he held a party at his house.

Mr. Henderson clarified the proposed amendments spoke directly to the commercial entertainment zoning district along 441 and Sunrise Boulevard.

City Manager Faranda added the existing regulations for noncommercial properties remained as is, and staff usually advised party hosts to invite the whole neighborhood, so no one complained about the noise. If someone complained about the noise however, staff would apply the code's allowable decibel levels.

Commissioner Grant asked if residents would be notified as to changes in allowable decibel levels.

City Manager Faranda responded his staff did their best to advise residents and businesses about code changes that affected them, such as in the City's newsletter, and other forms of media. Routinely, there were numerous meetings about the district with all the redevelopment going on, and noise nuisance and associated information, such as decibel levels, were part of the conversations.

Commissioner Berger noticed the cutoff time for the commercial entertainment district was 4:00 a.m., and live entertainment indoors and outdoors was a permitted use within the arts and entertainment district until 2:00 a.m. He wished to know what the cutoff time was for NW 38th Avenue.

Mr. Torres remarked the cutoff time was 2:00 a.m. on 38th Avenue. The 4:00 a.m. cutoff time applied to the marketplace site where rezoning recently took place on 441 and Sunrise Boulevard, the old Kmart site.

Commissioner Berger sought clarification on section one, paragraph one of the amendment pertaining to days and hours of operation where it indicated from Monday to Saturday, businesses could stay open until 4:00 a.m., but on Sunday, they could stay open until 6:00 a.m.

City Attorney Hall explained that was the current regulation, and staff would look at the language to make sure it was clear, but that current regulation was not being amended.

Mayor Thurston opened the discussion to the public.

Lawrence Martin, Lauderhill resident, remarked the present discussion and amendment were for anticipated uses in the subject areas, but, as a longtime resident of St. George/Broward Estates, he felt the overflow from the entertainment district would affect his community. He was unsure of what the recommended decibel range would eventually mean for his neighborhood, since there was nothing to compare it to, other than the noise nuisance from events held at the Swap Shop at night. It was likely that the sound regulation would be revisited once the uses became operational.

Tony Williams, Lauderhill resident, knew every year the carnival was held at the Central Regional Park, asking how the amended regulations for decibel levels affected that event. He felt sure the noise was over the current 70 decibel level.

City Manager Faranda replied conversations about decibel levels showed that such events were about 65 decibels, so regardless of the type of event or business, if a resident complained or there was a noise nuisance issue in a residential neighborhood, City staff would go to the location and read the sound level with a decibel meter. This could be grounds for code staff or even the police, depending on the circumstance, to go back and tell the event host to either redirect or lower their music, etc. He said the proposed amendment sought to achieve a happier balance between allowing development and certain uses to occur without it being onerous to the residents, and he thought the City and the community could work with the proposed amendment much better than the existing code, as it would give a little more latitude.

Mr. Williams understood the Central Regional Park was not under the City's control.

City Manager Faranda indicated the City did have some input, and staff had people holding events direct their music toward residential that was further away, and sometimes they complied and sometimes they did not, while other times the music was so loud, it did not matter which direction they pointed the speakers. He said staff would continue to get public input, advise the Commission on what they thought was practical, and make adjustments accordingly.

Commissioner Campbell noted there was a difference between regular operating businesses with constant noise issues, and a special event that occurred annually, as did some City special/annual events.

Pradeep Sawh, Joy's Roti Shop, remarked his was one of the businesses, and what they did regarding mitigating noise was to get a sound system that was directional and could be cut off at a certain point. He said it required considerable investment to have such a sound system that did not impact nearby residents. They remained mindful of doing their part to prevent residents complaining about noise from their business.

Sheila Sawh, Joy's Roti Shop, put everyone on notice that there would be some noise from 5:00 p.m. to 11:00 p.m. the coming Sunday when they celebrated Diwali, to which everyone was invited; it would be a free event, including the food.

A motion was made by Vice Mayor Bates, seconded by Commissioner Berger, that this Ordinance be approved on first reading to the City Commission Meeting, due back on 11/25/2019. 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-10-145: AN ORDINANCE APPROVING AN APPROPRIATION OF ROLLOVER REVENUE AND EXPENDITURE FUNDS FROM FISCAL YEAR 2019; APPROVING AN INTERDEPARTMENT BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF $3,770,604.00, A CAPITAL BUDGET ADJUSTMENT IN THE TOTAL AMOUNT OF $302,000.00 AND A SUPPLEMENTAL APPROPRIATION IN THE TOTAL AMOUNT OF $13,610,721.00; REFLECTING APPROPRIATE ADJUSTMENTS TO VARIOUS REVENUE AND EXPENDITURE ACCOUNTS; PROVIDING VARIOUS BUDGET CODE NUMBERS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: ORD-19O-10-145-Budget- Appropriation FY 2019.pdf

AR 19O-10-145

Rollover FY 2020

Assistant City Attorney Angel Rosenberg stated the amounts to be filled in were as follows: the interdepartmental amount was $3,770,604.00, the capital budget was $302,000.00, and the supplemental budget was $13,610,721.00.

A motion was made by Vice Mayor Bates, seconded by Commissioner Grant, that this Ordinance be approved on first reading to the City Commission Meeting, due back on 11/25/2019. The motion carried by the following vote:

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

Abstain: 0

5A. ORDINANCE NO. 19O-10-146; AN ORDINANCE AMENDING THE CODE OF ORDINANCES CHAPTER 19, TAXATION AND FINANCE, ARTICLE III, AD VALOREM, CREATING SECTION 19-46, ADDITIONAL HOMESTEAD EXEMPTION; INCREASING THE SENIORS ADDITIONAL HOMESTEAD EXEMPTION FROM $25,000 FOR PERSONS SIXTY-FIVE YEARS AND OLDER IF CERTAIN REQUIREMENTS ARE MET TO $50,000; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY MAYOR KEN THURSTON)

Attachments: ORD-19O-10-146-Ord-2nd Additional Homestead Exemption Seniors.pdf

AR 19O-10-146

Fla.Stat. 196-075-senior exemption.pdf

This Ordinance was approved on the Consent Agenda on first reading to the City Commission Meeting, due back on 11/25/2019. (See Consideration of Consent Agenda for vote tally.)

6. 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. (See Consideration of Consent Agenda for vote tally.)

XI RESOLUTIONS (IF NOT ON CONSENT AGENDA)

7. RESOLUTION NO. 19R-10-219: A RESOLUTION OF THE CITY OF LAUDERHILL GRANTING TO CROWN CASTLE SOUTH, L.L.C., AS AGENT FOR BELLSOUTH MOBILITY, L.L.C. ON BEHALF OF AT&T CONSENT TO MODIFY THE EXISTING EQUIPMENT AT THE WIRELESS COMMUNICATION FACILITY WITHIN ITS EXISTING LEASED AREA LOCATED AT 2000 CITY HALL DRIVE, WITHIN THE PARAMETERS AND SPECIFICATIONS REQUIRED BY THE CITY AND SUBJECT TO ALL PERMITTING AND REVIEWS REQUIRED BY THE CITY; AUTHORIZING THE CITY MANAGER TO EXECUTE THE LETTER OF CONSENT SUBJECT TO BEING REQUIRED TO MEET THE PARAMETERS AND SPECIFICATIONS OF THE CITY; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-219-Crown Castle Consent AT&T modification 2019.pdf

AR 19R-10-219

812072_ATT_CDs_498120.pdf

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

8. RESOLUTION NO. 19R-10-220: A RESOLUTION APPROVING THE EMERGENCY REPAIRS TO LIFT STATION #1 LOCATED AT 2101 N.W. 48th AVENUE BY THE HINTERLAND GROUP IN AN AMOUNT NOT TO EXCEED $68,300.00 FROM BUDGET CODE NUMBER 401-933-6320; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-220-Emergency Liftstation Repairs.pdf

AR 19R-10-220

Proposal 19-0298-00 - Lauderhill - Emergency CP Replacement

LS 01 1

LS 01 2

LS 01 3

LS 01 4

LS 01 5

LS 01 6

LS 01 fence pic

Emer Purchase Form_Lift Station 1_09 23 19

This Resolution was approved on the Consent Agenda. (See Consideration of

Consent Agenda for vote tally.)

9. RESOLUTION NO. 19R-10-221: A RESOLUTION OF THE CITY OF LAUDERHILL APPROVING THE SCHOOLS SURVEILLANCE CAMERA SYSTEM ACCESS AGREEMENT BETWEEN THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA AND THE CITY OF LAUDERHILL, FLORIDA; PROVIDING FOR THE TERM ENDING SEPTEMBER 30, 2022; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-221-Agrmt-School Video Access Agreement .pdf

AR 19R-10-221

Video Surveillance Agreement Lauderhill 2019.pdf

City SBBC Signature Page.docx

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

10. RESOLUTION NO. 19R-10-222: A RESOLUTION OF THE CITY OF LAUDERHILL APPROVING THE SCHOOL RESOURCE OFFICER (SRO) AGREEMENT BETWEEN THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA AND THE CITY OF LAUDERHILL, FLORIDA REGARDING THE ASSIGNMENTS AT THE PARTICIPATING SCHOOLS; PROVIDING FOR THE ASSIGNMENT OF FOUR (4) SROS FOR TEN (10) MONTHS DURING THE REGULAR SCHOOL YEAR; PROVIDING FOR THE TERM RUNNING AUGUST 14, 2019 AND ENDING JUNE 3, 2020; PROVIDING TERMS, CONDITIONS AND FEES; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-222-Agrmt-School Resource Officer 8-14-19 to 6-3-20.pdf

AR 19R-10-222

City of Lauderhill - SRO FINAL 2019.pdf

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

11. RESOLUTION NO. 19R-10-223: A RESOLUTION OF THE CITY OF LAUDERHILL GRANTING TO CROWN CASTLE SOUTH, L.L.C., AS AGENT FOR BELLSOUTH MOBILITY, L.L.C. ON BEHALF OF VERIZON CONSENT TO MODIFY THE EXISTING EQUIPMENT AT THE WIRELESS COMMUNICATION FACILITY WITHIN ITS EXISTING LEASED AREA LOCATED AT 2000 CITY HALL DRIVE, WITHIN THE PARAMETERS AND SPECIFICATIONS REQUIRED BY THE CITY AND SUBJECT TO ALL PERMITTING AND REVIEWS REQUIRED BY THE CITY; AUTHORIZING THE CITY MANAGER TO EXECUTE THE LETTER OF CONSENT SUBJECT TO BEING REQUIRED TO MEET THE

PARAMETERS AND SPECIFICATIONS OF THE CITY; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-223-Crown Castle Consent Verizon modification 2019.pdf

AR 19R-10-223

Verizon Consent & Plans.pdf

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

12. RESOLUTION NO. 19R-10-224: A RESOLUTION OF THE CITY OF LAUDERHILL APPROVING THE CANDIDATE FINANCIAL REPORTING SYSTEM AGREEMENT FOR MUNICIPALITIES ENTERED INTO WITH THE SUPERVISOR OF ELECTIONS; PROVIDING TERMS, CONDITIONS AND FEES; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)

Attachments: RES-19R-10-224-Agrmt-Candidate Financial Reporting.pdf

AR 19R-10-224

Candidate Agreement.pdf

VS Agreement Broward Voter Focus Contract

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

13. RESOLUTION NO. 19R-10-225: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE ELECTION OF CLAIRE PIERRE BY THE EMPLOYEES TO SERVE AS A MEMBER OF THE CONFIDENTIAL AND MANAGERIAL PENSION BOARD FOR A FOUR (4) YEAR TERM EXPIRING NOVEMBER 2023; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: RES-19R-10-225-Brd-Conf & Mgr Pension-Employee Election-Claire Pierre.pdf

AR 19R-10-225

Confidential & Managerial Pension Board List

Confidential and Managerial Pension Board Election Results

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

14. RESOLUTION NO. 19R-10-226: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL WAIVING COMPETITIVE BIDDING REQUIREMENTS; APPROVING THE PURCHASE OF CHLORINE LIQUID IN CYLINDERS & CALCIUM HYPOCHLORITE FROM ALLIED UNIVERSAL CORP. PURSUANT TO THE SOUTHEAST FLORIDA GOVERNMENTAL COOPERATIVE PURCHASE BASED UPON THE BIDS SOLICITED BY THE CITY OF FORT LAUDERDALE

(BID #12288-393) IN AN AMOUNT NOT TO EXCEED $100,000.00; PROVIDING FOR PAYMENT FROM BUDGET CODE NUMBER 401-921-05220; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-226-PIGGY-Chlorine.pdf

AR 19R-10-226

CHLORINE_LIQUID CO_OP.pdf

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

15. RESOLUTION NO. 19R-10-227: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE LIST OF SOLE SOURCE OR SINGLE SOURCE DESIGNATED COMPANIES THAT PROVIDE VARIOUS KEY SUPPORT, SERVICES, REPAIR, MAINTENANCE, AND/OR ESSENTIAL EQUIPMENT AND SOFTWARE TO THE CITY ON AN AS NEEDED BASIS; PROVIDING FOR PAYMENT FROM THE APPROPRIATE BUDGET CODE NUMBER(S); PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-227-List-Sole Source Providers 2019.pdf

AR 19R-10-227

SOLE SOURCE_LETTERS.pdf

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

16. RESOLUTION NO. 19R-10-228: A RESOLUTION OF THE CITY OF LAUDERHILL ACCEPTING THE BID (#2019-048) FROM FLORIDA ENGINEERING AND DEVELOPMENT CORP. TO PROVIDE RENOVATION AND CONSTRUCTION OF THE N.W. 38TH AVENUE RIGHT-OF-WAY STREETSCAPE IMPROVEMENTS BETWEEN N.W. 19TH STREET AND N.W. 15TH STREET; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-228-bid-38th Ave Streetscape.pdf

AR 19R-10-228

ORIGINAL FILE NOTIFICATION.(002).pdf

FINAL RANKING RFP 2019-048 RE-BID NW 38th AVE IMPROVEMENTS.pdf

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

17. RESOLUTION NO. 19R-10-229: A RESOLUTION APPROVING THE AWARD OF THE CONTRACT TO THE VARIOUS VENDORS

INDICATED TO ALLOW FOR THE PURCHASE OF AUTOMOTIVE OILS, LUBRICANTS, AND GREASES, ON AN AS NEEDED BASIS, BASED UPON THE BIDS SOLICITED BY THE CITY OF MIAMI (# 546382(21)). AS “LEAD AGENCY” FOR THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING CO-OPERATIVE GROUP; PROVIDING FOR PAYMENT FROM BUDGET CODE NUMBER 001-138-4630 IN AN AMOUNT NOT TO EXCEED $7,000.00; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: RES-19R-10-229-PIGGY-Gas Fuels 2019.pdf
AR 19R-10-229
AUTOMOTIVE.pdf

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

18. RESOLUTION NO. 19R-10-230: A RESOLUTION APPROVING THE WAIVER OF COMPETITIVE BIDDING; APPROVING THE AWARD OF BID FOR THE PURCHASE, DELIVERY AND DISCHARGE OF QUICKLIME TO THE VARIOUS VENDORS INDICATED AT THE COOPERATIVE PRICING ON AN AS NEEDED BASIS BY THE CITY OF LAUDERHILL BASED UPON THE BIDS SOLICITED BY THE CITY OF TAMARAC ACTING AS "LEAD AGENCY" FOR THE SOUTHEAST FLORIDA GOVERNMENTAL COOPERATIVE PURCHASING GROUP (#17-22B); PROVIDING FOR PAYMENT IN THE TOTAL AMOUNT NOT TO EXCEED $370,000.00 FROM BUDGET CODE NUMBER 401-921-05520 ON AN AS NEEDED BASIS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER CHARLES FARANDA.

Attachments: RES-19R-10-230-PIGGY-QUICKLIME 2019.pdf
AR 19R-10-230
FURNISH,DELIVER AND DISCHARGE.pdf

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

19. RESOLUTION NO. 19R-10-231: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL WAIVING COMPETITIVE BIDDING REQUIREMENTS; AUTHORIZING THE PURCHASE OF OFFICE SUPPLIES FROM OFFICE DEPOT, INC., ON AN AS NEEDED BASIS, BASED UPON THE SOUTHEAST FLORIDA GOVERNMENTAL COOPERATIVE GROUP AND THE BIDS SOLICITED BY THE CITY OF TAMARAC ACTING AS LEAD AGENCY (BID 19-12R); PROVIDING FOR PAYMENT FROM THE APPROPRIATE BUDGET CODE NUMBERS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-231-PIGGY-Office Supplies.pdf
AR 19R-10-231
OFFICE SUPPLIES.pdf

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

20. RESOLUTION NO. 19R-10-232: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL WAIVING COMPETITIVE BIDDING REQUIREMENTS; AUTHORIZING THE PURCHASE AND INSTALLATION, SERVICE, AND REPAIR OF OVERHEAD ROLL-UP DOORS, GRILLS, AND HYDRAULIC BI-FOLD DOORS FROM THE VARIOUS VENDORS LISTED, ON AN AS NEEDED BASIS, BASED UPON THE SOUTHEAST FLORIDA GOVERNMENTAL COOPERATIVE GROUP AND THE BIDS SOLICITED BY THE CITY OF DEERFIELD BEACH ACTING AS LEAD AGENCY (ITB 2016-17-31); PROVIDING FOR PAYMENT IN THE TOTAL AMOUNT NOT TO EXCEED $50,000.00 FROM BUDGET CODE NUMBER 001-313-4615; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-232-PIGGY-Pull-Down & garage doors.pdf
AR 19R-10-232
PURCHASE AND INSTALLATION SERV.pdf

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

21. RESOLUTION NO. 19R-10-233: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL WAIVING COMPETITIVE BIDDING REQUIREMENTS; AUTHORIZING THE PURCHASE OF IRRIGATION SUPPLIES ON AN AS NEEDED BASIS, BASED UPON THE SOUTHEAST FLORIDA GOVERNMENTAL COOPERATIVE GROUP AND THE BIDS SOLICITYED BY THE CITY OF FORT LAUDERDALE ACTING AS LEAD AGENCY (ITB 562-11721); PROVIDING FOR PAYMENT FROM THE APPROPRIATE BUDGET CODE NUMBERS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-233-PIGGY-Irrigation Supplies.pdf
AR 19R-10-233
IRRIGATION SUPPLIES.pdf

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

22. RESOLUTION NO. 19R-10-234: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL WAIVING COMPETITIVE

BIDDING REQUIREMENTS; AUTHORIZING THE PURCHASE OF FIRE HYDRANTS FROM CORE & MAIN, LP F/K/A HD SUPPLY WATERWORKS, LTD., ON AN AS NEEDED BASIS, BASED UPON THE SOUTHEAST FLORIDA GOVERNMENTAL COOPERATIVE GROUP AND THE BIDS SOLICITED BY THE CITY OF HOLLYWOOD ACTING AS LEAD AGENCY (BID #F-4493-16-RL); PROVIDING FOR PAYMENT IN THE TOTAL AMOUNT NOT TO EXCEED $50,000.00 FROM BUDGET CODE NUMBER 401-921-4620; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-234-PIGGY-fire hydrants.pdf

AR 19R-10-234

PURCHASE OF FIRE HYDRANT.pdf

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

23. RESOLUTION NO. 19R-10-235: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL WAIVING COMPETITIVE BIDDING REQUIREMENTS; AUTHORIZING THE AWARD OF THE CONTRACT TO CITY FIRE, INC. TO PROVIDE FIRE EXTINGUISHER SERVICES INCLUDING TESTING, INSPECTION, MAINTENANCE, PARTS AND TOOLS, ON AN AS NEEDED BASIS, FOR THE REMAINDER OF THE TERM EXPIRING AUGUST 31, 2022 BASED UPON THE SOUTHEAST FLORIDA GOVERNMENTAL COOPERATIVE GROUP AND THE BIDS SOLICITED BY THE CITY OF HOLLYWOOD ACTING AS LEAD AGENCY (BID #F-4507-16-RD); PROVIDING FOR PAYMENT IN THE TOTAL AMOUNT NOT TO EXCEED $20,000.00 FROM BUDGET CODE NUMBER 001-313-4615; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-235-PIGGY-fire extinguisher services.pdf

AR 19R-10-235

HOLLYWOOD FIRE EXTINGUISHERS.pdf

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

24. RESOLUTION NO. 19R-10-236: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL WAIVING COMPETITIVE BIDDING REQUIREMENTS; APPROVING THE TWO (2) YEAR EXTENSION OF THE LEASING AGREEMENT WITH ENTERPRISE LEASING COMPANY OF FLORIDA, LLC. BASED UPON THE SOUTHEAST FLORIDA GOVERNMENTAL COOPERATIVE GROUP AND THE BIDS SOLICITED BY THE CITY OF CORAL SPRINGS ACTING AS LEAD AGENCY (BID 17-C-053) FOR THE RENTALS OF UNDERCOVER VEHICLES TO BE USED BY THE MEMBERS OF THE

VICE, INTELLIGENCE, AND NARCOTICS UNITS; PROVIDING FOR PAYMENT IN THE TOTAL AMOUNT NOT TO EXCEED $15,000.00 FROM BUDGET CODE NUMBER 001-512-4430; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-236-PIGGY-Extension of Enterprise Rental Agreement.pdf
AR 19R-10-236
UNDERCOVER VEHICLE.pdf
UNDERCOVER RENEWAL.pdf

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

25. RESOLUTION NO. 19R-10-237: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE LIST OF QUALIFIED LICENSED COMMERCIAL PROVIDERS THAT CAN PRESSURE CLEAN CITY FACILITIES, SIDEWALKS, CURBS, AND HARD SURFACES THROUGHOUT THE CITY IN RESPONSE TO RFP #2019-052; PROVIDING FOR PAYMENT FROM THE APPROPRIATE BUDGET CODE NUMBER(S) ON AN AS NEEDED BASIS; PROVIDING FOR AN EFFECTIVE DATE, (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-237-List-Pressure Cleaning Companies.pdf
AR 19R-10-237
PRESSURE CLEANING.pdf

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

26. RESOLUTION NO. 19R-10-238: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE AGREEMENT WITH EXTRA DUTY SOLUTIONS TO PROVIDE SERVICES RELATED TO POLICE EXTRA DUTY DETAILS; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-238-Agrmt-Extra Duty Solutions.pdf
AR 19R-10-238
Extra Duty Solutions-clean final-City of Lauderhill (1).pdf

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

27. RESOLUTION NO. 19R-10-239: A RESOLUTION OF THE CITY OF LAUDERHILL APPROVING THE BOOKING AGENT AGREEMENT BETWEEN THE CITY OF LAUDERHILL AND OLD SKOOL GANG

VENTURES, INC. TO PROVIDE DOUG E. FRESH, SLICK RICK, MICHEL'LE AND THE OLD SKOOL GANG TO PERFORM ON APRIL 18, 2020 AT THE CITY'S JAMMIN IN THE PARK TO BE HELD AT THE CENTRAL REGIONAL PARK OUTDOOR STAGE; PROVIDING FOR PAYMENT IN THE AMOUNT OF $71,900.00 FROM BUDGET CODE NUMBER 001-101-4823; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-239-Agrmt-Booking Agrmt Old Skool Gang 4-18-20.pdf

AR 19R-10-239

Proposed Agreement_OSG re 2020 Jammin Event

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

28. RESOLUTION NO. 19R-10-240: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE RETROACTIVE EXTENSION OF THE AGREEMENT WITH INTERNATIONAL DATA DEPOSITORY (IDD) OFF-SITE RECORD STORAGE SERVICES BASED UPON THE REMAINDER OF THE CONTRACT TERM OF THE CITY OF HOLLYWOOD TO EXPIRE DECEMBER 31, 2020; PROVIDING FOR THE SAME TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-240-Agrmt-Extension record depository.pdf

AR 19R-10-240

IDD Agreement Hollywood.pdf

City of Lauderhill Renewal Letter.pdf

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

29. RESOLUTION NO. 19R-10-241: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING AN AGREEMENT BETWEEN THE LAUDERHILL HOUSING AUTHORITY ("LHA") AND THE CITY OF LAUDERHILL FOR THE LHA TO PROVIDE INTAKE AND PROGRAM MANAGEMENT TO ASSIST WITH BOTH THE SHIP AND HOME "PURCHASE ASSISTANCE" AND "HOME REHABILITATION" PROGRAMS; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-241-Agrmt-LHA-intake assistance.pdf

AR 19R-10-241

SHIP AGREEMENT

Subrecipient Agreement - LHA

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

29A. RESOLUTION NO. 19R-10-245: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, RELATING TO THE MEMORANDUM OF UNDERSTANDING REGARDING COLLABORATIVE STUDY AND SUBSEQUENT DEVELOPMENT OF AN INTEGRATED SOLID WASTE AND RECYCLING SYSTEM; APPOINTING REPRESENTATIVES TO REPRESENT THE CITY OF LAUDERHILL IN MATTERS RELATING TO THE MEMORANDUM OF UNDERSTANDING; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-245-Solid Waste MOU working group and technical group appts
AR 19R-10-245
solid waste & recycling00090520191022115126.pdf

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

29B. RESOLUTION NO. 19R-10-246: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING AND SUPPORTING THE REQUEST TO THE BROWARD COUNTY COMMISSION TO APPROVE THE EXPANSION OF THE CURRENT GEOGRAPHICAL BOUNDARIES OF THE STATE ROAD (SR) 7 CRA TO ALLOW FOR INCREASED DEVELOPMENT; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-246-CC-Support-SR 7 CR Boundary Expansion Request.pdf
AR 19R-10-246
CRA Expansion - County Letter (1).pdf

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

29C. RESOLUTION NO. 19R-10-247: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE RENEWAL OF THE SERVICE AGREEMENT WITH MOTOROLA SOLUTIONS REGARDING ALL CITY RADIOS; PROVIDING FOR AN ADDITIONAL ONE (1) YEAR TERM PURSUANT TO THE TERMS OF THE AGREEMENT EXPIRING SEPTEMBER 30, 2020; PROVIDING FOR THE SAME TERMS AND CONDITIONS; APPROVING PAYMENT IN THE TOTAL AMOUNT NOT TO EXCEED $58,286.40 FROM THE APPROPRIATE BUDGET CODE NUMBER; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

Attachments: RES-19R-10-247-Agrmt-Renewal Motorola Solutions.pdf

AR 19R-10-247

Motrola Contract.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)

30. RESOLUTION NO. 19R-10-242: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING THE SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO MEDICAL CONSULTANTS OF FLORIDA, LLC D/B/A MEDFLORIDA MEDICAL CENTERS AND D/B/A XPRESS URGENT CARE, LLC., SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT AN OFFICE, MEDICAL OFFICE, WITH CONTROLLED SUBSTANCE PROVIDER, AND URGENT CARE FACILITY USE ON A 1.6± ACRE SITE LEGALLY DESCRIBED AS PLAT OF INVEREALTY TRACT 1 111-46 B A PORTION OF TRACT B, ACCORDING TO THE PLAT THEROF AS RECORDED IN BOOK 111, PAGE 46 OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 7229 WEST OAKLAND PARK BOULEVARD, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: REVISED RES-19R-10-242-Special X - MedConsultants.pdf

AR 19R-10-242

DRR Medical Consultants of Florida, LLC (19-SE-012).pdf

A. SEU Application, Medical Consultants of Florida, LLC.pdf

B. Medical License & DEA License, Mazin Shikara.pdf

C. Executive summary, Medical Consultants of FLorida, LLC (1).pdf

D. Floor Plan and Site Plan.pdf

M. Shikara- MedFlorida Express Urgent Care 10.24.19

M. Shikara-MedFlorida Medical Affidavit 10.24.19

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

31. RESOLUTION NO. 19R-10-243: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING THE SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO JAMAICA HOUSE RESTAURANT BROWARD, INC. D/B/A JAMAICA HOUSE RESTAURANT II, SUBJECT TO CONDITIONS, TO ALLOW IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT A RESTAURANT, FAST FOOD WITH DRIVE THROUGH WITH OUTDOOR SEATING USE

ON A 0.48± ACRE SITE LEGALLY DESCRIBED AS TRACTS A AND B, BROWNS BROWARD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN OFFICIAL RECORDS BOOK 103, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 3351 WEST BROWARD BOULEVARD, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

Attachments: RES-19R-10-243-Special X - Jamaica Restaurant

AR 19R-10-243

DRR (19-SE-009) DRR Jamaica House Restaurant Broward Inc. DBA Jamaica House II

A. SEU Application, Jamaica House.pdf

Jamaica House, Proposed Site plan, Floor Plan, and Elevations (1).pdf

Jamaica House Legal Opinion.pdf

Mayor Thurston collectively swore in all persons wishing to speak on the following item.

Vice Mayor Bates recalled some months ago the City did a moratorium on drive through restaurants.

City Attorney Hall responded it was not a moratorium, rather the City Commission adopted an ordinance limiting the number of drive through type restaurants in the City, requiring a 1,000 foot separation. The subject restaurant was a preexisting drive through establishment that was annexed into Lauderhill, and in discussions with City staff, and on reviewing the supporting documents in the backup, the applicant/owner purchased the property and came to the City to apply for permits prior to the Commission adopting the ordinance. He said, for that reason, the applicant could apply to the Commission for a special exception to have a drive through, but it was still at the Commission's discretion to grant the special exception.

Vice Mayor Bates noted she pulled the resolution to have Mr. Hall's explanation on record, as there might be some restaurant owners that wanted to install a drive through.

Commissioner Campbell mentioned over the past weekend he met some residents in the subject area and suggested they attend the present meeting to voice their concerns. He asked staff's position with regard to the subject development.

Mr. Torres replied staff recommended approval.

Commissioner Campbell said some of the concerns raised pertained to the fact that at the November 18, 2019, Commission Workshop, there would be a discussion on the businesses on NW 31st Avenue and Broward Boulevard. Considering that upcoming discussion, would the subject business be revisited in the near future.

Mr. Torres responded, from a use perspective, it was suitable; from a design perspective, he thought the business owner was bringing a more modern, tropical look to that corridor, replacing a dilapidated building that had been there for years. Thus, from aesthetic and use standpoints, staff supported the application.

Commissioner Campbell walked through the area of NW 31st Terrace where the feeding/nutrition center was located and posed a major problem to surrounding residents for many years. He asked if that would be one of the businesses for discussion at the upcoming workshop.

Mr. Torres affirmed it was.

Commissioner Campbell mentioned the gas station at the corner of NW 33rd Terrace was a potential place for the homeless to hang out.

Mr. Torres concurred.

Commissioner Campbell wished to know if there were any plans to address that issue.

Mr. Torres stated there were no specific plans for the present, but as staff moved forward with the plans to achieve consistency and design in the subject area, they would approach that property owner with some incentive to remove the nuisance.

Commissioner Campbell asked where the City was on the convenience store located on NW 34th Avenue.

Mr. Torres said he could not speak to the violations it currently held, but he was aware of the alley in the back, its affording users of the feeding center a place to hang out, and owners of convenience stores needed to decide whether persons were loitering or were actual customers. As the City did with NW 55th Avenue and NW 12th Street, staff would work with the convenience store owner to improve the property and the area around it. The store on 34th would be placed on the list the City Manager put together with other properties, sending out code enforcement and other staff to resolve issues.

Commissioner Campbell questioned if the applicant was aware of some of the issues on the subject corner.

Anthony Amos, the applicant, replied not really.

Commissioner Campbell sought confirmation the applicant had not done any study of the area and the existing and longstanding problems.

Mr. Amos answered yes, but he could only study so much.

Commissioner Campbell stated the adverse effects the feeding center and other uses in the subject area had on the residential community persisted for many years; residents were less concerned with the fact of it being a restaurant and more concerned with it having a drive through. He asked if the restaurant would have outside dining.

Mr. Amos indicated it was in the plan.

Commissioner Campbell questioned if City staff understood outside dining was a part of the applicant's plan.

Mr. Torres responded, for the present, the applicant was still going through a site modification process, which was something staff had to contemplate moving forward. As part of the site modification process, staff looked at design components to adequately reduce crime. CPTED (crime prevention through environmental design) was one of staff's requirements, so it would be included for that site modification.

Commissioner Campbell understood the residents were not against the restaurant, but they were concerned as to the impact a drive through created, as well as outside dining. It was felt they would increase the existing unwanted activities that residents were trying to eliminate. He thought the applicant should discuss with City staff whether or not outdoor dining and a drive through would facilitate/enable the undesirable activity of the homeless at the subject corner. The dozens of homeless persons that sought refuge in that area would only increase with an additional place to hang out, so this was something that definitely had to be looked into. He was unsure how this could be done, but he would not be comfortable to support an application before it was clarified how that aspect would be dealt with.

City Manager Faranda wondered if the City could ask the applicant to enter into trespassing agreements with the City, posting proper signage, so staff could get ahead of addressing public concerns, and have the agreements as part of the approval process, if the Commission chose to approve the subject application.

City Attorney Hall answered yes, stating the applicant already signed an affidavit to that point, and as the Commission went through its deliberation, staff would include additional conditions to the affidavit and re-execute it.

City Manager Faranda thought the above steps would alleviate any concerns with the applicant contributing to the existing problems of the area; he might help solve them.

Mayor Thurston opened the discussion to the public.

Samuel Wilkerson, Lauderhill resident, provided photographs to the City Commission that were entered into the record, commenting the pictures illustrated an ongoing problem his community had been fighting for 13 years. The residents and he were not saying they did not want a restaurant in their community, but the pictures were taken about two months ago and showed people lying down across from the feeding center, though this had nothing to do with the restaurant. However, residents felt these unwanted activities would increase in the area around the restaurant, such as people from the convenience store loitering on restaurant property.

Carolyn Herring, Lauderhill resident, said she was unable to see how a drive through restaurant would be a good fit for their neighborhood. When she read the sign notifying the community of the subject hearing, she was reminded of another sign posted in their neighborhood 13 years ago, asking for a special exception to allow a nutrition center at the end of NW 33rd Terrace and Broward Boulevard, and residents thought at the time what could be wrong with a nutrition center. Hence, they did not attend the meeting to speak out against the location of the nutrition center, as they thought it would be a good thing. She said the nutrition center was a feeding center, and residents felt duped by the County's play on words that allowed a most unsuitable use to be located in a residential area, as with it came a steady stream of unknown people, increased traffic, including large delivery trucks, vagrants sleeping and relieving themselves in residents' yards, and numerous other undesirable activities. Ms. Herring felt sure the Commission could imagine the challenges homeless people and taxpaying homeowners coexisting in the same space created; it was and continued to be a nightmare for residents. There were many meetings, some at the feeding center, trying to come up with a plan to encourage the homeless persons to leave the area as soon as they were fed, but, to date, they continued to loiter in their neighborhood. She felt a drive through restaurant with outside seating would become a hangout for the homeless persons, as adjacent to the building was Jimmy's convenience store, another popular gathering for the homeless, but the countless attempts by the City's police improved that situation. It was no longer a place for loitering and drugs, but there was another gathering place in front of an empty house on NW 34th Avenue and Broward Boulevard, and this happened every day, and addressing this situation appeared to be eluding the City's law enforcement officers, as the problem persisted. She asked the City Commission not to give the homeless persons another neighborhood venue in which to loiter, as the goal was to get them out, and if tables and chairs were placed outside the applicant's restaurants, she knew the homeless would sleep on them and under them. Ms. Herring spoke about a young entrepreneur, Derrick, who had a great idea for opening a soul food restaurant at the same site; it was meant to be a family restaurant. However, residents did not dine at the restaurant because of the homeless persons hanging out on the site, defecating and urinating at the site, deterring patrons going to the restaurant. She begged the Commission not to subject the residents to another situation that would increase the presence of unwanted persons in their neighborhood.

Mr. Wilkerson added that City staff and the homeowners' association (HOA) continued to work together, trying to do something to eliminate the problem, and they were in the process of temporarily closing NW 33rd Terrace, though he was unsure if it would help.

Guy Wheeler, Lauderhill resident, echoed the concerns expressed by Ms. Herring, stating he knew the business owner who had wanted to do the fish market, and the residents told him not to, but he went ahead and opened the fish market and eventually went out of business. He wished it to be very clear that residents were not against the business coming to their community, but any layout that facilitated loitering had to be addressed, beyond the posting of no trespassing signs. Most of the people living in the nearby neighborhood were elderly, so the City needed to be respectful of their lives, and it was shameful that most of the residents' houses had been broken into, with some installing security bars, as his mother had. He said residents wanted the best for their community, so the City and the applicant needed to consider their concerns, while also considering the existing unwanted activities generated by the presence of the feeding center, and how the situation affected the neighborhood's future. Mr. Wheeler said he was not against providing food for the poor, but cities such as Plantation would never have allowed the feeding center to be located in a residential area, so the City needed to work on getting the feeding center to move.

Audrey Whitney, Lauderhill resident, stated her family moved to the subject area in 1965, and she echoed the concerns mentioned by Ms. Herring and Mr. Wheeler. Her home was not broken into until after the feeding center opened, as had many other residents. She said someone told her the coming restaurant would be open 24 hours, which would definitely be a concern, as there was a lot of pedestrian traffic in the area. She urged the Commission to consider residents' suffering in their decision.

Mayor Thurston received no further input from the public.

Commissioner Grant asked, for redevelopment purposes, what would be a suitable use for the subject location.

Mr. Wilkerson replied any type of business would be fine in the location, as the problem was not the subject restaurant, it was the homeless traffic the presence of the feeding center attracted, and the likelihood that some of what the restaurant proposed would exacerbate the situation. If the City could find a way to relocate the feeding center, the residents would welcome the restaurant and its plans to their neighborhood.

Commissioner Grant noted the City had no idea how long the feeding center would remain, so she wished Mr. Wilkerson to suggest an appropriate use.

Mr. Wheeler remarked, regardless of the business, and this applied to the applicant's restaurant, any use should omit providing outside seating. The applicant had the right to curtail the presence of unwanted persons in the restaurant, but he could not control what went on outside, particularly when the restaurant was closed.

Commissioner Grant referred to Ms. Herring's mention of a prior restaurant that closed, and there had been no outside seating.

Mr. Wheeler stated, again, this went to the nature of the business owner and what they were willing to do to address problems.

Mr. Amos believed the challenge fell on the businesses owner, and the City of Lauderhill with its law enforcement officers and ordinances put in place could help with the problem, but the continued presence of the feeding center meant the problem would remain. He thought about three businesses opened and closed at the applicant's site in the past ten years, and the failure was due mostly to the presence of homeless persons and patrons staying way, preferring not to encounter homeless persons and/or the results of their activities on the site. The homeowners in the nearby community took their safety and the look of their community very seriously, so any person who opened a business on that site would have the full attention of the residents on what was taking place. He knew from talking to other area businesses that the applicant was a good person that sought to do good things in the area, and there were other nearby businesses that continued to thrive, but the homeless situation and the possibility of the restaurant making matters worse had to be considered.

Vice Mayor Bates asked if it was possible for the applicant to reconsider doing outside seating, as it appeared to be the main bone of contention for residents; she questioned if there would be seating on the inside.

Mr. Amos responded there was seating inside, but it was limited.

Vice Mayor Bates observed the restaurant would be more of a takeout business.

Mr. Amos answered right.

Vice Mayor Bates recalled a Church’s restaurant was once located on the site, and they never had outside seating; the applicant’s business would be the first she was aware of that had outside seating. From what residents of the neighborhood were saying, having outside seating would make the existing problem with the homeless worse.

Mr. Amos stated they could reconsider the outside seating, adding that the outside seating was to enhance the restraint and the surrounding neighborhood. He added accessing the outside seating would require walking through the restaurant; that is, there would be no direct entrance to the outside seating off the street. Regardless of if there was outside seating, his job as owner was to ensure the homeless were prevented from trespassing on his property.

Vice Mayor Bates questioned how the applicant intended preventing the homeless from trespassing on his property and/or doing the unsavory things residents mentioned.

Mr. Amos was unsure how other area businesses dealt with the homeless and the problems they caused, but he would just be firm with them and stay in control of the situation and not let homeless persons take control of his property.

Wayne Benton, the applicant’s accountant, said they recognized the problem on the Broward Boulevard corridor, as he visited the site over the last six to eight months to get a feel for what was going on; he recognized it was a longstanding problem and difficult to remove and understood the concerns voiced by residents. The applicant would have to be very aggressive in addressing any issues, as they took their business very seriously, and he had been in Lauderhill for the last 12 years, and Jamaica House restaurant was one of his clients. They looked at the whole development and would put in a fresh new look on the building, and he looked at the previous businesses that occupied the site and recognized the problems they were having. When they first bought the building, there were numerous homeless persons at the back of the building, but if one were to drive by the site today, there were no homeless persons to be seen. He was involved with the Kiwanis and feeding the homeless, so he understood them, but at the end of the day, the applicant might not be able to get rid of the problem, but they could help slow it down. The applicant wished to develop the property and make it a showpiece for Lauderhill, and make the residential neighbors proud.

Vice Mayor Bates questioned if there were any other restaurants in the surrounding area with outside seating.

Mr. Benton said the closest restaurants were Popeye's, Donna's and another one, but he was not aware of any of them having outside seating.

Commissioner Campbell knew Mr. Amos came before the Commission without being aware of the residents' concerns, and now that he heard them, was Mr. Amos willing to make any adjustments to alleviate the residents' concerns. It would be difficult for him to support the subject development as is, when there were so many residents expressing concern, and as with many instances in life, plans had to be adjusted. Residents expressed no concern about the looks of the building, and it could be the best looking building on the block, it would not alleviate their concerns, so the applicant needed to take those concerns into consideration. He questioned if the applicant was so confident they could address a situation that residents had been living with for 13 years, a loitering problem no other entity had been able to remove or reduce to date.

Commissioner Grant asked for clarification on how patrons could only access the outside seating by going through the restaurant first.

Mr. Amos responded there would be railings around the outside seating, so the only way to access the outside patio area was to go through the main door and walk through the restaurant.

Commissioner Grant wished to know if the outside area was completely blocked off during closing hours.

Mr. Amos answered yes.

Commissioner Grant if it would be possible for someone to jump over the railings.

Mr. Amos affirmed they could. He understood it amounted to having proper control of one's property, regardless of whether there was outside seating or not; the homeless problem was one that he knew he would have to control when he purchased the property. He had been in the restaurant business for 27 years, and he had the Jamaica House restaurant in Miami, so he was experienced.

Commissioner Grant asked if the Miami restaurant had outside seating.

Mr. Amos replied Jamaica House in Miami had an outside feature to the rear of the site, as it was located in a strip mall.

Commissioner Grant asked, other than being firm, what other measures would Mr. Amos use to control the homeless coming onto his property.

Mr. Amos indicated they would have security on the site, if they had to, and if the outside seating was not possible, they would still build the restaurant on the subject site. He reiterated, with or without outside seating, he understood he still had to exercise control over his property, particularly with the proximity of the feeding center.

Commissioner Berger witnessed a similar situation with some McDonald's restaurants, where in order to access the outside seating, patrons had to go through the restaurant first. He asked if the applicant would put up signage that said purchase was necessary for anyone to use the outside seating area.

Mr. Benton indicated they were willing to post such signage.

Vice Mayor Bates sought confirmation someone walking along Broward Boulevard could not easily access the outside seating area at the restaurant.

Mr. Benton answered no, they had to go through the main door and walk through the restaurant to get to the patio that would be fenced in, and in order for someone to access the patio without going through the main door, they had to climb over the fence.

Mr. Amos said the height of the fence would be up to the City.

Vice Mayor Bates asked, if the patio was fenced in, what would happen if there was an emergency on the patio, wondering if there was a gate or exit other than going through the restaurant.

Mr. Amos said they would always have emergency exits, and the patio would have an emergency gate that allowed exit only.

Vice Mayor Bates asked Ms. Herring if she was satisfied with the applicant's solutions to addressing issues surrounding the outside dining area.

Ms. Herring stated she was unable to imagine a scenario where patrons purchased their food and ate it on the outside patio, and then walked back through the restaurant to exit the building. She questioned what the applicant would do to ensure the homeless would not go on their property during closing hours, as homeless persons were very adept at getting past barriers.

Vice Mayor Bates questioned if the City put a height restriction on the fencing around the patio area, would this make the residents more comfortable.

Ms. Herring felt wary agreeing to any of the applicant's solutions, having gone through so many issues with the homeless, and witnessing numerous businesses failing at the subject site. She was uncomfortable being asked to make that decision at the present time, as she could not understand why the applicant did not just have a restaurant with no outside seating. The applicant did not know the dynamics of the subject neighborhood, even if they drove through it numerous times; she lived there and knew what went on there.

Commissioner Campbell hoped all members of the Commission took the time to visit the subject site and the surrounding area, as this would give them a better feel for what was happening. Regarding the fencing mentioned, he visited the site over the past weekend and observed construction taking place, and staff needed to clarify what was meant by fencing, as it would be extremely difficult to understand the concept. He said these were desperate, homeless persons who were unlikely to be deterred by a fence, regardless of its height. As he stated before, the applicant now understood the residents' concerns, so he wished to know why some modification to the applicant's initial proposal for the restaurant's design was not possible, as without a 24 hour security presence on the property, he could not see how the owner would prevent homeless persons accessing the outside seating area. Homeless persons rarely read and/or adhered to signs, so Mr. Amos would have to be coming out of his business constantly to escort homeless persons off his property. Residents were asking the applicant not to put any amenities outside his restaurant that would make homeless persons want to access the property. Commissioner Campbell suggested Mr. Amos and City staff revisit the proposal, which should include residents' concerns, as without this action, it would be very difficult for him to give the applicant his support.

Mr. Amos stated he had no problem with revisiting his proposal with City staff and making modifications that allayed some residents' concerns, and they had no problem building the restaurant without the outside seating area, knowing he would have to do the same job regarding the homeless, with or without outside seating.

City Attorney Hall recommended, based on the applicant's comments, the Commission could move the item with the amendment to remove any consideration on the site plan of outdoor seating.

Vice Mayor Bates made a motion to Amend Resolution #19R-10-243, seconded by Mayor Thurston. The vote was as follows:

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

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

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

Abstain: 0

32. RESOLUTION NO. 19R-10-244: A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING THE SPECIAL EXCEPTION USE DEVELOPMENT ORDER TO PEDIPEC, INC., SUBJECT TO CONDITIONS, TO ALLOW IN THE COMMERCIAL OFFICE (CO) ZONING DISTRICT A CHILDCARE, DAY AND EVENING, USE ON A 5.21± ACRE SITE LEGALLY DESCRIBED AS DAVENPORT COMMERCIAL SUBDIVISION 100-14 B TRACT A LESS PT DESC'D AS, BEG AT SE COR SAID PLAT, NLY ALG E/L 397.26,WLY 65.50, SWLY 190,WLY 34.50,SLY 210.50,ELY 100.06 TO POB, OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 3810 INVERRARY BOULEVARD, SUITE 101-104, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE

DATE.

Attachments: REVISED-RES-19R-10-244 - Special X - Pedipec Daycare.pdf

AR 19R-10-244

PediPec DRR (19-SE-011)

Pedi-Attachment A- SITE PLAN-L-300.pdf

Pedi-Attachment B- Floor Plan.pdf

Pedi-Attachment C- Application.pdf

REVISED SEU Conditions Affidavit 19-SEU-011 Pedipec, Inc.pdf

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

XIII QUASI-JUDICIAL MATTERS, FIRST READING

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 Campbell attended two events, the first being with Mrs. Smith and the Deltas who counseled young ladies on how to behave like ladies, and as a black male, it was an enlightening process. He hoped they could convene a similar event for young men. The second event he participated in was the Lauderhill Police's Halloween Crime Prevention event the past Friday; with the presence of Chief Stanley, he was able to complete the trail. He said the children loved it, and he commented to Chief Stanley that it seemed Lauderhill had so many wonderful events to which parents of the entire city should expose their children; he thought it was better than Disney.

Vice Mayor Bates announced on Wednesday, November 6, 2019, at 4:00 p.m., the City would be honoring its veterans at Veterans Park; she invited everyone to come out in support of the City's resident veterans; light refreshments would be served; it would be an informative program, as seven veterans would be honored.

Commissioner Grant mentioned the Lauderhill Resiliency Symposium that took place Sunday, October 27, 2019; it was a behavioral symposium at which persons were shown how to manage stress and connect with resources to help them. It was a family event she considered a great success, and hoped for an even larger event next year, as they partnered with agencies that brought some very good information. She thanked Chief Stanley for assisting with the event, imparting some great wisdom and knowledge to the audience. The Children's Services Council, the YMCA and a host of different social service organizations were present to assist. She said the highlight for her were the children being taught some life skills by Jackie Vernon Thompson, who did a lot in the City of Lauderhill, and Mr. Hardge. Young people were given classes in confidence and empowerment. She said the Lauderhill Lions Soccer Youth 13 competed on a high level and won all of their games, so they would be traveling to Spain in 2020; they had a choice between Portugal and Spain. It was a great experience for the City's youth to win on that level and get that exposure.

Mayor Thurston mentioned Jazz Picnic in the Park would resume Sunday, November 10, 2019, at the Lieberman Botanical Gardens from 11:00 a.m. to 2:30 p.m.; Sound of Vision would perform. The Chess Challenge that rotated from city to city would be hosted in Lauderhill on Saturday, November 16, 2019, at 9:30 a.m. at City Hall; all chess players were invited to play a few games of chess. He remarked it was October 28, and he thought the agreement between the City and the Chamber would be brought to the Commission in October for approval, asking if it would be on the next agenda.

City Manager Faranda believed it would be.

XIX ADJOURNMENT - 9:36 PM