



CITY COMMISSION MEETING AGENDA

City Commission Chambers

February 27, 2024

7:00 PM

Please join the meeting via Zoom
<https://us06web.zoom.us/j/85646811666>

Please join the meeting via telephone:
1 305 224 1968 or 1 646 931 3860
Meeting ID: 856 4681 1666



Mayor Veronica Edwards Phillips - Vice-Mayor Mark Spence
Commissioner Tycie Causwell - Commissioner Karlene Maxwell-Williams - Commissioner Sharon Thomas



City of Lauderdale Lakes City Commission Meeting

Welcome to the City Commission Meeting

We are pleased that you have demonstrated an interest in the City of Lauderdale Lakes by attending a City Commission Meeting. We hope you enjoy the meeting and will attend more of these meetings in the future.

GENERAL RULES AND PROCEDURES FOR PUBLIC PARTICIPATION AT CITY COMMISSION MEETINGS:

Please turn off or silence cell phones. Any person requiring Auxiliary Aids and services must contact the City Clerk's Office at 954-535-2705 at least 24 hours prior to the meeting.

If you or someone you know is hearing or speech impaired, please call Florida Relay Service at 1-800-955-8770 or 8771.

- **Who May Speak** - Any individual who wishes to address the City Commission may do so providing it is accomplished in an orderly manner and in accordance with the procedures outline in Sec. 2-54 (2) of the Code of Ordinances.
- **Petitions From the Public** - Each person desiring to petition the City Commission will be allotted three minutes under the applicable order of business for the City Commission meeting. Petitions from the Public shall not exceed 30 minutes in aggregate time. The Mayor at his/her discretion may allow more time than the allotted time.
- **Speaking on items not on the Agenda** - Each person who wishes to address the City Commission must sign in with the City Clerk before 7:00 p.m.
- **Speaking on an item on the Agenda** - Individuals wishing to speak on an item on the Agenda need to submit a public comment form by accessing the following link <https://www.lauderdalelakes.org/FormCenter/City-Clerk-10/Public-Meeting-Comment-Form-58> to be recognized by the Mayor.

The City Commission Meeting is a business meeting and as such, please conduct yourselves in a respectful and professional manner, both in tone of voice, as well as choice of words.

Please direct your comments to the City Commission as a body through the presiding office and not to the audience or individual City Commissioner.

As your City Commission, we will abide by the debate and decorum rules which provides for each City Commissioner to speak 10 minutes at a time on each subject matter. After every Commissioner have spoken, the Mayor will provide for other comments.



City of Lauderdale Lakes

Office of the City Clerk

4300 Northwest 36 Street - Lauderdale Lakes, Florida 33319-5599

(954) 535-2705 - Fax (954) 535-0573

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1. **CALL TO ORDER**
 2. **ROLL CALL**
 3. **INVOCATION AND PLEDGE OF ALLEGIANCE**
 - A. INVOCATION
 - B. PLEDGE OF ALLEGIANCE
 4. **PROCLAMATIONS/PRESENTATIONS**
 5. **APPROVAL OF MINUTES FROM PREVIOUS MEETING**
 - A. FEBRUARY 12, 2024 CITY COMMISSION WORKSHOP MINUTES
 - B. FEBRUARY 13, 2024 CITY COMMISSION MEETING MINUTES
 6. **PETITIONS FROM THE PUBLIC**
 7. **CONSIDERATION OF ORDINANCES ON SECOND READING**
 8. **CONSIDERATION OF ORDINANCES ON FIRST READING**
 - A. ORDINANCE 2024-001 AMENDING ARTICLE VI, NONSTATUTORY BOARDS, COMMITTEES AND COMMISSIONS, DIVISION 1., SECTIONS 2-311(C), AND 2-322 AND DIVISION 7., SECTION 2-432 PROVIDING FOR RESIDENCY AND OTHER REQUIREMENTS FOR SAMUEL S. BROWN SCHOLARSHIP FUND BOARD

This ordinance amends Article VI, non statutory boards, committees and commissions, Division 1, Sections 2-311(C), and 2-322 and Division 7., Section 2-432 providing for residency and other requirements for the Samuel S. Brown Scholarship Fund.
 9. **CONSIDERATION OF RESOLUTIONS ON CONSENT AGENDA**
 - A. RESOLUTION 2024-009 AUTHORIZING THE PUBLIC PURCHASE OF GIFT CARDS FROM RACETRAC, INC. (SPONSORED BY COMMISSIONER MAXWELL-WILLIAMS)

This resolution under the American Rescue Plan Act Final Ruling, A Standard Allowance For Revenue Loss of \$10 Million, through Human Services Assistance Program, seeks authorization to purchase 540 gas cards from RaceTrac, Inc. in an amount not to exceed \$13,500.
 - B. RESOLUTION 2024-010 APPOINTING A NEW MEMBER TO THE ECONOMIC DEVELOPMENT ADVISORY BOARD

This resolution appoints Mr. Patrick Green as Commissioner Karlene Maxwell-Williams appointee to the Economic Development Advisory Board.
 - C. RESOLUTION 2024-011 OF THE CITY COMMISSION OF LAUDERDALE LAKES, FLORIDA, IN ACCORDANCE WITH ARTICLE V, SECTION 5.04(3) OF THE HOME RULE CHARTER OF THE CITY OF LAUDERDALE LAKES APPROVING THE TRANSFER OF CERTAIN UNENCUMBERED FUNDS RECEIVED BY THE CITY OF LAUDERDALE LAKES, FLORIDA FROM THE AMERICAN RESCUE PLAN ACT OF 2021 AND ORIGINALLY APPROPRIATED

TO THE HUMAN SERVICES ASSISTANCE PROGRAM IN THE AMOUNT OF TWO HUNDRED AND SIXTY THOUSAND AND NO/100 DOLLARS (\$260,000.00) TO THE RESIDENTIAL RENT AND UTILITIES ASSISTANCE PROGRAM

This resolution is a request to transfer Two Hundred and Sixty Thousand dollars (\$260,000.00) from the Human Services Program budget to the Residential Rent, Mortgage and Utilities program.

10. CONSIDERATION OF RESOLUTIONS ON REGULAR AGENDA

- A.** RESOLUTION 2024-012 APPROVING VARIANCE APPLICATION NO. 03-VA-23 SUBMITTED BY DWAYNE DICKERSON, ESQ, ON BEHALF OF LIMOUSINES OF SOUTH FLORIDA INC., ON OCTOBER 30, 2023, REQUESTING VARIANCES FROM SUBSECTIONS 1001.11(a) and 1001.11(c)(3) (PARKING INTERIORS) OF CHAPTER 10 OF THE CITY OF LAUDERDALE LAKES' LAND DEVELOPMENT REGULATIONS TO ALLOW FOR DEVIATIONS TO PARKING INTERIORS; A COPY OF VARIANCE APPLICATION NO. 03-VA-23 AND APPLICANT'S PRESENTATION IS ATTACHED HERETO AS COMPOSITE EXHIBIT A, AND FURTHER A COPY OF CITY STAFF'S INTEROFFICE MEMORANDUM ON VARIANCE APPLICATION NO. 03-VA-23 IS ATTACHED HERETO AS EXHIBIT B

This resolution is a request to approve Variances from Chapter 10 Section 1001.11 parking interiors of the City LDRs.

- B.** RESOLUTION 2024-013 AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN INTERLOCAL AGREEMENT BETWEEN THE CITY OF LAUDERDALE LAKES AND BROWARD COUNTY PROVIDING FOR FILM PERMITTING SERVICES ("AGREEMENT"), A DRAFT OF SUCH AGREEMENT IS ATTACHED HERETO AS EXHIBIT A

This resolution authorizes the City Manager to execute an Interlocal Agreement (ILA) with Broward County for Film Permitting Services.

- C.** RESOLUTION 2024-014 AUTHORIZING THE MAYOR AND THE CITY MANAGER TO EXECUTE A COMMUNITY AESTHETIC FEATURE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE WRAPPING OF CITY UTILITY BOXES

This resolution authorizes the Mayor and the City Manager to execute a Community Aesthetic Feature Agreement (CAFA) with FDOT which allow the City to install aesthetic features on utility boxes located within FDOT right of way on State Road 7 (from City limit to NW 19th Street) and Oakland Park Boulevard (from NW 31st Avenue to City Limit).

- D.** RESOLUTION 2024-015 AUTHORIZING THE CITY COMMISSION TO SUPPORT AND ENDORSE A PROJECT APPLICATION TO BROWARD COUNTY'S METROPOLITAN PLANNING ORGANIZATION (MPO) SEEKING FUNDING UNDER THE SURTAX PROCEEDS FOR THE NW 39TH STREET IMPROVEMENT PROJECT (FROM NW 29TH AVENUE TO NW 31ST AVENUE)

This resolution supports and endorses a project application to Broward MPO seeking funding under the surtax proceeds for the NW 39th Street Improvement project (from NW 29th Avenue to NW 31st Avenue).

- E.** RESOLUTION 2024-016 CANCELLING THE MARCH 11, 2024 CITY COMMISSION WORKSHOP AND THE MARCH 12, 2024 CITY COMMISSION MEETING

This resolution cancels the City Commission Workshop meeting scheduled for March 11, 2024 and the Regular City Commission Meeting scheduled for March 12, 2024 to allow the City Commission to attend the National League of Cities' ("NLC") Congressional City Conference in Washington, DC.

- F.** RESOLUTION 2024-017 APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SUCH QUOTE OR ESTIMATE, REQUISITION, WORK ORDER OR SUCH OTHER AUTHORIZATION FORMS NECESSARY TO PROCURE THE SERVICES OF MILLENNIUM PRODUCTS, INC ("MILLENNIUM"), TO PROVIDE FIXED LICENSE PLATE READER HARDWARE DEVICES, PURSUANT TO SECTION 82-358(D) OF THE LAUDERDALE LAKES PROCUREMENT CODE, AND IN ACCORDANCE WITH THAT CERTAIN GENERAL SERVICES ADMINISTRATION FEDERAL ACQUISITION SERVICE

AUTHORIZED FEDERAL SUPPLY SCHEDULE FSS PRICE LIST CONTRACT NO. GS-07F-0031W: SURVEILLANCE EQUIPMENT, LIGHT TOWERS ("GSA CONTRACT") IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY-TWO THOUSAND FIVE HUNDRED SIXTY-TWO AND 75/100 (\$132,562.75) DOLLARS

This resolution authorizes the use of GSA Contract No. GS-07F0031W, Fixed License Plate Reader Hardware Devices in accordance with the GSA Federal Acquisition Service Authorized Federal Supply Schedule FSS Price List per the City Procurement Code 82-358 (d) in an amount not to exceed \$132,562.75.

- G. RESOLUTION 2024-018 RATIFYING THE CITY MANAGER'S FILING OF THE CITY'S FISCAL YEAR 2024, PERIOD 4 (JANUARY); FINANCIAL ACTIVITY REPORT, AS PREPARED BY THE DEPARTMENT OF FINANCIAL SERVICES, FOR THE PURPOSE OF CONFORMING TO THE CITY'S ADOPTED FINANCIAL INTEGRITY PRINCIPLES AND FISCAL POLICIES**

This resolution serves to ratify the filing and presentation of the City's January (Period 4); Financial Activity Report prepared by the Financial Services Department.

- 11. CORRESPONDENCE**
- 12. REPORT OF THE MAYOR**
- 13. REPORT OF THE VICE MAYOR**
- 14. REPORTS OF THE CITY COMMISSIONERS**
- 15. REPORT OF THE CITY MANAGER**
- 16. REPORT OF THE CITY ATTORNEY**
- 17. ADJOURNMENT**

PLEASE TURN OFF ALL CELL PHONES DURING THE MEETING

If a person decides to appeal any decision made by the Board, Agency, or Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (FS 286.0105)

Any person requiring auxiliary aids and services at this meeting may contact the City Clerk's Office at (954) 535-2705 at least 24 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8770 or 1-800-955-8771.

Any invocation that is offered before the official start of the commission meeting shall be the voluntary offering of a private person, to and for the benefit of the commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the commission or the city staff, and do not necessarily represent their individual religious beliefs, nor are the views and beliefs expressed by an invocation speaker intended to suggest the city's allegiance to or preference for any particular religion, denomination, faith, creed or belief. Persons in attendance at the city commission meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. You may exit the city commission chambers and return upon completion of the opening invocation if you do not wish to participate in or witness the opening invocation.

Mayor Veronica Edwards Phillips - Vice-Mayor Mark Spence
Commissioner Tycie Causwell - Commissioner Karlene Maxwell-Williams - Commissioner Sharon Thomas

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact:

Contract Requirement:

Title
FEBRUARY 12, 2024 CITY COMMISSION WORKSHOP MINUTES
Summary
Staff Recommendation

Background:

Funding Source:

Fiscal Impact:

Sponsor Name/Department:

Meeting Date: 2/27/2024

ATTACHMENTS:

Description	Type
<input type="checkbox"/> February 12, 2024 City Commission Workshop Minutes	Minutes



City of Lauderdale Lakes
Office of the City Clerk
4300 Northwest 36 Street - Lauderdale Lakes, Florida 33319-5599
(954) 535-2705 - Fax (954) 535-0573

CITY COMMISSION WORKSHOP MINUTES
City Commission Chambers
February 12, 2024
5:00 PM

1. CALL TO ORDER

Mayor Veronica Edwards Phillips called the February 12, 2024, City Commission Workshop to order at 5:02 p.m.

2. ROLL CALL

PRESENT

Mayor Veronica Edwards Phillips
Vice Mayor Mark Spence (arrived at 5:53 p.m.)
Commissioner Tycie Causwell
Commissioner Karlene Maxwell-Williams
Commissioner Sharon Thomas

ALSO PRESENT

City Manager Treasa Brown Stubbs
City Attorney Sidney Calloway
City Clerk Venice Howard
City Staff

3. DISCUSSION

REVIEW OF THE FEBRUARY 13, 2024 CITY COMMISSION MEETING AGENDA

The items were read out of order as City Attorney Calloway had to leave the dais and was replaced by Acting City Attorney, Janeil Morgan.

CONSIDERATION OF RESOLUTIONS ON REGULAR AGENDA

Item 10.A. RESOLUTION 2024-003

AUTHORIZING THE CITY MANAGER TO PURCHASE A TOYOTA MODEL 50-8FG35U, INTERNAL COMBUSTION LIFT TRUCK (FORKLIFT) FROM ATLAS TOYOTA MATERIAL HANDLING, LLC. IN ACCORDANCE WITH THE GENERAL SERVICES ADMINISTRATION (GSA) CONTRACT NO. GS-07F-115AA, INDUSTRIAL PRODUCTS AND SUPPLIES, FACILITIES AND MISCELLANEOUS, IN AN AMOUNT NOT TO EXCEED SIXTY-FOUR THOUSAND SEVEN HUNDRED THIRTY SEVEN DOLLARS (\$64,737)

At this time, City Attorney, Sidney Calloway departed and Acting City Attorney, Janeil Morgan took a seat at the dais.

Financial Planning Coordinator, Ms. Heidi Brocks said that the appropriation of \$70,000 was not used due

to a delay in purchasing this item. It was not included in the fiscal year 2024 budget. However, there is funding for purchase in fiscal year 2024.

Item 10.B. RESOLUTION 2024-006

AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE, AND ATTEST, RESPECTIVELY, THAT CERTAIN CONTRACT AWARD TO ACAI ASSOCIATES, INC., UPON RECEIPT OF A PROPOSAL BID AMOUNT NOT TO EXCEED ONE MILLION TWELVE THOUSAND FOUR HUNDRED THIRTY-SIX AND NO/100 (\$1,012,436.00) DOLLARS, PURSUANT TO THAT CERTAIN REQUEST FOR QUALIFICATION NO. RFQ23-3110-07Q, PLANNING AND ARCHITECTURAL DESIGN SERVICES FOR THE FIRE STATION 37 HARDENING PROJECT

Director of Public Works, Ron Desbrunes, stated that staff is looking to award to ACAI Associates, Inc. after an extensive and thorough process. He spoke about the timeline and match by State of Florida Department of Environmental Protection.

Commissioner Thomas inquired as to the timeline of the project and about community involvement for input.

Mr. Desbrunes stated that all of the stakeholders will be invited to attend a workshop for discussion.

Mayor Edwards Phillips asked about facilitating community outreach.

Mr. Desbrunes advised that he will facilitate through the Public Information Office and will reach out to as many residents as possible.

Mayor Edwards Phillips asked that flyers be made available at events.

Commissioner Thomas expressed concern about timing and community outreach.

Mr. Desbrunes advised that flyers will be distributed. He will also work with the consultant who has extensive experience in community outreach.

Vice Mayor Spence asked that staff review the logistics of the community outreach and bring information back to the City Commission. He also inquired as to the fee schedule and the costs associated with certain items.

Mr. Desbrunes stated some of those items may not be needed, but, were included in the proposal by the consultant should the City desire to purchase any of the items.

Vice Mayor Spence asked if the Fire Chief looked at alternative spaces for the fire station.

Mr. Desbrunes advised that the site by Florida Medical Center was considered as an alternate but it was determined that the site would greatly impact the response time.

Item 10.C. RESOLUTION 2024-007

AUTHORIZING THE MAYOR AND CITY CLERK TO UTILIZE BEL AIR MAINTENANCE, INC., TO PROCURE PRE-SPRAYING AND PRESSURE CLEANING SERVICES FOR OAKLAND PARK BOULEVARD (FROM NW 31ST AVENUE TO THE CITY LIMIT), NW 52ND AVENUE; (FROM OAKLAND PARK BOULEVARD TO NORTHWEST 43RD COURT;) AND STATE ROAD 7; (FROM COMMERCIAL BOULEVARD TO NORTHWEST 19TH STREET,) PURSUANT TO SECTION 82-358(f) OF THE LAUDERDALE LAKES PROCUREMENT CODE, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THAT CERTAIN CONTRACT NO RFP #23-PW-001 - CITYWIDE PRESSURE CLEANING SERVICE, COMPETITIVELY PROCURED, SOLICITED AND AWARDED BY THE CITY OF NORTH LAUDERDALE ("RFP #23-PW-001"), TO BEL AIR MAINTENANCE, INC. ("BEL AIR") IN AN AMOUNT NOT TO EXCEED TWENTY SEVEN THOUSAND NINE HUNDRED EIGHTY NINE AND 75/100 CENTS (\$27,989.75) DOLLARS

Mr. Desbrunes explained the piggyback agreement for pressure cleaning services with Bel Air Maintenance Inc. The company will pre-spray and pressure clean sidewalks, curb and valley gutters, median including brick pavers, inserts and concrete surfaces along State Road 7, Oakland Park Blvd as well as NW 52nd Avenue. He advised that a quote was received and that staff recommends approval.

Commissioner Causwell asked why the City has to maintain State Road 7.

Mr. Desbrunes advised that the City is responsible per the maintenance agreement with the Florida Department of Transportation.

Commissioner Thomas inquired as to whether the area is from Oakland Park to 26th Street.

Mr. Desbrunes stated that the shrubs will be trimmed and the area maintained.

Vice Mayor Spence expressed that he is looking forward to the project and that it will send a good message about the City.

Item 10.D. RESOLUTION 2024-008

AUTHORIZING PARTICIPATION IN LAWSUIT CHALLENGING FORM 6 REQUIREMENT

City Attorney Calloway explained the participation in the lawsuit and the \$10,000 requirement. He advised that the resolution allows the law firm to represent each municipal agency in the lawsuit including the City of Lauderdale Lakes. The law firm will monitor and provide timely reports to the City Commission via the City's City Attorney.

Commissioner Thomas spoke about a meeting she attended and the infringement of the Form 6.

Commissioner Causwell spoke of the intrusiveness of Form 6.

Commissioner Maxwell-Williams and Mayor Edwards Phillips stated that they are in agreement of the City of Lauderdale Lakes participating in the lawsuit.

4. DISCUSSION OF PROPOSED ORDINANCE(S)

5. ADDITIONAL WORKSHOP ITEMS

A. DISCUSSION REGARDING CANCELLING THE MARCH 11, 2024 CITY COMMISSION WORKSHOP AND THE MARCH 12, 2024 CITY COMMISSION MEETING

City Manager Brown Stubbs stated that the Mayor and City Commissioners will be attending the National League of Cities conference and the item will be brought back to the Commission with a resolution.

B. DISCUSSION REGARDING PIGGYBACKING ON A SERVICE AGREEMENT BETWEEN BEL AIR MAINTENANCE , INC. AND THE CITY OF NORTH LAUDERDALE TO PROVIDE PRESSURE CLEANING SERVICES ALONG OAKLAND PARK BOULEVARD (FROM NW 31ST AVENUE TO THE CITY LIMIT), STATE ROAD 7 (FROM COMMERCIAL BOULEVARD TO NW 19TH STREET), AND NW 52ND AVENUE (FROM OAKLAND PARK BOULEVARD TO NW 43RD COURT) IN THE AMOUNT OF \$27,989.75

This item was discussed under the review of the February 13th City Commission meeting agenda.

C. DISCUSSION REGARDING APPROVAL TO REAPPROPRIATE FUNDING ALLOCATED TO THE HUMAN SERVICES ASSISTANCE PROGRAM IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED AND ELEVEN THOUSAND DOLLARS AND 00/100 (\$411,000).

Director of Parks and Human Services, Ericka Lockett, stated that at the October 24, 2023, City

Commission Meeting, the City Commission approved the purchase of food vouchers to distribute to residents in an amount not to exceed \$300,000. The City Commission also approved to reappropriate \$500,000 to the rental and utilities assistance program. Following the purchase of the food vouchers, there was a balance of \$13,500 which the commissioners discussed allocating towards gas cards. A resolution will be forthcoming to approve that allocation. Staff proposes that the remaining \$411,000 balance be re-appropriated to reflect the subsequent suggestions: Game Changers Program (\$161,000), Active Adult Senior Activities (\$91,000), Youth Academic Programs (\$89,000), ESOL Programs (\$50,000) and Rental and Utilities Assistance Programs (\$210,000). This action will allow the Department of Parks and Human Services to expend all funding before the expiration date.

Commissioner Maxwell-Williams stated that the \$50,000 from the ESOL program should be moved to the Rental Assistance and Utilities Program and asked about the Game Changers Program.

Ms. Lockett stated that the Game Changers Program enrolled approximately 30 children for the summer where they learned about financial literacy, CPR training, public speaking and much more.

Commissioner Causwell and Commissioner Thomas stated that the Game Changers Program was a great program for the children.

Vice Mayor Spence and Commissioner Thomas both agreed with Commissioner Maxwell-Williams that \$50,000 from the ESOL program should be moved to the Rental Assistance and Utilities Program.

D. DISCUSSION REGARDING APPROVAL TO PURCHASE 540 GAS CARDS FROM RACE TRAC, INC. IN A TOTAL AMOUNT NOT TO EXCEED THIRTEEN THOUSAND FIVE HUNDRED DOLLARS AND 00/00 (\$13,500) DOLLARS (SPONSORED BY COMMISSIONER MAXWELL-WILLIAMS)

Ms. Brown Stubbs stated that the City will be able to purchase 540 gift cards not to exceed \$13,500 from RaceTrac, Inc. The item will be brought back via a resolution at the next City Commission meeting.

E. DISCUSSION REGARDING DISTRIBUTION OF FOOD VOUCHERS AND GAS CARDS

Peggy Castano, Assistant City Manager, spoke about the 1,620 food vouchers and the 540 gas gift cards will be distributed tentatively, on Saturday, April 13, 2024.

Ms. Lockett spoke about the streamlining of the process for more efficiency.

Discussion ensued regarding means of providing residency and registration via phone and Eventbrite.

Commissioner Causwell asked about residency requirements.

Ms. Lockett stated that in the event the resident does not have a Florida ID card, they can use a U.S. passport along with two utility bills. Participants must be a resident of the City of Lauderdale Lakes.

Vice Mayor Spence asked if any government ID would be acceptable and if any verification of addresses will be done.

Ms. Lockett stated that the verification of addresses can be done if the Commission desires.

Commissioner Maxwell-Williams asked about multiple registrations in Eventbrite.

Ms. Castano stated that there will be one distribution per household and any duplicates will be erased.

Ms. Lockett stated that the gas cards will be given to the first 540 people with a valid driver's license.

F. DISCUSSION REGARDING REVISIONS TO THE SAMUEL S. BROWN SCHOLARSHIP FUND BOARD

Ms. Brown Stubbs spoke about the current board of four members and revisions needing to be made. She advised that revisions would be as follows: the Mayor will have one appointment, the Vice Mayor is to appoint one member from the School Advisory Board, the City Manager would appoint one member and the Chief of Police/Captain will make one appointment. Finally, the largest donor will make one appointment being either a resident or a someone from a business. She noted that currently, there is an even number of members (4) on the board and there should be an odd number.

City Attorney Calloway advised that he will bring forth an ordinance amending this section of the Charter.

Commissioner Causwell inquired as to how Waste Management be accommodated being that they are usually the largest donor.

City Attorney Calloway advised that the fifth member will be the largest contributor to the board which would likely be Waste Management.

Commissioner Causwell asked if Waste Management has an employee who lives in the City that can represent them on the Board.

City Attorney Calloway stated that most large companies have a representative already and it may be somewhat difficult to have a resident who works for Waste Management be that representative.

Mayor Edwards Phillips stated that the representative from Waste Management supports the scholarship and supports the City in other ways.

City Attorney Calloway stated that the section can be amended to include the actual business who makes the largest contribution to include a resident or a business operation who does business in the City.

G. DISCUSSION REGARDING THE WOMEN CELEBRATING WOMEN EVENT (SPONSORED BY COMMISSIONER CAUSWELL)

Ms. Brown Stubbs stated that Commissioner Causwell continues to assist with the event. As a Commissioner Initiative, funds will be utilized from the general fund budget (Mayor and Commission Office Special Events/Initiatives) at a cost of \$1,000. This year's event will be held on Sunday, March 3, 2024 in the Multipurpose Building at 3:00 pm. The event is further funded through the Department of Parks and Human Services and is largely offset by ticket sales and donations. All additional funds are donated to the Lauderdale Lakes Alzheimer's Care Center.

There was consensus from the City Commission to proceed with the event as Commissioner Causwell's Initiative.

H. DISCUSSION REGARDING DECORATIVE LIGHTING POLES ALONG SR7/US441 FROM NORTH OF OAKLAND PARK BLVD. TO NW 36 STREET

City Engineer, Maqsood Nasir spoke about the missing lighting North of Oakland Park to NW 36th Street. He provided lighting options as Option 1, which is a utility conflict light pole of which 100% will be paid by the Florida Department of Transportation (FDOT) or Option 2, which is a short decorative pole, of which the cost would be divided between the City and FDOT.

Commissioner Maxwell-Williams asked if the lights will be different.

Mr. Nasir advised that they will be different as Option 2 includes shorter poles.

Commissioner Maxwell-Williams inquired as to how many light poles are needed.

Mr. Nasir responded between 9 to 11 poles are needed.

Commissioner Thomas recommended Option 2.

Commissioner Causwell recommended Option 1.

Vice Mayor Spence recommended Option 2.

Commissioner Maxwell-Williams recommended Option 2.

Mayor Edwards Phillips recommended Option 2.

I. DISCUSSION REGARDING CONTINUING THE USE AT 3020 NW 33RD AVENUE (OLD CHAMPIONSHIP ACADEMY SITE)

City Attorney Calloway advised that the Championship Academy property was zoned as a B2 originally. The owners brought a site plan for rezoning to operate a charter school. The City approved the request subject to the owner complying with the development agreement. The developer defaulted on the agreement and operation of the charter school. The City revoked the Certificate of Use. The owner sold the property and the new owner did not realize that the development agreement still applied to the property. The new owner made a case to enter into a Corrective Action Agreement but failed after its execution. He went on to advise that Bridgeprep Academy Charter Schools has expressed interest in wanting to open a charter school at the site.

Representatives from Bridgeprep Academy Charter Schools made formal introductions and expressed wanting to partner with the City of Lauderdale Lakes. Mr. Carrion, Vice President of Facilities and Operations, provided a history of schools they currently operate.

Commissioner Maxwell-Williams stated that she thinks it is a good idea, especially, since it was already zoned for a charter school.

Commissioner Thomas expressed concern regarding another school that has been serving the community for years. She also expressed traffic concerns.

Mr. Carrion advised that he will look at the traffic flow and make adjustments.

Commissioner Thomas inquired as to the roundabout at Somerset and how it would affect the school.

Ms. Davis-Hernandez advised that the roundabout is still on track as planned.

Commissioner Causwell inquired as to where the students will be traveling from.

Mr. Carrion advised that it is a free public charter school and anyone can attend.

Commissioner Thomas inquired as to whether or not creole could be part of the academics.

Mr. Carrion advised that creole can be a part of the academics.

Mr. Calloway indicated that in his law firm's trust account, in addition to the outstanding PILOT fees, there is approximately \$66,000 from the previous owner of the property that will go to the City.

J. DISCUSSION REGARDING APPROVAL OF APPLICATION NO. 03-VA-23 SUBMITTED BY DWAYNE DICKERSON, ESQ., ON BEHALF OF LIMOUSINES OF SOUTH FLORIDA INC., ON OCTOBER 30, 2023, REQUESTING VARIANCES FROM CHAPTER 10 SECTION 1001.11 OF THE CITY'S LAND DEVELOPMENT REGULATIONS TO ALLOW FOR THE REDUCTION

OF THE MINIMUM LANDSCAPE REQUIREMENTS IN THE VEHICULAR USE AREA, TO FACILITATE THE CONSTRUCTION OF FOUR (4) 1,900 GALLON ABOVE GROUND PROPANE TANKS AND ONE (1) 8,000 GALLON ABOVE GROUND GAS TANK, IN THE GENERAL BUSINESS (B-3) ZONING DISTRICT

Director of Development Services, Tanya Davis-Hernandez, spoke about a past variance request to waive the required landscape buffers and vehicular use area landscaping. This request was denied. She advised that a new application was submitted. The owner has resubmitted new plans to reduce the original variance request.

Ms. Davis-Hernandez stated that this item was heard at the Planning & Zoning (P&Z) meeting. The P&Z board members made a motion to deny and recommended that the Mayor and City Commission deny the application as it does not comply with the standards.

City Attorney Calloway advised that variances require a quasi-judicial proceeding.

Attorney Dwayne Dickerson spoke about the prior request and advised that the variance has been significantly reduced. It was agreed that a 6 foot wall would be erected after communication with residents and the home owners association. With respect to the conditions of approval, he expressed that this situation is unique as the owner provides essential services.

K. DISCUSSION REGARDING THE APPROVAL OF AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY FILM COMMISSION (ORDINANCE 2023-37) REGARDING THE ISSUANCE OF FILM PERMITS

Ms. Davis-Hernandez stated that she provided responses to City Commission's questions which were answered by Broward County. She also stated that staff recommends not to proceed with the application fees since the applications received are minimal.

6. REPORTS

A. UAZ ISSUE/ORIOLE

Mr. Desbrunes stated that UAZ 108 is under construction. A portion of Oriole Estates was not included and will not be updated as of yet. Broward County is looking to see if the area can be included. A letter will be sent to the county to reinforce the concern. He mentioned the area possibly being included in UAZ 109.

Mayor Edwards Phillips asked for a projected date for UAZ 109.

Mr. Desbrunes stated that he is still trying to get a timeframe from Broward County and will bring the information back to City Commission when he does.

B. WIRE/TREE ISSUE

a. Mr. Robert Nichols

Mr. Desbrunes explained that Crown Castle will be relocating the line by February 17th. This information has been communicated to the resident.

7. ADJOURNMENT

Being that there was no other business to come before the City Commission, the Workshop adjourned at 8:03 p.m.

ATTEST:

VENICE HOWARD, CMC, CITY CLERK

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact:

Contract Requirement:

Title
FEBRUARY 13, 2024 CITY COMMISSION MEETING MINUTES
Summary
Staff Recommendation

Background:

Funding Source:

Fiscal Impact:

Sponsor Name/Department:

Meeting Date: 2/27/2024

ATTACHMENTS:

Description	Type
<input type="checkbox"/> February 13, 2024 City Commission Meeting Minutes	Minutes



City of Lauderdale Lakes
Office of the City Clerk
4300 Northwest 36 Street - Lauderdale Lakes, Florida 33319-5599
(954) 535-2705 - Fax (954) 535-0573

CITY COMMISSION MEETING MINUTES
City Commission Chambers
February 13, 2024
7:00 PM

1. CALL TO ORDER

Mayor Veronica Edwards Phillips called the February 13, 2024, City Commission Meeting to order at 7:00 p.m.

2. ROLL CALL

PRESENT

Mayor Veronica Edwards Phillips
Vice Mayor Mark Spence
Commissioner Tycie Causwell
Commissioner Karlene Maxwell-Williams
Commissioner Sharon Thomas

ALSO PRESENT

City Manager Treasa Brown Stubbs
City Attorney Sidney Calloway
City Clerk Venice Howard
City Staff

3. INVOCATION AND PLEDGE OF ALLEGIANCE

A moment of silence was acknowledged in lieu of an invocation.

The Pledge of Allegiance was recited.

4. PROCLAMATIONS/PRESENTATIONS

5. APPROVAL OF MINUTES FROM PREVIOUS MEETING

A. JANUARY 22, 2024 CITY COMMISSION WORKSHOP MINUTES

B. JANUARY 23, 2024 CITY COMMISSION MEETING MINUTES

Commissioner Causwell made a motion to approve the minutes from the January 22, 2024, City Commission Workshop and the January 23, 2024, City Commission Meeting.

Mayor Edwards Phillips requested a roll call:

FOR: Mayor Edwards Phillips, Vice Mayor Spence, Commissioner Causwell, Commissioner Maxwell-Williams, Commissioner Thomas

Motion passed: 5-0

6. PETITIONS FROM THE PUBLIC

Patrick Green provided comments in regard to a joint purchase agreement of the clubhouse for the Oakland Villas.

7. CONSIDERATION OF ORDINANCES ON SECOND READING

8. CONSIDERATION OF ORDINANCES ON FIRST READING

9. CONSIDERATION OF RESOLUTIONS ON CONSENT AGENDA

10. CONSIDERATION OF RESOLUTIONS ON REGULAR AGENDA

- A.** RESOLUTION 2024-003 AUTHORIZING THE CITY MANAGER TO PURCHASE A TOYOTA MODEL 50-8FG35U, INTERNAL COMBUSTION LIFT TRUCK (FORKLIFT) FROM ATLAS TOYOTA MATERIAL HANDLING, LLC. IN ACCORDANCE WITH THE GENERAL SERVICES ADMINISTRATION (GSA) CONTRACT NO. GS-07F-115AA, INDUSTRIAL PRODUCTS AND SUPPLIES, FACILITIES AND MISCELLANEOUS, IN AN AMOUNT NOT TO EXCEED SIXTY-FOUR THOUSAND SEVEN HUNDRED THIRTY SEVEN DOLLARS (\$64,737)

This resolution authorizes the purchase of a Toyota Model, 50-8FG35U, Internal Combustion Lift Truck (Forklift) from Atlas Toyota Material Handling, LLC, in an amount of \$64,737.

City Attorney Calloway read Resolution 2024-003 by title:

RESOLUTION 2024-003

A RESOLUTION OF THE CITY COMMISSION OF LAUDERDALE LAKES, FLORIDA, AUTHORIZING THE PURCHASE OF A TOYOTA MODEL 50-8FG35U, INTERNAL COMBUSTION LIFT TRUCK (FORKLIFT) FROM ATLAS TOYOTA MATERIAL HANDLING, LLC PURSUANT TO ARTICLE XIII, SECTION 82-358(D) OF THE CITY OF LAUDERDALE LAKES' ("CITY") PROCUREMENT CODE, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THAT CERTAIN GENERAL SERVICES ADMINISTRATION (GSA) CONTRACT NO. GS-07F-115AA, INDUSTRIAL PRODUCTS AND SUPPLIES, FACILITIES AND MISCELLANEOUS, AND ESTIMATE, IN AN AMOUNT NOT TO EXCEED SIXTY-FOUR THOUSAND SEVEN HUNDRED THIRTY-SEVEN AND NO/100 DOLLARS (\$64,737.00); A COPY OF WHICH IS ATTACHED HERETO AS **COMPOSITE EXHIBIT A**; A COPY OF WHICH CAN BE INSPECTED IN THE OFFICE OF THE CITY CLERK; PROVIDING FOR THE ADOPTION OF RECITALS; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING AN EFFECTIVE DATE.

Vice Mayor Spence made a motion to bring Resolution 2024-003 to the floor for discussion.

Mayor Edwards Phillips requested a roll call:

FOR: Mayor Edwards Phillips, Vice Mayor Spence, Commissioner Causwell, Commissioner Maxwell-Williams, Commissioner Thomas

Motion passed: 5-0

Vice Mayor Spence made a motion to approve Resolution 2024-003.

Mayor Edwards Phillips requested a roll call:

FOR: Mayor Edwards Phillips, Vice Mayor Spence, Commissioner Causwell, Commissioner Maxwell-Williams, Commissioner Thomas

Motion passed: 5-0

- B.** RESOLUTION 2024-006 AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE, AND ATTEST, RESPECTIVELY, THAT CERTAIN CONTRACT AWARD TO ACAI ASSOCIATES, INC., UPON RECEIPT OF A PROPOSAL BID AMOUNT NOT TO EXCEED ONE MILLION TWELVE THOUSAND FOUR HUNDRED THIRTY-SIX AND NO/100 (\$1,012,436.00) DOLLARS, PURSUANT TO THAT CERTAIN REQUEST FOR QUALIFICATION NO. RFQ23-3110-07Q, PLANNING AND ARCHITECTURAL DESIGN SERVICES FOR THE FIRE STATION 37 HARDENING PROJECT

This resolution authorizes the Mayor and the City Clerk to execute a contract in the amount of \$1,012,436.00 with ACAI Associates, Inc. to provide Planning and Architectural design services for the Fire Station 37 Hardening project.

City Attorney Calloway read Resolution 2024-006 by title:

RESOLUTION 2024-006

A RESOLUTION OF THE CITY COMMISSION OF LAUDERDALE LAKES, FLORIDA, IN ACCORDANCE WITH SECTION 82-363 OF THE LAUDERDALE LAKES PROCUREMENT CODE AND SECTION 287.055, FLORIDA STATUTES, AWARDING AND AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE, AND ATTEST, RESPECTIVELY, THAT CERTAIN CONTRACT AWARD TO ACAI ASSOCIATES, INC., UPON RECEIPT OF A PROPOSAL BID AMOUNT NOT TO EXCEED ONE MILLION TWELVE THOUSAND FOUR HUNDRED THIRTY-SIX AND NO/100 (\$1,012,436.00) DOLLARS, PURSUANT TO THAT CERTAIN REQUEST FOR QUALIFICATION NO. RFQ23-3110-07Q, PLANNING AND ARCHITECTURAL DESIGN SERVICES; A DRAFT COPY OF SAID CONTRACT IS ATTACHED HERETO AS **EXHIBIT A**, AND A COPY OF WHICH CAN BE INSPECTED IN THE OFFICE OF THE CITY CLERK; PROVIDING FOR ADOPTION OF RECITALS, PROVIDING INSTRUCTIONS TO THE CITY CLERK; PROVIDING AN EFFECTIVE DATE.

Commissioner Thomas made a motion to bring Resolution 2024-006 to the floor for discussion.

Mayor Edwards Phillips requested a roll call:

FOR: Mayor Edwards Phillips, Vice Mayor Spence, Commissioner Causwell, Commissioner Maxwell-Williams, Commissioner Thomas

Motion passed: 5-0

Commissioner Thomas made a motion to approve Resolution 2024-006.

Mayor Edwards Phillips requested a roll call:

FOR: Mayor Edwards Phillips, Vice Mayor Spence, Commissioner Causwell, Commissioner Maxwell-Williams, Commissioner Thomas

Motion passed: 5-0

- C.** RESOLUTION 2024-007 AUTHORIZING THE MAYOR AND CITY CLERK TO UTILIZE BEL AIR MAINTENANCE, INC., TO PROCURE PRE-SPRAYING AND PRESSURE CLEANING SERVICES FOR OAKLAND PARK BOULEVARD (FROM NW 31ST AVENUE TO THE CITY LIMIT), NW 52ND AVENUE; (FROM OAKLAND PARK BOULEVARD TO NORTHWEST 43RD COURT;) AND STATE ROAD 7; (FROM COMMERCIAL BOULEVARD TO NORTHWEST 19TH STREET,) PURSUANT TO SECTION 82-358(f) OF THE LAUDERDALE LAKES PROCUREMENT CODE, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THAT CERTAIN CONTRACT NO RFP #23-PW-001 - CITYWIDE PRESSURE CLEANING SERVICE, COMPETITIVELY PROCURED, SOLICITED AND AWARDED BY THE CITY OF NORTH LAUDERDALE ("RFP #23-PW-001"), TO BEL AIR MAINTENANCE, INC. ("BEL AIR") IN AN AMOUNT NOT TO EXCEED TWENTY SEVEN THOUSAND NINE HUNDRED EIGHTY NINE AND 75/100 CENTS (\$27,989.75) DOLLARS

This resolution authorizes the Mayor and the City Clerk to piggyback on a Services Agreement between Bel Air Maintenance, Inc. and the City of North Lauderdale to provide Pressure Cleaning Service along Oakland Park Boulevard (from NW 31st Avenue to the City Limit), NW 52nd Avenue (from Oakland Park Boulevard to NW 43rd Court) and State Road 7 (from Commercial Boulevard to NW 19th Street) in the amount of \$27,989.75.

City Attorney Calloway read Resolution 2024-007 by title:

RESOLUTION 2024-007

A RESOLUTION OF THE CITY COMMISSION OF LAUDERDALE LAKES, FLORIDA APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO UTILIZE BEL AIR MAINTENANCE, INC., TO PROCURE PRE-SPRAYING AND PRESSURE CLEANING SERVICES FOR OAKLAND PARK BOULEVARD (FROM NW 31ST AVENUE TO THE CITY LIMIT), NW 52ND AVENUE (FROM OAKLAND PARK BOULEVARD TO NORTHWEST 43RD COURT); AND STATE ROAD 7; (FROM COMMERCIAL BOULEVARD TO NORTHWEST 19TH STREET), PURSUANT TO SECTION 82-358(f) OF THE LAUDERDALE LAKES PROCUREMENT CODE, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THAT CERTAIN CONTRACT NO RFP #23-PW-001 - CITYWIDE PRESSURE CLEANING SERVICE, COMPETITIVELY PROCURED, SOLICITED AND AWARDED BY THE CITY OF NORTH LAUDERDALE ("RFP #23-PW-001"), TO BEL AIR MAINTENANCE, INC. ("BEL AIR") IN AN AMOUNT NOT TO EXCEED TWENTY SEVEN THOUSAND NINE HUNDRED EIGHTY NINE AND 75/100 CENTS (\$27,989.75) DOLLARS; A COPY OF SAID SERVICE AGREEMENT IS ATTACHED HERETO AS **EXHIBIT A**; WITH ESTIMATES ATTACHED AS **EXHIBIT B**, AND COPIES OF WHICH CAN BE INSPECTED IN THE OFFICE OF THE CITY CLERK; PROVIDING FOR THE ADOPTION OF RECITALS; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING AN EFFECTIVE DATE.

Vice Mayor Spence made a motion to bring Resolution 2024-007 to the floor for discussion.

Mayor Edwards Phillips requested a roll call:

FOR: Mayor Edwards Phillips, Vice Mayor Spence, Commissioner Causwell, Commissioner Maxwell-Williams, Commissioner Thomas

Motion passed: 5-0

Vice Mayor Spence made a motion to approve Resolution 2024-007.

Mayor Edwards Phillips requested a roll call:

FOR: Mayor Edwards Phillips, Vice Mayor Spence, Commissioner Causwell, Commissioner Maxwell-Williams, Commissioner Thomas

Motion passed: 5-0

D. RESOLUTION 2024-008 AUTHORIZING PARTICIPATION IN LAWSUIT CHALLENGING FORM 6 REQUIREMENT

This resolution authorizes the City Commission's participation in the prospective lawsuit regarding the filing of Form 6.

City Attorney Calloway read Resolution 2024-008 by title:

RESOLUTION 2024-008

A RESOLUTION OF THE CITY COMMISSION OF LAUDERDALE LAKES, FLORIDA, AUTHORIZING AND AFFIRMING THE CITY COMMISSION'S PARTICIPATION IN A PROSPECTIVE LAWSUIT CHALLENGING THE CONSTITUTIONALITY OF SECTION

112.144(1)(d), FLORIDA STATUTES (2023) REQUIRING CERTAIN ELECTED MUNICIPAL AND LOCAL GOVERNMENT OFFICIALS TO FILE THE FORM 6 FINANCIAL DISCLOSURE FORMS; PROVIDING FOR THE ADOPTION OF RECITALS; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING AN EFFECTIVE DATE.

Commissioner Karlene Maxwell-Williams made a motion to bring Resolution 2024-008 to the floor for discussion.

Mayor Edwards Phillips requested a roll call:

FOR: Mayor Edwards Phillips, Vice Mayor Spence, Commissioner Causwell, Commissioner Maxwell-Williams, Commissioner Thomas

Motion passed: 5-0

Commissioner Karlene Maxwell-Williams made a motion to approve Resolution 2024-008.

Mayor Edwards Phillips requested a roll call:

FOR: Mayor Edwards Phillips, Vice Mayor Spence, Commissioner Causwell, Commissioner Maxwell-Williams, Commissioner Thomas

Motion passed: 5-0

11. CORRESPONDENCE

12. REPORT OF THE MAYOR

Mayor Edwards Phillips spoke about Heart Health Month. She read a letter written by an 11 year old who delivered the letter personally to her. She reminded all of the Black History Month Parade on Saturday. Mayor Edwards Phillips also spoke about the success of Career Day at Park Lakes Elementary School and spoke a hockey rink coming soon to Boyd Anderson High School. Lastly, she spoke about a past Paint and Glow event for active adults.

13. REPORT OF THE VICE MAYOR

Vice Mayor Spence expressed appreciation to school guards, he spoke about his ride along with BSO, and the charter school proposal from the City Commission Workshop held on February 12. He asked that his colleagues consider promises made by prior operators and the school being closed.

14. REMARKS OF THE COMMISSIONERS

Commissioner Causwell spoke about the NAACP, the oldest and largest civil rights organization in the United States. She urged all to become a member. Lastly, she announced the Women Celebrating Women event March 3, 2024 at 3:00 p.m.

Commissioner Maxwell-Williams asked the City Manager to work on obtaining staff for the Mayor and City Commissioners. She spoke of an upcoming citizenship drive on 2/24/2024 from 10:00 a.m. to 2:00 p.m.

Commissioner Thomas recognized Heart Health Month and expressed the importance of self- care.

15. REPORT OF THE CITY MANAGER

City Manager Brown Stubbs provided information on programs and events. She also announced that there are vacant positions at the City.

16. REPORT OF THE CITY ATTORNEY

City Attorney Calloway deferred his report until the next meeting.

17. ADJOURNMENT

Being that there was no other business to come before the City Commission, the meeting adjourned at 8:24 p.m.

VERONICA EDWARDS PHILLIPS, MAYOR

ATTEST:

VENICE HOWARD, CMC, CITY CLERK

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement:

Title

ORDINANCE 2024-001 AMENDING ARTICLE VI, NONSTATUTORY BOARDS, COMMITTEES AND COMMISSIONS, DIVISION 1., SECTIONS 2-311(C), AND 2-322 AND DIVISION 7., SECTION 2-432 PROVIDING FOR RESIDENCY AND OTHER REQUIREMENTS FOR SAMUEL S. BROWN SCHOLARSHIP FUND BOARD

Summary

This ordinance amends Article VI, non statutory boards, committees and commissions, Division 1, Sections 2-311(C), and 2-322 and Division 7., Section 2-432 providing for residency and other requirements for the Samuel S. Brown Scholarship Fund.
--

Staff Recommendation

Background:

In April 2023, the City Commission discussed desired revisions to the Samuel S. Brown Scholarship Fund Board. the City Commission finds that it is in the best interest and welfare of the City Lauderdale Lakes, Florida ("City") to make a provision that the largest contributor to the Samuel S. Brown Scholarship Fund be a member of the Board, subject further to the requirement that such contributor be either a resident or operator of a business within the City. The City Commission further finds that it is in the best interest and welfare of the City to amend the appointment protocol for the Board to provide that the Mayor shall have one (1) appointment to the Board and that the Vice-Mayor shall have one (1) appointment to the Board which shall be a member of the School Advisory Board. City staff further recommends that the Board be comprised of an odd number of members.

Funding Source:

Fiscal Impact:

Sponsor Name/Department: Treasa Brown Stubbs, City Manager

Meeting Date: 2/27/2024

ATTACHMENTS:

Description	Type
Ordinance 2024-001 Amending Ordinance regarding	
□ Nonstatutory Boards and Samuel S. Brown Scholarship Fund Board	Resolution

ORDINANCE 2024-001

AN ORDINANCE OF THE CITY OF LAUDERDALE LAKES, BROWARD COUNTY, FLORIDA; AMENDING ARTICLE VI, NONSTATUTORY BOARDS, COMMITTEES AND COMMISSIONS, DIVISION 1., SECTIONS 2-311(C), AND 2-322 AND DIVISION 7., SECTION 2-432 PROVIDING FOR RESIDENCY AND OTHER REQUIREMENTS FOR SAMUEL S. BROWN SCHOLARSHIP FUND BOARD; PROVIDING FOR ADOPTION OF RECITALS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in April 2023, the City Commission discussed desired revisions to the Samuel S. Brown Scholarship Fund Board ("Board");

WHEREAS, the City Commission finds that it is in the best interest and welfare of the City Lauderdale Lakes, Florida ("City") to make provision that the largest contributor to the Samuel S. Brown Scholarship Fund be a member of the Board, subject further to the requirement that such contributor be either a resident or operator of a business within the City;

WHEREAS, the City Commission further finds that it is in the best interest and welfare of the City to amend the appointment protocol for the Board to provide that the Mayor shall have one (1) appointment to the Board and that the Vice-Mayor shall have one (1) appointment to the Board which shall be a member of the school advisory board; and

WHEREAS, City staff further recommend that the Board be comprised of an odd number of members.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES as follows:

SECTION 1. RECITALS. The foregoing recitals are true and correct and are incorporated herein by this reference.

SECTION 2. AUTHORITY. This Ordinance is enacted pursuant to the Chapter 1, Section

1-7 of the of the Code of Ordinances, City of Lauderdale Lakes, Florida, and other applicable provisions of law.

SECTION 3. AMENDMENT: Chapter 2, Article VI, Division 1, Section 2-311 of the Code of Ordinances, City of Lauderdale Lakes, Florida, is hereby amended to read as follows:

Sec. 2-311. Appointment of members.

(c) Except as otherwise provided herein, ~~All~~ members of nonstatutory boards shall be residents of the city, possess a reputation for integrity, commitment, civic activism or accomplishment, in addition to the skills, knowledge, professional expertise, or business ability directly related to providing effective service to the nonstatutory board. In respect ~~only~~ to the economic development advisory board, appointed at-large members shall be presumed to be ~~considered~~ residents of the city. In respect to the Samuel S. Brown Scholarship Fund Board, a business operator within the corporate jurisdiction of the city providing the largest financial donation to the Samuel S. Brown Scholarship Fund shall be presumed to be a resident of the city.

SECTION 4. AMENDMENT: Chapter 2, Article VI, Division I, Section 2-322 of the Code of Ordinances, City of Lauderdale Lakes, Florida is hereby amended to read as follows:

Sec. 2-322. – Residency requirement.

Except as otherwise provided in this Division, ~~Each~~ member of a board, committee or commission of the City of Lauderdale Lakes shall be a resident of the city. In the event an appointed member shall thereafter become a nonresident as determined by the city, such shall be deemed a resignation by the member from the board, committee or commission and shall thereby create a vacancy on the board, committee or commission, which vacancy shall be filled by the appointing mayor or commissioner, not later than 45 days from the date of such vacancy.

SECTION 5. AMENDMENT: Chapter 2, Article VI, Division 7, Section 2-432 of the Code of Ordinances, City of Lauderdale Lakes, Florida is hereby amended to read as follows:

Sec. 2-432. – Creation.

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions. Words, symbols, and letters double underlined are additions after first reading; words, symbols, and letters ~~double stricken~~ are deletions after first reading.

1 There is hereby created a Samuel S. Brown Scholarship Fund Board in the city. The
2 purpose of this board is to administer the Samuel S. Brown Scholarship Fund created
3 pursuant to section 2-431. The board shall be composed of ~~four~~ five members. One
4 member of the board shall be appointed by the mayor; one member of the board shall be
5 appointed by the city manager; one member of the board shall be appointed by the chief
6 of police; one member of the board shall be the largest financial donor to the Samuel S.
7 Brown scholarship; and one member of the board shall, as a prerequisite to appointment,
8 be a member of the school advisory board, and such person shall be appointed by the
9 vice-mayor.

10
11 SECTION 6. CONFLICT: All ordinances or Code provisions in conflict herewith are
12 hereby repealed.

13 SECTION 7. SEVERABILITY: If any section, subsection, sentence, clause, phrase or
14 portion of this Ordinance is for any reason held invalid or unconstitutional by any court of
15 competent jurisdiction, such portion shall be deemed a separate, distinct and independent
16 provision and such holding shall not affect the validity of the remaining portions of this
17 Ordinance.

18 SECTION 8. INCLUSION IN THE CODE OF ORDINANCES: It is the intention of the City
19 Commission of the City of Lauderdale Lakes that the provisions of this Ordinance shall become
20 and be made a part of the Code of Ordinances in the City of Lauderdale Lakes and that the
21 sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be
22 changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of
23 which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof
24 or the provisions contemplated thereby shall not be codified.

25 SECTION 9. EFFECTIVE DATE: This Ordinance shall become effective immediately upon
26 passage on second reading.

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions. Words, symbols, and letters double underlined are additions after first reading; words, symbols, and letters ~~double stricken~~ are deletions after first reading.

PASSED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES ON FIRST
READING AT ITS REGULAR COMMISSION MEETING ON THE 27TH DAY OF FEBRUARY 2024.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES
ON SECOND READING AT ITS REGULAR COMMISSION MEETING ON THE ____ DAY OF ____
2024.

VERONICA EDWARDS PHILLIPS, MAYOR

ATTEST:

VENICE HOWARD, CMC, CITY CLERK

Approved as to form and legality
for the use of and reliance by the
City of Lauderdale Lakes only:

Sidney C. Calloway, City Attorney

Sponsored by: Treasa Brown Stubbs, MPA, CPRP, City Manager

VOTE:

Mayor Veronica Edwards Phillips	____ (For)	____ (Against)	____ (Other)
Vice-Mayor Mark Spence	____ (For)	____ (Against)	____ (Other)
Commissioner Tycie Causwell	____ (For)	____ (Against)	____ (Other)
Commissioner Karlene Maxwell-Williams	____ (For)	____ (Against)	____ (Other)
Commissioner Sharon Thomas	____ (For)	____ (Against)	____ (Other)

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions. Words, symbols, and letters double underlined are additions after first reading; words, symbols, and letters ~~double stricken~~ are deletions after first reading.

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title
RESOLUTION 2024-009 AUTHORIZING THE PUBLIC PURCHASE OF GIFT CARDS FROM RACETRAC, INC. (SPONSORED BY COMMISSIONER MAXWELL-WILLIAMS)

Summary

This resolution under the American Rescue Plan Act Final Ruling, A Standard Allowance For Revenue Loss of \$10 Million, through Human Services Assistance Program, seeks authorization to purchase 540 gas cards from RaceTrac, Inc. in an amount not to exceed \$13,500.

Staff Recommendation

Background:

The City Commission approved the allocation of funds for the Human Services Program by Resolution 2021-118 at its November 9th City Commission meeting. The initial allocation was funded by the American Rescue Plan Act (ARPA) funding source. The City Commission later clarified the funding source by approving Resolution 2022-031, which identified the program to be funded by the Standard Allowance of Loss Revenue in an amount of \$1,190,000 for programming and \$210,000 for contractual services. The Human Services Program is the response to the economic challenges that many families were facing due to the COVID-19 pandemic. The program was designed to support the health, welfare, and economic stability of the community.

On October 24, 2023 by resolution 2023-133 the City Commission approved the purchase of food vouchers to distribute to residents in an amount not to exceed \$300,000 and by resolution 2023-134. Following the purchase of 3,000 food vouchers, there was a remaining balance of \$13,500. Commissioners discussed allocating this balance towards purchasing 540 gas cards in increments of \$25.00 each.

At the City Commission workshop held on February 12, 2024, the commission approved staff's proposal to proceed with procuring and purchasing 540 gas cards in increments of \$25.00 each to distribute to residents in an amount not to exceed \$13,500. This initiative is aimed at providing support to our residents during these challenging times.

Title	Amount
RaceTrac, Inc.	\$13,500
TOTAL	\$13,500

Funding Source:

0010903 American Rescue Plan Act Loss Revenue

Fiscal Impact:

Sufficient funding is included in the FY 2024 budget

Sponsor Name/Department: Ericka Lockett, Director of Parks and Human Services/Asheley Hepburn, Director of Financial Services

Meeting Date: 2/27/2024

ATTACHMENTS:

Description	Type
Resolution 2024-009 Authorizing gift card purchase RaceTrac	

1 RESOLUTION 2024-009

2
3 A RESOLUTION OF THE CITY COMMISSION OF LAUDERDALE LAKES,
4 FLORIDA AUTHORIZING THE PURCHASE OF GAS GIFT CARDS FROM
5 RACETRAC, INC. IN AN AMOUNT NOT TO EXCEED THIRTEEN THOUSAND
6 FIVE HUNDRED AND NO/100 DOLLARS (\$13,500.00); PROVIDING FOR THE
7 ADOPTION OF RECITALS; PROVIDING FOR INSTRUCTIONS TO THE CITY
8 CLERK; PROVIDING AN EFFECTIVE DATE.
9

10 WHEREAS, on November 9, 2021, pursuant to Resolution 2021-118, the City Commission
11 approved the allocation of funds for the Human Services Assistance Program ("Program");

12 WHEREAS, the initial allocation of funds was funded by the American Rescue Plan Act
13 ("ARPA") funding source;

14 WHEREAS, pursuant to Resolution 2022-031, the City Commission clarified that the
15 Program should be funded by the Standard Allowance of Loss Revenue in an amount of One
16 Million One Hundred Ninety Thousand and No/100 Dollars (\$1,190,000.00) for programming and
17 Two Hundred Ten Thousand and No/100 Dollars (\$210,000.00) for contractual services;

18 WHEREAS, on October 24, 2023, pursuant to Resolutions 2023-133 and 2023-134 the City
19 Commission approved the purchase of food vouchers for residents in an amount not to exceed
20 Three Hundred Thousand and No/100 Dollars (\$300,000.00);

21 WHEREAS, as a result of the City's purchase of the 3,000 food vouchers there is a
22 remaining balance of Thirteen Thousand Five Hundred and No/100 Dollars (\$13,500.000);

23 WHEREAS, at the February 12, 2024 City Commission workshop, the City Commission
24 approved City staff's proposal to proceed with the procurement and purchase of Five Hundred
25 Forty (540) gas gift cards from RaceTrac, Inc., in increments of Twenty-Five and No/100 Dollars
26 (\$25.00) each to be distributed to City residents; and

1 WHEREAS, the objective of the City's initiative is to provide support to City residents in
2 need, many of whom very low-income and low-income renters and owners who make up the
3 largest groups of cost-burdened households in Broward County.

4 NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF
5 LAUDERDALE LAKES AS FOLLOWS:

6 SECTION 1. ADOPTION OF RECITALS: The foregoing RECITALS are hereby ratified and
7 confirmed as being true, and the same are hereby made a part of this Resolution.

8 SECTION 2. AUTHORITY: The City Commission hereby authorizes the Financial Services
9 Director or designee, through the City Manager, to procure and purchase Five Hundred Forty
10 (540) gas gift cards from RaceTrac, Inc., in an amount not to exceed Thirteen Thousand Five
11 Hundred and No/100 Dollars (\$13,500.00) for distribution to City residents.

12 SECTION 3. INSTRUCTIONS TO THE CITY CLERK: The City Clerk and other appropriate
13 City Officials are hereby authorized to take any and all actions necessary to effectuate the intent
14 of this Resolution.

15 [REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
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SECTION 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

ADOPTED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES AT ITS REGULAR MEETING HELD FEBRUARY 27, 2024.

VERONICA EDWARDS PHILLIPS, MAYOR

ATTEST:

VENICE HOWARD, CMC, CITY CLERK

Approved as to form and legality
for the use of and reliance by the
City of Lauderdale Lakes only:

Sidney C. Calloway, City Attorney

Sponsored by: Asheley A. Hepburn, MPA, Director of Financial Services and Ericka Lockett, MSL,
CPRP, Director of Parks and Human Services

VOTE:

Mayor Veronica Edwards Phillips	_____ (For)	_____ (Against)	_____ (Other)
Vice-Mayor Mark Spence	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Tycie Causwell	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Karlene Maxwell-Williams	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Sharon Thomas	_____ (For)	_____ (Against)	_____ (Other)

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title

RESOLUTION 2024-010 APPOINTING A NEW MEMBER TO THE ECONOMIC DEVELOPMENT ADVISORY BOARD

Summary

This resolution appoints Mr. Patrick Green as Commissioner Karlene Maxwell-Williams appointee to the Economic Development Advisory Board.

Staff Recommendation

Background:

The Economic Development Advisory Board was created pursuant to Section 2-401 of the City of Lauderdale Lakes Code of Ordinances and is comprised of seven (7) members, five (5) of whom are each respectively appointed by and serve at the pleasure of the Mayor and each Commissioner. The two largest employers in the City shall each nominate one at-large additional member for appointment to the Economic Development Advisory Board. Such appointed members shall be confirmed by the City Commission.

The City Commission hereby appoints Mr. Patrick Green to serve as a member of the Economic Development Advisory Board. Mr Green will be replacing Dr. Neva Alexander.

Funding Source:

Fiscal Impact:

Sponsor Name/Department: Venice Howard, City Clerk

Meeting Date: 2/27/2024

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Resolution 2024-010 Replacing a Member of the Economic Development Advisory Board	Resolution
<input type="checkbox"/> Advisory Board application - Patrick Green	Backup Material

1 RESOLUTION 2024-010

2
3 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERDALE
4 LAKES RATIFYING COMMISSIONER'S APPOINTMENT OF LAUDERDALE
5 LAKES RESIDENT TO SERVE AS A MEMBER OF THE CITY'S ECONOMIC
6 DEVELOPMENT ADVISORY BOARD; PROVIDING FOR THE ADOPTION OF
7 RECITALS; PROVIDING INSTRUCTIONS TO CLERK; PROVIDING AN
8 EFFECTIVE DATE.
9

10 WHEREAS, the Economic Development Advisory Board ("Board") was created as a
11 nonstatutory board pursuant to Chapter 2, Article VI, Division 5, Section 2-401 of the Code of
12 Ordinances, City of Lauderdale Lakes, Florida ("City Code");

13 WHEREAS, pursuant to Chapter 2, Article VI, Division 1, Section 2-311 of the City Code,
14 except as otherwise provided for, all nonstatutory boards shall be comprised of five (5) members,
15 in which the mayor and each city commissioner shall have the right to appoint a member, each
16 of whom shall serve at the pleasure of the mayor or city commissioner appointing such member;
17 further the two largest employers in the City of Lauderdale Lakes (the "City") shall nominate one
18 at-large member for the appointment to the Board with confirmation by and at the pleasure of
19 the city commission in accordance with Section 2-311 of the City Code;

20 WHEREAS, the term of office for board members shall commence upon appointment and
21 shall coincide with the term of the mayor or commissioner making the appointment;

22 WHEREAS, on January 24, 2023, the City Mayor and City Commissioners passed
23 Resolution 2023-005, each respectively appointing a member to the Board, subject to such
24 member's compliance with the disclosures and application requirements for appointees as set
25 forth in Chapter 2, Article VI, Division 1, Section 2-315 of the City Code; and

1 WHEREAS, Commissioner Karlene Maxwell-Williams has deemed it necessary and
2 appropriate to nominate and appoint Patrick Green as a member of the Board in substitution of
3 a member currently serving on the Board.

4 NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF
5 LAUDERDALE LAKES AS FOLLOWS:

6 SECTION 1. ADOPTION OF RECITALS: The foregoing RECITALS are hereby ratified and
7 confirmed as being true, and the same are hereby made a part of this Resolution.

8 SECTION 2. APPOINTMENT OF BOARD MEMBER: The Mayor and City Commission
9 hereby accepts and ratifies the appointment, by Commissioner Karlene Maxwell-Williams, of
10 Patrick Green to replace Neva Alexander as a member of the Economic Development Advisory
11 Board, subject to the compliance with the disclosures and application requirements for
12 appointees as set forth in Chapter 2, Article VI, Division 1, Section 2-315 of the City Code.

13 SECTION 3. INSTRUCTIONS TO CLERK: The City Clerk and other appropriate City
14 Officials, through the City Manager, are hereby authorized to take any and all actions necessary
15 to effectuate the intent of this Resolution.

16 [REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

SECTION 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

ADOPTED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES AT ITS REGULAR MEETING HELD FEBRUARY 27, 2024.

VERONICA EDWARDS PHILLIPS, MAYOR

ATTEST:

VENICE HOWARD, CMC, CITY CLERK

Approved as to form and legality
for the use of and reliance by the
City of Lauderdale Lakes only:

Sidney C. Calloway, City Attorney

Sponsored by: Venice Howard, MPA, CMC, City Clerk

VOTE:

Mayor Veronica Edwards Phillips	_____ (For)	_____ (Against)	_____ (Other)
Vice-Mayor Mark Spence	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Tycie Causwell	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Karlene Maxwell-Williams	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Sharon Thomas	_____ (For)	_____ (Against)	_____ (Other)



CITY OF LAUDERDALE LAKES ADVISORY BOARD/COMMITTEE APPLICATION

Service on an Advisory Board or Committee provides citizens with an opportunity to help shape policy and direction for the City of Lauderdale Lakes. Please indicate your interest in serving on an Advisory Board and/or Committee by completing this application.

This application is for: ☒ New Appointment ☐ Re-Appointment

If you currently serve on a Board or Committee, please provide the name of the Advisory Board or Committee. _____

Please check the Advisory Board and/or Committee for which you wish to be considered:

<input type="checkbox"/> Beautification Advisory Board	<input type="checkbox"/> Military Affairs Board
<input type="checkbox"/> Budget Advisory Committee	<input type="checkbox"/> Parks and Recreation Board
<input checked="" type="checkbox"/> Economic Development Advisory Board	<input type="checkbox"/> Planning and Zoning Board *
<input type="checkbox"/> Historic Preservation Advisory Board	<input type="checkbox"/> School Advisory Board

*Per Section 112.317 Florida Statutes, Members of some Advisory Boards are required to file a Financial Disclosure Report.

Please type or print information.

PERSONAL:

Name Patrick Green E-Mail Address: patrickmaure@aol.com

Residential Address 4299 NW 50th Terrace

Lauderdale Lakes Street Name

FL

33319

City

State

Zip

Daytime Number: 754 366 6424 Alternate Number _____

EDUCATION:

High School: Cornwall College Location: Jamaica

College (if applicable): Baruch College Location: New York, USA

Years Completed: 2 Years Degree: _____

Other professional or technical training: Certified Digital Marketer

Certified Negotiator • Certified Life Coach

EMPLOYMENT:

Current or Last Employer: Self employed - Digital Marketer

Address: _____

Position Held: _____ Years of Service 5 years

Please describe professional, voluntary or other experience that best qualifies you for the selected advisory board/committee:

*I am a certified digital marketer, former banker, and sales executive. I worked in telecommunications with Verizon Wireless, as a proxy solicitor with McKenzie Partners, owned a cabinet manufacturing business, and as a journalist with several media companies. Currently, I am president of the Oakland Villas Homeowners Association, leading a team that manages total home assets of about \$80 million. I am a member of State Rep. Lisa Dunkley's Advisory Committee. I was president of the Montego Bay Junior Chamber and Vice-President of the Jamaica Junior Chamber. I am the author of two Books: **Jamaica- History, Culture & Achievements** and **Inquisitive Entrepreneurship – The Most Important Business Questions & Answers to Start & Run Any Business**. Both books are on Amazon.*

If you are applying for an Advisory Board which has specific requirements, please explain how your experience and/or educational background meets the criteria (additional backup may be provided):

ACKNOWLEDGMENT (Check Below):

- ☒ I understand that in accordance with the Florida Sunshine Law, this information will be available for public review and I waive any objections to such publication.
- ☒ If appointed, I agree to faithfully and fully perform the duties **of the Board**, make every endeavor to serve my full term, and will comply with all laws or Ordinances of the City, County, and State of Florida.
- ☒ I understand, if appointed, an updated application must be submitted to seek appointment to another advisory board.
- ☒ I understand that if I am appointed to the Planning and Zoning Board I may be required to have additional experience, education and knowledge related to planning, zoning, redevelopment or related disciplines.


SIGNATURE:

Patrick Green
NAME (printed)

2/13/24
DATE

Please complete and return this information:

City of Lauderdale Lakes
City Clerk's Office
4300 Northwest 36th Street
Lauderdale Lakes, Florida 33319
954-535-2705

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: Yes

Contract Requirement: No

Title

RESOLUTION 2024-011 OF THE CITY COMMISSION OF LAUDERDALE LAKES, FLORIDA, IN ACCORDANCE WITH ARTICLE V, SECTION 5.04(3) OF THE HOME RULE CHARTER OF THE CITY OF LAUDERDALE LAKES APPROVING THE TRANSFER OF CERTAIN UNENCUMBERED FUNDS RECEIVED BY THE CITY OF LAUDERDALE LAKES, FLORIDA FROM THE AMERICAN RESCUE PLAN ACT OF 2021 AND ORIGINALLY APPROPRIATED TO THE HUMAN SERVICES ASSISTANCE PROGRAM IN THE AMOUNT OF TWO HUNDRED AND SIXTY THOUSAND AND NO/100 DOLLARS (\$260,000.00) TO THE RESIDENTIAL RENT AND UTILITIES ASSISTANCE PROGRAM

Summary

This resolution is a request to transfer Two Hundred and Sixty Thousand dollars (\$260,000.00) from the Human Services Program budget to the Residential Rent, Mortgage and Utilities program.

Staff Recommendation

Background:

On October 10, 2023 the City Commission approved a transfer of Five Hundred Thousand dollars to the Residential Rent, Mortgage and Utilities program. Since then the following has occurred:

Residential Assistance Program Stats

Approve Applications: 44

Disapprove Applications: 18

Applications in review: 14

Pending application (Missing Documents): 10

Amount Spent to date: \$ 424,676.89

Current Balance: \$75,323.11

Funding Source:

Revenue Loss

Fiscal Impact:

Transfer from Human Services Program budget to the Residential Rent, Mortgage and Utilities program.

Sponsor Name/Department: Tanya Davis-Hernandez, AICP, Director of Development Services

Meeting Date: 2/27/2024

ATTACHMENTS:

Description	Type
Resolution 2024-011 Transferring \$260k from Human Services Program to Residential Rent Utilities Program	Resolution

1 RESOLUTION 2024-011

2
3 A RESOLUTION OF THE CITY COMMISSION OF LAUDERDALE LAKES,
4 FLORIDA, IN ACCORDANCE WITH ARTICLE V, SECTION 5.04(3) OF THE
5 HOME RULE CHARTER OF THE CITY OF LAUDERDALE LAKES APPROVING
6 THE TRANSFER OF CERTAIN UNENCUMBERED FUNDS RECEIVED BY THE
7 CITY OF LAUDERDALE LAKES, FLORIDA FROM THE AMERICAN RESCUE PLAN
8 ACT OF 2021 AND ORIGINALLY APPROPRIATED TO THE HUMAN SERVICES
9 ASSISTANCE PROGRAM IN THE AMOUNT OF TWO HUNDRED AND SIXTY
10 THOUSAND AND NO/100 DOLLARS (\$260,000.00) TO THE RESIDENTIAL
11 RENT AND UTILITIES ASSISTANCE PROGRAM; PROVIDING FOR THE
12 ADOPTION OF RECITALS; PROVIDING FOR INSTRUCTIONS TO THE CITY
13 CLERK; PROVIDING AN EFFECTIVE DATE.
14

15 WHEREAS, on March 11, 2021, the honorable President Joseph Robinette Biden signed
16 the American Rescue Plan Act of 2021 ("ARPA"), also known as the COVID-19 Stimulus Package,
17 into law;

18 WHEREAS, the ARPA is set to provide One Trillion Nine Hundred Billion and No/100 Dollars
19 (\$1,900,000,000.00) to speed up the United States' recovery from the economic and health
20 effects of the COVID-19 pandemic;

21 WHEREAS, funding to states, municipalities and tribal governments can generally be used
22 to aid public health and economic recovery from the COVID-19 pandemic;

23 WHEREAS, the City of Lauderdale Lakes ("City"), as a non-entitlement unit of local
24 government will receive Eighteen Million One Hundred Twenty-Seven Thousand Eight Hundred
25 Ninety-Seven and No/100 Dollars (\$18,127,897.00) as a direct payment from the State of Florida
26 ("ARPA Funds");

27 WHEREAS, the City Commission duly adopted the Fiscal Year 2023 Budget which
28 appropriated One Million One Hundred Ninety Thousand and No/100 Dollars (\$1,190,000.00) to
29 the Human Services Assistance Program;

1 WHEREAS, pursuant to the City Charter, Article V, Section 5.04(3), at any time during the
2 fiscal year, the City Commission may authorize the transfer of part or all of any unencumbered
3 appropriation balance among programs within a department, office or agency, and transfer part
4 or all of any unencumbered appropriation balance from one department, office or agency to
5 another; and

6 WHEREAS, City Staff is requesting approval of the City Commission to transfer and
7 appropriate a portion of the unencumbered ARPA Funds from the Human Services Assistance
8 Program in an amount not to exceed Two Hundred and Sixty Thousand and No/100 Dollars
9 (\$260,000.00) to the Residential Rent and Utilities Assistance Program to facilitate said program.

10 NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF
11 LAUDERDALE LAKES AS FOLLOWS:

12 SECTION 1. ADOPTION OF RECITALS: The foregoing RECITALS are hereby ratified and
13 confirmed as being true, and the same are hereby made a part of this Resolution.

14 SECTION 2. AUTHORITY: The City Commission, in accordance with Article V, Section
15 5.04(3) of the City Charter, hereby authorizes and directs the Financial Services Director, through
16 the City Manager, to transfer the unencumbered ARPA Funds in an amount not to exceed Two
17 Hundred and Sixty and No/100 Dollars (\$260,000.00) from the Human Services Assistance
18 Program to the Residential Rent and Utilities Assistance Program.

19 SECTION 3. INSTRUCTIONS TO THE CITY CLERK: The City Clerk and other appropriate
20 City Officials, through the City Manager, are hereby authorized to take any and all action
21 necessary to effectuate the intent of this Resolution.

SECTION 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

ADOPTED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES AT ITS REGULAR MEETING HELD FEBRUARY 27, 2024.

VERONICA EDWARDS PHILLIPS, MAYOR

ATTEST:

VENICE HOWARD, CMC, CITY CLERK

Approved as to form and legality
for the use of and reliance by the
City of Lauderdale Lakes only:

Sidney C. Calloway, City Attorney

Sponsored by: Asheley A. Hepburn, MPA –Director, Financial Services Department

VOTE:

Mayor Veronica Edwards Phillips	_____ (For)	_____ (Against)	_____ (Other)
Vice-Mayor Karlene Maxwell-Williams	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Tycie Causwell	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Mark Spence	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Sharon Thomas	_____ (For)	_____ (Against)	_____ (Other)

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title
RESOLUTION 2024-012 APPROVING VARIANCE APPLICATION NO. 03-VA-23 SUBMITTED BY DWAYNE DICKERSON, ESQ, ON BEHALF OF LIMOUSINES OF SOUTH FLORIDA INC., ON OCTOBER 30, 2023, REQUESTING VARIANCES FROM SUBSECTIONS 1001.11(a) and 1001.11(c)(3) (PARKING INTERIORS) OF CHAPTER 10 OF THE CITY OF LAUDERDALE LAKES' LAND DEVELOPMENT REGULATIONS TO ALLOW FOR DEVIATIONS TO PARKING INTERIORS; A COPY OF VARIANCE APPLICATION NO. 03-VA-23 AND APPLICANT'S PRESENTATION IS ATTACHED HERETO AS COMPOSITE EXHIBIT A, AND FURTHER A COPY OF CITY STAFF'S INTEROFFICE MEMORANDUM ON VARIANCE APPLICATION NO. 03-VA-23 IS ATTACHED HERETO AS EXHIBIT B

Summary
This resolution is a request to approve Variances from Chapter 10 Section 1001.11 parking interiors of the City LDRs.

Staff Recommendation

Background:

<u>Project Name:</u> Limousines of South Florida	<u>Project Location:</u> 2000 N State Road 7 Parcel ID: 4942 30 00 0200;	<u>Staff Recommendation:</u> Staff is recommending for the Mayor and the City Commission to deny the application as it is does not fully comply with Chapter 5 Sec. 506 of the LDRs.
<u>Project Applicant:</u> Limousines of South FL Inc.	Project Request: 03-VA-23 Requesting Variance approvals from Chapter 10 subsection 1001.11 <i>Parking Interiors</i> – to allow for the reduction of the minimum landscape requirements in the vehicular use area.	<u>Prior Approvals:</u> App No. 04-CU-11 App No. 01-CU-13 App No. 02-CU-19 App No. 01-CU-21 Resolution No. 2011-105 Resolution No. 2019-133 Resolution 2023-099
<u>Project Petitioner:</u> Dwayne Dickerson, Esq.		
<u>Project Planner:</u> Stephen Smith, Planner II		

Funding Source:

N/A

Fiscal Impact:

N/A

Sponsor Name/Department: Tanya Davis-Hernandez, AICP/Development Services Director

Meeting Date: 2/27/2024

ATTACHMENTS:

Description	Type
❑ Resolution 2024-012 Approving Variance Application No. 03-VA-23	Resolution
❑ Exhibit A - Variance Application & Presentation	Exhibit
❑ Exhibit B - Interoffice Memorandum 03-VA-23	Exhibit

RESOLUTION 2024-012

A RESOLUTION OF THE CITY COMMISSION OF LAUDERDALE LAKES, FLORIDA, APPROVING VARIANCE APPLICATION NO. 03-VA-23 SUBMITTED BY DWAYNE DICKERSON, ESQ, ON BEHALF OF LIMOUSINES OF SOUTH FLORIDA INC., ON OCTOBER 30, 2023, REQUESTING VARIANCES FROM SUBSECTIONS 1001.11(a) and 1001.11(c)(3) (PARKING INTERIORS) OF CHAPTER 10 OF THE CITY OF LAUDERDALE LAKES' LAND DEVELOPMENT REGULATIONS TO ALLOW FOR DEVIATIONS TO PARKING INTERIORS; A COPY OF VARIANCE APPLICATION NO. 03-VA-23 AND APPLICANT'S PRESENTATION IS ATTACHED HERETO AS **COMPOSITE EXHIBIT A**, AND FURTHER A COPY OF CITY STAFF'S INTEROFFICE MEMORANDUM ON VARIANCE APPLICATION NO. 03-VA-23 IS ATTACHED HERETO AS **EXHIBIT B**; COPIES OF WHICH CAN BE INSPECTED IN THE OFFICE OF THE CITY CLERK; PROVIDING FOR THE ADOPTION OF RECITALS; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Limousines of South FL Inc. ("Applicant"), by and through its legal counsel, submitted Variance Application No. 01-VA-23, dated June 6, 2023 to the City of Lauderdale Lakes ("City") seeking variance approval from subsections 1001.9(c)(1)-(2) (Perimeter Landscaping) and 1001.11(a) and (c)(3) (Parking Interiors) of Chapter 10 of the City Land Development Regulations ("LDRs") in connection with Conditional Use Application 01-CU-21, to facilitate the construction of four (4) 1,900 gallon above ground propane tanks and one (1) 8,000 gallon above ground gas tank in General Business (B-3) zoning district on Applicant's property located at 2000 N State Road 7 ("Property");

WHEREAS, at its September 12, 2023 Regular meeting the City Commission by an affirmative vote of 3-2 denied Applicant's request for approval of Application No. 01-VA-2 as was set forth in Resolution 2023-100;

WHEREAS, on October 30, 2023, the Applicant, through counsel, submitted Application No. 03-VA-23 for consideration of variances from subsections 1001.11(a) and (c)(3) of the LDRs (“Application”).

WHEREAS, the Application is a new, standalone request for certain variances from the LDRs. A copy of the Application, including the Applicant’s PowerPoint presentation is attached hereto as **Composite Exhibit A**;

WHEREAS, Section 1001.11 of the LDRs provides:

1001.11. *Parking interiors.* In districts, except single-family residential, interior landscaping for parking areas shall:

(a) Provide a total area of interior landscaping in all off-street parking areas, with the exception of master parking areas, equal to not less than 20 percent of the total paved vehicular use areas. Any perimeter landscaping areas may be counted as part of the parking interior area requirements as long as such landscaping is contiguous to the vehicular use areas.

...

(c) Interior parking landscape areas shall have the following dimensional requirements.

...

(3) Islands must be located no further apart than every ten parking spaces and at the terminus of all rows of parking. However, islands directly abutting building facades may have an average spacing of ten parking spaces provided no islands are more than 14 parking spaces apart. If there are 14 spaces provided in front of a facade then the terminal islands bounding the 14 spaces must be a minimum of 12 feet wide inside of curb to inside of curb.

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1 WHEREAS, the Applicant seeks the following variances in Table 1:

Variance	Code Section	Code Requirements	Proposed Variance
V1	1001.11(a) and (c)(3) Parking Interiors	(a): 20% landscaping in off-street parking areas (c)(3): Landscaped Parking islands no further apart than 10 parking spaces	Waive condition

2
3 **TABLE 1**

4 WHEREAS, the City’s Development Service Department has reviewed the Application and
5 compiled a written Interoffice Memorandum (“Memorandum”), last revised February 14, 2024,
6 summarizing the facts of the Applicant’s request including all relevant documents and
7 transmitted such Memorandum and Application to the Planning and Zoning Advisory Board
8 (“Board”). A copy of the Interoffice Memorandum is attached hereto as **Exhibit B**;

9 WHEREAS, pursuant to Section 506.7 of the LDRs:

10 *Standards of review.* A variance shall be granted only where competent and
11 substantial evidence presented at the meeting in the particular case shows that all of the
12 following are met:

13 (a) The particular physical surroundings, shape, topographical condition, or other physical
14 or environmental condition of the specific property involved would result in a particular
15 hardship upon the owner, as distinguished from a mere inconvenience, if the regulations
16 were carried out literally.

17 (b) The conditions upon which the request for a variance is based are unique to the parcel
18 and would not be generally applicable to other property within the vicinity.

19 (c) The alleged difficulty or hardship is not economic and has not been deliberately
20 created to establish a use or structure which is not otherwise consistent with the LDR,
21 and the applicant has not come to the condition, but it has been cast upon the applicant.

22 (d) The granting of the variance will not be detrimental to the public welfare or injurious
23 to other property or improvements in the vicinity.

24
25
26
27

1 (e) The proposed variance will not substantially increase the congestion in the public
2 streets, or increase the danger of fire, or endanger the public safety, or substantially
3 diminish or impair property values within the vicinity.
4

5 WHEREAS, City Staff recommends denial of the Application as it does not comply with the
6 general purpose and standards set forth in Chapter 5, Section 506 of the LDRs for the granting of
7 variances, and where strict application of the requirements will not create an unnecessary
8 hardship for the Applicant;

9 WHEREAS, specifically in regard to Section 506.7(a), City Staff disagrees with the
10 Applicant's response and finds that because the Property has no impairments (physical,
11 environmental, or otherwise) that would not allow for the construction of all the applicable
12 landscape requirements, carrying out the regulations of the LDRs literally would not create a
13 hardship on the Applicant;

14 WHEREAS, in regard to Section 506.7(b), City Staff further disagrees with the Applicant
15 and finds that the conditions upon which the request is based are not unique to the Property
16 since the requirement is standard in all the City's zoning districts, except single-family residential;

17 WHEREAS, in response to Section 506.7(c), City Staff deems the hardship regarding the
18 construction of the interior landscape islands on the Property to be a mere economic hurdle for
19 the Applicant, which, if approved, would allow for the site to continue with existing legal non-
20 conformities; and

21 WHEREAS, City Staff recommends denial of Application 03-VA-23 because the basis for
22 the requested variances do not comply with Chapter 5, section 506 of the LDRs.

23 NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF
24 LAUDERDALE LAKES AS FOLLOWS:

SECTION 1. ADOPTION OF RECITALS: The foregoing RECITALS are hereby ratified and confirmed as being true, and the same are hereby made a part of this Resolution.

SECTION 2. FINDINGS: The City Commission of the City of Lauderdale Lakes hereby finds, upon review of the application, the general purpose and standards set forth in this section for the granting of variances, staff reports, and any oral and written comments received before or at the public hearing, that the Applicant, Limousines of South FL Inc. has established by competent and substantial evidence that Application No. 03-VA-23 meets all of the following standards of review:

(a) The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the regulations were carried out literally.

(b) The conditions upon which the request for a variance is based are unique to the parcel and would not be generally applicable to other property within the vicinity.

(c) The alleged difficulty or hardship is not economic and has not been deliberately created to establish a use or structure which is not otherwise consistent with the LDR, and the applicant has not come to the condition, but it has been cast upon the applicant.

(d) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity.

(e) The proposed variance will not substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the vicinity.

SECTION 3. APPROVAL: The City Commission hereby approves Application No. 03-VA-2.

SECTION 4. INSTRUCTIONS TO THE CITY CLERK: The City Clerk and other appropriate City Officials, through the City Manager, are hereby authorized to take any and all actions necessary to effectuate the intent of this Resolution.

SECTION 5. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

ADOPTED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES AT ITS REGULAR MEETING HELD FEBRUARY 27, 2024.

VERONICA EDWARDS PHILLIPS, MAYOR

ATTEST:

VENICE HOWARD, CMC, CITY CLERK

Approved as to form and legality
for the use of and reliance by the
City of Lauderdale Lakes only:

Sidney C. Calloway, City Attorney

Sponsored by: Stephen Smith, Development Services Planner II

VOTE:

Mayor Veronica Edwards Phillips	_____ (For)	_____ (Against)	_____ (Other)
Vice-Mayor Mark Spence	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Tycie Causwell	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Karlene Maxwell-Williams	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Sharon Thomas	_____ (For)	_____ (Against)	_____ (Other)



LAND DEVELOPMENT APPLICATION FORM

This application must be completed in full and submitted with the appropriate Affidavit and/or Disclosure Forms. If owner of the property is not the applicant and will not be present at the hearing, the Owner Affidavit and/or Power of Attorney must be completed and signed by the property owner. In addition, if the property owner is a Corporation, Partnership, Limited Partnership, or Trustee, a separate Disclosure of Interest Form must be completed. Refer to the "Submittal Checklist" and "Application Instructions" to determine the supplemental documentation required for each application. Applications are not automatically scheduled for a particular meeting date. Prior to processing applications, staff must determine completeness. All applicants must have a pre-application conference with staff, prior to filing application(s). **PLEASE DATE THIS APPLICATION.**

TYPE OF APPLICATION
(Complete one application for each request)

Date 10/23/2023

- | | |
|---|--|
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Site Plan Approval |
| <input type="checkbox"/> Land Use Plan Amendment | <input type="checkbox"/> Appeal of Administrative Interpretation |
| <input type="checkbox"/> Text Amendment to Modify Zoning Code | <input checked="" type="checkbox"/> Variance |
| <input type="checkbox"/> Conditional Use | |
| <input type="checkbox"/> Right-of-Way Vacation | |
| <input type="checkbox"/> Platting or Replatting of a Subdivision,
or a Portion Thereof | |
| <input type="checkbox"/> Other _____ | |

PLEASE PRINT OR TYPE

Name of Owner:	Limousines of South Florida, Inc.		
Mailing Address: 2000 N. State Rd. 7 Lauderdale Lakes, FL 33311			
Business Telephone: 954-463-0845		Home: N/A	Fax: N/A
Name of Applicant (if different from owner):			
I am the (check one): <input type="checkbox"/> Attorney Representing Owner <input type="checkbox"/> Prospective Purchaser <input type="checkbox"/> Contractor and/or Architect <input type="checkbox"/> Representative/Agent <input type="checkbox"/> Tenant			
Mailing Address:			
Business Telephone:		Home:	Fax:
Name of Representative (if different from owner and Applicant)		Dwayne L. Dickerson, ESQ.	
I am the (check one): <input checked="" type="checkbox"/> Attorney Representing Owner/Applicant <input type="checkbox"/> Contractor and/or Architect <input type="checkbox"/> Other (please specify)			
Mailing Address: 14 SE 4th St. Suite 36 Boca Raton, FL 33432			
Business Telephone: 561-405-3336		Home: N/A	Fax: 561-409-2341

Location of Subject Property: SE corner of N. State Rd. 7 & NW 21st St.
Property Size: +/- 1.8 acres
Present Zoning: General Business (B-3)
Present Land Use Designation: Commercial
Folio Number: 494230000200
Full Legal Description (attach additional sheets, if necessary): Please see attached.

Brief Description of Request

Please see attached narrative.

APPLICANT'S SIGNATURE

IF THE APPLICANT IS THE PROPERTY OWNER, PLEASE COMPLETE AND SIGN BELOW:

I, being duly sworn, depose and say that I am the owner of the described real property. I acknowledge that I am subject to penalties of law, including the laws on perjury, and to possible revocation of any approvals for any false or misleading statements provided in the subject Application.



PROPERTY OWNER'S SIGNATURE

Rafaela Gonzalez

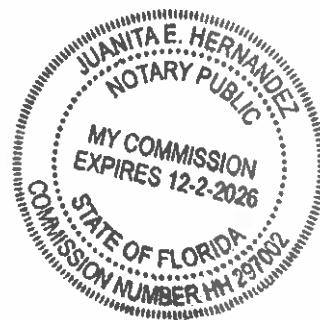
PROPERTY OWNER (PRINT NAME)

Sworn to and subscribed before me this Oct
day of 23, 2022



NOTARY PUBLIC, STATE OF FLORIDA

My commission expires: 12-2-26



DEVELOPMENT APPLICATION OWNER CERTIFICATION

(Please complete all that apply)

For use when petitioner is the Owner of subject property:

This is to certify that I am the owner of the subject lands described in the above application. I understand that I am responsible for complying with all application requirements prior to this petition being scheduled for any public hearing. I also understand that it is my responsibility to comply with the City's requirements regarding quasi-judicial proceedings. This further certifies that I have read this petition and the statements contained herein are true and correct.

Raymond Gonzalez
Print name of Petitioner

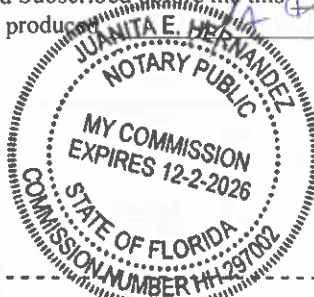
[Signature]
Signature of Petitioner

STATE OF Florida

COUNTY OF Miami-Dade

The foregoing instrument was Sworn to and Subscribed before me this 23 of Oct, 2022, by Raymond Gonzalez who is personally known to me or who has produced _____ as identification.

Juanita E. Hernandez
Printed Name of Notary Public



[Signature]
Signature of Notary Public

My Commission Expires:

For use when petitioner is NOT the Owner of the Subject Property:

This is to certify that I am the owner of subject lands described in the above petition. I have authorized _____ to make and file the aforesaid petition. This further certifies that I have read this petition and the statements contained herein are true and correct.

Print name of Petitioner

Signature of Petitioner

STATE OF _____

COUNTY OF _____

The foregoing instrument was Sworn to and Subscribed before me this _____ of _____, 20____, by _____, who is personally known to me or who has produced _____ as identification.

Printed Name of Notary Public

Signature of Notary Public

My Commission Expires:

Tenant or Owner Affidavit

I, _____ being first duly sworn, depose and say that I am the owner/tenant of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketch data and other supplementary matter attached and made part of the application are honest and true. I understand this application must be completed and accurate before a hearing can be advertised. In the event that I or any one appearing on my behalf is found to have made a material misrepresentation, either oral or written regarding this application, I understand that any development action may be voidable at the option of the City.

Print Name

Signature

STATE OF _____

COUNTY OF _____

The foregoing instrument was Sworn to and Subscribed before me this _____ of _____, 200__, by _____, who is personally known to me or who has produced _____ as identification.

Printed Name of Notary Public

Signature of Notary Public

My Commission Expires:

Attorney Affidavit

I, DWAYNE L. DICKERSON, being first duly sworn, depose and say that I am a State of Florida Attorney at Law, and I am the Attorney for the Owner/Applicant of the property described and which is the subject matter of the proposed hearing, that all the answers to the questions in this application, and all sketch data and other supplementary matter attached to and made a part of this application are honest and true. I understand this application must be complete and accurate before a hearing can be advertised. In the event that I or any one appearing on my behalf is found to have made a material misrepresentation, either oral or written, regarding this application, I understand that any development action may be voidable at the option of the City.

DWAYNE L. DICKERSON
Print name of Petitioner

Dwaine L. Dickerson
Signature of Petitioner

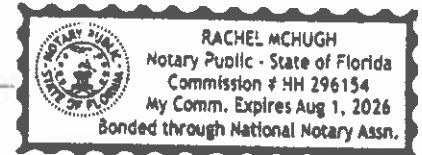
STATE OF Florida

COUNTY OF Palm Beach

The foregoing instrument was Sworn to and Subscribed before me this 26 of October, 20023 by Dwayne L. Dickerson who is personally known to me or who has produced _____ as identification.

Rachel McHugh
Printed Name of Notary Public

Rachel McHugh
Signature of Notary Public



My Commission Expires:

Corporation Affidavit

I/We, _____ being first duly sworn, depose and say that I/we am the President/Vice President, and Secretary of the aforesaid corporation, and as such, have been authorized by the corporation to file this application for public hearing; that all answers to the questions in said application and all sketches, data and other supplementary matter attached to and made a part of this application are honest and true; that said corporation is the owner/tenant of the property described herein and which is the subject matter of the proposed hearing. We understand that this application must be complete and accurate before a hearing can be advertised. In the event that I or any one appearing on our behalf is found to have made a material misrepresentation, either oral or written, regarding this application, I understand that any development action may be voidable at the option of the City.

Ramona Gonzalez
Print Name

[Signature]
Signature

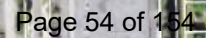


Limousines of South Florida, Inc 2000 N. State Road 7 Variance Approval

CITY OF LAUDERDALE LAKES
PLANNING & ZONING BOARD MEETING

JANUARY 18, 2024

Page 53 of 154



Project Location



Land Use: Commercial

Zoning: General Business (B-3)

Subject Site Area: +/- 6.11
acres

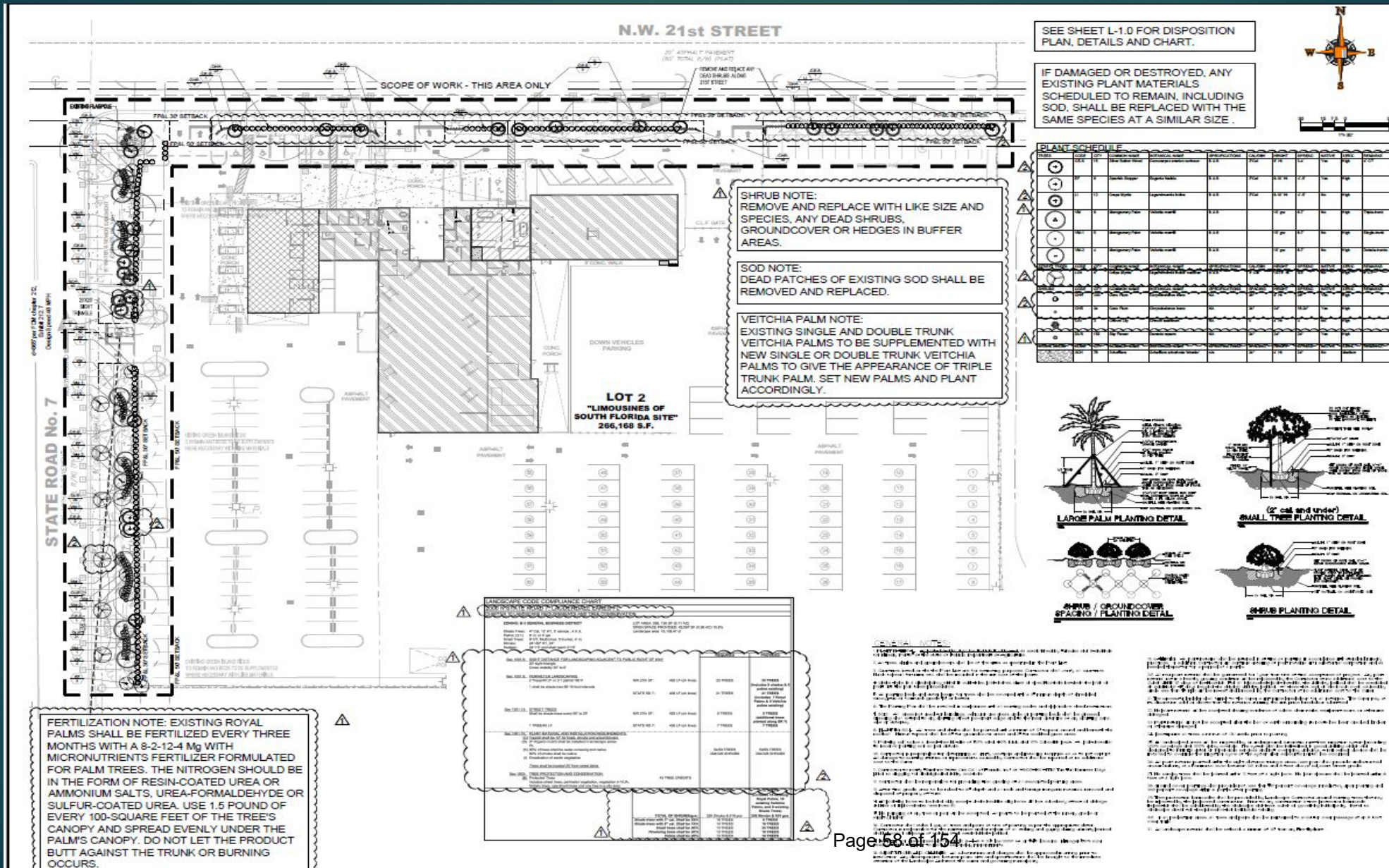
Previous P&Z Board Approvals

- ▶ On June 29, 2023, the Owner went before the P&Z Board to request an amendment to the conditional use approval to allow the propane storage tanks and for 2 landscape variances to reduce the requirements for the perimeter landscape buffers and the internal vehicular use area landscape requirements. The P&Z Board unanimously recommended approval for the conditional use amendment and the variance regarding the vehicular use area. The Board issued a condition of approval that the perimeter landscape buffers be brought up to Code.

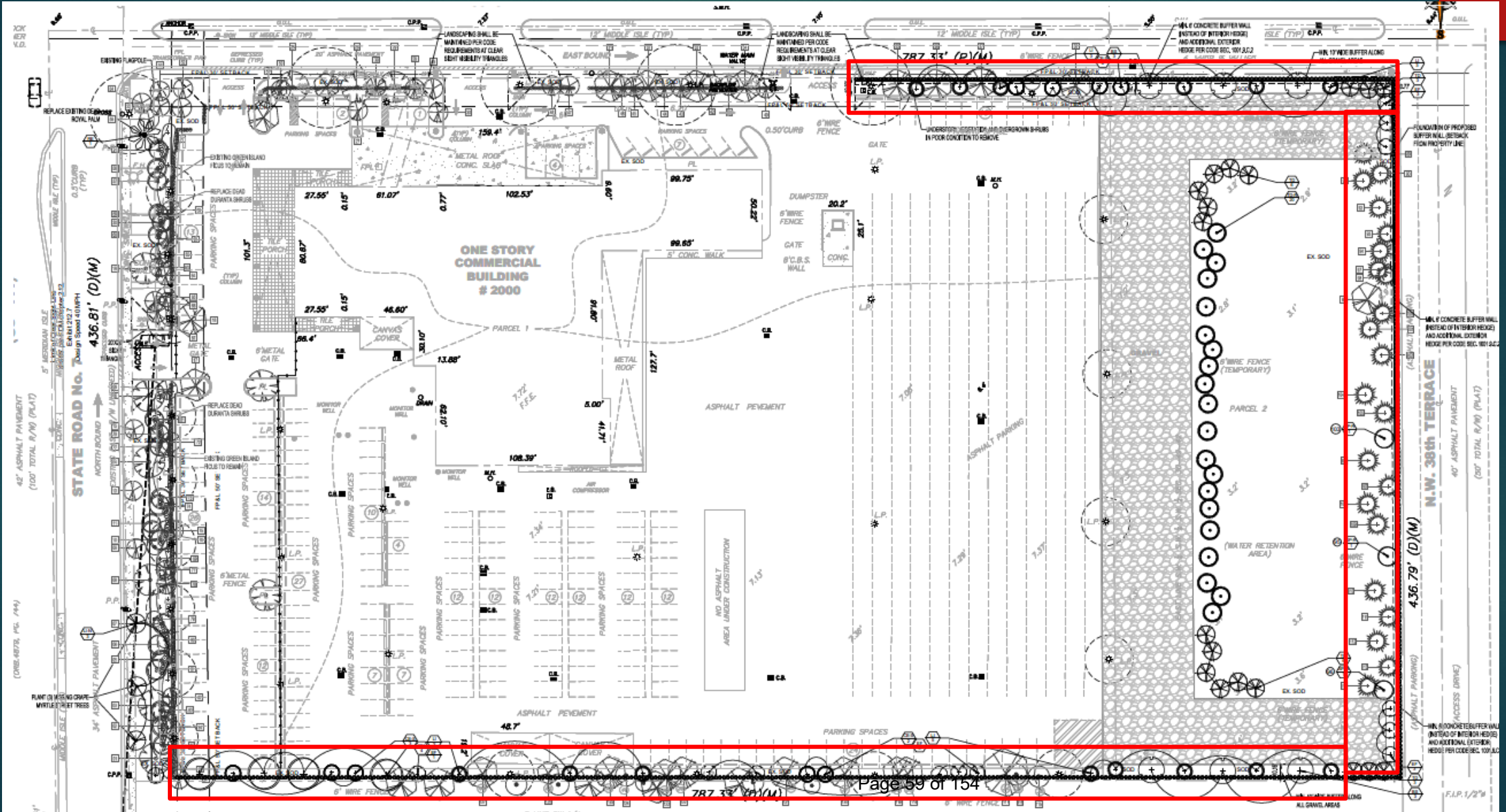
Request for Approval

- ▶ Since the P&Z meeting in June, the Owner has revised the plans to increase the perimeter landscape area to meet Code requirements. The revised landscape plan reduces the existing legal nonconformities on the Property and brings the Property closer to conformance with the current Land Development Regulations. However, the Owner is not able to fully comply with all landscaping requirements due to the constraints of the current site design and existing conditions on the Property.
- ▶ Variance approval from Section 1001.11 of the City's Land Development Regulations to allow a reduction of the minimum landscape requirements in the vehicular use areas.

Previous Landscape Plan



Revised Landscape Plan



Existing Landscape Buffer



Existing Landscape Buffer



Proposed Wall Buffer



Community Benefits

- ▶ The existing uses include the operation of a trolley, fixed route line, and community bus service (which provides community buses for the City of Lauderdale Lakes)
- ▶ An interfacility transfer and transportation ambulance service
- ▶ Operation of the Broward County paratransit transportation service known as TOPS
- ▶ The Owner currently employs approximately 700 Broward County residents at the Lauderdale Lakes Facility, of which approximately 230 are Lauderdale Lakes residents.

City & Community Outreach



- ▶ On July 18, 2023, attended Town & Country Condo Association Board Meeting to Present the Project and discuss appropriate buffers for their community.
- ▶ Conference call with Town & Country Condo Association President on September 10, 2023.
- ▶ Site visit with Town & Country Condo Association on September 11, 2023.
- ▶ Conference call with Town & Country Condo Association President on November 29, 2023.



QUESTIONS?

Variance Criteria

1. The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the regulations were carried out literally.

Response: The proposed propane and gas tanks will be located on the south side of the Property and will be screened to the west and to the south by a solid concrete wall and the previously discussed perimeter landscape buffer. The existing building will screen the propane and gas tanks from the north Property line which abuts NW 21st Street. Therefore, the tanks will not be visible from either street frontage – State Road 7 to the west and NW 21st Street to the north, and additional landscape islands for the vehicular use area are not necessary to screen the tanks. Due to the nature and size of the transportation vehicles associated with the function of the transportation depot/facility, any additional vehicular use area landscaping in the back of house will be destroyed and is not feasible. Installing landscape islands within the back of house vehicular use areas will cause an undue hardship on the Owner as the landscape islands are not necessary for the proposed commercial transportation depot/facility. All back of house vehicular use areas are fully screened and are for official business use only. All front of house vehicular use areas, visible from adjacent rights of way, are fully landscaped pursuant to the City's LDR, and pursuant to the previously approved and inspected landscape permit.

Furthermore, the conditional use request to allow the propane tanks and gas tank that was approved by the City Commission with the tanks shown in the locations provided on the plans. These locations were the locations found best suitable and agreed upon with the nearby residents through various meetings and discussions. Adding the interior landscape islands would require relocating the propane and gas tanks, which would be in conflict with the agreements made with the neighbors.

Variance Criteria

2. The conditions upon which the request for a variance is based are unique to the parcel and would not be generally applicable to other property within the vicinity.

Response: The conditions necessitating the variance request are unique to this Property and the business operation. Owner is working within the restraints of the existing non-conforming Property and has brought the Property closer to compliance with regards to landscape requirements by reducing the legal nonconformities. The Property was designed as a back of house area for vehicle storage. Due to the unique business operation and existing parking lot design, any additional landscaping islands in this back of house area would be destroyed by the large vehicles.

Variance Criteria

3. The alleged difficulty or hardship is not economic and has not been deliberately created to establish a use or structure which is not otherwise consistent with the LDR, and the applicant has not come to the condition, but it has been cast upon the applicant.

Response: The hardship has not been caused by the Owner. The site has historically been legally non-conforming with regards to landscape requirements. New landscape plans were previously approved and have been installed to enhance the perimeter landscape buffers and meet the current LDR requirements for the perimeter landscape buffers, including the minimum number of trees, shrubs, fencing and landscape area along the perimeter of the Property. These perimeter landscape buffer improvements will help to minimize any adverse effects and visual impacts on adjacent properties. Furthermore, the improvements will bring the Property closer to compliance by reducing the legal non-conformities regarding landscape areas.

Variance Criteria

4. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity.

Response: Granting the variance will not be detrimental to the public welfare or injurious to other properties in the area. All back of house vehicular use areas are fully screened and are for official business use only. All front of house vehicular use areas, visible from adjacent rights of way, are fully landscaped pursuant to the City's LDR, and pursuant to the previously approved and inspected landscape permit.

Additionally, the transportation business does not invite customers to the Property. The Property is used for the transportation business only. Furthermore, the parking spaces located in front of the fencing, fronting State Road 7, contain landscape islands, only the parking areas in the rear of the building (back of house), located behind the concrete wall, do not have landscape islands. Similar businesses have historically operated on the Property without the landscape islands with no impact on the surrounding properties, as such, the proposed tanks will have sufficient screening with the perimeter landscape buffers and fencing.

Variance Criteria

5. The proposed variance will not substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the vicinity.

Response: The variance request will not increase traffic congestion or increase the danger of fire or public safety, or impair property values within the area. The existing use of the Property will not change with this request. Owner has recently obtained conditional use approval to install four (4) 1,990 gallon above-ground propane tanks and one (1) 8,000 gallon gas tank. The variance request is related to this recent approval and will therefore have no impact on traffic congestion.

The propane and gas tanks will be located on the south side of the Property and will be screened to the west and to the south by a 6 solid concrete wall and the previously discussed perimeter landscape buffers. The existing building will screen the propane and gas tanks from the north Property line which abuts NW 21st Street. Therefore, the tanks will not be visible from either street frontage – State Road 7 to the west and NW 21st Street to the north, and additional landscape islands for the vehicular use areas are not necessary to screen the tanks.

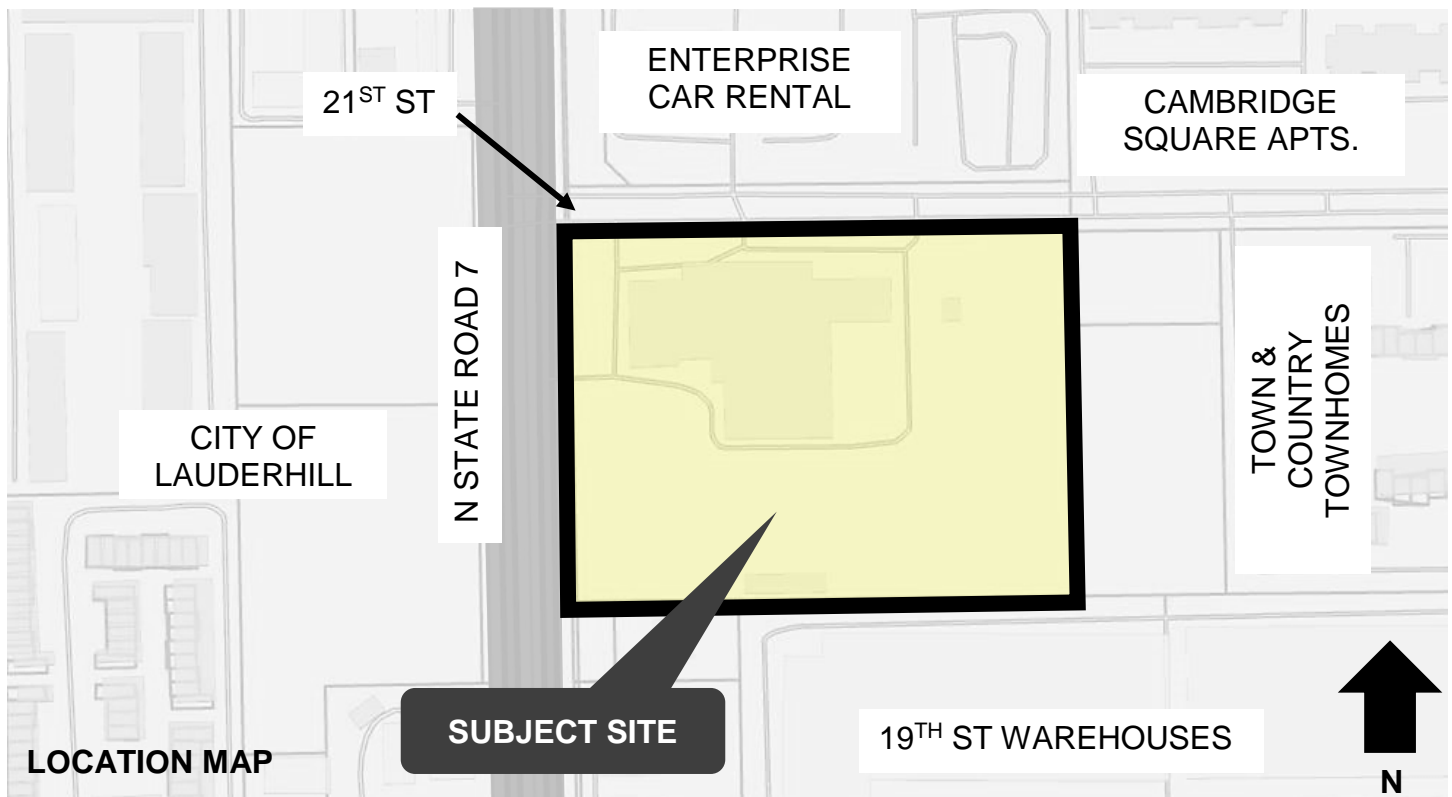


Interoffice Memorandum to the City Commission February 27, 2024

App No.
03-VA-23

TO:	Treaa Brown-Stubbs City Manager	REVIEW TIMELINE:	
		Dates	Boards
THRU:	Tanya Davis-Hernandez, AICP Development Services Director Tekisha Jordan Assistant Development Services Director	October 30, 2023	Application Received
		November 17, 2023	Development Review Committee (1 st)
		December 19, 2023	Development Review Committee (2 nd)
		January 18, 2024	Planning & Zoning Board (Special)
		February 12, 2024	City Commission Workshop
		February 27, 2024	City Commission Regular Meeting (Pending)
FROM:	Stephen Smith Planner II		

RE: Limousines of South Florida



I. PROJECT DESCRIPTION

<u>Project Name:</u> Limousines of South Florida	<u>Project Location:</u> 2000 N State Road 7 Parcel ID: 4942 30 00 0200;	<u>Staff Recommendation:</u> Staff is recommending for the Mayor and the City Commission to deny the application as it does not fully comply with Chapter 5 Sec. 506 of the LDRs.
<u>Project Applicant:</u> Limousines of South FL Inc.	<u>Project Request: 03-VA-23</u> Requesting Variance approvals from Chapter 10 subsection 1001.11 <i>Parking Interiors</i> – to allow for the reduction of the minimum landscape requirements in the vehicular use area.	<u>Prior Approvals:</u> App No. 04-CU-11 App No. 01-CU-13 App No. 02-CU-19 App No. 01-CU-21 Resolution No. 2011-105 Resolution No. 2019-133 Resolution 2023-099
<u>Project Petitioner:</u> Dwayne Dickerson, Esq.		
<u>Project Planner:</u> Stephen Smith, Planner II		

II. SITE DATA

Existing	
Use:	Transportation Depot
Zoning:	B-3 General Business District
Land Use	Commercial
Acreage	6.11 acres (266,158 sq.ft)
Proposed	
Use:	Existing to remain
Zoning	
Land Use	

III. PROJECT OVERVIEW

REQUEST:

On October 30, 2023, the “Petitioner”, Dwayne Dickerson, Esq., on behalf of the “Applicant” Limousines of South Florida Inc., submitted a request for variance approvals from Chapter 10 – Landscaping Requirements to allow for deviations to parking interiors in connection with recently approved Conditional Use application 01-CU-21 (Resolution 2023-099), to facilitate the construction (4) 1,990 gallon above ground propane tanks and (1) 8,000 gallon above ground gas tank, in the General Business (B-3) zoning district.

Below is a summary of each requested variance against the existing zoning regulations:

Variance	Code Section	Code Requirements	Proposed
V1	1001.11 Parking Interiors	(a): 20% landscaping in off-street parking areas	Waive Condition
		(c) (3): Landscaped Parking islands no further apart than 10 parking spaces	

TABLE 1

IV. BACKGROUND

HISTORY:

On November 8, 2011, the City Commission approved a conditional use request (App# 04-CU-11), in conjunction with a site plan for the operation of used car sales lot and auto repair pursuant to Resolution No. 2011-105.

On May 14, 2013, the City Commission approved a second conditional use (App# 01-CU-13) to expand the existing used car sales lot to include paint and auto body shop.

On November 26, 2019, the City Commission approved, with conditions, an amendment to conditional use request No. 04-CU-11 (Resolution 2019-133) to reduce the size of the existing used car sales lot to allow the establishment of a commercial transportation depot/facility including, but not limited to, the operation of a trolley, fixed route line, and community bus service (which provides community buses for the City of Lauderdale Lakes), an interfacility transfer and transportation ambulance service, and operation of the Broward County paratransit transportation service known as TOPS.

One of the conditions of approval listed under the 2019 resolution was for the Property to be brought up to current minimum landscaping standards; specifically, perimeter landscaping and the landscaping located in the parking Interiors.

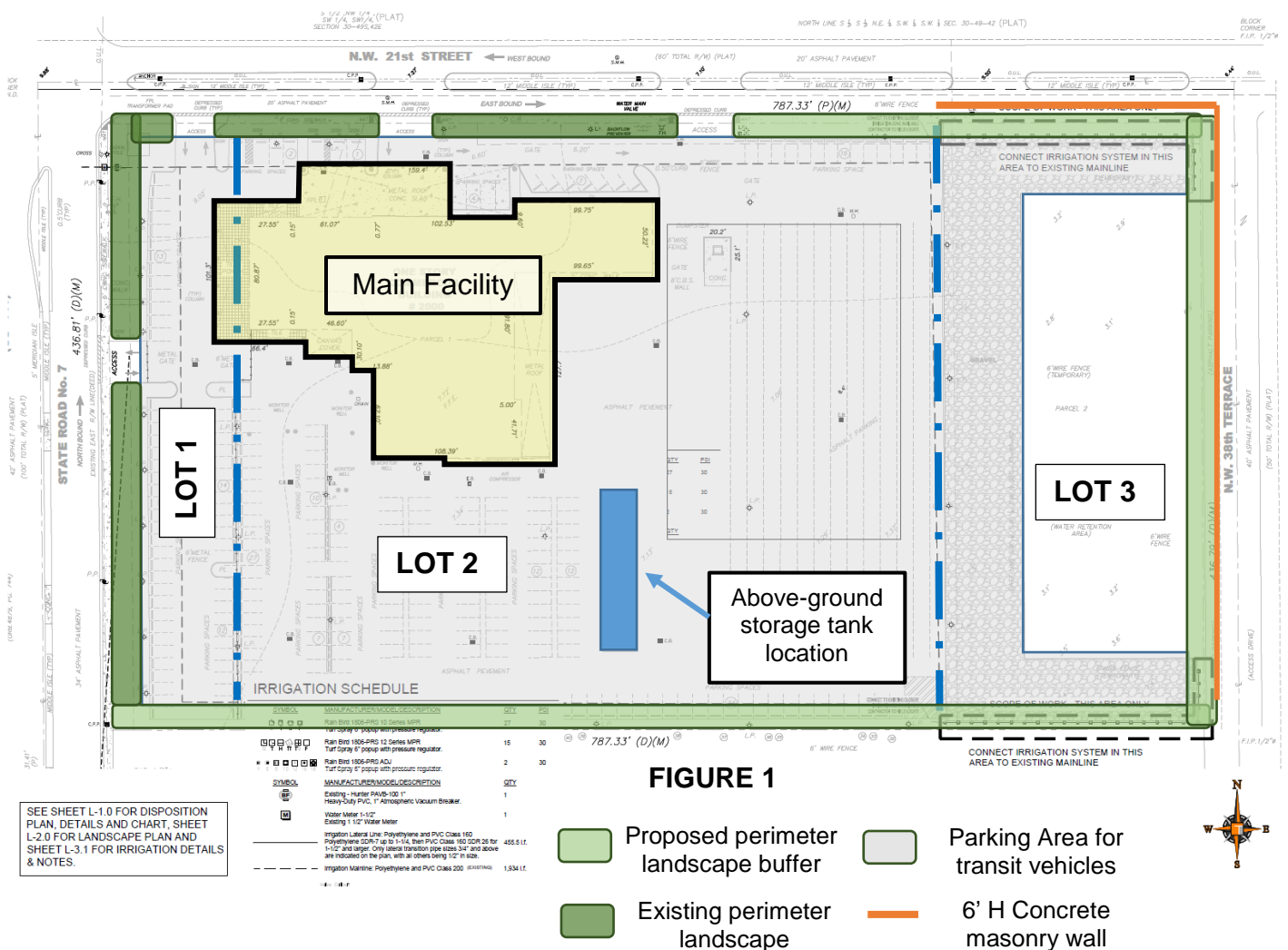
To address the initial condition, the Owner applied for variance requests to waive the required perimeter landscape buffers and vehicular use area landscaping. On September 12, 2023, the City Commission approved the conditional use permit (01-CU-23) for above ground storage tanks and denied the variance requests.

GENERAL:

Following that, the Owner has resubmitted new plans to reduce the original variance request by providing the perimeter landscape buffer to meet the Code requirements. Per the Applicant, the revised landscape plan reduces the existing legal nonconformities on the property and brings the property closer to conformance with the current Land Development Regulations (“LDRs”). On November 17, 2023, Staff provided comments from the Development Review Committee (DRC) to the Applicant to address. On December 19, 2023, the Applicant resubmitted the application for a second DRC review addressing all outstanding comments. As of 01/11/2024, the DRC deemed the application complete and recommended transmittal to the Planning and Zoning Board for further consideration.

SITE CONTEXT:

Figure 1 as exhibited below is a visual depiction of the entire Limousines of South Florida property and highlights the main facility, the proposed location of the above ground storage tanks, as well as, the proposed perimeter landscaping and masonry wall located along the eastern property line of “Lot 3”.



V. ANALYSIS

PURPOSE:

Staff is tasked to evaluate whether any proposed variance complies with the general purpose and standards set forth in Chapter 5 section 506 of the LDRs for the granting of variances. Pursuant to Chapter 5 section 506.1, the variance process is intended to provide limited relief from the requirements of the LDRs in those cases where strict application of those requirements will create unnecessary hardship not the result of any action by the Applicant, as distinguished from a mere inconvenience, prohibiting the use of land in a manner otherwise allowed under the LDR.

The Applicant's submittal documentation includes a letter of intent describing the justification behind the requests and the special conditions applying to the site for which the variances are sought.

STANDARDS OF REVIEW:

A variance shall be granted only where competent, substantial evidence is presented, and the particular case shows that all of the following are met. Staff has reviewed the Applicant's responses against the applicable criteria and has provided findings for each standard below:

- a) The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the regulations were carried out literally.***

Applicant Response: The proposed propane and gas tanks will be located on the south side of the Property and will be screened to the west and to the south by a solid concrete wall and the previously discussed perimeter landscape buffer. The existing building will screen the propane and gas tanks from the north Property line which abuts NW 21st Street. Therefore, the tanks will not be visible from either street frontage – State Road 7 to the west and NW 21st Street to the north, and additional landscape islands for the vehicular use area are not necessary to screen the tanks. Due to the nature and size of the transportation vehicles associated with the function of the transportation depot/facility, any additional vehicular use area landscaping in the back of house will be destroyed and is not feasible. Installing landscape islands within the back of house vehicular use areas will cause an undue hardship on the Owner as the landscape islands are not necessary for the proposed commercial transportation depot/facility. All back of house vehicular use areas are fully screened and are for official business use only. All front of house vehicular use areas, visible from adjacent

rights of way, are fully landscaped pursuant to the City's LDR, and pursuant to the previously approved and inspected landscape permit.

Furthermore, the conditional use request to allow the propane tanks and gas tank that was approved by the City Commission with the tanks shown in the locations provided on the plans. These locations were the locations found best suitable and agreed upon with the nearby residents through various meetings and discussions. Adding the interior landscape islands would require relocating the propane and gas tanks, which would be in conflict with the agreements made with the neighbors.

Staff Response: Staff disagrees with the Applicant's response. The property has no impairments (physical, environmental or otherwise) that would not allow for the construction of all the applicable landscape requirements, excluding the area for the propane tanks.

b) The conditions upon which the request for a variance is based are unique to the parcel and would not be generally applicable to other property within the vicinity.

Applicant Response: The conditions necessitating the variance request are unique to this Property and the business operation. Owner is working within the restraints of the existing non-conforming Property and has brought the Property closer to compliance with regards to landscape requirements by reducing the legal nonconformities. The Property was designed as a back of house area for vehicle storage. Due to the unique business operation and existing parking lot design, any additional landscaping islands in this back of house area would be destroyed by the large vehicles.

Staff Response: Staff disagrees with the Applicant. The conditions upon which the request is based are not unique to the parcel.

c) The alleged difficulty or hardship is not economic and has not been deliberately created to establish a use or structure which is not otherwise consistent with the LDR, and the applicant has not come to the condition, but it has been cast upon the applicant.

Applicant Response: The hardship has not been caused by the Owner. The site has historically been legally nonconforming with regards to landscape requirements. New landscape plans were previously approved and have been installed to enhance the perimeter landscape buffers and meet the current LDR requirements for the perimeter landscape buffers, including the minimum number of trees, shrubs, fencing and landscape area along the perimeter of the Property. These perimeter landscape buffer improvements will help to minimize any adverse effects and visual impacts on

adjacent properties. Furthermore, the improvements will bring the Property closer to compliance by reducing the legal non-conformities regarding landscape areas.

Staff Response: Staff agrees with the Applicant that the property was historically a legal non-conformity with regards to the previous use. However, the hardship regarding the construction of the interior landscape islands, seems to be more of an economic hurdle for the Applicant.

d) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity.

Applicant Response: Granting the variance will not be detrimental to the public welfare or injurious to other properties in the area. All back of house vehicular use areas are fully screened and are for official business use only. All front of house vehicular use areas, visible from adjacent rights of way, are fully landscaped pursuant to the City's LDR, and pursuant to the previously approved and inspected landscape permit.

Additionally, the transportation business does not invite customers to the Property. The Property is used for the transportation business only. Furthermore, the parking spaces located in front of the fencing, fronting State Road 7, contain landscape islands, only the parking areas in the rear of the building (back of house), located behind the concrete wall, do not have landscape islands. Similar businesses have historically operated on the Property without the landscape islands with no impact on the surrounding properties, as such, the proposed tanks will have sufficient screening with the perimeter landscape buffers and fencing.

Staff Response: Staff agrees with the Applicant that granting the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity.

e) The proposed variance will not substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the vicinity.

Applicant Response: The variance request will not increase traffic congestion or increase the danger of fire or public safety, or impair property values within the area. The existing use of the Property will not change with this request. Owner has recently obtained conditional use approval to install four (4) 1,990 gallon above-ground propane tanks and one (1) 8,000 gallon gas tank. The variance request is related to this recent approval and will therefore have no impact on traffic congestion.

The propane and gas tanks will be located on the south side of the Property and will be screened to the west and to the south by a 6 ft. solid concrete wall and the previously discussed perimeter landscape buffers. The existing building will screen the propane and gas tanks from the north Property line which abuts NW 21st Street. Therefore, the tanks will not be visible from either street frontage – State Road 7 to the west and NW 21st Street to the north, and additional landscape islands for the vehicular use areas are not necessary to screen the tanks.

Staff Response: Staff agrees with the Applicant that the proposed variance will not substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the vicinity.

VI. STAFF RECOMMENDATION

Based upon the assessment and findings contained within this report, Staff is recommending for the City Commission to **deny** the application as it does not meet the general standards set forth in Chapter 5 section 506 of the LDRs for the granting of variances.

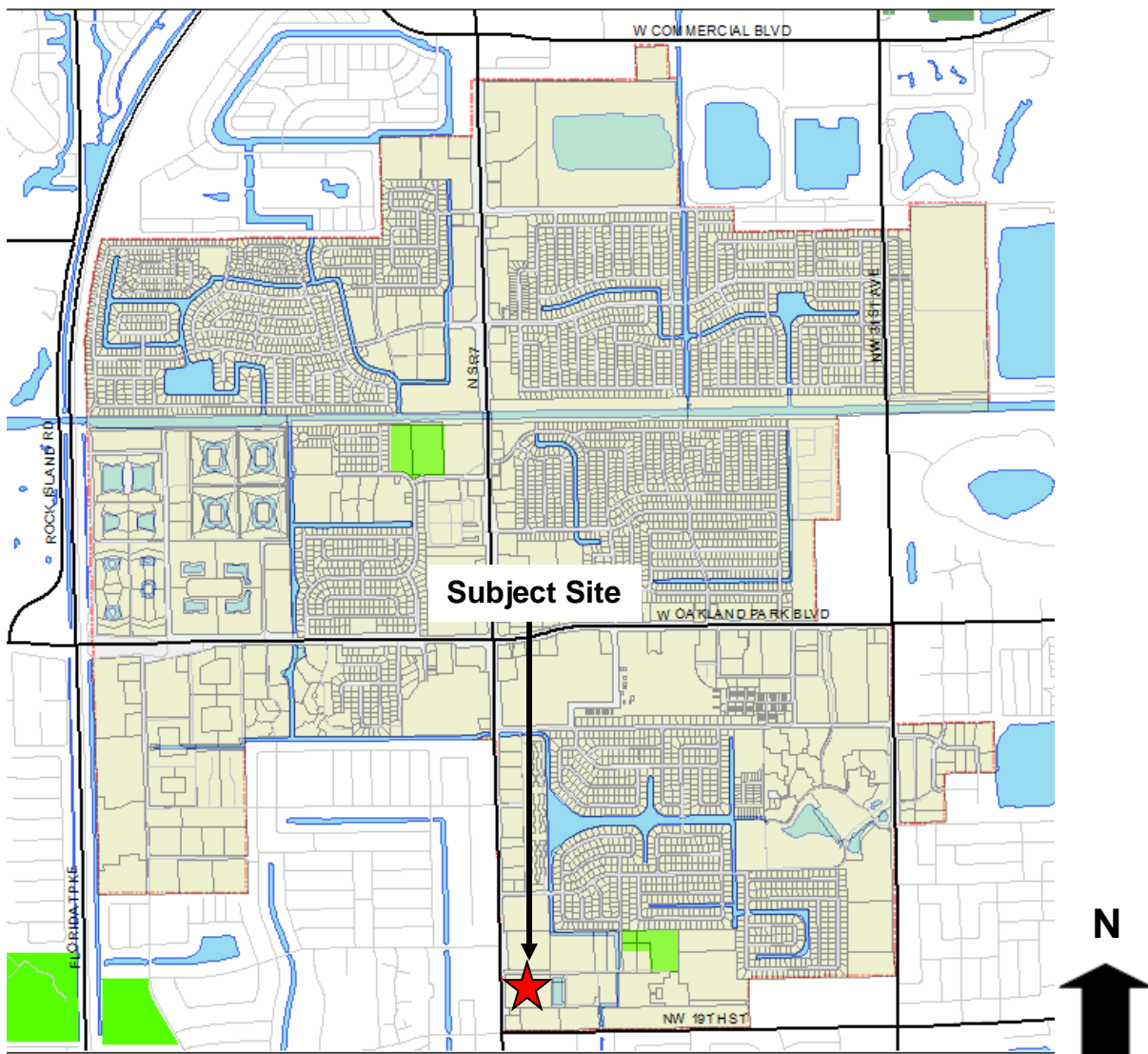
VII. PLANNING AND ZONING BOARD RECOMMENDATION

At the Special January 18, 2024 Planning and Zoning Board meeting, the Planning and Zoning Board made a unanimous unfavorable recommendation (motion carried 4-0) to deny the application. The application is now being forwarded to the City Commission for further consideration.

VIII. EXHIBITS

- A. Location Map
- B. Project Application
- C. Applicant's Narrative
- D. Landscape Plans

LOCATION MAP



CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title

RESOLUTION 2024-013 AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN INTERLOCAL AGREEMENT BETWEEN THE CITY OF LAUDERDALE LAKES AND BROWARD COUNTY PROVIDING FOR FILM PERMITTING SERVICES (“AGREEMENT”), A DRAFT OF SUCH AGREEMENT IS ATTACHED HERETO AS EXHIBIT A

Summary

This resolution authorizes the City Manager to execute an Interlocal Agreement (ILA) with Broward County for Film Permitting Services.

Staff Recommendation

Background:

Staff is recommending for the City Commission to approve the ILA and continue to partner with Broward County and aid in their mission of maintaining a film friendly community countywide.

Funding Source:

N/A

Fiscal Impact:

N/A

Sponsor Name/Department: Tanya Davis-Hernandez, AICP/Development Services Director

Meeting Date: 2/27/2024

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Resolution 2024-013 - Authorizing City Manager to Execute a Interlocal Agreement	Resolution
<input type="checkbox"/> Exhibit A - ILA	Exhibit
<input type="checkbox"/> County Ordinance No. 2022-47	Backup Material
<input type="checkbox"/> County Ordinance No. 2023-37	Backup Material

1 RESOLUTION 2024-013

2
3 A RESOLUTION OF THE CITY COMMISSION OF LAUDERDALE LAKES,
4 FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN
5 INTERLOCAL AGREEMENT BETWEEN THE CITY OF LAUDERDALE LAKES AND
6 BROWARD COUNTY PROVIDING FOR FILM PERMITTING SERVICES
7 ("AGREEMENT"), A DRAFT OF SUCH AGREEMENT IS ATTACHED HERETO AS
8 **EXHIBIT A**, A COPY OF WHICH CAN BE INSPECTED IN THE OFFICE OF THE
9 CITY CLERK; PROVIDING FOR ADOPTION OF RECITALS; PROVIDING FOR
10 INSTRUCTIONS TO THE CITY CLERK; PROVIDING AN EFFECTIVE DATE.
11

12 WHEREAS, to make Broward County ("County") a more desirable destination for film,
13 television, and other entertainment productions, the municipalities of the County and the County
14 believe it is beneficial to establish uniform processes for the application, issuance, and
15 management of permits for productions on specified property within participating municipalities;

16 WHEREAS, as defined by Broward County Ordinance 2023-37 ("Ordinance 2023-37"),
17 production means any still or live photography or any motion picture, whether made on or by
18 use of film, video, digital, or any other electronic device, to create motion pictures, streaming
19 entertainment, commercials, animations, or other similar content, regardless of format or
20 platform (such as theater, television, social media, internet, or print media);

21 WHEREAS, Ordinance 2023-37 provides that a specified property includes a building,
22 structure, facility, roadway, right of way, or other real property;

23 WHEREAS, the City of Lauderdale Lakes ("City") as a municipality located with the
24 corporate jurisdiction of Broward County, desires to engage the County to perform film
25 permitting services on its behalf in accordance with the terms of this Film Permitting Interlocal
26 Agreement ("Film ILA");

1 WHEREAS, the Film ILA provides that a municipality, in its sole discretion, shall direct the
2 County to approve or reject a municipal film permit application;

3 WHEREAS, City Staff recommends against a cost being associated with the City's review
4 of film permit applications;

5 WHEREAS, upon issuance of a municipal film permit, the County shall have no
6 management or oversight responsibility regarding the production activities; and

7 WHEREAS, City Staff recommends the execution of the Film ILA to provide film permitting
8 services.

9 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF
10 LAUDERDALE LAKES, as follows:

11 SECTION 1. ADOPTION OF RECITALS: The foregoing RECITALS are hereby ratified and
12 confirmed as being true, and the same are hereby incorporated by reference and made part of
13 this Resolution.

14 SECTION 2. AUTHORITY: The City Commission hereby authorizes the City Manager to
15 execute the Interlocal Agreement between Broward County and the City of Lauderdale Lakes for
16 film permitting services, an agreement in substantial form and effect of the Agreement which is
17 attached hereto as **Exhibit A** and incorporated herein by reference.

18 SECTION 3. INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby authorized to
19 obtain three (3) fully executed copies of the Agreement, with one (1) to be maintained by the
20 City; with one (1) to be delivered to Broward County, and with one (1) to be directed to the Office
21 of City Attorney.

SECTION 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

ADOPTED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES AT ITS REGULAR MEETING HELD FEBRUARY 27, 2024.

VERONICA EDWARDS PHILLIPS, MAYOR

ATTEST:

VENICE HOWARD, CMC, CITY CLERK

Approved as to form and legality
for the use of and reliance by the
City of Lauderdale Lakes only:

Sidney C. Calloway, City Attorney

Sponsored by: Tanya Davis-Hernandez, Director of Development Services

VOTE:

Mayor Veronica Edwards Phillips	_____ (For)	_____ (Against)	_____ (Other)
Vice-Mayor Mark Spence	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Tycie Causwell	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Karlene Maxwell-Williams	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Sharon Thomas	_____ (For)	_____ (Against)	_____ (Other)



INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF LAUDERDALE LAKES FOR FILM PERMITTING

This Interlocal Agreement Between Broward County and City of Lauderdale Lakes for Film Permitting ("Agreement") is made and entered by and between Broward County, a political subdivision of the State of Florida ("County"), and City of Lauderdale Lakes, a municipal corporation ("Municipality") (each a "Party" and collectively referred to as the "Parties").

RECITALS

A. To make Broward County a more desirable destination for film, television, and other entertainment productions ("Productions"), County and Municipality believe it is beneficial to establish uniform processes for the application, issuance, and management of permits for Productions.

B. Sections 20-261, et seq., Broward County Code of Ordinances ("Film Permit Ordinance"), authorizes County to enter into interlocal agreements with municipalities (each a "Participating Municipality") whereby the Broward County Film Commission ("Film Commission") will act as a "one-stop shop" for Productions to apply for and obtain film permits.

C. Municipality desires to engage County to perform film permitting services on its behalf in accordance with the terms of this Agreement.

Now, therefore, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

ARTICLE 1. DEFINITIONS

All defined terms in Sections 20-261 through 20-265 of the Film Permit Ordinance shall have the same meanings when used in this Agreement.

1.1. **Applicable Law** means all applicable laws, codes, advisory circulars, rules, regulations, or ordinances of any federal, state, county, municipal, or other governmental entity, as may be amended.

1.2. **Board** means the Board of County Commissioners of Broward County, Florida.

1.3. **Code** means the Broward County Code of Ordinances.

1.4. **Contract Administrator** means the Film Commissioner, or such other person as designated by the Film Commissioner in writing.

1.5. **County Administrator** means the administrative head of County appointed by the Board.

1.6. **Municipal Film Permit** means a film permit issued by County on behalf of Municipality for a Production to engage in filming activities on Specified Property located within Municipality.

1.7. **Specified Property** means property that is owned or controlled by Broward County or by a Participating Municipality, including but not limited to a building, structure, facility, roadway, right of way, or other real property; and any other property for which Broward County or a Participating Municipality requires a permit for a Production.

ARTICLE 2. SCOPE OF SERVICES

2.1. Purpose. During the Term (as defined herein), County, through its Film Commission, on behalf of Municipality, shall receive applications for and issue Municipal Film Permits in accordance with the Film Permit Ordinance and this Agreement.

2.2. Guidelines. In addition to the requirements stated in the Film Permit Ordinance, Municipality's specific Municipal Film Permit Guidelines ("Guidelines"), which are attached to this Agreement as **Exhibit A**, shall govern the issuance of Municipal Film Permits. Municipality may amend these Guidelines at any time during the Term with at least thirty (30) business days' advance written notice to the Contract Administrator. Any Municipal Film Permit application received by County prior to the effective date of Municipality's notice to County of a change to the Guidelines shall continue to be processed under the Guidelines in effect. If County believes Municipality's requested change to the Guidelines may subject County to potential claims or liabilities (e.g., potential constitutional or civil rights liability), County shall have the right to reject the change, or applicable portion thereof, to the Guidelines after providing Municipality with written notice of same. Unless Municipality provides written notice to County objecting to County's rejection within seven (7) business days after receipt of notice from County, County may proceed to process applications and issue Municipal Film Permits in accordance with the amended Guidelines, excluding any portion thereof rejected by County pursuant to this section. If Municipality timely objects to County's rejection regarding a changed Guideline, and the Parties cannot resolve their disagreement within ten (10) business days after Municipality provides County notice of its objection, County may, at its option, immediately terminate this Agreement by giving written notice to Municipality of such termination.

2.3. Specified Property Photos. Municipality may provide County photographs of Specified Property areas or facilities that Municipality wishes to promote for the use of film production. If so provided, County agrees to make this material available to applicable Productions.

2.4. Municipal Approval/Rejection of Application. County, upon receipt of a properly completed Municipal Film Permit application, shall forward the permit application to Municipality for Municipality's review and approval. Municipality, in its sole discretion, shall direct County to approve or reject the Municipal Film Permit application. County shall not issue a Municipal Film Permit unless and until Municipality provides written approval of the Municipal Film Permit application. Municipality's indemnification obligations under Article 4 of this Agreement include any Claim (as defined in Article 4) relating to Municipality's lack of approval of a Municipal Film Permit or Municipality's direction to County to not issue a Municipal Film Permit.

2.5. Municipal Fees/Charges; Collections. Municipality shall inform County of any Municipal Film Permit fees or charges assessed for a Production's use of Specified Property, and County shall advise applicants of those fees and charges. Municipality will be solely responsible for the billing and collection of any Municipal Film Permit fees or charges assessed for a Production's use of Specified Property, and County is not liable for any such charges if unpaid. County shall not issue a Municipal Film Permit for a Production until Municipality provides the Contract Administrator written notice that the Production has paid all required permit fees, administrative costs, and any Special Services fees.

2.6. Copy of Permit. Upon County's issuance of a Municipal Film Permit, the Contract Administrator shall provide the Municipal Liaison (as defined in Section 6.1, below) with a copy of such permit, including all special terms and conditions associated therewith.

2.7. No Management or Oversight of Production. Upon issuance of a Municipal Film Permit, County shall have no management or oversight responsibility regarding the Production's activities. If Municipality determines that the Production is not complying with, or has failed to comply with, any provision of the Guidelines, the Film Permit Ordinance, or the Municipal Film Permit, Municipality shall notify the Contract Administrator in writing regarding such matters and County, through the Contract Administrator, in their sole discretion, may elect to suspend or revoke the Production's Municipal Film Permit in accordance with the Film Permit Ordinance.

ARTICLE 3. TERM AND TIME OF PERFORMANCE

3.1. Term. The term of this Agreement shall begin on the date it is fully executed by the Parties ("Effective Date") and shall continue for a period of one (1) year after the Effective Date ("Initial Term"). After the Initial Term, this Agreement shall automatically renew for additional one (1) year terms (each an "Extension Term"), unless earlier terminated in accordance with this Agreement. The Initial Term and Extension Term(s) are collectively referred to as the "Term."

3.2. Termination. Either Party may terminate this Agreement for any reason by giving written notice to the other Party at least thirty (30) days prior to the effective date of termination. Notwithstanding any termination of this Agreement by either Party, all Municipal Film Permits issued by County for Specified Property prior to the effective date of such termination shall remain valid and be honored by Municipality. The Contract Administrator is authorized to terminate this Agreement on behalf of County.

ARTICLE 4. GOVERNMENTAL IMMUNITY; MUNICIPALITY INDEMNIFICATION OF COUNTY; HOLD HARMLESS

4.1. Sovereign Immunity. Each Party is a state agency or political subdivision as defined in Section 768.28, Florida Statutes. Except to the extent sovereign immunity may be deemed waived by entering into this Agreement, nothing in this Agreement is intended to serve as a waiver of sovereign immunity by either Party nor shall anything included in this Agreement be construed as consent by either Party to be sued by third parties in any matter arising out of this Agreement or any other contract.

4.2. Indemnification. To the greatest extent permitted under Florida law, Municipality shall indemnify, hold harmless, and defend County and all of County's current, past, and future officers, agents, and employees (collectively, "Indemnified Party") from and against any and all causes of action, demands, claims, losses, liabilities, and expenditures of any kind, including attorneys' fees, court costs, and expenses, including through the conclusion of any appellate proceedings, raised or asserted by any person or entity not a party to this Agreement, and caused or alleged to be caused, in whole or in part, by: (a) utilization of Municipality's Guidelines in connection with the issuance or rejection of any Municipal Film Permit (including, without limitation, any alleged unconstitutionality or illegality of such Guidelines); (b) any breach of this Agreement by Municipality; (c) any negligent act or omission of Municipality, its officers, employees, or agents, arising from, relating to, or in connection with this Agreement; or (d) a Production's use of Specified Property or a Production's failure to comply with the terms and conditions of a Municipal Film Permit (collectively, a "Claim"). If any Claim is brought against an Indemnified Party, Municipality shall, upon written notice from County, defend each Indemnified Party with counsel satisfactory to County or, at County's option, pay for an attorney selected by the County Attorney to defend the Indemnified Party.

ARTICLE 5. INSURANCE

County is a self-insured governmental entity subject to the limitations set forth in Section 768.28, Florida Statutes, and, upon request by Municipality, shall provide Municipality with written verification of liability protection in accordance with state law. If Municipality is a self-insured governmental entity, it shall, upon request by County, provide County with written verification of liability protection in accordance with state law. If Municipality is not self-insured, Municipality shall maintain throughout the Term any and all policies of insurance as may be requested by County, in amounts determined by County in its reasonable discretion, necessary to satisfy Municipality's indemnification obligations stated in this Agreement.

ARTICLE 6. MISCELLANEOUS

6.1. Contract Administrator Authority; Municipal Liaison. The Contract Administrator is authorized to coordinate and communicate with Municipality in connection with the performance of this Agreement, including the exercise of ministerial authority in connection with the day-to-day management of this Agreement. Municipality shall appoint a representative to act as liaison ("Municipal Liaison") to the Film Commission. The Municipal Liaison will coordinate with the Contract Administrator regarding Municipal Film Permit applications received by County for use of Specified Property located in Municipality by Productions, and shall manage the use of such Specified Property by the Production after the Municipal Film Permit is issued by County.

6.2. Public Records. Each of the Parties is a public entity required to comply with Florida's Public Records Act, and each shall fulfill all required obligations under Chapter 119, Florida Statutes. If a public records request is directed to a Party, that Party shall be responsible for responding to such public records request. If a Party receiving a public records request seeks records from the other Party to respond to the public records request, the other Party will

provide any responsive public records so as to enable the Party that received the public records request to respond as required.

IF EITHER PARTY HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE FOLLOWING: FOR MUNICIPALITY INQUIRIES TO COUNTY: (954) 357-6400, OESBDADMIN@BROWARD.ORG, 115 S ANREWS AVENUE, ROOM A680, FORT LAUDERDALE, FLORIDA 33301. FOR COUNTY INQUIRIES TO MUNICIPALITY: (954) _____ EXT. _____, _____@_____._____, _____, _____, FLORIDA _____.

6.3. Regulatory Capacity. Notwithstanding the fact that each Party to this Agreement is a political subdivision with certain regulatory authority, each Party's performance under this Agreement is as a party to this Agreement and not its regulatory capacity. If County or Municipality exercises their regulatory authority, the exercise of such authority and the enforcement of Applicable Law shall have occurred pursuant to that Party's regulatory authority as a governmental body separate and apart from this Agreement and shall not be attributable in any manner as a party to this Agreement.

6.4. Third-Party Beneficiaries. Neither Municipality nor County intends to directly or substantially benefit a third party by this Agreement. Therefore, the Parties acknowledge that there are no third-party beneficiaries to this Agreement and that no third party shall be entitled to assert a right or claim against either of them based upon this Agreement.

6.5. Notices. In order for a notice to a Party to be effective under this Agreement, notice must be sent via U.S. first-class mail, hand delivery, or commercial overnight delivery, each with a contemporaneous copy via email, to the addresses listed below and shall be effective upon mailing or hand delivery (provided the contemporaneous email is also sent). Addresses may be changed by the applicable Party giving notice of such change in accordance with this section.

FOR COUNTY:

Broward County Office of Economic & Small Business Development
Attn: Film Commission / Film Lauderdale
115 South Andrews Avenue, Room A680
Fort Lauderdale, Florida 33301
Email address: film@filmlauderdale.org

FOR MUNICIPALITY:

Email address: _____

6.6. Materiality and Waiver of Breach. Each requirement, duty, and obligation set forth in this Agreement was bargained for at arm's-length and is agreed to by the Parties. Each requirement, duty, and obligation set forth in this Agreement is substantial and important to the formation of this Agreement, and each is, therefore, a material term. County's failure to enforce any provision of this Agreement shall not be deemed a waiver of such provision or modification of this Agreement. A waiver of any breach shall not be deemed a waiver of any subsequent breach and shall not be construed to be a modification of this Agreement. To be effective, any waiver must be in writing signed by an authorized signatory of the Party granting the waiver.

6.7. Force Majeure. If the performance of this Agreement, or any obligation hereunder is prevented by reason of hurricane, tropical storm, public health emergency, epidemic/pandemic, earthquake, or other casualty caused by nature; or by labor strike or war; or by any law, order, proclamation, regulation, or an ordinance of any governmental agency, including by either of the Parties (collectively, "Force Majeure Event"), the Party so affected, upon giving prompt written notice to the other Party, shall be excused from such performance to the extent caused by the Force Majeure Event, provided that the Party so affected shall first have taken reasonable steps to avoid and remove such cause of nonperformance and shall continue to take reasonable steps to avoid and remove such cause, and shall promptly notify the other Party in writing and resume performance hereunder whenever such causes are removed; and further provided that if such nonperformance exceeds fifteen (15) business days, the Party that is not prevented from performance by the Force Majeure Event shall have the right to immediately terminate this Agreement upon written notice to the Party so affected. This section shall not supersede or prevent the exercise of any right a Party may otherwise have to terminate this Agreement.

6.8. Compliance with Laws; Equal Opportunity. Each Party must comply with all Applicable Law, including, without limitation, the Americans with Disabilities Act, 42 U.S.C. § 12101, and Section 504 of the Rehabilitation Act of 1973.

6.9. Severability; Survivability. If any part of this Agreement is found to be unenforceable by any court of competent jurisdiction, that part shall be deemed severed from this Agreement and the balance of this Agreement shall remain in full force and effect. The following sections of this Agreement shall survive the expiration or earlier termination of this Agreement: Section 2.4, Section 4.2, Section 6.2, and Section 6.13.

6.10. Joint Preparation. This Agreement has been jointly prepared by the Parties and shall not be construed more strictly against either Party.

6.11. Interpretation. The titles and headings contained in this Agreement are for reference purposes only and shall not in any way affect the meaning or interpretation of this Agreement. All personal pronouns used in this Agreement shall include any other gender, and the singular shall include the plural, and vice versa, unless the context otherwise requires. Terms such as "herein" refer to this Agreement as a whole and not to any particular sentence, paragraph, or section where they appear, unless the context otherwise requires. Whenever reference is made to a section or article of this Agreement, such reference is to the section or article as a whole, including all subsections thereof, unless the reference is made to a particular subsection or

subparagraph of such section or article. Any reference to “days” means calendar days, unless otherwise expressly stated. Any reference to approval by County shall require approval in writing, unless otherwise expressly stated.

6.12. Priority of Provisions. If there is a conflict or inconsistency between any term, statement, requirement, or provision of any document or exhibit attached to, referenced by, or incorporated in this Agreement and any provision within an article or section of this Agreement, the article or section shall prevail and be given effect.

6.13. Law, Jurisdiction, Venue, Waiver of Jury Trial. This Agreement shall be interpreted and construed in accordance with and governed by the laws of the State of Florida. The exclusive venue for any lawsuit arising from, related to, or in connection with this Agreement shall be in the state courts of the Seventeenth Judicial Circuit in and for Broward County, Florida. If any claim arising from, related to, or in connection with this Agreement must be litigated in federal court, the exclusive venue for any such lawsuit shall be in the United States District Court or United States Bankruptcy Court for the Southern District of Florida. **EACH PARTY HEREBY EXPRESSLY WAIVES ANY RIGHTS IT MAY HAVE TO A TRIAL BY JURY OF ANY CIVIL LITIGATION RELATED TO THIS AGREEMENT.**

6.14. Amendments. Unless expressly authorized herein, no modification, amendment, or alteration of any portion of this Agreement is effective unless contained in a written document executed with the same or similar formality as this Agreement and by duly authorized representatives of County and Municipality.

6.15. Prior Agreements. This Agreement represents the final and complete understanding of the Parties regarding the subject matter of this Agreement and supersedes all prior and contemporaneous negotiations and discussions regarding same. All commitments, agreements, and understandings of the Parties concerning the subject matter of this Agreement are contained herein.

6.16. Incorporation by Reference. Any and all Recital clauses stated above are true and correct and are incorporated in this Agreement by reference. The attached exhibit(s) are incorporated into and made a part of this Agreement.

6.17. Counterparts and Multiple Originals. This Agreement may be executed in multiple originals, and may be executed in counterparts, whether signed electronically or physically, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

The remainder of this page is intentionally blank.

IN WITNESS WHEREOF, the Parties hereto have made and executed this Agreement: BROWARD COUNTY, through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Film Commissioner authorized to execute same by Board action on the 23rd day of May, 2023, and Municipality, signing by and through its _____ duly authorized to execute same.

COUNTY

BROWARD COUNTY, by and through
its Film Commissioner

By: _____
Film Commissioner

____ day of _____, 20__

Approved as to form by
Andrew J. Meyers
Broward County Attorney
115 South Andrews Avenue, Suite 423
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600

By _____
Javier Navas (Date)
Assistant County Attorney

By _____
Sandy Steed (Date)
Senior Assistant County Attorney

**INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY
AND CITY OF LAUDERDALE LAKES FOR FILM PERMITTING**

FLORIDA

MUNICIPALITY

CITY OF LAUDERDALE LAKES

ATTEST:

By: _____
Mayor/Other

City Clerk

Print Name

_____ day of _____, 20____

I HEREBY CERTIFY that I have approved this
Agreement as to form and legal sufficiency
subject to execution by the parties:

City Attorney

Exhibit A
Municipal Film Permit Guidelines

- Permit applicant/production company must provide a certificate of insurance that additionally insures the City of Lauderdale Lakes with the following certificate holder language:

City of Lauderdale Lakes
4300 NW 36th Street
Lauderdale Lakes, FL 33319

Certificates of insurance must include a policy which provides at least \$1,000,000 of Comprehensive General Liability for each instance of claim. Other caveats apply on a per project basis.

ORDINANCE NO. 2022-47

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO FILMING ON SPECIFIED PROPERTY; AMENDING VARIOUS SECTIONS OF CHAPTER 20 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE") RELATING TO FILM PERMITS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Senator Steve Geller)

WHEREAS, on November 4, 2021, the Broward County Board of County Commissioners ("Board") established an Office of Film to assist in the attraction of film, television, and other entertainment productions (collectively, "Productions") to Broward County;

WHEREAS, enhanced coordination between the County and municipalities in Broward County will create a more streamlined process for the issuance of permits for Productions, thereby making Broward County a more attractive destination for Productions; and

WHEREAS, to provide for that enhanced coordination, the Board desires to amend its ordinance regarding the issuance of film permits,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Chapter 20, Article XIII, of the Broward County Code of Ordinances is hereby amended to read as follows:

ARTICLE XIII. FILMING ON COUNTY SPECIFIED PROPERTY

Section 2. Section 20-261 of the Broward County Code of Ordinances is hereby repealed in its entirety, and a new Section 20-261 is hereby created to read as follows:

[Underlining omitted]

(SEE ORDINANCE 2023-37 FOR AMENDMENTS TO SECTION 20-261)

Section 3. Section 20-262 of the Broward County Code of Ordinances is hereby repealed in its entirety, and a new Section 20-262 is hereby created to read as follows:

[Underlining omitted]

Sec. 20-262. Applications for Production Permits.

(a) *Permit application.* Any person or entity desiring a permit required by this article shall apply to the Broward County Film Commissioner or designee (collectively, the "Film Commissioner") on an application form developed by the Broward County Film Commission ("Film Commission"). The application must include at least the following:

- (1) Name, address (including local address), telephone number, and e-mail address of the applicant;
- (2) Locations, dates of filming, any special parking requests, details regarding the scenes to be filmed or photographed, and any County or Participating

Municipality personnel or equipment requested (e.g., police and fire department services, security services, etc.) ("Special Services");

(3) Evidence of insurance in the amount required by Section 20-263 of this article;

(4) A commitment to pay all cost recovery charges imposed or incurred by the County or the applicable Participating Municipality for the provision of any Special Services requested or required for the Production; and

(5) Any additional requirements established by the Film Commission, or any additional requirements established by the applicable Participating Municipality for permits issued for that Participating Municipality.

(b) *Permit Fees and Other Charges.* Each application for a permit shall be accompanied by a permit fee and payment of the administrative fees or other charges due to the County, if any, and proof of payment of any fees or other charges imposed by the applicable Participating Municipality. The permit fees and administrative fees for the County shall be established periodically by Resolution of the Board and included in the Broward County Administrative Code. If the Special Services for which cost recovery charges will be imposed by the County or Participating Municipality are required as a condition of permit approval, the estimated charges must be paid to the County or the Participating Municipality, as applicable, by the applicant prior to the issuance of the permit; in addition, the applicant must pay any actual costs incurred for such Special Services above the estimated amount within thirty (30) days after the County or the Participating Municipality invoices the applicant for such costs.

62 (c) *Permit Criteria.* Upon receipt of a completed application and payment of the
63 fees and charges due with the application or prior to issuance of the permit in accordance
64 with subsections (a) and (b), a permit shall be issued for the Production unless the Film
65 Commissioner or the Director of the Office of Economic and Small Business Development
66 determines, in their sole discretion, that the proposed Production:

67 (1) Unduly impedes governmental business or public access on the applicable
68 Specified Property, or conflicts with previously scheduled activities on or
69 near the applicable Specified Property;

70 (2) Threatens the health, safety, or welfare of the public, or violates local, state,
71 or federal law; or

72 (3) Would violate an existing agreement between the County or the applicable
73 Participating Municipality and a third party.

74 (d) *Permit Conditions.* The Film Commissioner or the County Administrator may
75 impose reasonable time, place, and manner restrictions as a condition for issuance of a
76 permit. Any such restrictions applicable to all permits shall be stated on the Film
77 Commission's website; any such restrictions specific to a particular permit shall be stated
78 in that permit. In addition, properly securing any applicable Special Services and promptly
79 paying for all invoiced cost recovery charges for such Special Services are ongoing
80 conditions of any issued permit.

81 (e) *Revocation or Suspension of Permit.* A permit issued pursuant to this
82 section may be revoked or suspended by the Film Commissioner for any of the following
83 reasons:

84 (1) Violation of any provision or restriction of the permit or this article;

(2) Any action by the applicant or its agents that the Film Commissioner determines threatens the health, safety, or welfare of the public; or

(3) Fraud or misrepresentation in the application for the permit.

(f) *Expired, Revoked, or Suspended Permit.* If a permit expires or is revoked or suspended prior to the completion of the Production, the Production must, upon the date of the expiration, revocation, or suspension, cease any and all Production-related activities at the applicable Specified Property until a new permit is issued or a suspended permit is reinstated.

(g) *Review.* If a permit application is denied or an issued permit is suspended or revoked, the applicant may, no later than ten (10) calendar days after the date of the denial, suspension, or revocation, seek review of such action to the County Administrator, who shall, in their reasonable discretion, issue a written decision on the denial, suspension, or revocation within thirty (30) days after receipt, and whose decision will be final.

Section 4. Section 20-263 of the Broward County Code of Ordinances is hereby amended to read as follows:

Sec. 20-263. Insurance requirements.

The applicant for a permit required by this article shall, as a prerequisite to the issuance of a the permit, maintain in force at all times during the ~~permit period~~ Production a comprehensive general liability policy with limits determined by the ~~d~~Director of the Broward County ~~r~~Risk ~~m~~Management ~~d~~Division upon a review of the particular circumstances involved. Said applicant, as a prerequisite to the issuance of a permit, shall provide to the ~~County Administrator or his designee~~ Film Commissioner a certificate of

insurance evidencing that ~~said~~ the required insurance is in existence and certifying that Broward County ~~is-a~~ and any applicable Participating Municipality are the named insureds and that Broward County and the applicable Participating Municipality shall be given thirty (30) days' notice prior to the expiration or cancellation of the policy.

Section 5. Section 20-264 of the Broward County Code of Ordinances is hereby repealed in its entirety, and a new Section 20-264 is hereby created to read as follows:

[Underlining omitted]

Sec. 20-264. Authority of the Film Commissioner.

The Film Commissioner is authorized to facilitate and coordinate the use of Specified Property for each Production consistent with the issued permit. The authority of the Film Commissioner also includes responsibility for:

(a) Administering interlocal agreements that authorize the County to issue permits on behalf of a Participating Municipality, conform to the requirements of this article, and state any applicable additional requirements of the Participating Municipality for Productions;

(b) Issuing, suspending, revoking, or denying permits;

(c) Coordinating schedules for permitted Productions to minimize conflicts and to monitor each Production's compliance with applicable rules and regulations relating to the permit; and

(d) Facilitating issuance of any necessary additional permits and arrangements for the provision of Special Services as may be requested or required for a Production.

Section 6. Section 20-265 of the Broward County Code of Ordinances is hereby repealed in its entirety, and a new Section 20-265 is hereby created to read as follows:

[Underlining omitted]

Sec. 20-265. Enforcement.

The permit and other requirements as provided for in this article may be enforced by code enforcement officers, including municipal code enforcement officers, and any law enforcement agency having jurisdiction over the Specified Property, pursuant to Section 125.69 or Chapter 162, Florida Statutes, or any applicable municipal code enforcement provision.

Section 7. Severability.

If any portion of this Ordinance is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Ordinance to any other individual, group, entity, property, or circumstance.

Section 8. Inclusion in the Broward County Code of Ordinances.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance become part of the Broward County Code of Ordinances as of the effective date. The sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase to the extent necessary in order to accomplish such intention.

Section 9. Effective Date.

This Ordinance is effective as of the date provided by law.

ENACTED December 6, 2022

FILED WITH THE DEPARTMENT OF STATE December 7, 2022

EFFECTIVE December 7, 2022

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Sara F. Cohen 12/06/2022
Sara F. Cohen (date)
Assistant County Attorney

By: /s/ Nathaniel A. Klitsberg 12/06/2022
Nathaniel A. Klitsberg (date)
Senior Assistant County Attorney

SFC/cv
Film Permitting Ordinance
12/07/2022
#615245

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.

ORDINANCE NO. 2023-37

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PERTAINING TO FILMING ON SPECIFIED PROPERTY;
3 AMENDING SECTION 20-261 OF THE BROWARD COUNTY CODE OF ORDINANCES
4 (“CODE”) RELATING TO FILM PERMITS; AND PROVIDING FOR SEVERABILITY,
5 INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

6 (Sponsored by the Board of County Commissioners)
7

8 WHEREAS, on December 6, 2022, the Board of County Commissioners enacted
9 an ordinance regarding the issuance of film permits in Broward County (“Film
10 Ordinance”);

11 WHEREAS, the Film Ordinance was designed to enhance coordination between
12 the County and municipalities in Broward County, thereby creating a more streamlined
13 process for the issuance of film permits; and

14 WHEREAS, based upon initial implementation of the Film Ordinance and feedback
15 from various municipalities and stakeholders, the Film Commissioner recommends
16 certain changes to be made to further enhance coordination with the municipalities,

17 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
18 BROWARD COUNTY, FLORIDA:

19 Section 1. Section 20-261 of the Broward County Code of Ordinances is hereby
20 amended to read as follows:

21 **Sec. 20-261. Film, Television, and Entertainment Productions on Specified**
22 **Property.**

(a) *Definitions.* The following terms shall have the following meanings for the purposes of this article:

~~*Specified Property* means property that is owned or controlled by Broward County or by a Participating Municipality, including but not limited to a building, structure, facility, roadway, right of way, or other real property; and any other property for which Broward County or a Participating Municipality requires a permit for a Production.~~

Handheld Device means any camera or other video equipment that is designed to be held in the photographer's or filmmaker's hand and that is carried by the photographer or filmmaker ~~while~~ during the making of a Production on Specified Property.

Participating Municipality means a municipality located within Broward County that has executed an interlocal agreement with the County authorizing the County to issue film permits for Productions on Specified Property.

Production means any still or live photography, or any motion picture, whether made on or by use of film, video, digital, or any other electronic device, to create motion pictures, streaming entertainment, commercials, animations, or other similar content, regardless of format or platform (such as theater, television, social media, internet, or print media).

Specified Property means property that is owned or controlled by Broward County or by a Participating Municipality, including but not limited to a building, structure, facility, roadway, right of way, or other real property; and any other property for which Broward County or a Participating Municipality requires a permit for a Production.

(b) *Permits for Productions on Specified Property.*

(1) *Required.* No person or entity shall make a Production on Specified Property without first obtaining a permit from the County, unless otherwise provided herein.

(2) *Exceptions; Waivers of Permit Fees.* Nothing in this section shall require a permit for:

a. Any ~~individual~~ person or entity using a single Handheld Device to filming, taking photographs, or video recording ~~with a Handheld Device~~, solely for ~~the individual's~~ personal or family use, ~~and providing~~ provided the utilization activity does not include any of the following:

1. An attempt to use the Specified Property to the exclusion of other members of the public in such a way as to interfere with the intended use of the Specified Property or to impede or divert the flow of pedestrian or vehicular traffic, unless the Specified Property is licensed by or on behalf of that person or entity for their exclusive use ~~by or on behalf of that individual~~;

2. Use of prop weapons, fire, pyrotechnics, prop vehicles, or stunts, or participation in the Production by individuals in any type of public safety uniform;

3. Use of language that is likely to incite imminent violence or panic; or the creation of noise that is frequent, habitual, or

67 long, and plainly audible at a distance of twenty-five (25) feet
68 from the area where the individual is located;

69 4. Use of Specified Property without invitation or permission
70 when the property is currently contracted or licensed for the
71 exclusive use by another person or entity;

72 5. Simulating the use or sale of illicit drugs; ~~or~~

73 6. Violation of any other County ordinance, rule, or regulation;
74 or

75 7. Filming, photographing, or video recording any area where
76 such activity is prohibited or restricted under federal, state, or
77 local law or regulation.

78 b. Any Production ~~with three (3) or fewer individuals~~ on Specified
79 Property by a single individual and that does not involve other
80 physically present individuals hired or otherwise retained to
81 participate in or assist with the Production, provided that the
82 Production does not involve any of the elements set forth in (b)(2)a.1.
83 through (b)(2)a.~~6~~7, above.

84 c. Productions by the media (e.g., reporters, photographers, camera
85 persons, or other employees or independent contractors of a
86 newspaper, news service, broadcast/cable/internet outlet, or similar
87 entity) covering a news event that recently occurred or is currently
88 ongoing on or adjacent to the Specified Property. This exception

shall not apply to Productions that constitute or include simulations of events or documentaries.

d. Notwithstanding any exemption from permitting requirements provided for in this section, any Production within any area of an airport, seaport, courthouse, or government building may be subject to certain reasonable, viewpoint neutral restrictions imposed by the owner or operator of such Specified Property, and approval of same may be required prior to commencing a Production in any such area.

Section 2. Severability.

If any portion of this Ordinance is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Ordinance to any other individual, group, entity, property, or circumstance.

Section 3. Inclusion in the Broward County Code of Ordinances.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance become part of the Broward County Code of Ordinances as of the effective date. The sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase to the extent necessary to accomplish such intention.

110 Section 4. Effective Date.

111 This Ordinance is effective as of the date provided by law.

ENACTED October 24, 2023

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Sara F. Cohen 09/20/2023
Sara F. Cohen (date)
Assistant County Attorney

By: /s/ Nathaniel A. Klitsberg 09/20/2023
Nathaniel A. Klitsberg (date)
Senior Assistant County Attorney

SFC/cv
Amended Film Ordinance
10/24/2023
#1054562.4

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: Yes

Title

RESOLUTION 2024-014 AUTHORIZING THE MAYOR AND THE CITY MANAGER TO EXECUTE A COMMUNITY AESTHETIC FEATURE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE WRAPPING OF CITY UTILITY BOXES

Summary

This resolution authorizes the Mayor and the City Manager to execute a Community Aesthetic Feature Agreement (CAFA) with FDOT which allow the City to install aesthetic features on utility boxes located within FDOT right of way on State Road 7 (from City limit to NW 19th Street) and Oakland Park Boulevard (from NW 31st Avenue to City Limit).

Staff Recommendation

Background:

On November 28th, 2023, City Commission approved Resolution 2023-147 to award a contract to AD Graphics in the amount of \$26,454.60 for the utility box wrapping project. The City Commission at its workshop meeting accepted several artworks to be displayed on select utility boxes. Those artworks were also reviewed and approved by FDOT but a formal permit has to be issued by FDOT prior to any work.

As part of the permit process, an agreement is required to be executed by both parties, for the installation and future maintenance of the project. The attached Community Aesthetic Feature Agreement (CAFA) was submitted by FDOT. Staff recommend the City Commission to approve execution of the agreement

Funding Source:

There is no financial impact as a result of this agreement.

Fiscal Impact:

Sponsor Name/Department: Ronald Desbrunes, P.E. Public Works Director

Meeting Date: 2/27/2024

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Resolution 2024-014 Community Aesthetic Feature Agreement	Resolution
<input type="checkbox"/> Exhibit A - Community Aesthetic Feature Agreement	Exhibit

1 RESOLUTION 2024-014

2
3 A RESOLUTION OF THE CITY COMMISSION OF LAUDERDALE LAKES,
4 FLORIDA, AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE
5 AND ATTEST, RESPECTIVELY, THAT CERTAIN COMMUNITY AESTHETIC
6 FEATURE AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF
7 TRANSPORTATION AND THE CITY OF LAUDERDALE LAKES FOR THE
8 WRAPPING OF CITY UTILITY BOXES, A DRAFT COPY OF WHICH IS ATTACHED
9 AS **EXHIBIT A**, AND A FACSIMILE COPY OF WHICH CAN BE INSPECTED IN
10 THE OFFICE OF THE CITY CLERK; PROVIDING FOR THE ADOPTION OF
11 RECITALS; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING
12 AN EFFECTIVE DATE.
13

14 WHEREAS, on November 28, 2023, the City Commission of the City of Lauderdale Lakes
15 ("City Commission") approved Resolution 2023-147 to award a contract to AD Graphics, Inc. in
16 the amount of Twenty-Six Thousand Four Hundred Fifty-Four and 60/100 (\$26,454.60) Dollars
17 for the purpose of preparing and wrapping utility boxes to display artwork on the right of way on
18 State Road 7 (from City limit to NW 19th Street) and Oakland Park Boulevard (from NW 31st
19 Avenue to City limit) in the City of Lauderdale Lakes ("City");

20 WHEREAS, the City Commission at its workshop meeting accepted several artworks to be
21 displayed on select utility boxes. The artworks were also reviewed and approved by the State of
22 Florida Department of Transportation ("FDOT");

23 WHEREAS, prior to the applying any artwork to the utility boxes, the City must obtain the
24 necessary permits from FDOT;

25 WHEREAS, as part of the permit process, an agreement is required to be executed by and
26 between the City and FDOT, for the installation and future maintenance of the utility boxes. A
27 copy of the Community Aesthetic Feature Agreement ("CAFA") is attached hereto as **Exhibit A**;
28 and

1 WHEREAS, City Staff recommends the City Commission approve the CAFA and authorize
2 execution of the agreement consistent with the intent of Resolution 2023-147.

3 NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF
4 LAUDERDALE LAKES AS FOLLOWS:

5 SECTION 1. ADOPTION OF RECITALS: The foregoing RECITALS are hereby ratified and
6 confirmed as being true, and the same are hereby made a part of this Resolution.

7 SECTION 2. AUTHORITY: The City Manager and City Clerk are hereby authorized and
8 directed to execute and attest, respectively, that certain Community Aesthetic Feature
9 Agreement in substantially the form as attached hereto as **Exhibit A**, and incorporated herein by
10 reference.

11 SECTION 3. INSTRUCTIONS TO THE CITY CLERK: The City Clerk, through the City
12 Manager, is hereby authorized to obtain three (3) executed copies of the Agreement with one
13 (1) copy of the Agreement to be directed to State of Florida Department of Transportation; with
14 one (1) copy to be maintained by the City; and with one (1) copy directed to the Office of the City
15 Attorney.

16 [REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
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22

SECTION 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

ADOPTED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES AT ITS REGULAR MEETING HELD FEBRUARY 27, 2024.

VERONICA EDWARDS PHILLIPS, MAYOR

ATTEST:

VENICE HOWARD, CMC, CITY CLERK

Approved as to form and legality
for the use of and reliance by the
City of Lauderdale Lakes only:

Sidney C. Calloway, City Attorney

Sponsored by: Ronald Desbrunes, P.E., Director of Public Works

VOTE:

Mayor Veronica Edwards Phillips	_____ (For)	_____ (Against)	_____ (Other)
Vice-Mayor Mark Spence	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Tycie Causwell	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Karlene Maxwell-Williams	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Sharon Thomas	_____ (For)	_____ (Against)	_____ (Other)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
COMMUNITY AESTHETIC FEATURE AGREEMENT

State Road/Local Road _____ Section No. _____ CAFA No. _____

This Community Aesthetic Feature Agreement ("Agreement") is entered into this _____ day of _____, between the State of Florida, Department of Transportation ("Department") and The City of Lauderdale Lakes ("Agency"). The Department and the Agency are sometimes referred to in this Agreement as a "Party" and collectively as the "Parties."

RECITALS

- A. The Agency has requested permission from the Department to install a [**CHOOSE ONE:** ☐ Public Art, ☐ Local Identification Marker] community aesthetic feature on that certain right-of-way owned by the Department which is located on State Road/Local Road State Road 7 (from City Limits to NW 19th Street) and Oakland Park Boulevard (from NW 31st Avenue to City Limits) at MP _____ in Broward County, Florida ("Project").
- B. The Department agrees that transportation facilities enhanced by community aesthetic features can benefit the public, result in positive economic development, and increase tourism both locally and throughout Florida.
- C. The Parties agree to the installation and maintenance of the Project, subject to the terms and conditions in this Agreement.

AGREEMENT

1. **TERM.** The term of this Agreement shall commence upon full execution of this Agreement ("Effective Date") and continue through the 25th Anniversary of this agreement, which is determined as the lifespan of the Project, unless terminated at an earlier date as provided in this Agreement. If the Agency does not complete the installation of the Project within one (1) year (365) days of the Effective Date of this Agreement, the Department may immediately terminate this Agreement. This Agreement may only be renewed for a term no longer than the original term of this Agreement upon a writing executed by both Parties to this Agreement.

2. **PROJECT DESCRIPTION.** The Project is a [**CHOOSE ONE:** ☒ Public Art, ☐ Local Identification Marker], as more fully described in the plans in Exhibit "A", attached and incorporated in this Agreement.

3. **FUNDING OF THE PROJECT.** The Agency has agreed by resolution to approve the Project and to fund all costs for the design, installation, and maintenance of the Project, and such resolution is attached and incorporated in this Agreement as Exhibit "D". The Department shall not be responsible for any costs associated with the Project. All improvements funded, constructed, and installed by the Agency shall remain the Agency's property. However, this permissive use of the Department's right-of-way where the Project is located does not vest any property right, title, or interest in or to the Agency for the Department's right-of-way.

4. **DESIGN AND CONSTRUCTION STANDARDS AND REQUIRED APPROVALS.**

- a. The Agency is responsible for the design, construction, and maintenance of the Project in accordance with all applicable federal, state and local statutes, rules and regulations, including the Department standards and specifications. A professional engineer, registered in Florida, shall provide the certification that all design and construction for the Project meets the minimum construction standards established by the Department and applicable Florida Building Code construction standards. The Agency shall submit all plans or related construction documents, cost estimates, project schedule, and applicable third party agreements to the Department for review and approval prior to installation of the Project. The Agency is responsible for the preparation of all design plans for the Project, suitable for reproduction on 11 inch by 17 inch sheets, together with a complete set of specifications covering all construction requirements for the Project. A copy of the design plans shall be provided to the Department's District Design Engineer, located at 3400 West Commercial Blvd, Fort Lauderdale, FL 33309.
- . The Department will review the plans for conformance to the Department's requirements and feasibility. The Department review shall not be considered an adoption of the plans nor a substitution for the engineer's responsibility for the plans. By review of the plans, the Department signifies only that such

plans and improvements satisfies the Department's requirements, and the Department expressly disclaims all other representations and warranties in connection with the plans, including, but not limited to the integrity, suitability, or fitness for the intended purpose or whether the improvements are constructed in accordance with the plans. The Department's review of the plans does not relieve the Agency, its consultants or contractors of any professional or other liability for the plans. All changes required by the Department shall be made by the Agency and final corrected plans shall be provided to the Department within thirty (30) days.

- b. The Agency shall be responsible for locating all existing utilities, both aerial and underground, and for ensuring that all utility locations be accurately documented on the construction plans. All utility conflicts shall be fully resolved directly with the applicable utility. Section 337.403, Florida Statutes, shall determine whether the utility bears the costs of utility work. The Agency shall bear the costs of utility work not required to be borne by the utility by Section 337.403, Florida Statutes.
- c. The Agency shall be responsible for monitoring construction operations and the maintenance of traffic ("MOT") throughout the course of the Project in accordance with the latest edition of FDOT Standard Specifications, Section 102. The Agency is responsible for the development of a MOT plan and making any changes to that plan as necessary. The MOT plan shall be in accordance with the latest version of FDOT Design Standards, Index 600 series. Any MOT plan developed by the Agency that deviates from FDOT Design Standards must be signed and sealed by a professional engineer. MOT plans will require approval by the Department prior to implementation.
- d. The Agency is responsible for obtaining all permits that may be required by any federal, state, or local agency.
- e. Prior to commencing the Project, the Agency shall request a Notice to Proceed from the Department's Construction Project Manager, Dani Goodwin, at (954) 958-7505 or from an appointed designee.
- f. The Agency is authorized, subject to the conditions in this Agreement, to enter Department's right-of-way to install the Project (see attached Exhibit "B" Special Provisions). The Parties agree that this Agreement creates a permissive use only. Neither the granting of permission to use Department's right-of-way nor the placing of facilities upon Department's right-of-way shall operate to create or vest any property right in or to the Agency. The Agency shall not acquire any right, title, interest, or estate in the Department's right-of-way, of any nature or kind whatsoever, by virtue of the execution, operation, effect, or performance of this Agreement including, but not limited to, the Agency's use, occupancy or possession of the Department's right-of-way.
- g. The Department shall have the right, but not the obligation, to perform independent assurance testing during the course of construction and throughout the maintenance term of the Project. If the Department determines that a condition exists which threatens the public's safety, the Department may, at its discretion, cause the Project to cease and/or immediately have any potential hazards removed from its right-of-way at the sole cost, expense, and effort of the Agency. Should the Agency fail to remove the safety hazard within thirty (30) days, the Department may remove the safety hazard at the Agency's sole cost, expense, and effort.
- h. The Agency shall be responsible to ensure that construction of the Project is performed in accordance with the approved construction documents, and that it will meet all applicable federal, state, and local standards and that the work is performed in accord with the Terms and Conditions contained in Exhibit "C".
- i. The Agency shall notify the Department a minimum of forty eight (48) hours before beginning the Project within the Department's right-of-way. The Agency shall notify the Department should installation be suspended for more than five (5) working days.
- j. Upon completion of the Project, the Agency shall notify the Department in writing of the completion of the installation of the Project. For all design work that originally required certification by a Professional Engineer, the notification shall contain a Responsible Professional's Certification of Compliance, signed

and sealed by the responsible professional for the project, the form of which is attached to this Agreement as Exhibit "E". The certification shall state that work has been completed in compliance with the Project construction plans and specifications. If any deviations are found from the approved plans, the certification shall include a list of all deviations along with an explanation that justifies the reason to accept each deviation. The Agency and its contractors shall remove their presence, including, but not limited to, all of the Agency or its contractor's/ subcontractor's/ consultant's/ subconsultant's property, machinery, and equipment from the Department's right-of-way and shall restore those portions of the Department's right-of-way disturbed or otherwise altered by the Project to substantially the same condition that existed immediately prior to the commencement of the Project, at Agency's sole cost and expense.

- k. If the Department determines that the Project is not completed in accordance with the provisions of this Agreement, the Department shall deliver written notification to the Agency. The Agency shall have thirty (30) days from the date of receipt of the Department's written notice to complete the Project and provide the Department with written notice of the same ("Notice of Completion"). If the Agency fails to timely deliver the Notice of Completion, or if it is determined that the Project is not properly completed after receipt of the Notice of Completion, the Department may: 1) provide the Agency with written authorization granting additional time as the Department deems appropriate to correct the deficiency(ies); or 2) correct the deficiency(ies) at the Agency's sole cost and expense, without Department liability to the Agency for any resulting loss or damage to property, including but not limited to machinery and equipment. If the Department elects to correct the deficiency(ies), the Department shall provide the Agency with an invoice for the costs incurred by the Department and the Agency shall pay the invoice within thirty (30) days of the date of the invoice.
- l. Upon completion of the Project, the Agency shall be responsible for the perpetual maintenance of the Project, including all costs. The maintenance schedule shall include initial defect, instantaneous damage and deterioration components. The initial defect maintenance inspection should be conducted, and any required repairs performed during the construction phase. The instantaneous damage maintenance inspection should be conducted sixty (60) to ninety (90) days after placement and is intended to identify short term damage that does not develop over longer time periods. The deterioration maintenance inspection shall be conducted on regular, longer term intervals and is intended to identify defects and damages that occur by naturally occurring chemical, physical or biological actions, repeated actions such as those causing fatigues, normal or severe environmental influences, abuse or damage due to other causes. Deterioration maintenance shall include, but is not limited to, the following services:

Inspect all utility boxes every 6 month for excessive dust, deterioration and graffiti.

- m. The Agency shall, within thirty (30) days after expiration or termination of this Agreement, remove the Project and restore the right-of-way to its original condition prior to the Project. The Agency shall secure its obligation to remove the Project and restore the right-of-way by providing a removal and restoration deposit, letter of credit, or performance bond in the amount of \$ 5,000.00. The removal and restoration deposit, letter of credit, or bond shall be maintained by the Agency at all times during the term of this Agreement and evidence of the deposit, letter of credit, or bond shall be submitted to the Department on an annual basis. A waiver of the deposit, letter of credit, or bond requirement is permitted with approval from the District Maintenance Engineer for those installations with estimated restoration/removal costs less than or equal to \$2000.00.

District Maintenance Engineer, _____ Date: _____.

- n. The Department reserves its right to cause the Agency to relocate or remove the Project, in the Department's sole discretion, and at the Agency's sole cost.

5. INDEMNITY AND INSURANCE.

- a. The Agency agrees to include the following indemnification in all contracts with contractors, subcontractors, consultants, and subconsultants, who perform work in connection with this Agreement:

"The contractor/ subcontractor/ consultant/ subconsultant shall indemnify, defend, save and hold harmless the State of Florida, Department of Transportation and all of its officers, agents or employees from all suits, actions, claims, demands, liability of any nature whatsoever arising out of, because of, or due to any negligent act or occurrence of omission or commission of the contractor/ subcontractor/ consultant/ subconsultant, its officers, agents or employees."

- b. The Agency shall carry or cause its contractor/ subcontractor/ consultant/ subconsultant to carry and keep in force during the period of this Agreement a general liability insurance policy or policies with a company or companies authorized to do business in Florida, affording public liability insurance with combined bodily injury limits of at least \$1,000,000 per person and \$5,000,000 each occurrence, and property damage insurance of at least \$100,000 each occurrence, for the services to be rendered in accordance with this Agreement. Additionally, the Agency or its contractor/ subcontractor/ consultant/subconsultant shall cause the Department to be an additional insured party on the policy or policies, and shall provide the Department with certificates documenting that the required insurance coverage is in place and effective. In addition to any other forms of insurance or bonds required under the terms of the Agreement, when it includes construction within the limits of a railroad right-of-way, the Agency must provide or cause its contractor to obtain the appropriate rail permits and provide insurance coverage in accordance with Section 7-13 of the Department's current Standard Specifications for Road and Bridge Construction, as amended.
- c. The Agency shall also carry or cause its contractor/ subcontractor/ consultant/ subconsultant to carry and keep in force Worker's Compensation insurance as required by the State of Florida under the Worker's Compensation Law.

6. NOTICES. All notices pertaining to this Agreement are in effect upon receipt by either Party, shall be in writing, and shall be transmitted either by personal hand delivery; United States Post Office, return receipt requested; or, overnight express mail delivery. E-mail and facsimile may be used if the notice is also transmitted by one of the preceding forms of delivery. The addresses set forth below for the respective parties shall be the places where notices shall be sent, unless prior written notice of change of address is given.

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
DISTRICT FOUR (4) PROGRAM MANAGER

Antonio Castro
3400 W Commercial Boulevard, Fort Lauderdale, FL 33309
Phone: _____
Fax: _____

Broward COUNTY [OR CITY], FLORIDA
Veronica Edwards Phillips
Mayor, City of Lauderdale Lakes
4300 NW 36th Street, Lauderdale Lakes. FL 33319
Phone: 954-535-2700
Fax: 954-731-5857

7. TERMINATION OF AGREEMENT. The Department may terminate this Agreement upon no less than thirty (30) days notice in writing delivered by certified mail, return receipt requested, or in person with proof of delivery. The Agency waives any equitable claims or defenses in connection with termination of the Agreement by the Department pursuant to this Paragraph 7.

8. LEGAL REQUIREMENTS.

- a. This Agreement is executed and entered into in the State of Florida and will be construed, performed, and enforced in all respects in strict conformity with local, state, and federal laws, rules, and regulations. Any and all litigation arising under this Agreement shall be brought in a state court of appropriate jurisdiction in Leon County, Florida, applying Florida law.
- b. If any term or provision of the Agreement is found to be illegal or unenforceable, the remainder of the Agreement will remain in full force and effect and such term or provision will be deemed stricken.
- c. The Agency shall allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received by the Agency in conjunction with this Agreement. Failure by the Agency to grant such public access shall be grounds for immediate unilateral cancellation of this Agreement by the Department.
- d. The Agency and the Department agree that the Agency, its employees, contractors, subcontractors, consultants, and subconsultants are not agents of the Department as a result of this Agreement.
- e. The Agency shall not cause any liens or encumbrances to attach to any portion of the Department's right-of-way.

9. PUBLIC ENTITY CRIME. The Agency affirms that it is aware of the provisions of Section 287.133(2)(a), Florida Statutes. A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY TWO for a period of thirty six (36) months from the date of being placed on the convicted vendor list. The Agency agrees that it shall not violate Section 287.133(2)(a), Florida Statutes, and further acknowledges and agrees that any conviction during the term of this Agreement may result in the termination of this Agreement.

10. UNAUTHORIZED ALIENS. The Department will consider the employment of unauthorized aliens, by any contractor or subcontractor, as described by Section 274A(e) of the Immigration and Nationalization Act, cause for termination of this Agreement.

11. NON-DISCRIMINATION. The Agency will not discriminate against any employee employed in the performance of this Agreement, or against any applicant for employment because of age, ethnicity, race, religious belief, disability, national origin, or sex. The Agency shall provide a harassment-free workplace, with any allegation of harassment given priority attention and action by management. The Agency shall insert similar provisions in all contracts and subcontracts for services by this Agreement.

12. DISCRIMINATORY VENDOR LIST. The Agency affirms that it is aware of the provisions of Section 287.134(2)(a), Florida Statutes. An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity. The Agency further agrees

that it shall not violate Section 287.134(2)(a), Florida Statutes, and acknowledges and agrees that placement on the list during the term of this Agreement may result in the termination of this Agreement.

13. **ATTORNEY FEES.** Each Party shall bear its own attorney's fees and costs.

14. **TRAVEL.** There shall be no reimbursement for travel expenses under this Agreement.

15. **PRESERVATION OF REMEDIES.** No delay or omission to exercise any right, power, or remedy accruing to either Party upon breach or default by either Party under this Agreement, will impair any such right, power or remedy of either party; nor will such delay or omission be construed as a waiver of any breach or default or any similar breach or default.

16. **MODIFICATION.** This Agreement may not be modified unless done so in a writing executed by both Parties to this Agreement.

17. **NON-ASSIGNMENT.** The Agency may not assign, sublicense, or otherwise transfer its rights, duties, or obligations under this Agreement without the prior written consent of the Department. Any assignment, sublicense, or transfer occurring without the required prior written approval of the Department will be null and void. The Department will at all times be entitled to assign or transfer its rights, duties, or obligations under this Agreement to another governmental agency in the State of Florida, upon giving prior written notice to the Agency. In the event that the Department approves transfer of the Agency's obligations, the Agency remains responsible for all work performed and all expenses incurred in connection with this Agreement.

18. **BINDING AGREEMENT.** This Agreement is binding upon and inures to the benefit of the Parties and their respective successors and assigns. Nothing in this Agreement is intended to confer any rights, privileges, benefits, obligations, or remedies upon any other person or entity except as expressly provided for in this Agreement.

19. **INTERPRETATION.** No term or provision of this Agreement shall be interpreted for or against any party because that party or that party's legal representative drafted the provision.

20. **ENTIRE AGREEMENT.** This Agreement, together with the attached exhibits and documents made a part by reference, embodies the entire agreement of the Parties. There are no provisions, terms, conditions, or obligations other than those contained in this Agreement. This Agreement supersedes all previous communication, representation, or agreement, either verbal or written, between the Parties. No amendment will be effective unless reduced to writing and signed by an authorized officer of the Agency and the authorized officer of the Department or his/her delegate.

21. **DUPLICATE ORIGINALS.** This Agreement may be executed in duplicate originals.

The remainder of this page is intentionally left blank.

Section No. _____ CAFA No. _____

AGENCY

City of Lauderdale Lakes

By: _____

Print Name: Veronica Edwards Phillips

Title: Mayor

As approved by the Council, Board, or

Commission on: _____

Attest: _____

Legal Review:

City or County Attorney

DEPARTMENT

State of Florida, Department of Transportation

By: _____

Print Name: _____

Title: _____

Date: _____

Legal Review:

Section No. _____ CAFA No. _____

EXHIBIT "A"

PROJECT DESCRIPTION

I. SCOPE OF SERVICES

The City of Lauderdale Lakes proposes to cover existing utility boxes located within the right of way on Oakland Park Boulevard (from NW 31st Avenue to the City limits) and on State Road 7 (from Commercial Boulevard to NW 19th Street). The utility boxes will be covered with pictures and artwork selected by the City of Lauderdale Lakes and approved by FDOT.

II. PROJECT PLANS

The Agency is authorized to install the Project in accordance with the attached plans prepared by Ronald Desbrunes, P.E., P.E./R.L.A./Architect and dated 02/01/2024. Any revisions to these plans must be approved by the Department in writing.

Section No. _____ CAFA No. _____

EXHIBIT "B"

SPECIAL PROVISIONS

Permittee shall coordinate all work with _____ prior to installation within FDOT right of way. This permit is valid only for work proposed within FDOT right-of-way. Certification acceptance and final approval is contingent upon conformity of all work completed according to this permit.

All materials and construction within FDOT right of way shall conform to the latest edition FDOT Design Standards and Specifications for Road and Bridge Construction.

During construction, highest priority must be given to pedestrian safety. if permission is givent to temporarily close the sidewalk, it should be done with the express condition that an alternate route will be provided, and shall continuously maintain pedestrian features to meet Americans Disability Act (ADA) standards.

Restricted hours of operations will be from 9:00 am to 3:30 pm (Monday-Friday), unless otherwise approved by the Operations Engineer, or designee.

Section No. _____ CAFA No. _____

EXHIBIT "C"

TERMS AND CONDITIONS FOR INSTALLATION OF THE PROJECT

Follow the applicable FDOT Design Standard Index 600 series for Maintenance of Traffic.

Section No. _____ CAFA No. _____

EXHIBIT "D"

AGENCY RESOLUTION

Section No. _____ CAFA No. _____

EXHIBIT "E"

NOTICE OF COMPLETION AND RESPONSIBLE PROFESSIONAL'S
CERTIFICATE OF COMPLIANCE

NOTICE OF COMPLETION

COMMUNITY AESTHETIC FEATURE AGREEMENT
Between
THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
and _____

PROJECT DESCRIPTION: _____

In accordance with the Terms and Conditions of the Community Aesthetic Feature Agreement, the undersigned provides notification that the work authorized by this Agreement is complete as of _____, 20_____.

By: _____

Name: _____

Title: _____

RESPONSIBLE PROFESSIONAL'S CERTIFICATION OF COMPLIANCE

In accordance with the Terms and Conditions of the Community Aesthetic Feature Agreement, the undersigned certifies that all work which originally required certification by a Professional Engineer has been completed in compliance with the Project construction plans and specifications. If any deviations have been made from the approved plans, a list of all deviations, along with an explanation that justifies the reason to accept each deviation, will be attached to this Certification. Also, with submittal of this certification, the Agency shall furnish the Department a set of "as-built" plans certified by the Engineer of Record.

By: _____

SEAL:

Name: _____

Date: _____

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title

RESOLUTION 2024-015 AUTHORIZING THE CITY COMMISSION TO SUPPORT AND ENDORSE A PROJECT APPLICATION TO BROWARD COUNTY'S METROPOLITAN PLANNING ORGANIZATION (MPO) SEEKING FUNDING UNDER THE SURTAX PROCEEDS FOR THE NW 39TH STREET IMPROVEMENT PROJECT (FROM NW 29TH AVENUE TO NW 31ST AVENUE)

Summary

This resolution supports and endorses a project application to Broward MPO seeking funding under the surtax proceeds for the NW 39th Street Improvement project (from NW 29th Avenue to NW 31st Avenue).

Staff Recommendation

Background:

Broward MPO is currently receiving project applications from all municipalities seeking funding under the surtax proceeds. Applications are submitted via the New Municipal Capital Project Portal and the window to submit applications is from February 9th, 2024 to March 9th, 2024. Staff is recommending submission of the NW 39th Street Improvement Project to address adverse roadway and drainage conditions along that section of the road from NW 29th Avenue to NW 31st Avenue. The preliminary costs for this project are estimated at \$657,800 which includes design cost in the amount of \$100,000.

The project phase under consideration as part of this application is the **Design Phase**. If approved and upon completion of the design phase, a new application will be submitted to request funding for construction of the project.

A resolution from the City Commission providing support and endorsement for the Project is required to establish funding eligibility with Transportation Surtax funds.

Funding Source:

Fiscal Impact:

There is no financial impact as a result of this agreement.

Sponsor Name/Department: Ronald Desbrunes, P.E. Public Works Director

Meeting Date: 2/27/2024

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Resolution 2024-015 Support for NW 39th Street Improvement Project	Resolution
<input type="checkbox"/> Location Map	Backup Material

1 RESOLUTION 2024-015

2
3 A RESOLUTION OF THE CITY COMMISSION OF LAUDERDALE LAKES,
4 FLORIDA, AUTHORIZING AND ENDORSING THE CITY OF LAUDERDALE
5 LAKES' APPLICATION TO BROWARD COUNTY'S METROPOLITAN PLANNING
6 ORGANIZATION SEEKING FUNDING UNDER THE TRANSPORTATION
7 SURTAX PROCEEDS FOR THE NW 39TH STREET IMPROVEMENT PROJECT;
8 PROVIDING FOR THE ADOPTION OF RECITALS; PROVIDING FOR
9 INSTRUCTIONS TO THE CITY CLERK; PROVIDING AN EFFECTIVE DATE.
10

11 WHEREAS, on June 5, 2018, the Broward County Board of County Commissioners voted
12 to place on the November 6, 2018 ballot, for consideration by the countywide electorate, a
13 proposed transportation surtax levy of one (1%) percent ("Transportation Surtax");

14 WHEREAS, on September 11, 2018, the City Commission of the City of Lauderdale Lakes
15 adopted Resolution No. 2018-083 approving that certain Transportation System Surtax Interlocal
16 Agreement ("Agreement") between Broward County, Broward Metropolitan Planning
17 Organization ("MPO"), and the City of Lauderdale Lakes ("City");

18 WHEREAS, on November 6, 2018, the voters of Broward County approved the
19 Transportation Surtax;

20 WHEREAS, on July 9, 2019, the City Commission adopted Resolution No. 2019-072
21 approving that certain First Amendment to the Transportation System Surtax Interlocal
22 Agreement ("First Amendment");

23 WHEREAS, on February 9, 2021, the City Commission adopted Resolution No. 2021-019
24 approving that certain Second Amendment to the Transportation System Surtax Interlocal
25 Agreement ("Second Amendment");

26 WHEREAS, the roadway on NW 39th Street (from NW 29th Avenue to NW 31st Avenue)
27 requires improvement;

1 WHEREAS, based on the conditions of the roadway and drainage issues on NW 39th Street
2 (from NW 29th Avenue to NW 31st Avenue), City Staff recommends completing the NW 39th Street
3 Improvement Project (“Project”) and applying for Transportation Surtax funds pursuant to the
4 Second Amendment to complete the Project;

5 WHEREAS, a resolution from the City Commission providing support for the Project is
6 required to establish funding eligibility for Transportation Surtax funds;

7 WHEREAS, City Staff believe that it is in the best interest of the City for the City
8 Commission to support and endorse the City’s request for funding pursuant to the Second
9 Amendment to complete the Project; and

10 WHEREAS, if selected for funding, the City commits to administering the Project under
11 the terms of the Second Amendment and to provide technical assistance when necessary during
12 the duration of the Project.

13 NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF
14 LAUDERDALE LAKES AS FOLLOWS:

15 SECTION 1. ADOPTION OF RECITALS: The foregoing RECITALS are hereby ratified and
16 confirmed as being true, and the same are hereby made a part of this Resolution.

17 SECTION 2. AUTHORITY: The City Commission hereby authorizes and supports the NW
18 39th Street Improvement Project and further acknowledges that the City of Lauderdale Lakes will
19 provide technical assistance when necessary during the duration of the Project and further
20 authorizes the City Manager to execute any and all related documents in support of the Project’s
21 funding.

SECTION 3. INSTRUCTIONS TO THE CITY CLERK: The City Clerk and other appropriate City Officials, through the City Manager, are hereby authorized to take any and all actions necessary to effectuate the intent of this Resolution.

SECTION 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

ADOPTED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES AT ITS REGULAR MEETING HELD FEBRUARY 27, 2024.

VERONICA EDWARDS PHILLIPS, MAYOR

ATTEST:

VENICE HOWARD, CMC, CITY CLERK

Approved as to form and legality
for the use of and reliance by the
City of Lauderdale Lakes only:

Sidney C. Calloway, City Attorney

Sponsored by: Ronald Desbrunes, P.E., Director of Public Works

VOTE:

Mayor Veronica Edwards Phillips	_____ (For)	_____ (Against)	_____ (Other)
Vice-Mayor Mark Spence	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Tycie Causwell	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Karlene Maxwell-Williams	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Sharon Thomas	_____ (For)	_____ (Against)	_____ (Other)

1

CITY OF LAUDERDALE LAKES

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Fiscal Impact: No

Contract Requirement: No

Title

RESOLUTION 2024-016 CANCELLING THE MARCH 11, 2024 CITY COMMISSION WORKSHOP AND THE MARCH 12, 2024 CITY COMMISSION MEETING

Summary

This resolution cancels the City Commission Workshop meeting scheduled for March 11, 2024 and the Regular City Commission Meeting scheduled for March 12, 2024 to allow the City Commission to attend the National League of Cities' ("NLC") Congressional City Conference in Washington, DC.

Staff Recommendation

Background:

Funding Source:

Fiscal Impact:

Sponsor Name/Department: Mayor Veronica Edwards Phillips/Office of the Mayor and Commission

Meeting Date: 2/27/2024

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Resolution 2024-016 Canceling March 2024 Commission Workshop Regular Meeting	Resolution

1 RESOLUTION 2024-016

2
3 A RESOLUTION OF THE CITY COMMISSION OF LAUDERDALE LAKES,
4 FLORIDA, CANCELING THE CITY COMMISSION WORKSHOP SCHEDULED
5 FOR MARCH 11, 2024, AND THE CITY COMMISSION REGULAR MEETING
6 CURRENTLY SCHEDULED FOR MARCH 12, 2024, PURSUANT TO CHAPTER 2,
7 ARTICLE II, DIVISION 2, SECTION 2-51 OF THE CODE OF ORDINANCES, CITY
8 OF LAUDERDALE LAKES, FLORIDA; PROVIDING FOR THE ADOPTION OF
9 RECITALS; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING
10 AN EFFECTIVE DATE.
11

12 WHEREAS, pursuant to Chapter 2, Article II, Division 2, Section 2-51, of the Code of
13 Ordinances, City of Lauderdale Lakes, Florida ("City Code"), City Commission Regular Meetings
14 shall be held on the second and fourth Tuesday of each month;

15 WHEREAS, there is a City Commission Workshop scheduled for March 11, 2024, and a
16 Regular Meeting scheduled for March 12, 2024;

17 WHEREAS, pursuant to Section 2-51, the City Commission may cancel a regular meeting
18 if three (3) or members of the commission vote to do so at the meeting immediately prior to the
19 regular meeting which is to be canceled; and

20 WHEREAS, the City Commission will be attending the Congressional City Conference in
21 Washington, DC, during its March 11, 2024, Workshop and March 12, 2024, Regular Meeting,
22 and thus has determined it to be in the best interest of the City that the City Commission
23 Workshop scheduled for March 11, 2024, and the Regular Meeting presently scheduled for
24 March 12, 2024, be canceled, in order to accommodate the City Commission members' public
25 interest engagement with the United States Congressional Delegation during the 118th Congress.

26 NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF
27 LAUDERDALE LAKES AS FOLLOWS:

1 SECTION 1. ADOPTION OF RECITALS: The foregoing RECITALS are hereby ratified and
2 confirmed as being true, and the same are hereby made a part of this Resolution.

3 SECTION 2. CANCELLATION: The City Commission Workshop scheduled for March 11,
4 2024, and its Regular City Commission Meeting currently scheduled for March 12, 2024, are
5 hereby canceled.

6 SECTION 3. INSTRUCTIONS TO THE CITY CLERK: The City Clerk is hereby directed,
7 through the City Manager, to publish such required notices, agendas, and available backup
8 materials for such meetings on the City's websites in accordance with Section 1.07 of the Broward
9 County Code of Ordinances and take any and all action necessary to effectuate the intent of this
10 Resolution.

11 [REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
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SECTION 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

ADOPTED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES AT ITS REGULAR MEETING HELD FEBRUARY 27, 2024.

VERONICA EDWARDS PHILLIPS, MAYOR

ATTEST:

VENICE HOWARD, CMC, CITY CLERK

Approved as to form and legality
for the use of and reliance by the
City of Lauderdale Lakes only:

Sidney C. Calloway, City Attorney

Sponsored by: Mayor and City Commission

VOTE:

Mayor Veronica Edwards Phillips	_____ (For)	_____ (Against)	_____ (Other)
Vice-Mayor Mark Spence	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Tycie Causwell	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Karlene Maxwell-Williams	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Sharon Thomas	_____ (For)	_____ (Against)	_____ (Other)

CITY OF LAUDERDALE LAKES

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Fiscal Impact: Yes

Contract Requirement: Yes

Title

RESOLUTION 2024-017 APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SUCH QUOTE OR ESTIMATE, REQUISITION, WORK ORDER OR SUCH OTHER AUTHORIZATION FORMS NECESSARY TO PROCURE THE SERVICES OF MILLENIUM PRODUCTS, INC (“MILLENIUM”), TO PROVIDE FIXED LICENSE PLATE READER HARDWARE DEVICES, PURSUANT TO SECTION 82-358(D) OF THE LAUDERDALE LAKES PROCUREMENT CODE, AND IN ACCORDANCE WITH THAT CERTAIN GENERAL SERVICES ADMINISTRATION FEDERAL ACQUISITION SERVICE AUTHORIZED FEDERAL SUPPLY SCHEDULE FSS PRICE LIST CONTRACT NO. GS-07F-0031W: SURVEILLANCE EQUIPMENT, LIGHT TOWERS (“GSA CONTRACT”) IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY-TWO THOUSAND FIVE HUNDRED SIXTY-TWO AND 75/100 (\$132,562.75) DOLLARS

Summary

This resolution authorizes the use of GSA Contract No.GS-07F0031W, Fixed License Plate Reader Hardware Devices in accordance with the GSA Federal Acquisition Service Authorized Federal Supply Schedule FSS Price List per the City Procurement Code 82-358 (d) in an amount not to exceed \$132,562.75.

Staff Recommendation

Background:

At the City Commission Workshop, held December 12, 2023, City Management presented a request purchase using GSA pricing the piggyback authorization with Millenium Products Inc.

The City of Lauderdale Lakes currently does not use license plate readers. The City is one of the last municipalities in Broward County to implement license plate readers into municipal operations. The City through its partnership with Broward County Sheriff’s Office has developed a plan to incorporate License Plate Readers into Police Service operations.

This plan includes placing license plate readers along major corridors leading into the City of Lauderdale Lakes. It's recommended that four locations would be suitable for installation along the north/south corridor and east/west corridor: 5000 Block of Oakland Park Blvd EB, Fort Lauderdale Preparatory School WB, 19th and 441 at Jiffy Lube Capturing NB and SR7 and 44th Street near Race Trac SB. There are several positive factors that impact the decision to invest in innovative policing tools like the Vigilant Premium Tech license plate reader. This investment will assist in identifying culprits of crime, identify missing or lost senior citizens with Alzheimer's or dementia, or other perpetrators of criminal acts. This video image and license plate reading data is captured and reported to BSO.

The City is requesting authorization to utilize the GSA contracts through the expiration period of October 4, 2024 for GS-07F-0031W: Surveillance Equipment, Light Towers. City staff is requesting to utilize this contract in accordance with the City’s Procurement Code, Section 82-358(d), which allows the City to participate in contracts awarded through a cooperative purchasing program.

This purchase is accessing the GSA (General Services Administration) as a cooperative agreement through GS-07F-0031W: Surveillance Equipment, in an amount not to exceed \$132,562.75.

Funding Source:

Police General Fund, 0011500-6410

Fiscal Impact:

There is a fiscal impact in the amount of \$132,562.75. The budget for this purchase has been approved during the fiscal year 2024 budget process.

Sponsor Name/Department: Treasa Brown Stubbs, MPA, CPRP, City Manager

Meeting Date: 2/27/2024

ATTACHMENTS:

Description		Type
▣	Resolution 2024-017 Piggyback Contract for GSA Contract-License Plate Readers	Resolution
▣	Exhibit A - GSA Designation	Exhibit
▣	Exhibit A - Quote 08959	Exhibit

1 RESOLUTION 2024-017

2
3 A RESOLUTION OF THE CITY COMMISSION OF LAUDERDALE LAKES,
4 FLORIDA APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO
5 EXECUTE SUCH QUOTE OR ESTIMATE, REQUISITION, WORK ORDER OR
6 SUCH OTHER AUTHORIZATION FORMS NECESSARY TO PROCURE THE
7 SERVICES OF MILLENIUM PRODUCTS, INC ("MILLENIUM"), TO PROVIDE
8 FIXED LICENSE PLATE READER HARDWARE DEVICES, PURSUANT TO
9 SECTION 82-358(D) OF THE LAUDERDALE LAKES PROCUREMENT CODE,
10 AND IN ACCORDANCE WITH THAT CERTAIN GENERAL SERVICES
11 ADMINISTRATION FEDERAL ACQUISITION SERVICE AUTHORIZED FEDERAL
12 SUPPLY SCHEDULE FSS PRICE LIST CONTRACT NO. GS-07F-0031W:
13 SURVEILLANCE EQUIPMENT, LIGHT TOWERS ("GSA CONTRACT") IN AN
14 AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY-TWO THOUSAND FIVE
15 HUNDRED SIXTY-TWO AND 75/100 (\$132,562.75) DOLLARS; A COPY OF
16 SAID GSA CONTRACT AND MILLENIUM QUOTE IS ATTACHED HERETO AS
17 COMPOSITE **EXHIBIT A**, COPIES OF WHICH CAN BE INSPECTED IN THE
18 OFFICE OF THE CITY CLERK; PROVIDING FOR THE ADOPTION OF RECITALS;
19 PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING AN
20 EFFECTIVE DATE.

21
22 WHEREAS, license plate readers are currently not utilized within the corporate jurisdiction
23 of the City of Lauderdale Lakes ("City");

24 WHEREAS, the City, through its partnership with Broward County's Sheriff's Office
25 ("BSO"), has developed a plan ("BSO Plan") to incorporate license plate readers into the City's
26 police service operations;

27 WHEREAS, the BSO Plan includes placing license plate readers along major corridors
28 leading into the City;

29 WHEREAS, there are four (4) recommended locations deemed suitable for installation of
30 license plate readers along the North/South corridor and East/West corridor (5000 Block of
31 Oakland Park Boulevard EB, Fort Lauderdale Preparatory School WB, 19th and 441 at Jiffy Lube
32 capturing NB and State Road 7 and 44th Street near RaceTrac SB ("Service Locations"));

1 WHEREAS, the investment into license plate readers will assist in identifying criminal
2 activities or with other investigations, such as locating missing persons;

3 WHEREAS, the video image and license plate reading data would be captured and
4 reported to BSO;

5 WHEREAS, Section 82-358(d) of the Lauderdale Lakes Procurement Code provides that
6 when deemed to be in the best interests of the city, the director of financial services or designee
7 may participate in, sponsor, conduct or administer contracts under a cooperative purchasing
8 program with one or more governmental units for the procurement of any supplies, services, or
9 construction. Such cooperative purchasing programs may include, but not be limited to, joint or
10 multiparty contracts between public procurement units and open-ended public procurement
11 term contracts that are made available to other governmental units;

12 WHEREAS, the Financial Services Department has determined that it is financially
13 advantageous for the City to utilize Millenium Products, Inc. under the General Services
14 Administration Federal Acquisition Service Authorized Federal Supply Schedule FSS Price List
15 Contract No. GS-07F-0031W: Surveillance Equipment, Light Towers ("GSA Contract") for the
16 provision of license plate readers within the Service Locations within the City;

17 WHEREAS, City staff requests authorization to utilize the GSA Contract through the
18 expiration period of October 4, 2024, in an amount not to exceed One Hundred Thirty-Eight
19 Thousand Nine Hundred Fifty-Seven and 37/100 (\$138,957.37) Dollars;

20 WHEREAS, there is a fiscal impact in the amount of One Hundred Thirty-Two Thousand
21 Five Hundred Sixty-Two and 75/100 (\$132,562.75) Dollars, and the budget for said purchase has
22 been approved during the Fiscal Year 2024 budget process; and

WHEREAS, future budgets are subject to appropriation.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF
LAUDERDALE LAKES AS FOLLOWS:

SECTION 1. ADOPTION OF RECITALS: The foregoing RECITALS are hereby ratified and confirmed as being true, and the same are hereby made a part of this Resolution.

SECTION 2. AUTHORITY: The City Commission, in accordance with Article XIII, Section 82-358(d) of the City of Lauderdale Lakes Procurement Code, hereby approves and authorizes the Mayor and City Clerk to execute and attest, respectively, such quotes or estimates, requisitions, work order or such other authorization form necessary to procure license plate readers in accordance with the GSA Contract, GS-07F-0031W Multiple Award Schedule Contract with Millenium Products, Inc (“Contract”); a copy of which is attached hereto as **Composite Exhibit A**, and incorporated herein by reference.

SECTION 3. INSTRUCTIONS TO THE CITY CLERK: The City Clerk, through the City Manager, is hereby directed to maintain three (3) executed copies of such Contract and all executed quotes or estimates, requisitions, work orders or such other authorization forms necessary to complete the procurement of license plate readers with one (1) copy of the Contract to be directed to Millenium Products, Inc.; with one (1) copy to be maintained by the City; and with one (1) copy directed to the Office of the City Attorney.

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SECTION 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

ADOPTED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES AT ITS REGULAR MEETING HELD FEBRUARY 27, 2024.

VERONICA EDWARDS PHILLIPS, MAYOR

ATTEST:

VENICE HOWARD, CMC, CITY CLERK

Approved as to form and legality
for the use of and reliance by the
City of Lauderdale Lakes only:

Sidney C. Calloway, City Attorney

Sponsored by: Ashely Hepburn, MPA, Director of Financial Services

VOTE:

Mayor Veronica Edwards Phillips	_____ (For)	_____ (Against)	_____ (Other)
Vice-Mayor Mark Spence	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Tycie Causwell	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Karlene Maxwell-Williams	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Sharon Thomas	_____ (For)	_____ (Against)	_____ (Other)



MILLENIUM
PRODUCTS INC

**GENERAL SERVICES ADMINISTRATION
Federal Acquisition Service
Authorized Federal Supply Schedule FSS Price List**

Online access to contract ordering information, terms and conditions, pricing, and the option to create an electronic delivery order are available through GSA Advantage!®. The website for GSA Advantage!® is: <https://www.GSAAdvantage.gov>.

Schedule Title: Multiple Award Schedule (MAS)

**FSC Group: Security & Protection/Industrial Products & Services/Transportation & Logistics Services
FSC/PSC Code: 5820/4240/2540/6260**

**Contract Number: GS-07F-0031W
Contract Period: October 5, 2009 – October 4, 2024**

For more information on ordering go to the following website: <https://www.gsa.gov/schedules>.



MILLENIUM PRODUCTS, INCORPORATED

621 Monte Cristo Blvd.
St. Petersburg, FL 33715
Phone Number: 888-901-7430
Fax Number: 801-469-7778
www.milleniumproducts.net

Contact for contract administration:
Lori Hipkind (gsa@milleniumproducts.net)
Zack Bryan (info@milleniumproducts.net)

Business size: Small Business

Current as of Modification Number PS-0108, effective September 21, 2023

Prices Shown Herein are Net (discount deducted)

CUSTOMER INFORMATION

- 1a. Table of awarded Special Item Numbers (SINs):

<u>SIN #</u>	<u>SIN Title</u>
334220	Surveillance Systems, Wearable Body Cameras, and Vehicular Video
ANCILLARY	Ancillary Supplies and Services
OLM	Order-Level Materials (OLM)
3361	Law Enforcement and Fire Fighting Vehicles and Attachments
3361V	Vocational Vehicles
335999	Power Distribution Equipment and Solar Energy Solutions

- 1b. Identification of the lowest priced service for each special item number awarded in the contract.

<u>SIN #</u>	<u>Model</u>	<u>Price</u>
334220	AC Conduit run by the foot	\$18.15
335999	Engine Block Heater	\$133.22
ANCILLARY	Mobile ALPR Cigarette Power Cable	\$302.27

- 1c. If the Contractor is proposing hourly rates, a description of all corresponding commercial job titles, experience, functional responsibility and education for those types of employees or subcontractors who will perform services shall be provided. If hourly rates are not applicable, indicate "Not applicable" for this item.

Not applicable

2. Maximum order for each SIN:

<u>SIN#</u>	<u>MAXIMUM ORDER*</u>
334220	\$ 250,000
ANCILLARY	\$ 250,000
OLM	\$ 250,000
3361	\$2,000,000
3361V	\$2,000,000
335999	\$ 250,000

*If the best value selection places your order over the Maximum Order identified in this catalog/pricelist, you have an opportunity to obtain a better schedule contract price. Before placing your order, contact the aforementioned contractor for a better price. The contractor may (1) offer a new price for this requirement (2) offer the lowest price available under this contract or (3) decline the order. A delivery order that exceeds the maximum order may be placed under the schedule contract in accordance with [FAR 8.404](#).

3. Minimum order: **\$100**

4. Geographic coverage (delivery area): **Domestic, 50 States, Washington D.C., Puerto Rico, US Territories and to CONUS port or consolidation point for orders received from overseas activities**
5. Point(s) of production: **Wanco, Arvada, Jefferson County, CO; Vetted Security Solutions, Pinellas County, FL; Vigilant Solutions, Alameda County, CA; Aviglion, Plano, Dallas County, TX**
6. Discount from list prices or statement of net price: **Net price (discounts applied)**
7. Quantity discounts: **None**
8. Prompt payment terms: **Net 30 Days**. Information for Ordering Offices: Prompt payment terms cannot be negotiated out of the contractual agreement in exchange for other concessions.
9. Foreign items: **None**
- 10a. Time of delivery: **30 Days ARO except**
Vigilant ILP items (60 Days ARO)
Wanco, Inc. items (45 days ARO)
- 10b. Expedited delivery: **Items available for expedited delivery - Contact Contractor**
- 10c. Overnight and 2-day delivery: **Not applicable**
- 10d. Urgent requirements: **See clause I-FSS-1 40-B "Urgent Requirements". Agencies are advised to Contact Millenium's representative (888-901-7430) to arrange for faster delivery when required**
11. F.O.B. point(s): **Origin**
- 12a. Ordering address(es): **Millenium Products, Inc.**
621 Monte Cristo Blvd.
St. Petersburg, FL 33715
- 12b. Ordering procedures: See Federal Acquisition Regulation(FAR) 8.405-3.
13. Payment address: **Millenium Products, Inc.**
4185 35th St. N.
Petersburg, FL 33714
14. Warranty provision: **Returns within 30 days. Prior approval required - 10% fee, freight paid by customer.**
15. Export packing charges: **Not applicable**
16. Terms and conditions of rental, maintenance, and repair: **Not applicable**
17. Terms and conditions of installation: **Not applicable**
- 18a. Terms and conditions of repair parts indicating date of parts price lists and any discounts from list prices: **Not applicable**
- 18b. Terms and conditions for any other services: **Not applicable**
19. List of service and distribution points: **Not applicable**
20. List of participating dealers: **Not applicable**
21. Preventative maintenance: **Not applicable**

- 22a.** Special attributes such as environmental attributes: **Not applicable**
- 22b.** Section 508 compliance: **Not applicable**
- 23.** Unique Entity Identifier (UEI) number: **H1HSJPFM78R5**
- 24.** Notification regarding registration in the System for Award Management (SAM) database.

Millenium Products, Inc. is registered and active in SAM, CAGE Code: 3DNW8



Millenium Products, Inc.

3131 Morris St. N.
Saint Petersburg, FL 33713
Office Phone: 888-901-7430
Fax: 801-469-7778
gsa@milleniumproducts.net

Purchaser:
Purchaser Phone Number:
Purchaser Email:

Quote Name: Lauderdale Lakes (FL) - Fixed LPR - GSA
Quote #: Q-08959-8
Job Number: 8622

UEI # H1HSJPFM78R5
Federal ID # 86-1159194
CAGE # 3DNW8
DUNS # 102694671

Date: 10/25/2023
Expires On: 3/30/2024

GS-07F-0031W: Surveillance Equipment, Light Towers, Traffic Safety Equipment

GSA Purchase Orders must indicate the GSA contract number in order to receive pricing on this quote.
For Further details about Cooperative Purchasing and Disaster Purchasing programs, please contact us or refer to a GSA Multiple Award Schedule information at <https://www.gsa.gov/buy-through-us/purchasing-programs/multiple-award-schedule>.
Orders received not indicating a GSA contract number can be accepted at our Commercial Price List only.

Your governmental agency is eligible for the following GSA pricing on GSA Contact:334220 / GS-07F-0031W

Ship To	Bill To
Lauderdale Lakes (Broward County) (FL) 4300 Northwest 36 Street Lauderdale Lakes, FL 33319 USA	Lauderdale Lakes (Broward County) (FL) 4300 Northwest 36 Street Lauderdale Lakes, FL 33319 USA

SALESPERSON	Phone Number	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Lori Hipskind	(888) 901-7430	lhipskind@milleniumproducts.net	Ground	Net 30

5000 Block of Oakland Park Blvd EB

QTY	PART #	DESCRIPTION	SIN	CONTRACT	UNIT PRICE	NET UNIT PRICE	EXTENDED PRICE
1.00	GSA-VSS-FM-L5-02	Vetted LPR Communications Box; Utilizes Vigilant Comms Box, Webmonitor added, CradlePoint Modem, TechAlert Ready, 2 L5F Included (Specify Lens configuration)	334220	GS-07F-0031W	\$16,868.46	\$16,868.46	\$16,868.46
2.00	GSA-VSS-SL	Per System License for Mobile or Fixed LPR (License Plate Reader) System	334220	GS-07F-0031W	\$881.61	\$881.61	\$1,763.22
2.00	GSA-VSS-CL4	Basic Service License for 60+ Cameras	334220	GS-07F-0031W	\$277.08	\$277.08	\$554.16
1.00	GSA-VSS-FL	Installation for LPR (License Plate Reader) Fixed System	334220	GS-07F-0031W	\$1,964.74	\$1,964.74	\$1,964.74

QTY	PART #	DESCRIPTION	SIN	CONTRACT	UNIT PRICE	NET UNIT PRICE	EXTENDED PRICE
1.00	OLM	OLM - Whip power into LPR enclosure - Provide wind calculations -One Site Walk, 811 Locates, Creation of Electrical Drawings, Permit application, Compilation of all permit documents, Permit packet submission, & City Inspection meetings. City Permit Fee's NOT INCLUDED.			\$3,768.95	\$3,768.95	\$3,768.95
1.00	GSA-VSS-BB-2C	Vetted Battery Back up 2 Camera, NEMA - BBA-2 - (H) 22.625" x (W) 19.25" x (D) 19.625" •Battery Backup Kit for 2 Camera Intelligent LPR Enclosure •1x 100Ah 12VDC Lithium Battery in a 12VDC System •100Ah Total •For use with Photocell / Timer applications w/o constant power"	334220	GS-07F-0031W	\$3,384.18	\$3,384.18	\$3,384.18
2.00	GSA - Shipping	Shipping			\$95.00	\$95.00	\$190.00
5000 Block of Oakland Park Blvd EB TOTAL:							\$28,493.71

Fort Lauderdale Preparatory School WB

QTY	PART #	DESCRIPTION	SIN	CONTRACT	UNIT PRICE	NET UNIT PRICE	EXTENDED PRICE
1.00	GSA-VSS-FM-L5-02	Vetted LPR Communications Box; Utilizes Vigilant Comms Box, Webmonitor added, CradlePoint Modem, TechAlert Ready, 2 L5F Included (Specify Lens configuration)	334220	GS-07F-0031W	\$16,868.46	\$16,868.46	\$16,868.46
2.00	GSA-VSS-SL	Per System License for Mobile or Fixed LPR (License Plate Reader) System	334220	GS-07F-0031W	\$881.61	\$881.61	\$1,763.22
2.00	GSA-VSS-CL4	Basic Service License for 60+ Cameras	334220	GS-07F-0031W	\$277.08	\$277.08	\$554.16
1.00	GSA-VSS-FL	Installation for LPR (License Plate Reader) Fixed System	334220	GS-07F-0031W	\$1,964.74	\$1,964.74	\$1,964.74
1.00	OLM	OLM - Order Level Materials OLM - Whip power into LPR enclosure -Provide wind calculations -One Site Walk, 811 Locates, Creation of Electrical Drawings, Permit application, Compilation of all permit documents, Permit packet submission, & City Inspection meetings. City Permit Fee's NOT INCLUDED.			\$3,768.95	\$3,768.95	\$3,768.95
1.00	GSA-VSS-BB-2C	Vetted Battery Back up 2 Camera, NEMA - BBA-2 - (H) 22.625" x (W) 19.25" x (D) 19.625" •Battery Backup Kit for 2 Camera Intelligent LPR Enclosure •1x 100Ah 12VDC Lithium Battery in a 12VDC System •100Ah Total •For use with Photocell / Timer applications w/o constant power"	334220	GS-07F-0031W	\$3,384.18	\$3,384.18	\$3,384.18
2.00	GSA - Shipping	Shipping			\$95.00	\$95.00	\$190.00
Fort Lauderdale Preparatory School WB TOTAL:							\$28,493.71

19th and 441 at Jimmy Lube Capturing NB

QTY	PART #	DESCRIPTION	SIN	CONTRACT	UNIT PRICE	NET UNIT PRICE	EXTENDED PRICE
2.00	GSA-VSF-050-L5F	L5F Fixed LPR Camera with Sun Shield - 50mm Lens with Camera Cable	334220	GS-07F-0031W	\$6,495.00	\$6,495.00	\$12,990.00
1.00	GSA-VSS-SOLAR-MAIN-D-TM	Vetted Fixed Solar Dual Panel Enclosure •NEMA - BBA-2 - (H) 22.625" x (W) 19.25" x (D) 19.625" •Sierra Wireless RV55 Modem •Rugged PC with Core I7 Processor •100Ah 24VDC System •Dual 340W Panels •Supports 2 LPR Cameras •Solar panel mount included - Top of pole	334220	GS-07F-0031W	\$11,129.61	\$11,129.61	\$11,129.61
1.00	GSA-VSS-SOLAR-POLE-16FT	16.6-foot pole, D 4.5# x .237 Alum. Tube (6061-T6). BREAKAWAY BASE AS PER FDOT STANDARD PLANS 700-010. Frangible & built to FHSA federal standards. Structural, Wind load, Snow, Ice calculations provided. TO BE USED WITH SOLAR L5F or SOLAR LINC. Non L5Q / L6Q Pole	334220	GS-07F-0031W	\$1,039.89	\$1,039.89	\$1,039.89
2.00	GSA-VSS-SL	Per System License for Mobile or Fixed LPR (License Plate Reader) System	334220	GS-07F-0031W	\$881.61	\$881.61	\$1,763.22
2.00	GSA-VSS-CL4	Basic Service License for 60+ Cameras	334220	GS-07F-0031W	\$277.08	\$277.08	\$554.16
1.00	GSA-VSS-FL	Installation for LPR (License Plate Reader) Fixed System	334220	GS-07F-0031W	\$1,964.74	\$1,964.74	\$1,964.74
2.00	GSA - Shipping	Shipping			\$95.00	\$95.00	\$190.00
1.00	GSA - Shipping	Shipping			\$650.00	\$650.00	\$650.00
19th and 441 at Jimmy Lube Capturing NB TOTAL:							\$30,281.62

SR7 and 44th Street near RaceTrac WB

QTY	PART #	DESCRIPTION	SIN	CONTRACT	UNIT PRICE	NET UNIT PRICE	EXTENDED PRICE
1.00	GSA-VSS-FM-L5-02	Vetted LPR Communications Box; Utilizes Vigilant Comms Box, Webmonitor added, CradlePoint Modem, TechAlert Ready, 2 L5F Included (Specify Lens configuration)	334220	GS-07F-0031W	\$16,868.46	\$16,868.46	\$16,868.46
2.00	GSA-VSS-SL	Per System License for Mobile or Fixed LPR (License Plate Reader) System	334220	GS-07F-0031W	\$881.61	\$881.61	\$1,763.22
2.00	GSA-VSS-CL4	Basic Service License for 60+ Cameras	334220	GS-07F-0031W	\$277.08	\$277.08	\$554.16
1.00	GSA-VSS-FL	Installation for LPR (License Plate Reader) Fixed System	334220	GS-07F-0031W	\$1,964.74	\$1,964.74	\$1,964.74
1.00	OLM	OLM - Whip power into LPR enclosure - Provide wind calculations -One Site Walk, 811 Locates, Creation of Electrical Drawings, Permit application, Compilation of all permit documents, Permit packet submission, & City Inspection meetings. City Permit Fee's NOT INCLUDED.			\$3,768.95	\$3,768.95	\$3,768.95

QTY	PART #	DESCRIPTION	SIN	CONTRACT	UNIT PRICE	NET UNIT PRICE	EXTENDED PRICE
1.00	GSA-VSS-BB-2C	Vetted Battery Back up 2 Camera, NEMA - BBA-2 - (H) 22.625" x (W) 19.25" x (D) 19.625" •Battery Backup Kit for 2 Camera Intelligent LPR Enclosure •1x 100Ah 12VDC Lithium Battery in a 12VDC System •100Ah Total •For use with Photocell / Timer applications w/o constant power"	334220	GS-07F-0031W	\$3,384.18	\$3,384.18	\$3,384.18
2.00	GSA - Shipping	Shipping			\$95.00	\$95.00	\$190.00
SR7 and 44th Street near RaceTrac WB TOTAL:							\$28,493.71

Optional Extended Hardware Warranty

QTY	PART #	DESCRIPTION	SIN	CONTRACT	UNIT PRICE	NET UNIT PRICE	EXTENDED PRICE
8.00	GSA-CDFS-4HWW	Fixed Camera LPR System - Extended Hardware Warranty - Year 2 through 5, Fixed LPR System LPR hardware component replacement warranty, Applies to 1-Channel hardware system kit, Valid for 4 years from standard warranty expiration	334220	GS-07F-0031W	\$2,100.00	\$2,100.00	\$16,800.00
Optional Extended Hardware Warranty TOTAL:							\$16,800.00

Project Total: \$132,562.75

Scope of Work

Provide and install L5Fs and main communications enclosure on existing poles. VSS to install (1) new solar pole and solar main. Lauderdale Lakes must provide a SIM card for each location and is responsible for any permitting costs, if applicable. This assumes 120V AC power is present and can be used.

Lauderdale Lakes must assist in gaining permission to install at this location

Notes

Terms & Conditions

1. Client MUST have loading dock (required for full size) or forklift with 8' forks in order to offload most trailer equipment (except ALPR trailers in FL). Client may choose to arrange offloading with a local towing company.
2. For all Investigative Data Platforms & Intelligence Lead Policing Commercial Data subscriptions fees increase annually by 4% each year.
3. CLK fees are shown for budget purposes only. Please DO NOT issue PO to Millenium Products, Inc. for renewals of CLK fees.
4. Any use tax, sales tax, excise tax, duty, custom, inspection or testing fee, or any other tax, fee, or charge of any nature whatsoever imposed by any governmental authority, on or measured by the transaction between Millenium Products, Inc. and Purchaser shall be paid by Purchaser in addition to the price quoted or invoiced. In the event Millenium, Products, Inc. is required to pay any such tax, fee, or charge, Purchaser shall reimburse Millenium Products, Inc. therefore or, in lieu of such payment, Purchaser shall provide Millenium

Products, Inc. at the time the Contract is submitted an exemption certificate or other document acceptable to the authority imposing the tax, fee or charge.

Signature:	_____	Effective Date:	____/____/____
Name (Print):	_____	Title:	_____

Please sign and email to gsa@milleniumproducts.net

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• License Plate Reader/ALPR Systems • Real-Time Crime Centers

THANK YOU FOR YOUR BUSINESS!

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title

RESOLUTION 2024-018 RATIFYING THE CITY MANAGER'S FILING OF THE CITY'S FISCAL YEAR 2024, PERIOD 4 (JANUARY); FINANCIAL ACTIVITY REPORT, AS PREPARED BY THE DEPARTMENT OF FINANCIAL SERVICES, FOR THE PURPOSE OF CONFORMING TO THE CITY'S ADOPTED FINANCIAL INTEGRITY PRINCIPLES AND FISCAL POLICIES

Summary

This resolution serves to ratify the filing and presentation of the City's January (Period 4); Financial Activity Report prepared by the Financial Services Department.

Staff Recommendation

Background:

Staff recommends the City Commission accept the filing of the City's Fiscal Year 2024 Financial Activity Reports for the month of January (Period 4); Financial Activity Report. The intended purpose of this agenda item is to provide for the Financial Reporting as required under Ordinance No. 2011-22;

Section 82-304 – Financial Reporting

The city shall provide for the ongoing generation and utilization of financial reports on all funds comparing budgeted revenue and expenditure information to actual on a monthly and year-to-date basis. The Financial Services Department shall be responsible for issuing the monthly reports to departments, the Mayor and City Commission, and provide any information regarding any potentially adverse trends or conditions.

Funding Source:

Not Applicable.

Fiscal Impact:

N/A

Sponsor Name/Department: Asheley A. Hepburn, MPA –Director, Financial Services Department

Meeting Date: 2/27/2024

ATTACHMENTS:

Description	Type
☐ Resolution 2024-018 Ratifying Monthly Financial Activity Report -Jan 2024	Resolution
☐ Exhibit - Financial Report	Exhibit

1 RESOLUTION 2024-018

2
3 A RESOLUTION RATIFYING THE CITY MANAGER'S FILING OF THE CITY'S
4 FISCAL YEAR 2024, PERIOD 4 (JANUARY); FINANCIAL ACTIVITY REPORT, AS
5 PREPARED BY THE DEPARTMENT OF FINANCIAL SERVICES, FOR THE
6 PURPOSE OF CONFORMING TO THE CITY'S ADOPTED FINANCIAL
7 INTEGRITY PRINCIPLES AND FISCAL POLICIES; A COPY IS ATTACHED HERETO
8 AS EXHIBIT A; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS;
9 PROVIDING AN EFFECTIVE DATE.

10
11 WHEREAS, the City of Lauderdale Lakes' ("City") City Manager's Office has recommended,
12 and the City Commission has accepted such recommendation, that the affairs of the City should
13 be conducted in a manner which is open and transparent;

14 WHEREAS, pursuant to Section 82-327, City of Lauderdale Lakes Code of Ordinances, the
15 Financial Services Department shall report the financial affairs of the City to the Mayor and City
16 Commission on a monthly basis; and

17 WHEREAS, the City Manager, in compliance Section 82-327, has adopted a policy of
18 making such reports on a monthly basis and is seeking the City Commission's acceptance of such
19 monthly reports.

20 NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF
21 LAUDERDALE LAKES AS FOLLOWS:

22 Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are
23 hereby ratified and confirmed as being true, and the same are hereby made a specific part of this
24 Resolution.

25 Section 2. RATIFICATION: The City Commission hereby ratifies the City Manager's
26 filing of the City Fiscal Year 2024, January 2024 (Period 4); Financial Activity Report, as prepared

by the Department of Financial Services for the purpose of conforming with the City's Adopted Financial Integrity Principles and Fiscal Policies.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

ADOPTED BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES AT ITS REGULAR MEETING HELD FEBRUARY 27, 2024.

VERONICA EDWARDS PHILLIPS, MAYOR

ATTEST:

VENICE HOWARD, CMC, CITY CLERK

Approved as to form and legality
for the use of and reliance by the
City of Lauderdale Lakes only:

Sidney C. Calloway, City Attorney

Sponsored by: ASHELEY A. HEPBURN, MPA, DIRECTOR, FINANCIAL SERVICES DEPARTMENT

VOTE:

Mayor Veronica Edwards Phillips	_____ (For)	_____ (Against)	_____ (Other)
Vice-Mayor Mark Spence	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Tycie Causwell	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Karlene Maxwell-Williams	_____ (For)	_____ (Against)	_____ (Other)
Commissioner Sharon Thomas	_____ (For)	_____ (Against)	_____ (Other)

FY 2024 General Fund Financial Summary Report
As of January 31, 2024 (33% of year elapsed)
Data as of: 2/20/2024

General Fund Revenue 39%:

- **Ad Valorem Revenue** is 81% of the budget or \$10,055,478. Approximately 90% received in December through March; remaining 10% trickles in throughout the year.
- **Franchise Taxes** are 45% of the budget or \$1,603,842. Included in this category are state revenue and revenue from franchise agreements, which are collected generally 2 months in arrears.
- **Utility Taxes** are 41% of the budget or \$1,283,634. This category of revenue includes taxes on public services, which are collected generally 2 months in arrears.
- **Sales and Use Taxes** are 32% of the budget or \$1,694,570. Included in this category are State Revenue, which are generally collected 2 months in arrears. Included in this category are intergovernmental revenue from the Federal, State and County governments.
- **Service Revenue** is 15% of the budget or \$240,167. The most significant portion of the Service Revenue is related to EMS services, approximately 85% of the budget.
- **Permits/Licenses/Insp Revenue** is 5% of the budget or \$48,142. This category of revenue includes Business Tax Receipts which are received in the first quarter of the fiscal year; remaining revenue trickles in throughout the year.
- **Fines & Forfeitures** are 19% of the budget or \$46,913. This exceeds prior year collection rate. This activity was primarily due to Hawaiian Garden remittances. Additional revenue sources in this category includes payment of fines and liens from code enforcement actions.
- **Miscellaneous Revenue** is less than 2% of the budget or \$184,894. A significant portion of this revenue source includes cost allocation revenues and appropriations from the fund balance, of which are processed towards the end of the fiscal year. Additional revenue sources in this category includes earned interest, one-time payments, donations, administrative fees, etc.

General Fund Expenditure 23%:

- **Mayor & City Commission Office** is 24% of the budget or \$92,028. Expenses are slightly higher than the budget.
- **City Attorney** is 39% of the budget or \$208,590. Invoices are being processed and will reflect in future reports.
- **City Clerk's Office** is 21% of budget or \$93,076. Expenses are less than budget.
- **City Manager Office** is 24% of budget the budget or \$273,047. Expenses are less than budget.
- **Financial Services Department** is 21% of the budget or \$404,971. Expenses are less than budget.
- **General Administration** is less than 7% of the budget or \$598,590. Expenses are less than budget.
- **Human Resources & Risk Management** is 30% of budget or \$113,649. Expenses are less than budget.

FY 2024 General Fund Financial Summary Report
As of January 31, 2024 (33% of year elapsed)
Data as of: 2/20/2024

- **Development Services** is 24% of budget or \$289,647. Expenses are less than budget.
- **Public Works** is 23% of budget of the budget or \$641,195. Expenses are less than budget.
- **Parks and Human Services** is 23% of budget or \$745,475. Expenses are less than budget.
- **City Boards** are 11% of the budget or \$4,395. Expenses are less than budget.
- **Gen. Fund Debt** is 3% of the budget or \$42,597. Invoices are being processed and will reflect in future reports.
- **BSO EMS** is 31% of budget or \$1,111,751. Payments to BSO include an advance payment, Invoices are being processed and will reflect in future reports.
- **BSO Police** is 32% of budget or \$3,189,191. Payments to BSO include an advance payment, Invoices are being processed and will reflect in future reports.
- **Revenue Loss** expenses are \$872,977. Expenses in this budget include the programs and projects approved per Resolution 2022-031, establishing funding under the final ruling. City staff provides a monthly status update during the City Commission Workshops.

CITY OF LAUDERDALE LAKES
FY 2024 Monthly Financial Activity Report
as of 01/31/2024
(33% of year elapsed)

General Fund Summary					Other Major Funds				
	Budget	Year-to-Date	%	101 Fire Rescue Fund	Budget	Year-to-Date	%		
Revenue	\$ 38,512,483	\$ 15,157,639	39%	Revenues	\$ 7,403,550	\$ 5,479,463	74%		
Expenditure	\$ 38,512,483	\$ 8,681,178	23%	Expenses	\$ 7,403,550	\$ 2,598,274	35%		
General Fund Revenues					112 Alzheimer Care				
Revenue	Budget	Year-to-Date	%	Revenues	\$ 543,653	\$ 168,969	31%		
Ad Valorem Tax Revenue	\$ 12,342,460	\$ 10,055,478	81%	Expenses	\$ 543,653	\$ 120,803	22%		
Franchise Tax	\$ 3,575,365	\$ 1,603,842	45%	109 CRA					
Utility Tax	\$ 3,139,440	\$ 1,283,634	41%	Revenues	\$ 20,644,553	\$ 5,691,262	28%		
Sales and Use Taxes	\$ 5,269,160	\$ 1,694,570	32%	Expenses	\$ 20,644,553	\$ 1,896,533	9%		
Services Revenues	\$ 1,576,441	\$ 240,167	15%	116 Gas Tax					
Permits/Licenses/Inspections	\$ 1,062,000	\$ 48,142	5%	Revenues	\$ 679,010	\$ 202,726	30%		
Fines & Forfeitures	\$ 250,000	\$ 46,913	19%	Expenses	\$ 679,010	\$ 210,628	31%		
Misc Revenues /Transfers	\$ 11,297,617	\$ 184,894	2%	205 Debt Service					
Total Revenues	\$ 38,512,483	\$ 15,157,639	39%	Revenues	\$ 1,560,497	\$ 1,103,699	71%		
Revenue by Source					Expenses	\$ 1,560,497	\$ 582,213	37%	
					401 Stormwater				
					Revenues	\$ 13,315,936	\$ 742,190	6%	
					Expenses	\$ 13,315,936	\$ 1,540,586	12%	
					403 Solid Waste				
					Revenues	\$ 2,046,035	\$ 1,218,078	60%	
					Expenses	\$ 2,046,035	\$ 497,372	24%	
					405 Building Svcs				
					Revenues	\$ 1,443,378	\$ 324,960	23%	
					Expenses	\$ 1,443,378	\$ 214,348	15%	
General Fund Expenditures					Other Budgeted Funds				
Department	Budget	Year-to-Date	%	102 Grants	Budget	Year-to-Date	%		
City Commission	\$ 378,034	\$ 92,028	24%	Revenues	\$ 5,704,143	\$ 137,889	2%		
City Attorney	\$ 532,000	\$ 208,590	39%	Expenses	\$ 5,704,143	\$ 137,889	2%		
City Clerk	\$ 451,014	\$ 93,076	21%	107/110 LETF/Arts					
City Manager	\$ 1,139,477	\$ 273,047	24%	Revenues	\$ 95,000	\$ -	0%		
Financial Services	\$ 1,912,250	\$ 404,971	21%	Expenses	\$ 95,000	\$ -	0%		
General Administration	\$ 8,343,853	\$ 598,590	7%	113 CDBG Programs					
Human Resources/Risk	\$ 373,647	\$ 113,649	30%	Revenues	\$ 462,522	\$ 208,955	45%		
Development Services	\$ 1,197,271	\$ 289,647	24%	Expenses	\$ 462,522	\$ 208,955	45%		
Public Works	\$ 3,288,672	\$ 641,195	23%	117 Hurr. Loss Mitigation					
Parks and Human Services	\$ 2,804,128	\$ 745,475	23%	Revenues	\$ 194,000	\$ 74	0%		
City Boards	\$ 40,020	\$ 4,395	11%	Expenses	\$ 194,000	\$ 74	0%		
General Fund Debt	\$ 1,229,085	\$ 42,597	3%	118 Housing Repair					
BSO EMS	\$ 3,618,440	\$ 1,111,751	31%	Revenues	\$ 60,000	\$ -	0%		
BSO Police	\$ 9,885,786	\$ 3,189,191	32%	Expenses	\$ 60,000	\$ -	0%		
Revenue Loss	\$ 3,318,805	\$ 872,977	26%	315 Capital					
Total Expenditures	\$ 38,512,483	\$ 8,681,178	23%	Revenues	\$ 5,873,000	\$ 145,525	2%		
Note(s):				Expenses	\$ 5,873,000	\$ 145,525	2%		
				319 Surtax Transport.					
				Revenues	\$ 2,308,663	\$ -	0%		
				Expenses	\$ 2,308,663	\$ -	0%		
General Fund Expenses by Department				Budget Amendment(s) Reflected as of January 31, 2024					
				Fund Impacted	Amt of Change	Justification	Approved		
				None					
				Use of Contingency Allocation - \$175,754 (Adopted Amt)					
				None					
				Current Balance Available \$ 175,754					
				Signatures					
				Asheley Hepburn, MPA					
				2/20/2024					
				Financial Services Director					
				Date					
				I/We certify the information provided to be true and accurate to the best of my/our knowledge. Amounts subject to adjustment to GAAP/GASB guidelines. Data does not include encumbrances.					
				I/We certify the information provided to be true and accurate to the best of my/our knowledge.					

CITY OF LAUDERDALE LAKES
FY 2024 Monthly Financial Activity Report
as of 01/31/2024
(33% of year elapsed)

Alzheimer Care Center Fund			
112 Alzh. Care Center-Rev.	Budget	Year-to-Date January 31, 2024)	% Credited
334690 Grant-Alz Disease Initi	\$419,194	\$145,475	35%
334691 Grant-Older Americans A	\$55,459	\$13,685	25%
337604 Alzheimer - American EI	\$31,000	\$5,445	18%
337612 Sunshine Health/Tango	\$25,000	\$2,470	10%
337613 Little Havana	\$0	\$0	0%
346900 Client Services - ACFP	\$6,000	\$1,676	28%
346901 Alzheimer - Private Pay	\$1,000	\$0	0%
346902 Client Co - Payments	\$6,000	\$218	4%
369920 Miscellaneous Revenue	\$0	\$168,969	0%
01-Revenue Total	\$543,653	\$337,938	62%
1210 Regular Salaries	\$334,377	\$82,447	25%
1250 Vacation Buy Back	\$3,920	\$0	0%
1410 Overtime	\$5,376	\$102	2%
2110 FICA Taxes	\$25,580	\$6,066	24%
2210 Retirement Contribution	\$33,438	\$8,095	24%
2310 Life & Health Insurance	\$81,113	\$16,430	20%
2350 Cafeteria	\$9,535	\$240	3%
02-Personnel Total	\$493,339	\$113,379	23%
¹ 3410 Other Contractual Service	\$19,000	\$1,755	9%
4010 Travel & Per Diem	\$500	\$0	0%
4110 Telecommunications	\$1,200	\$0	0%
4311 Water & Sewer	\$0	\$1,041	0%
4610 Repairs & Maintenance Bui	\$300	\$0	0%
4911 Other Current Charges	\$0	\$0	0%
5110 Office Supplies	\$750	\$340	45%
5210 Property & Maintenance Su	\$282	\$0	0%
² 5212 Misc. Operating Supplies	\$26,982	\$4,289	16%
5410 Subscriptions & Membershi	\$300	\$0	0%
5510 Training	\$1,000	\$0	0%
03-Operating Expenditures Total	\$50,314	\$7,424	15%
Total Expenses	\$543,653	\$120,803	22%
Alzheimer Care Center	\$0	\$217,135	
Note(s): ¹ Adult Care Food Program and temporary nursing services (contractual nurses) ² Broward Meals on Wheels, medical supplies, GA Food Service and operating costs Data as of: 02/20/2024			Alzheimer Care Center Hours of Operation: Mon-Fri: 7am-6pm Sat: 8am-2pm