



"We Care"

City of Lauderdale Lakes

Commission Meeting Agenda

Commission Chambers

May 23, 2017

7:00 PM

**Mayor Hazelle Rogers - Vice-Mayor Veronica Edwards Phillips
Commissioner Sandra Davey - Commissioner Gloria Lewis - Commissioner Beverly Williams**



City of Lauderdale Lakes 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 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 COMMISSION MEETINGS:

Please turn off or silence cellphones. Any person requiring Auxiliary Aids and services at the meeting 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 five-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 commission must sign in with the City Clerk before 7:00 p.m. and will be seated in a designated area near the Podium. Names will be called in the order received. The speaker shall step up to the speaker's podium and shall give his/her name and address.
- **Speaking on an item on the Agenda** - Individuals wishing to speak on an item on the Agenda need only to raise their hand to be recognized by the Mayor.

The Commission Meeting is a business meeting, 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 Commission as a body through the presiding office and not to the audience or individual commissioner.

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

The above represents a summarization of the rules and procedures as adopted by Ordinance. Copies of the Code Section related to rules and procedures are available from the City Clerk's office.



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

Revised: May 23, 2017

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. INVOCATION AND PLEDGE OF ALLEGIANCE**
 - A.** INVOCATION PROVIDED BY: REVEREND JOY TOMLINSON OF INTERNATIONAL FAITH CHRISTIAN FELLOWSHIP CHURCH
 - B.** PLEDGE OF ALLEGIANCE LED BY: JOSHUA I. GRANT
- 4. PROCLAMATIONS/PRESENTATIONS**
 - A.** PROCLAMATION PROCLAIMING JUNETEENTH DAY
 - B.** PROCLAMATION PROCLAIMING UNIFEST DAY
 - C.** PROCLAMATION PROCLAIMING CARIBBEAN HERITAGE MONTH
- 5. APPROVAL OF MINUTES FROM PREVIOUS MEETING**
 - A.** APPROVAL OF MINUTES
 - May 8, 2017 Commission Workshop Minutes
 - May 9, 2017 Commission Meeting Minutes
- 6. PETITIONS FROM THE PUBLIC**
 - A.** PETITIONS FROM THE PUBLIC

All petitioners must sign in with the City Clerk and will be seated in a designated area. Petitioners will be allowed to speak for five (5) minutes. Petitions from the Public will not exceed 30 minutes in aggregate time.
- 7. CONSIDERATION OF ORDINANCES ON SECOND READING**
- 8. CONSIDERATION OF ORDINANCES ON FIRST READING**
 - A.** ORDINANCE 2017-010 AMENDING RULE 13 OF SECTION 2-56 OF CHAPTER 2 OF THE CODE OF ORDINANCES TO CONFORM TO THE AMENDMENT TO THE CITY CHARTER APPROVED NOVEMBER, 2016; PROVIDING FOR PROCEDURES FOR ADOPTION OF ORDINANCES; PROVIDING FOR PROCEDURES FOR ADOPTION OF RESOLUTIONS ON CONSENTAGENDA

This Ordinance aligns Rule 13 of Section 2-56 of Chapter 2 of the Code of Ordinances with the results of the November 2016 Municipal Election.
 - B.** ORDINANCE 2017-011 AMENDING SECTION 2-212 OF CHAPTER 2 AND AMENDING SECTION 82-355 OF CHAPTER 82 TO PROVIDE FOR CONSISTENCY, BOTH OF THE CODE OF ORDINANCES; PROVIDING FOR A RESTATEMENT OF THE CITY MANAGER'S SPENDING PREROGATIVES WITH RESPECT TO THE PURCHASE OR CONTRACTING

FOR GOODS, SERVICES OR CAPITAL IMPROVEMENTS; PROVIDING FOR THE DELETION OF REDUNDANT PROVISIONS REGARDING THE MAYOR

This ordinance amends the Chapter 2-212, Administration, Powers and duties and the Chapter 82-355, Procurement Code, Responsibilities and authority.

- C.** ORDINANCE 2017-012 AMENDING SUB-SECTION (A)(1)L, LOCAL BUSINESS PREFERENCE OF SECTION 82-356 OF THE CODE OF ORDINANCES; PROVIDING FOR A REVISION TO THE METHODS OF SOURCE SELECTION BY INCREASING THE LOCAL PREFERENCE ELEMENT FROM FIVE (5%) PERCENT TO TEN (10%) PERCENT OF THE LOW BID

This ordinance amends Chapter 82-356, Procurement Code, Methods of source selection.

9. CONSIDERATION OF RESOLUTIONS ON CONSENT AGENDA

10. CONSIDERATION OF RESOLUTIONS ON REGULAR AGENDA

- A.** RESOLUTION 2017-068 URGING PRESIDENT DONALD TRUMP AND THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO EXTEND TEMPORARY PROTECTED STATUS FOR HAITIAN NATIONALS

This Resolution urges the Honorable President, Donald Trump, with full support of the Secretary of Homeland Security, John F. Kelly, to extend Temporary Protected Status for Haitian nationals for at least another 18-month period.

- B.** RESOLUTION 2017-069 APPROVING CONDITIONAL USE APPLICATION #01-CU-17, OF XCELL PROFESSIONAL AUTO CARE & ACCESSORIES, INC., THROUGH JASON SMITH, FOR DETAILING AND STEAM CLEANING OF MOTOR VEHICLES

This Resolution would approve conditional use Application # 01-CU-17, to operate detailing and steam cleaning of motor vehicles, within the Lauderdale Lakes Industrial Park, subject to certain limitations and conditions.

11. CORRESPONDENCE

12. REPORT OF THE MAYOR

13. REPORT OF THE VICE MAYOR

14. REMARKS OF THE 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.

Mayor Hazelle Rogers - Vice-Mayor Veronica Edwards Phillips
Commissioner Sandra Davey - Commissioner Gloria Lewis - Commissioner Beverly Williams

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title

APPROVAL OF MINUTES

Summary

May 8, 2017 Commission Workshop Minutes

May 9, 2017 Commission Meeting Minutes

Staff Recommendation

Background:

Funding Source:

Sponsor Name/Department: Sharon Houslin, City Clerk

Meeting Date: 5/23/2017

ATTACHMENTS:

Description	Type
<input type="checkbox"/> May 8, 2017 Commission Workshop Minutes	Backup Material
<input type="checkbox"/> May 9, 2017 Commission Meeting Minutes	Backup Material



City of Lauderdale Lakes
Office of the City Clerk
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WORKSHOP MEETING MINUTES

Alfonso Gereffi Room

May 8, 2017

5:00 PM

1. CALL TO ORDER

Mayor Hazelle Rogers called the May 8, 2017 Commission Workshop to order at 5:00 p.m. in the Alfonso Gereffi Room, located at 4300 N.W. 36th Street, Lauderdale Lakes, Florida 33319.

2. ROLL CALL

PRESENT

Mayor Hazelle Rogers (Left the meeting at 7:18 p.m.)
Vice-Mayor Veronica Edwards Phillips
Commissioner Sandra Davey
Commissioner Gloria Lewis (Arrived at 5:11 p.m.)
Commissioner Beverly Williams

ALSO PRESENT

City Manager Phil Alleyne
City Attorney James Brady
City Clerk Sharon Houslin
City Staff
Members of the Public

3. DISCUSSION

MAY 9, 2017 AGENDA REVIEW

This discussion item serves to review the May 9, 2017 Commission Agenda.

City Manager Phil Alleyne reviewed the May 8, 2017 Commission Meeting with the Commission.

Mayor Hazelle Rogers asked to pull Item 9A from the Agenda

Mayor Hazelle Rogers asked what does the City do regarding the Summer Student Program. Director of Human Resources and Risk Management, D'Andrea Giddens-Jones provided information on the Summer Youth Employment Program and stated that the City is a host site through Career Source Broward and students are placed throughout various departments within the City. Ms. Giddens-Jones stated: there is no budgetary impact to the City because the students are paid by Impact Broward; there are nine students participating in the program and six of the students are Lauderdale Lakes residents; and that training and orientation begins May 22, 2017.

Mayor Hazelle Rogers stated that she is familiar with how the program is operated and she believes that some of the businesses in Lauderdale Lakes should be engaged to see if they would take four or five kids so more kids could participate in the program. Mayor Rogers stated that she has

identified three businesses that could benefit from the program: Beacon Television, Jamaica National and McKinley Financial. Mayor Rogers stated that Career Source Broward has additional funding from the Children's Service Council so they can work on another program with us as long as we can identify the businesses and the children. Mayor Rogers stated that the City has a lot of kids and she believes that we can find opportunities for the kids to be engaged this summer.

The Commission did not have any questions regarding any of the other items on the May 9, 2017 Commission agenda.

4. DISCUSSION OF PROPOSED ORDINANCE(S)

5. ADDITIONAL WORKSHOP ITEMS

A. DISCUSSION REGARDING SOBER HOMES IN LIGHT OF HENDERSON CLINIC EXPANSION (5:30 P.M. TIME CERTAIN)

Broward Sheriff's Office, Captain Andrew Dunbar, will provide an update on Sober Homes as a result of the expansion of Henderson Clinic.

Captain Andrew Dunbar, Broward Sheriff Office and Anna Del Barrio from Henderson Behavioral Health presented information regarding a new program at Henderson entitled the Centralized Receiving System and provided information regarding the expansion of the Center.

Captain Dunbar stated that the State of Florida awarded Henderson a 23 million dollar grant to expand their services and he wanted to provide the Commission with information on how the expansion would affect the City of Lauderdale Lakes resources and that he did not want the wrong information to be circulated. Captain Dunbar stated that he asked a representative from Henderson to come and explain how the expansion would serve Broward County and he will speak to any adverse impact it would have on resources.

Ms. Del Barrio stated that the program is based out of Headway Plaza and is specifically for law enforcement to assist people with mental health issues. Ms. Del Barrio explained that people with mental health issues do not have many options; they are either acted or arrested. She stated that many of the people are not a threat; they need treatment. If they are brought to the center, the center will do an assessment to provide housing and care. The person will be able to stay at the center for up to 23 hours and freshen up and have something to eat.

Mayor Rogers asked what is different with this program in comparison to what the Clinic normally does? Ms. Del Barrio responded that clients will have access to immediate service and will be assessed right away.

Mayor Rogers asked what impact would the 24 hour operation have on BSO? Captain Andrew Dunbar responded that the Center has 24 hour detail police officers and there should not be any impact on the City's police service.

Commissioner Beverly Williams expressed her concern with people being picked up from other cities and brought to Lauderdale Lakes. If the person does not want help will they be released on the streets in Lauderdale Lakes? Commissioner Williams asked how will the City be able to control that type of situation. Ms. Del Barrio responded that if a client is hesitant to receive help, they bring in one of the peers to try and persuade them to receive help. Ms. Del Barrio also stated that the officers are trained to make sure that the client wants help before they bring them to the Center.

Vice Mayor Veronica Edwards Phillips asked what happens after 23 hours. Ms. Del Barrio stated that it depends on the client's need. If the client has an address, a driver will take them home. If they are homeless, the driver will take them to a task force to receive shelter. Vice Mayor Veronica Edwards Phillips asked if the program is hiring extra individuals to deal with the expansion in which Ms. Del Barrio responded that the Center is hiring and provided the website information.

City Attorney James Brady chimed in that there is an impact. If a person has a mild to severe drug or alcohol problem when they arrive to the Center, when they walk out the door they walk onto the streets of Lauderdale Lakes. City Attorney Brady stated that there is a problem because the people in the program have problems.

Commissioner Sandra Davey expressed her concern with homelessness and people coming to the Center who are homeless and staying on the streets in Lauderdale Lakes.

Mayor Rogers asked if the Center applied for the grant and did the Sheriff's Office sign on with the Grant. Captain Dunbar explained that he would have to find out about the particulars of the grant.

Mayor Rogers asked how many clients do they expect within 23 hours and can they leave and go into the parking lot until they can be served. Ms. Del Barrio responded that they have capability for 16 people and they have not had a situation where people were hanging out in the parking lot.

Commissioner Gloria Lewis asked about safety and security and does the facility has lock doors. Ms. Del Barrio responded that the facility is locked and that clients have to be buzzed in and out.

Commissioner Gloria Lewis asked for an item on the next workshop where City Staff can explain the expansion which would include zoning and permitted usage.

B. DISCUSSION REGARDING SUBSECTIONS 6-7 AND 6-8 OF CHAPTER 6 OF THE CODE OF ORDINANCES PERTAINING TO THE HOURS OF SERVICE OF ALCOHOLIC BEVERAGES (SALE AND ON/OFF PREMISES CONSUMPTION) AND HOURS OF OPERATION FOR LOUNGES AND NIGHTCLUBS AND SECURITY (6:00 P.M. TIME CERTAIN)

This is a discussion regarding a code revision to address consistency between Sec. 6.7 and Sec. 6.8 of the Code of Ordinances.

Mayor Hazelle Rogers stated that this item is an education component for businesses that have opened and spoke regarding the Community Ballroom that recently opened. Mayor Rogers spoke regarding the hours of sales and consumption and wants the businesses to understand the rules and regulations.

City Manager Phil Alleyne stated that when the Ordinance was put into place the Ordinance spoke on two different issues. One is sales and consumption, the other is hours of operation. Last year the Commission addressed hours of operation; however, with the change in operations the consumption period remained the same and it created a gap. There is a gap where restaurants are operating in relationship with consumption.

Commissioner Gloria Lewis provided history on the Ordinance that changed the hours of operation. She stated that former commissioners had concerns with consumption because of the hours of operation and safety and security.

City Attorney Brady stated that first it needs to differentiate between the different types of businesses and spoke regarding Ordinance Section 6.8 which speaks to nightclubs and lounges and provided the definition for each.

Mayor Rogers spoke regarding adequate security and asked does that mean the County law enforcement. City Attorney read the section 6.8 as follows: Any nightclub, as defined in this chapter, shall provide adequate security services within the nightclub and in those parking areas within 300 feet of any portion of the nightclub serving the nightclub. Any and all vendors of intoxicating liquors or alcoholic beverages which are licensed to sell the same for consumption on or off the premises shall hire detail police officers employed by the county sheriff's office whenever said vendor hosts a special event within the city.

Captain Andrew Dunbar, BSO District Chief stated that safety is paramount for any business to thrive and the protocols were placed to insure crowds are not too large. There were establishments that were not designated as nightclubs but were operating as a lounge. Captain Dunbar spoke regarding receiving positive reports from VYPZ. Captain Dunbar expressed his concern with the Community Ballroom operating as a restaurant and night a nightclub. Captain Dunbar stated that if a detail officers is not available the owners can work with him to find private security. Captain Dunbar spoke regarding security and stated that he always ask the business owners do they have a copy of the City's code to know that they are following the rules and regulations of the City.

Commissioner Gloria Lewis chimed in that the club owners have told her that they have a copy of the night club Ordinance.

Discussion ensued regarding the different types of licenses for businesses and the Community Ballroom.

Zimaro Lewis, representative from Top Hop, Inc., spoke regarding adequate security for night club events; and a parking lot incident where a night club event was shut down. Captain Andrew Dunbar chimed in on the parking lot incident.

Representative from the Lauderdale Lakes Community Ballroom spoke regarding the parking lot in Oriole Plaza.

Vice Mayor Veronica Edwards Phillips advised the business owners to reach out to BSO and utilize the resources in the City to get an understanding of rules and regulations.

C. DISCUSSION REGARDING ORDINANCE 2013-01, PERTAINING TO CHAPTER 82 OF THE CODE OF ORDINANCES, ARTICLE THIRTEEN, PROCUREMENT CODE

This is a discussion on Section 82-353 Definitions; Section 82-353 (b) Responsibilities and authorities; and Section 82-356 (l) Local business preference.

This item was heard at 5:10 p.m.

City Manager Phil Alleyne stated that this item is related to the City Manager's spending threshold and staff is recommending that Section 82-355 remain at \$25,000.00.

Mayor Hazelle Rogers stated that she is not interested in increasing the spending threshold for the City Manager over \$25,000.00.

Bobbi Williams, Purchasing Agent explained that there are no changes recommended for option four (4) of the Procurement Code and that staff is recommending to strikeout option five (5) in its entirety.

City Manager Phil Alleyne explained the confusion with category three and category two. City Manager Alleyne stated that category three is the category assigned by the State of Florida..

Commissioner Beverly Williams asked when did the changes in Procurement Code take place. City Attorney Brady stated that a procurement code was created during a previous administration and that the discrepancy occurred during the formatting process.

Commissioner Gloria Lewis chimed in and provided historical background on the Procurement Code. Commissioner Gloria Lewis asked for an explanation regarding option six (6) on exhibit one. Ms. Williams stated that exhibit one only clarifies what staff is recommending.

City Manager Phil Alleyne stated that the exhibits are only backup but will be cleaned up before it is put into an Ordinance.

City Attorney James Brady stated that the Manager's authority should be placed in the Code under

the City Manager's Powers and Duties. Commissioner Gloria Lewis stated that she would like for the section to remain in the Procurement Code but linked to the section regarding the City Manager's Powers and Duties.

Commissioner Gloria Lewis asked who is the City Manager's designee. City Attorney James Brady chimed in that the designee is whomever the City Manager appoints and is usually the Assistant City Manager or Finance Director.

City Manager Phil Alleyne chimed in that staff is recommending that Local Business Preference is changed to 10 percent of the lowest bid.

City Manager Phil Alleyne stated that the item will come back as an Ordinance on First Reading at the next Commission meeting.

D. DISCUSSION LIEN MITIGATION REQUEST

This is a discussion to review a lien for mitigation.

City Attorney Brady explained that the representative for the property stayed for a few hours but had to leave for another appointment. City Attorney Brady stated that the owner has offered the City \$2,500 to release the lien.

The consensus from the Commission is to bring the item to before the Commission tomorrow night as a goldenrod resolution.

6. REPORTS

A. ADVISORY BOARD QUARTERLY REPORTS

Meeting adjourned at 8:46 p.m.

"In accordance with Sec. 2-55 of the Code of Ordinance, the minutes are action minutes and do not record or transcribe debate or argument. The City Clerk maintains an audio recording of the Workshop and Commission Meeting minutes in accordance with state retention regulations. For an audio/video copy of the minutes, please contact the City Clerk's Office at 954-535-2705."

HAZELLE ROGERS, MAYOR

ATTEST:

SHARON HOUSLIN, CITY CLERK



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

COMMISSION MEETING MINUTES

Commission Chambers

May 9, 2017

7:00 PM

1. CALL TO ORDER

Mayor Hazelle Rogers called the May 9, 2017 Commission Meeting to order at 7:02 p.m. in the Commission Chambers, located at 4300 N.W. 36th Street, Lauderdale Lakes, Florida 33319.

2. ROLL CALL

PRESENT

Mayor Hazelle Rogers
Vice-Mayor Veronica Edwards Phillips
Commissioner Sandra Davey
Commissioner Gloria Lewis
Commissioner Beverly Williams

ALSO PRESENT

City Manager Phil Alleyne
City Attorney James Brady
City Clerk Sharon Houslin
City Staff
Members of the Public

3. INVOCATION AND PLEDGE OF ALLEGIANCE

4. PROCLAMATIONS/PRESENTATIONS

5. APPROVAL OF MINUTES FROM PREVIOUS MEETING

A. APPROVAL OF MINUTES

April 24, 2017 Commission Workshop Minutes
April 25, 2017 Commission Meeting Minutes

Approved

6. PETITIONS FROM THE PUBLIC

- Mr. Glenn Joseph thanked the Commission on behalf of the Greater Caribbean American Chamber of Commerce for the UNIFEST celebration and the proclamation that is going to be given there. Mr. Joseph invited everyone to attend the celebration on May 21st and spoke of the different events that will be taking place.
- Mr. Barney McCoy, Director of Service and Capital Planning for Broward County Transit provided

a bus shelter update. Mr. McCoy informed the Commission about the construction of the remaining 10 bus shelters within the City.

7. CONSIDERATION OF ORDINANCES ON SECOND READING

A. ORDINANCE 2017-003 AMENDING SECTIONS 30-32, 30-33, 30-52, 30-86, AND 30-87.1 AND CREATING SECTION 30-96 OF ARTICLES II AND III OF CHAPTER 30 OF THE CODE OF ORDINANCES

This Ordinance amends the jurisdiction of, and appointment of members to, the Code Enforcement Board and establishes civil penalties for certain violations of the Code. This Ordinance was approved on First Reading at the April 25, 2017 Commission Meeting.

City Attorney Brady read the following Ordinance by title only:

ORDINANCE 2017-003

AN ORDINANCE AMENDING SECTIONS 30-32, 30-33, 30-52, 30-86, AND 30-87.1 AND CREATING SECTION 30-96 OF ARTICLES II AND III OF CHAPTER 30 OF THE CODE OF ORDINANCES; PROVIDING FOR THE GOVERNING OF CODE ENFORCEMENT WITHIN THE CITY; PROVIDING FOR CRITERIA FOR CONFERRING BENEFITS OF THE TRUST FUND; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

Commissioner Gloria Lewis made a motion to move Ordinance 2017-003 to the floor. Commissioner Beverly Williams seconded the motion. There was a unanimous voice vote of approval.

Mayor Rogers asked if there was any discussion. Hearing no discussion, Mayor Rogers requested a roll call:

FOR: Mayor Hazelle Rogers, Vice-Mayor Veronica Edwards Phillips, Commissioner Sandra Davey, Commissioner Gloria Lewis, Commissioner Beverly Williams.

Motion passed: 5-0

B. ORDINANCE 2017-004 CREATING SECTION 86-5, AMENDING SECTION 86-35 AND CREATING SECTION 86-39 OF CHAPTER 86, ARTICLE II, OF THE CODE OF ORDINANCES

This Ordinance amends and creates Sections in Chapter 86, the Traffic and Vehicles code as it relates to parking in and around the City of Lauderdale Lakes. This Ordinance was approved on First Reading at the April 25, 2017 Commission Meeting.

City Attorney Brady read the following Ordinance by title only:

ORDINANCE 2017-004

AN ORDINANCE CREATING SECTION 86-5, AMENDING SECTION 86-35 AND CREATING SECTION 86-39 OF CHAPTER 86, ARTICLE II, OF THE CODE OF ORDINANCES; PROVIDING FOR THE GOVERNING OF PARKING, STOPPING AND STANDING OF VEHICLES WITHIN THE CITY; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

Commissioner Beverly Williams made a motion to move Ordinance 2017-004 to the floor. Vice-Mayor Veronica Edwards Phillips seconded the motion. There was a unanimous voice vote of approval.

Mayor Rogers asked if there was any discussion. Hearing no discussion, Mayor Rogers requested a roll call:

FOR: Mayor Hazelle Rogers, Vice-Mayor Veronica Edwards Phillips, Commissioner Sandra Davey, Commissioner Gloria Lewis, Commissioner Beverly Williams.

Motion passed: 5-0

C. ORDINANCE 2017-009 AMENDING THE FISCAL YEAR 2017 ADOPTED OPERATING AND CAPITAL IMPROVEMENT BUDGET IN ACCORDANCE WITH ORDINANCE 2016-31, GENERAL FUND, GRANTS FUND, IMPACT FEE FUND, LAW ENFORCEMENT TRUST FUND, ALZHEIMER CARE CENTER FUND, MINOR HOME REPAIR FUND, TRANSPORTATION FUND, AND CAPITAL IMPROVEMENTS PROJECT FUND

This Ordinance amends the FY 2017 Operating and Capital Improvement Budget per Ordinance 2016-31. To successfully operate the City and conform to accounting principles and standards, budget amendments are requested for the funds shown below. This Ordinance was approved on First Reading at the April 25, 2017 Commission Meeting.

City Attorney Brady read the following Ordinance by title only:

ORDINANCE 2017-009

AN ORDINANCE AMENDING THE FISCAL YEAR 2017, ADOPTED BUDGET, AS AMENDED; PROVIDING FOR REVISIONS OF APPROPRIATION OF FUNDS FOR THE OPERATION OF THE GOVERNMENT OF THE CITY OF LAUDERDALE LAKES FOR FISCAL YEAR 2017, AS IDENTIFIED ON EXHIBIT "A," ATTACHED HERETO; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

Commissioner Beverly Williams made a motion to move Ordinance 2017-009 to the floor. Vice-Mayor Veronica Edwards Phillips seconded the motion. There was a unanimous voice vote of approval.

Mayor Rogers asked if there was any discussion. Hearing no discussion, Mayor Rogers requested a roll call:

FOR: Mayor Hazelle Rogers, Vice-Mayor Veronica Edwards Phillips, Commissioner Sandra Davey, Commissioner Gloria Lewis, Commissioner Beverly Williams.

Motion passed: 5-0

8. CONSIDERATION OF ORDINANCES ON FIRST READING

9. CONSIDERATION OF RESOLUTIONS ON CONSENT AGENDA

A. RESOLUTION 2017-062 AUTHORIZING THE CITY MANAGER AND THE DIRECTOR OF FINANCIAL SERVICES TO EXECUTE AN AGREEMENT WITH CULINARY AFFAIRS BY DOMINICK INC. D/B/A CULINARY AFFAIRS, TOGETHER WITH COMPANION AGREEMENTS, TO PROVIDE NUTRITIOUS BREAKFAST, LUNCH AND SNACK FOR THE 2017 SUMMER CAMP PROGRAMS AT WILLIE WEBB SR. PARK

A resolution authorizing the City Manager to execute an agreement with Culinary Affairs to provide nutritious breakfast, lunch and snack for the 2017 Summer Camp Program at Willie Webb Sr. Park. This program will be funded through the Florida Department of Agriculture and Consumer Services, Summer Food Service Program and Children Services Council, Summer Most Grant.

City Attorney Brady read the following Resolution by title only:

RESOLUTION 2017-062

A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE DIRECTOR OF FINANCIAL SERVICES TO EXECUTE AN AGREEMENT WITH CULINARY AFFAIRS BY DOMINICK INC. D/B/A CULINARY AFFAIRS, TOGETHER WITH COMPANION AGREEMENTS, TO PROVIDE NUTRITIOUS BREAKFAST, LUNCH AND SNACK FOR THE 2017 SUMMER CAMP PROGRAMS AT WILLIE WEBB SR. PARK, THROUGH A PROGRAM FUNDED BY THE STATE OF FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, SUMMER FOOD SERVICE PROGRAM AND THE CHILDREN SERVICES COUNCIL SUMMER M.O.S.T. PROGRAM GRANT, A SUMMARY OF WHICH IS ATTACHED HERETO AS EXHIBIT A, AND A COPY OF WHICH CAN BE INSPECTED IN THE OFFICE OF THE CITY CLERK; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

This item was removed from the Consent Agenda

Commissioner Gloria Lewis made a motion to move Resolution 2017-062 to the floor. Commissioner Beverly Williams seconded the motion. There was a unanimous voice vote of approval.

Mayor Rogers asked if there was any discussion. Treasa Brown Stubbs, Director of Parks and Human Services responded to questions regarding the vendor. Mayor Rogers asked if there was any further discussion. Hearing no further discussion, Mayor Rogers requested a roll call:

FOR: Mayor Hazelle Rogers, Vice-Mayor Veronica Edwards Phillips, Commissioner Sandra Davey, Commissioner Gloria Lewis, Commissioner Beverly Williams.

Motion passed: 5-0

B. RESOLUTION 2017-063 RESOLUTION RATIFYING COMMISSIONER BEVERLY WILLIAMS' SUBSTITUTE APPOINTMENT OF A MEMBER TO THE BUDGET ADVISORY COMMITTEE FOR FISCAL YEAR 2017

This Resolution ratifies Commissioner Beverly Williams' appointment to the Budget Advisory Committee for Fiscal Year 2017.

City Attorney Brady read the following Resolution by title only:

RESOLUTION 2017-063

A RESOLUTION RATIFYING COMMISSIONER BEVERLY WILLIAMS' SUBSTITUTE APPOINTMENT OF A MEMBER TO THE BUDGET ADVISORY COMMITTEE FOR FISCAL YEAR 2017; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Commissioner Gloria Lewis made a motion to approve Resolution 2017-063 on consent. Commissioner Beverly Williams seconded the motion. There was a unanimous voice vote of approval.

Mayor Rogers asked if there was any discussion. Hearing no further discussion, Mayor Rogers requested a roll call:

FOR: Mayor Hazelle Rogers, Vice-Mayor Veronica Edwards Phillips, Commissioner Sandra Davey, Commissioner Gloria Lewis, Commissioner Beverly Williams.

Motion passed: 5-0

10. CONSIDERATION OF RESOLUTIONS ON REGULAR AGENDA

- A.** RESOLUTION 2017-064 AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN 2017 AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ONE CENT (\$.01) TRANSIT GAS TAX ON MOTOR FUEL

This Resolution provides for the execution of the amendment to the Interlocal Agreement between the City of Lauderdale Lakes and Broward County for distribution of gas taxes among the Cities based on population figures published annually by the University of Florida Bureau of Economics and Business Research. The interlocal agreement also provides for the population numbers to be revised annually using the most current published figures. The City's share of the proceeds is 0.492229% of the 26% received by the County from the one cent "Transit Gas Tax."

City Attorney Brady read the following Resolution by title only:

RESOLUTION 2017-064

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN 2017 AMENDMENT TO INTERLOCAL AGREEMENT WITH BROWARD COUNTY, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ONE CENT (\$.01) ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL, A SUMMARY OF WHICH IS ATTACHED HERETO AS EXHIBIT 1, AND A FACSIMILE COPY OF WHICH CAN BE INSPECTED IN THE OFFICE OF THE CITY CLERK; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Commissioner Beverly Williams made a motion to move Resolution 2017-064 to the floor. Vice-Mayor Veronica Edwards Phillips seconded the motion. There was a unanimous voice vote of approval.

Mayor Rogers asked if there was any discussion. Bobbi Williams, Purchasing Analyst provided information regarding the three Local Option gas taxes. Mayor Rogers asked if there were any further discussion. Hearing no further discussion, Mayor Rogers requested a roll call:

FOR: Mayor Hazelle Rogers, Vice-Mayor Veronica Edwards Phillips, Commissioner Sandra Davey, Commissioner Gloria Lewis, Commissioner Beverly Williams.

Motion passed: 5-0

- B.** RESOLUTION 2017-065 AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN 2017 AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY THREE CENT (\$.03) ADDITIONAL OPTION GAS TAX ON MOTOR FUEL

This Resolution provides for the execution of the Interlocal Agreement between the City of Lauderdale Lakes and Broward County for distribution of gas taxes among the Cities based on population figures published annually by the University of Florida Bureau of Economics and Business Research. The interlocal agreement also provides for the population numbers to be revised annually using the most current published figures. The City's share of the proceeds is 0.970637% of the 51.27% received by the County from the three cent additional option gas tax.

City Attorney Brady read the following Resolutions by title only:

RESOLUTION 2017-065

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN 2017 AMENDMENT TO INTERLOCAL AGREEMENT WITH BROWARD COUNTY, PROVIDING

FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY THREE CENT (\$.03) ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL, A SUMMARY OF WHICH IS ATTACHED HERETO AS EXHIBIT 1, AND A FACSIMILE COPY OF WHICH CAN BE INSPECTED IN THE OFFICE OF THE CITY CLERK; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Commissioner Beverly Williams made a motion to move Resolution 2017-065 to the floor. Vice-Mayor Veronica Edwards Phillips seconded the motion. There was a unanimous voice vote of approval.

Mayor Rogers asked if there was any discussion. Hearing no further discussion, Mayor Rogers requested a roll call:

FOR: Mayor Hazelle Rogers, Vice-Mayor Veronica Edwards Phillips, Commissioner Sandra Davey, Commissioner Gloria Lewis, Commissioner Beverly Williams.

Motion passed: 5-0

C. RESOLUTION 2017-066 AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN 2017 AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY SIX CENT (\$.06) ADDITIONAL OPTION GAS TAX ON MOTOR FUEL

This Resolution provides for the execution of the Interlocal Agreement between the City of Lauderdale Lakes and Broward County for distribution of gas taxes among the Cities based on population figures published annually by the University of Florida Bureau of Economics and Business Research. The interlocal agreement also provides for the population numbers to be revised annually using the most current published figures. The City's share of the proceeds is 0.709945% of the 37.5% received by the County from the six cent additional option gas tax.

City Attorney Brady read the following Resolution by title only:

RESOLUTION 2017-066

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THAT CERTAIN 2017 AMENDMENT TO INTERLOCAL AGREEMENT WITH BROWARD COUNTY, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY SIX CENT (\$.06) ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL, A SUMMARY OF WHICH IS ATTACHED HERETO AS EXHIBIT 1, AND A FACSIMILE COPY OF WHICH CAN BE INSPECTED IN THE OFFICE OF THE CITY CLERK; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Commissioner Beverly Williams made a motion to move Resolution 2017-066 to the floor. Vice-Mayor Veronica Edwards Phillips seconded the motion. There was a unanimous voice vote of approval.

Mayor Rogers asked if there was any discussion. Hearing no further discussion, Mayor Rogers requested a roll call:

FOR: Mayor Hazelle Rogers, Vice-Mayor Veronica Edwards Phillips, Commissioner Sandra Davey, Commissioner Gloria Lewis, Commissioner Beverly Williams.

Motion passed: 5-0

D. GOLDENROD RESOLUTION 2017-067 PROVIDING FOR THE SATISFACTION OF A

CERTAIN CODE ENFORCEMENT LIEN

Mayor Hazelle Rogers asked to move the Goldenrod Item to the beginning of the meeting. Commissioner Gloria Lewis made a motion to hear the Goldenrod Item. Commissioner Beverly Williams seconded the motion. There was a unanimous voice vote of approval.

City Attorney Brady read the following Resolution by title only:

RESOLUTION 2017-067

A RESOLUTION OF THE CITY OF LAUDERDALE LAKES, PROVIDING FOR THE SATISFACTION OF A CERTAIN CODE ENFORCEMENT LIEN; AUTHORIZING AND DIRECTING THE CITY MANAGER AND FINANCIAL SERVICES DIRECTOR TO TAKE SUCH STEPS AS ARE NECESSARY AND APPROPRIATE TO ACCOMPLISH THE PURPOSES HEREOF; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE

Commissioner Gloria Lewis made a motion to amend the Resolution from May 22, 2017 to May 15, 2017. Commissioner Beverly Williams seconded the motion. There was a unanimous voice vote of approval.

Mayor Rogers asked if there was any discussion. Hearing no discussion, Mayor Rogers requested a roll call of the Resolution as amended:

FOR: Mayor Hazelle Rogers, Vice-Mayor Veronica Edwards Phillips, Commissioner Sandra Davey, Commissioner Gloria Lewis, Commissioner Beverly Williams.

Motion passed: 5-0

11. CORRESPONDENCE

12. REPORT OF THE MAYOR

- Mayor Hazelle Rogers congratulated BSO Fire Chief Ken Kronheim on the recent swim safety event and informed everyone of the State of the City address taking place on June 22nd. Mayor Rogers reminded everyone about the Samuel Brown Scholarship deadline and wished everyone a Happy Mother's Day.

13. REPORT OF THE VICE MAYOR

- Vice Mayor Veronica Edwards Phillips thanked everyone for attending and watching the meeting and encouraged parents to involve their children in constructive activities for the summer. Vice Mayor Edwards Phillips informed everyone about a book kiosk which will give each child a free book on June 5th at the Miles Multipurpose Center and encouraged parents to make sure their children know how to swim. Vice Mayor Edwards Phillips wished everyone a Happy Mother's Day.

14. REMARKS OF THE COMMISSIONERS

- Commissioner Sandra Davey thanked everyone for attending the meeting and wished a Happy Mother's Day to everyone. Commissioner Davey provided information about Lung Cancer Awareness and about lung cancer events taking place from May 8th through May 12th. Commissioner Davey also provided information about the collecting of duffle bags for children in foster care.
- Commissioner Gloria Lewis thanked everyone for watching and attending the meeting and informed everyone that the Broward County Property Appraiser will be in the City in June to provide

information to residents. Commissioner Lewis stated that she believes that it is time for the City Attorney to receive an evaluation.

- Commissioner Beverly Williams informed everyone about the free tree giveaway on Saturday May 27th from 10- noon at the Lauderdale Lakes Community Garden and wished everyone a Happy Mother's Day.

15. REPORT OF THE CITY MANAGER

- City Manager Phil Alleyne informed everyone about the seven new businesses that opened in March in the City; the UNIFEST celebration on Sunday May 21st at Vincent Torres Park from 12 noon to 11 p.m.; Mayor and Commission for a Day on May 19th from 6 p.m. – 8 p.m. in the Commission Chambers; Summer camp begins on June 12th from 7 a.m. to 6 p.m. at Vincent Torres Park and Willie Webb Park; finalization of the CAFA report; recent drowning of a resident when his car lost control and ended up in a canal.

16. REPORT OF THE CITY ATTORNEY

- City Attorney James Brady requested a shade meeting for the following cases: City of Lauderdale Lakes versus Max Sports Inc., City of Lauderdale Lakes versus BJ Foundation, Inc., and Wilmington Trust versus the City of Lauderdale Lakes. Mr. Brady stated that he would like to discuss cost and strategies and settlement possibilities on each case.

17. ADJOURNMENT

The meeting was adjourned at 8:02 p.m.

"In accordance with Sec. 2-55 of the Code of Ordinance, the minutes are action minutes and do not record or transcribe debate or argument. The City Clerk maintains an audio recording of the Workshop and Commission Meeting minutes in accordance with state retention regulations. For an audio/video copy of the minutes, please contact the City Clerk's Office at 954-535-2705."

HAZELLE ROGERS, MAYOR

ATTEST:

SHARON HOUSLIN, CITY CLERK

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact:

Contract Requirement:

Title
ORDINANCE 2017-010 AMENDING RULE 13 OF SECTION 2-56 OF CHAPTER 2 OF THE CODE OF ORDINANCES TO CONFORM TO THE AMENDMENT TO THE CITY CHARTER APPROVED NOVEMBER, 2016; PROVIDING FOR PROCEDURES FOR ADOPTION OF ORDINANCES; PROVIDING FOR PROCEDURES FOR ADOPTION OF RESOLUTIONS ON CONSENT AGENDA

Summary
This Ordinance aligns Rule 13 of Section 2-56 of Chapter 2 of the Code of Ordinances with the results of the November 2016 Municipal Election.

Staff Recommendation

Background:

- Sec. 2-56. - Ordinances and resolutions - Rule 13. The following procedures shall govern the adoption of ordinances and resolutions of the city:

(2) *Procedure for adoption of ordinances.* ~~The proposed ordinance shall be read in full on first reading and by title only on second reading on at least two separate dates, at either regular or special meetings of the city commission; provided, however, upon the affirmative vote of five members of the city commission, the necessity that the ordinance be read in full on first reading may be waived. The procedure for adoption of ordinances on an emergency basis shall be governed by the specific provisions elsewhere set forth herein. Except as provided in Section 166.041(2)(c), Florida Statutes, a proposed ordinance may be read by title only, on at least 2 separate days and shall, at least 10 days prior to adoption, be noticed once in a newspaper of general circulation in the municipality; provided, however, upon motion adopted by the majority of a quorum present, a proposed ordinance shall be read in full. The notice of proposed enactment shall state the date, time, and place of the meeting; the title or titles of proposed ordinances; and the place or places within the municipality where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance. Otherwise, the provisions of Section 166.041, Florida Statutes, as amended from time to time shall control.~~

(3) *Consent agenda for adoption of resolutions.* The city clerk shall establish a consent agenda for the adoption of resolutions upon advice and direction of the city manager, and review by the Mayor. All items appearing on such consent agenda may be adopted on a roll call vote by the affirmative vote of five commissioners, unless an item is first pulled from the agenda as hereinafter provided. If such consent agenda does not receive ~~five~~ three affirmative votes, the commission may delete resolutions from such consent agenda or it may proceed to consider such resolutions individually. Each commissioner and the mayor shall be entitled to remove an item from the consent agenda before the vote on the consent agenda. A member of the public may seek the removal of an item from the consent agenda for discussion, through a commissioner or the mayor. Such removal shall be subject to the discretion of the commissioner or the mayor.

Funding Source:

Not applicable

Sponsor Name/Department: Sharon Houslin, City Clerk

Meeting Date: 5/23/2017

ATTACHMENTS:

Description	Type
Ordinance 2017-010	Ordinance

ORDINANCE 2017-010

AN ORDINANCE AMENDING RULE 13 OF SECTION 2-56 OF CHAPTER 2 OF THE CODE OF ORDINANCES TO CONFORM TO THE AMENDMENT TO THE CITY CHARTER APPROVED NOVEMBER, 2016; PROVIDING FOR PROCEDURES FOR ADOPTION OF ORDINANCES; PROVIDING FOR PROCEDURES FOR ADOPTION OF RESOLUTIONS ON CONSENT AGENDA; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Charter of the City was amended pursuant to referendum vote in November, 2016, whereby the electorate determined to adopt the procedures set forth in Section 166.041, Florida Statutes, with regard to the adoption of ordinances, and

WHEREAS, the City Commission desires to conform the City Code to such change,

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

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. AMENDMENT: Sub-section 2 of Rule 13 of Section 2-56 of Chapter 2 of the Code of Ordinances is hereby amended to read as follows:

- **Sec. 2-56. - Ordinances and resolutions.**

Rule 13. The following procedures shall govern the adoption of ordinances and resolutions of the city:

(1)

Form. Each ordinance or resolution shall be introduced in writing and shall embrace but one subject and matters properly connected therewith. The subject shall be clearly stated in the title. No ordinance shall be revised or amended by reference to its title only. Ordinances to revise or amend shall

set out in full revised or amended act, section, subsection or paragraph of a section or subsection.

(2)

Procedure for adoption of ordinances. ~~The proposed ordinance shall be read in full on first reading and by title only on second reading on at least two separate dates, at either regular or special meetings of the city commission; provided, however, upon the affirmative vote of five members of the city commission, the necessity that the ordinance be read in full on first reading may be waived. The procedure for adoption of ordinances on an emergency basis shall be governed by the specific provisions elsewhere set forth herein. Except as provided in Section 166.041(2)(c), Florida Statutes, a proposed ordinance may be read by title only, on at least 2 separate days and shall, at least 10 days prior to adoption, be noticed once in a newspaper of general circulation in the municipality; provided, however, upon motion adopted by the majority of a quorum present, a proposed ordinance shall be read in full. The notice of proposed enactment shall state the date, time, and place of the meeting; the title or titles of proposed ordinances; and the place or places within the municipality where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance. Otherwise, the provisions of Section 166.041, Florida Statutes, as amended from time to time shall control.~~

(3)

Consent agenda for adoption of resolutions. The city clerk shall establish a consent agenda for the adoption of resolutions upon advice and direction of the city manager, and review by the Mayor. All items appearing on such consent agenda may be adopted on a roll call vote by the affirmative vote of five commissioners, unless an item is first pulled from the agenda as hereinafter provided. If such consent agenda does not receive ~~five~~ three affirmative votes, the commission may delete resolutions from such consent agenda or it may proceed to consider such resolutions individually. Each commissioner and the mayor shall be entitled to remove an item from the consent agenda before the vote on the consent agenda. A member of the public may seek the removal of an item from the consent agenda for discussion, through a commissioner or the mayor. Such removal shall be subject to the discretion of the commissioner or the mayor.

(4)

Referral of items from consent agenda. All resolutions not adopted on the applicable consent agenda shall be referred to and considered under the applicable agenda item, provided that items referred from the consent agenda shall be considered before items enumerated on the nonconsent agenda in the order in which such referred item appeared on the consent agenda.

(5)

Reading of consent agenda. Each resolution on the applicable consent agenda shall be read by title only. After the reading of all of the titles to each resolution on the applicable consent agenda the agenda may be adopted en masse by the affirmative roll call vote of ~~five~~ three commissioners.

(6)

Second reading of an ordinance. The second reading of an ordinance shall be had at a meeting subsequent to that at which the ordinance was read for the first time; provided, however, that the city commission may by a two-thirds vote enact an emergency ordinance without complying with such reading requirements in accordance with the procedures set forth at section 3.18 of the Charter.

(7)

Amendments to ordinances. If a proposed ordinance is amended, the final reading of an ordinance shall be as amended.

(8)

Reading of resolutions. Resolutions shall be read one time by title only, unless a city commissioner requests that a resolution be read in full, and final action thereon may be had immediately after such reading.

(9)

Recordation of final vote. A recordation of the final vote of each ordinance [shall be] by the recording thereof under the attestation of the city clerk in the form determined by the acting city manager; provided, however, that the failure to reflect such vote shall not invalidate the applicable legislation.

(10)

Final vote on resolutions. A recordation of the final vote of each resolution [shall be] by the recording thereof under the attestation of the city clerk in the form determined by the acting city manager; provided, however, that the failure to reflect such vote shall not invalidate the applicable legislation.

(11)

Concept of ordinance to be presented at commission workshop. Prior to the administration putting proposed legislation on the agenda for a city commission meeting, a sponsor of a proposed ordinance shall cause the same or the concept thereof to be introduced at a commission workshop meeting through the city manager. The passage of any ordinance without compliance with the procedures hereby established shall not affect the validity of such ordinance. The consideration of a resolution shall not require that the same be first reviewed at a commission workshop prior to its consideration by the city commission.

SECTION 3. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. INCLUSION IN CODE: It is the intention of the City Commission of the City of Lauderdale Lakes that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lauderdale Lakes and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 6. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 23RD DAY OF MAY, 2017.

PASSED ON SECOND ON THE _____ DAY OF JUNE, 2017.

HAZELLE ROGERS, MAYOR

ATTEST:

SHARON HOUSLIN, CITY CLERK

JCB:jla

Sponsored by: SHARON HOUSLIN, City Clerk

VOTE:

Mayor Hazelle Rogers	_____	(For)	_____	(Against)	_____	(Other)
Vice-Mayor Veronica Edwards Phillips	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Sandra Davey	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Gloria Lewis	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Beverly Williams	_____	(For)	_____	(Against)	_____	(Other)

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title
ORDINANCE 2017-011 AMENDING SECTION 2-212 OF CHAPTER 2 AND AMENDING SECTION 82-355 OF CHAPTER 82 TO PROVIDE FOR CONSISTENCY, BOTH OF THE CODE OF ORDINANCES; PROVIDING FOR A RESTATEMENT OF THE CITY MANAGER'S SPENDING PREROGATIVES WITH RESPECT TO THE PURCHASE OR CONTRACTING FOR GOODS, SERVICES OR CAPITAL IMPROVEMENTS; PROVIDING FOR THE DELETION OF REDUNDANT PROVISIONS REGARDING THE MAYOR

Summary
This ordinance amends the Chapter 2-212, Administration, Powers and duties and the Chapter 82-355, Procurement Code, Responsibilities and authority.

Staff Recommendation

Background:

The following changes are recommended:

Chapter 2-212, Administration. Powers and duties

(14) The city manager shall be authorized to approve any expenditure for any of the city departments, in connection with the purchasing or contracting for goods, services or capital improvements including the making of contracts, not to exceed a duration of three years, in a sum not to exceed in amounts expressly set forth in the procurement code. Chapter 82, \$25,000.00; provided, however, that any contract exceeding a sum of \$25,000.00 irrespective of duration shall require commission approval.

Chapter 82-355, Procurement Code, Responsibilities and authority

(3) The city manager or designee shall have the authority to approve and execute all procurement-related non-capital improvement purchase orders, contracts, contract amendments and contract renewals in the amount of \$25,000.00 or less, including the making of contracts, not to exceed a duration of three years.

(5) ~~The mayor shall have the authority to execute all procurement-related, contracts, contract amendments and contract renewals in excess of the threshold for purchasing category three two, as defined in the F.S. § 287.017(3) after city commission approval. Such execution shall be attested to by the city clerk. Execution of short-term leases and other procurement-related purchase orders, contract amendments and contract renewals in excess of the threshold for purchasing category three two shall be instruments delegated to the city manager or designee for execution.~~

Funding Source:

N/A

Sponsor Name/Department: Susan Gooding-Liburd, MBA, CPA, CGFO/ Director of Financial Services

Meeting Date: 5/23/2017

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Ordinance 2017-011 - Procurement Code Responsibilities and Authority	Ordinance

ORDINANCE 2017-011

AN ORDINANCE AMENDING SECTION 2-212 OF CHAPTER 2 AND AMENDING SECTION 82-355 OF CHAPTER 82 TO PROVIDE FOR CONSISTENCY, BOTH OF THE CODE OF ORDINANCES; PROVIDING FOR A RESTATEMENT OF THE CITY MANAGER'S SPENDING PREROGATIVES WITH RESPECT TO THE PURCHASE OR CONTRACTING FOR GOODS, SERVICES OR CAPITAL IMPROVEMENTS; PROVIDING FOR THE DELETION OF REDUNDANT PROVISIONS REGARDING THE MAYOR; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 2-212 of Chapter 2 of the Code of Ordinances provides for the powers and duties of the City Manager, and

WHEREAS, Subsection 14 of Section 2-212 provides for certain spending prerogatives in the City Manager's office, and

WHEREAS, the City, in 2013, enacted a Procurement Code which, as well, expresses the spending prerogatives of the office of City Manager, and

WHEREAS, it is appropriate to provide a single locus for the expression of the spending prerogatives of the City Manager, and

WHEREAS, the City Commission has determined that the City Manager's spending prerogatives should be set forth in the Procurement Code,

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

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. AMENDMENT: Section 2-212 of Chapter 2 of the Code of Ordinances is hereby amended to read as follows:

Sec. 2-212. - Powers and duties.

The city manager shall be responsible to the city commission for the proper administration of all affairs of the city coming under the city manager's jurisdiction, and to that end, he shall:

- (1) See that the laws and ordinances of the city are enforced.
- (2) Appoint, suspend, demote and/or remove any subordinate officers and employees under the city manager's jurisdiction in accordance with the Charter.
- (3) Exercise control, direct and supervise all activities of the municipal government, except as otherwise provided in the Charter.
- (4) See that all terms and conditions imposed in favor of the city or its inhabitants in all contracts including leases and public utility franchises are faithfully kept and performed, and upon knowledge of any violation thereof, call the same to the attention of the city attorney and the city commission.
- (5) Attend all meetings of the city commission with right to take part in the discussion, but without having a vote.
- (6) Recommend to the city commission for consideration such measures as the city manager may deem necessary or expedient in the interests of the city.
- (7) Keep the city commission fully advised as to the financial conditions and needs of the city, and at such times and in such detail as may be specified submit to the city commission for its consideration and approval an annual budget and mid-year budget.
- (8) Advise and consult with all officers and official heads of the several departments of the city relative to the affairs of such departments.
- (9) Investigate and determine whether purchases of current supplies and contractual services are made in accordance with regulations prescribed by Charter and ordinances, and whether competitive conditions are maintained in a fair and impartial manner.

- (10) Permit no contract to be let for the construction of public improvements, unless same is approved by the city commission after public advertisement for bids, except for emergency construction.
- (11) Prepare and submit to the city commission, in conjunction with the city auditor, after the close of each fiscal year, a complete report of the operation and business of the city for the preceding year.
- (12) Recommend the signing of all bonds, contracts and agreements of the city, upon approval by the city commission.
- (13) Perform such duties as may be prescribed under this division, or may be required of him by motion, direction, or other ordinances or resolutions of the city commission.
- (14) The city manager shall be authorized to approve any expenditure for any of the city departments, in connection with the purchasing or contracting for goods, services or capital improvements including the making of contracts, not to exceed a duration of three years, in a sum not to exceed in amounts expressly set forth in the procurement code, Chapter 82, \$25,000.00; ~~provided, however, that any contract exceeding a sum of \$25,000.00 irrespective of duration shall require commission approval.~~
- (15) The city manager shall be responsible for the receipt and safekeeping of city funds, and the city manager shall see that such funds shall be deposited and maintained in one or more depositories, as provided by state law.
- (16) The city manager shall be authorized to approve and execute subordination agreements, subordinating the lien of the city arising from a home loan mortgage or other city mortgage, in such situations where:
- a. There is no transfer of title to the property;
 - b. The avowed purpose of the refinancing is to lower the monthly payment incident to a lowered interest rate; and
 - c. No cash is taken from the mortgage refinancing, other than money sufficient to pay legitimate and reasonable closing costs.

SECTION 3. AMENDMENT: Section 82-355 of Chapter 82 of the Code of Ordinances is amended to read as follow:

- **Sec. 82-355. - Responsibilities and authority.**

- (a) *General.* Except as otherwise provided herein, the director of financial services or designee shall have responsibility for the general supervision of the purchasing and contracts division and shall perform all duties required and shall act as the principal public purchasing officer for the city, responsible for the procurement of supplies, services and construction in accordance with this article, as well as the disposal of excess equipment or supplies.

- (b) *Responsibilities and authority.*

- (1) All purchases of goods and services shall be processed through the purchasing and contracts division. The director of financial services or designee is hereby authorized to promulgate procedures for the requisitioning of supplies and services.

- (2) For all purchases, the director of financial services or designee shall verify that the purchase request has sufficient unencumbered funds to cover the purchase, or that a budget amendment or transfer is in process for approval by the city manager or designee.

- (3) The city manager or designee shall have the authority to approve and execute all procurement-related non-capital improvement purchase orders, contracts, contract amendments and contract renewals in the amount of \$25,000.00 or less, including the making of contracts, not to exceed a duration of three years.

- (4) The city manager or designee shall have the authority to approve and execute all procurement-related capital improvement purchase orders, contracts, contract amendments and contract renewals up to and equal to the amount of the threshold for purchasing category two, currently \$35,000.00, as defined in F.S. § 287.017 or less; provided, however, the city commission may, at the time of the award of applicable improvement project revise such amount for such project, only.

- ~~(5) The mayor shall have the authority to execute all procurement related, contracts, contract amendments and contract renewals in excess of the threshold for purchasing category three two, as defined in the F.S. § 287.017(3) after city commission approval. Such execution shall be attested to by the city clerk. Execution of short term leases and other procurement~~

~~related purchase orders, contract amendments and contract renewals in excess of the threshold for purchasing category three two shall be instruments delegated to the city manager or designee for execution.~~

(65)

For the purposes of this section, the value of the contract or purchase order shall be the total value, to include existing change orders, contract renewals, renewal options and contract amendments. The city manager and director of financial services, or their designees, may approve contract amendments and contract renewals where the revised value of the contract does not exceed the respective award authority.

(76)

For contracts containing options to renew and initially approved by the city commission pursuant to paragraph (5) of this section, the city manager shall have the authority to exercise options to renew when the option value is within his award authority.

SECTION 4. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 5. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. INCLUSION IN CODE: It is the intention of the City Commission of the City of Lauderdale Lakes that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lauderdale Lakes and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided,

however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 7. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 23TH DAY OF MAY, 2017.

ADOPTED AND PASSED ON SECOND READING BY THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES AT ITS REGULAR MEETING HELD ON THE ____ DAY OF _____, 2017.

HAZELLE ROGERS, MAYOR

ATTEST:

SHARON HOUSLIN, CITY CLERK

JCB:jla

Sponsored by: PHIL ALLEYNE, City Manager

VOTE:

Mayor Hazelle Rogers	_____	(For)	_____	(Against)	_____	(Other)
Vice-Mayor Veronica Edwards Phillips	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Sandra Davey	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Gloria Lewis	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Beverly Williams	_____	(For)	_____	(Against)	_____	(Other)

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title

ORDINANCE 2017-012 AMENDING SUB-SECTION (A)(1)L, LOCAL BUSINESS PREFERENCE OF SECTION 82-356 OF THE CODE OF ORDINANCES; PROVIDING FOR A REVISION TO THE METHODS OF SOURCE SELECTION BY INCREASING THE LOCAL PREFERENCE ELEMENT FROM FIVE (5%) PERCENT TO TEN (10%) PERCENT OF THE LOW BID

Summary

This ordinance amends Chapter 82-356, Procurement Code, Methods of source selection.

Staff Recommendation

Background:

The following changes are recommended:

v. If a qualified local business submits a response to either an inquiry made pursuant to informal competitive conditions or a formal invitation to bid, as required in this code, and the original bid of the qualified local business is within ~~five~~ ten percent of the low bid, then the city shall give the qualified local business the opportunity to meet the price of the low bid. The order of preference by which the qualified local business shall be given the opportunity to match the low bid shall be from the lowest to the highest bid, as long as the initial bid was within ~~five~~ ten percent of the low bid.

Funding Source:

Not applicable

Sponsor Name/Department: Susan Gooding-Liburd, MBA, CPA, CGFO, Director of Financial Services

Meeting Date: 5/23/2017

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Ordinance 2017-012 - Procurement Code Method of Source Selection	Ordinance

ORDINANCE 2017-012

AN ORDINANCE AMENDING SUB-SECTION (A)(1)L, LOCAL BUSINESS PREFERENCE OF SECTION 82-356 OF THE CODE OF ORDINANCES; PROVIDING FOR A REVISION TO THE METHODS OF SOURCE SELECTION BY INCREASING THE LOCAL PREFERENCE ELEMENT FROM FIVE (5%) PERCENT TO TEN (10%) PERCENT OF THE LOW BID; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is appropriate and serves a valid public purpose for the City to promote its City-centered economy by providing a preference to local businesses, where such preference is not inconsistent with state or federal laws or a particular funding mechanism,

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

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. AMENDMENT: Sub-Section (a)(1)l, Local business preference, of Section 82-356 of Chapter 82 of the Code of Ordinances is hereby amended to read as follows:

Sec. 82-356(a)(1)l - Methods of source selection.

l. Local business preference.

1. Procedure.

- i. Notice of option to match low bid. The city shall give a preference to a qualified local business which responds to bid proposals or an invitation to bid in the following manner:
- ii. Preference for local bidders. Except where federal, state or county law mandates to the contrary, or as otherwise provided herein, the city, pursuant to its purchasing authority, shall grant

a preference in the amount of five percent of any bid or five points of any proposal score to a local business. Such preference shall apply to quotations, bids or proposals for commodities and services.

iii. Preference for businesses employing Lauderdale Lakes residents. A vendor located outside of the City of Lauderdale Lakes city limits is considered equivalent to a Lauderdale Lakes vendor and accorded the same preference if it employs a minimum of ten full-time equivalent ("FTE") Lauderdale Lakes residents or Lauderdale Lakes residents constitute 20 percent FTE of the company's local workforce (Broward and Miami-Dade Counties), whichever is larger.

iv. Application of preferences. Preferences shall be additive and computed as a whole on the bid or proposal. For example, the city, pursuant to its purchasing authority, shall grant a preference in the amount of ten percent of any bid or ten points of any proposal score to a local disadvantaged business. Such preference shall apply to bids or proposals for commodities and services.

v. If a qualified local business submits a response to either an inquiry made pursuant to informal competitive conditions or a formal invitation to bid, as required in this code, and the original bid of the qualified local business is within ~~five~~ ten percent of the low bid, then the city shall give the qualified local business the opportunity to meet the price of the low bid. The order of preference by which the qualified local business shall be given the opportunity to match the low bid shall be from the lowest to the highest bid, as long as the initial bid was within ~~five~~ ten percent of the low bid.

vi. The city shall give the qualified local business written notice of the opportunity to match the price of the low bid within five business days of determining the low bid. There shall only be one valid notice of an opportunity to match the price of the low bid outstanding at any one point in time.

vii. The qualified local business to whom a written notice has been mailed or otherwise transmitted must respond to the city in writing. If the qualified local business fails to file a response to the notice with the city within two days of the posting or transmission of the notification of the option to match the low bid, then the failure to respond shall be deemed to be a denial of the opportunity to match the low bid. Should the qualified local business choose to meet the price of the low bid, then the city shall award the contract to the qualified local business. If no

qualified local business accepts the option to match the low bid, then the contract shall be offered to the low bidder.

2. *Disclosure.* The requirements of the city's local policy shall be disclosed in all bid packages or requests for bids.

3. *Exceptions.* The requirements for local business preference shall not apply to either purchases made utilizing cooperative purchasing agreements, emergency purchases, responses to a request for proposal, purchases authorized by the city manager without city commission approval, or any contract subject to the requirements of this Code incorporating the requirements of the Consultant's Competitive Negotiation Act.

SECTION 3. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. INCLUSION IN CODE: It is the intention of the City Commission of the City of Lauderdale Lakes that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lauderdale Lakes and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 6. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING, ON THE 23TH DAY OF MAY, 2017.

PASSED ON SECOND READING ON THE _____ DAY OF _____,
2017.

ADOPTED AND PASSED BY THE CITY COMMISSION OF THE CITY OF
LAUDERDALE LAKES AT ITS REGULAR MEETING HELD ON THE _____ DAY OF
_____, 2017.

HAZELLE ROGERS, MAYOR

ATTEST:

SHARON HOUSLIN, CITY CLERK

JCB:jla

Sponsored by: PHIL ALLEYNE, City Manager

VOTE:

Mayor Hazelle Rogers	_____	(For)	_____	(Against)	_____	(Other)
Vice-Mayor Veronica Edwards Phillips	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Sandra Davey	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Gloria Lewis	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Beverly Williams	_____	(For)	_____	(Against)	_____	(Other)

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title

RESOLUTION 2017-068 URGING PRESIDENT DONALD TRUMP AND THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO EXTEND TEMPORARY PROTECTED STATUS FOR HAITIAN NATIONALS

Summary

This Resolution urges the Honorable President, Donald Trump, with full support of the Secretary of Homeland Security, John F. Kelly, to extend Temporary Protected Status for Haitian nationals for at least another 18-month period.

Staff Recommendation

Background:**Funding Source:**

Not applicable

Sponsor Name/Department: Commissioner Sandra Davey, Office of the Mayor and Commission

Meeting Date: 5/23/2017

ATTACHMENTS:

Description	Type
2017-068 - Urging Support for Temporary Protected Status for Haitian Nationals	Resolution

RESOLUTION 2017-068

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES, BROWARD COUNTY, FLORIDA, URGING PRESIDENT DONALD TRUMP AND THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO EXTEND TEMPORARY PROTECTED STATUS FOR HAITIAN NATIONALS; PROVIDING FOR DIRECTIONS TO CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 15, 2010, the United States Department of Homeland Security (“DHS”) granted Temporary Protected Status (“TPS”) to Haitian nationals who were in the United States as of January 12, 2010, the date of the devastating earthquake in Haiti, and

WHEREAS, the TPS designation allows eligible Haitian nationals to temporarily continue living and working in the United States, and

WHEREAS, TPS was made available to Haitian nationals for 18 months from January 12, 2010 to July 22, 2011, and

WHEREAS, on July 23, 2011, Haiti’s TPS designation was extended and redesignated for 18 months, and the latest extension of TPS occurred on January 23, 2016 and expires on July 22, 2017, and

WHEREAS, Haiti has not yet recovered from the 2010 earthquake, the nation suffers from economic and political crises, rampant Zika and Chikungunya, the affects of a devastating cholera epidemic which has killed 10,000 and sickened 900,000, and most recently, the destructive affects of Hurricane Matthew, which cost Haiti \$2.7 billion or 32% of its GDP per a March, 2017 United Nations’ report, and

WHEREAS, on October 4, 2016, Hurricane Matthew was the first Category 4 hurricane to hit Haiti in 52 years, and

WHEREAS, Hurricane Matthew affected 2 million Haitians, left at least 1.4 million in need of emergency aid, killed 1,000 people, rendered 806,000 people extremely food insecure, left 1,250,000 Haitians—including a half-million children—without safe water, wiped out livestock and crops in broad areas, damaged or destroyed 1,663 schools, dramatically increased the number of cholera cases in Haiti, and left entire towns completely destroyed and cut off from the outside world by flooding and damage; and

WHEREAS, the United Nations estimates that hundreds of thousands of Haitians remain “extremely food insecure,” some have died as a result of malnutrition, and thousands may starve to death in what experts describe as a looming humanitarian disaster, and

WHEREAS, in “Desperate Haitians living in caves, eating toxic plants in post-hurricane Haiti,” by Jacqueline Charles, *Miami Herald*, March 24, 2017, Food for the Poor’s President/CEO is quoted as saying, “They have no food. They have no water. They have no shelter...It really is a crime against humanity.”, and

WHEREAS, per the same article, a few days earlier the same charity reported in a press release that “at least 13 Haitians in the Grand’Anse had died over the past 10 days because of hurricane-related food shortages in the region, and families are turning in desperation to fruits and foliage known to be poisonous in an attempt to quell their hunger and save their lives.”, and

WHEREAS, Haiti’s current humanitarian situation is precarious and likely to get worse, and the United Nations’ Office for the Coordination of Humanitarian Affairs has

warned that the vast majority of agricultural households have not recovered their means of production, their financial situation is rapidly deteriorating and their access to basic services has diminished considerably because of the end of emergency programs,” and

WHEREAS, per the same article, “While two out of three farmers in the Grand’Anse region lost three-fourths of their crops as a result of Matthew, the U.N. humanitarian agency also noted that 95 percent of farmers were unable to plant for the February or May harvest.”, and

WHEREAS, such reports are proliferating, indicating a worsening humanitarian crisis affecting hundreds of thousands of Haitians with which Haiti’s government is unable to cope; and

WHEREAS, the 50,000 Haitians with TPS have been in the US for at least six and a half years, the vast majority since well before the January 2010, earthquake and have strong community ties including families with U.S.-born, American-citizen children, and

WHEREAS, the \$1.3 billion per year in remittances sent to Haiti from Haitians in the U.S. are crucial to sustain hundreds of thousands of loved ones back home in Haiti, and

WHEREAS, the United Nations has raised barely \$2 million of its \$400 million minimum goal to fight cholera in Haiti, and

WHEREAS, Haiti’s government is in no position to insure safety, to assimilate the 50,000 Haitians with TPS, or to make up for their remittances should they be curtailed by their deportation, and

WHEREAS, their deportation would consequently tend to destabilize Haiti, which is contrary to the national security interest of the United States, and

WHEREAS, there continues to be extraordinary and temporary conditions that prevent Haitian nationals from safely returning to Haiti and, therefore, TPS should be extended for an additional 18 months,

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

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

Section 2. EXPRESSION OF SUPPORT: The City Commission of the City of Lauderdale Lakes, Broward County, Florida urges the Honorable President, Donald Trump, with full support of the Secretary of Homeland Security, John F. Kelly, to extend Temporary Protected Status for Haitian nationals for at least another 18-month period.

Section 3. DIRECTIONS TO THE CITY CLERK: The City Clerk is hereby authorized and directed to provide a true and correct copy of this Resolution to all Cities, the Florida League of Cities, and all the villages, towns and municipalities of Broward County, and to:

President Donald Trump
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500
Tel.: (202) 456-1414

Honorable John F. Kelly
Secretary of Homeland Security
Washington, D.C. 20528
Tel.: (202) 282-8495

House Minority Leader
Nancy Pelosi
Office of the Democratic Leader
H-204, US Capitol
Washington, D.C. 20515
Tel.: (202) 225-0100

Senate Minority Leader
Chuck Schumer
780 Third Avenue, Suite 2301
New York, NY 10017
Tel.: (212) 486-4430

Senate Majority Leader
Mitch McConnell
601 W. Broadway
Room 630
Louisville, KY 40202
Tel.: (502) 582-6304

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 MAY 23, 2017.

HAZELLE ROGERS, MAYOR

ATTEST:

SHARON HOUSLIN, CITY CLERK
JCB:jla

Sponsored by: COMMISSIONER SANDRA DAVEY

VOTE:

Mayor Hazelle Rogers	_____	(For)	_____	(Against)	_____	(Other)
Vice-Mayor Veronica Edwards Phillips	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Sandra Davey	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Gloria Lewis	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Beverly Williams	_____	(For)	_____	(Against)	_____	(Other)

CITY OF LAUDERDALE LAKES

Agenda Cover Page

Fiscal Impact: No

Contract Requirement: No

Title

RESOLUTION 2017-069 APPROVING CONDITIONAL USE APPLICATION #01-CU-17, OF XCELL PROFESSIONAL AUTO CARE & ACCESSORIES, INC., THROUGH JASON SMITH, FOR DETAILING AND STEAM CLEANING OF MOTOR VEHICLES

Summary

This Resolution would approve conditional use Application # 01-CU-17, to operate detailing and steam cleaning of motor vehicles, within the Lauderdale Lakes Industrial Park, subject to certain limitations and conditions.

Staff Recommendation

Background:

On February 21, 2017, Jason Smith, owner of XCELL Professional Auto Care and Accessories, Inc., filed a request for conditional use approval to allow the operation of detailing and steam cleaning of motor vehicles in the Industrial zoning district with an underlying future land use of Industrial.

XCELL Professional Autocare and Accessories, Inc, has operated a car wash and detailing facility in Lauderdale Lakes for the past 5 years.

The Development Review Committee reviewed and discussed this application on March 15, 2017. Comments regarding potential impacts on parking and hours of operation were addressed by the applicant.

At the April 27, 2017 Planning & Zoning Board meeting, a favorable recommendation was made to approve this item by a 4-0 vote.

Funding Source:

N/A

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

Meeting Date: 5/23/2017

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Resolution 2017-069 - XCELL Autocare Professionals	Resolution
<input type="checkbox"/> Interoffice Memorandum regarding Application No. 01-CU-17 on behalf of XCELL Autocare Professionals	Backup Material

RESOLUTION 2017-069

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERDALE LAKES APPROVING CONDITIONAL USE APPLICATION #01-CU-17, OF XCELL PROFESSIONAL AUTO CARE & ACCESSORIES, INC., THROUGH JASON SMITH, FOR DETAILING AND STEAM CLEANING OF MOTOR VEHICLES, ON PROPERTY LOCATED AT 3079-3083 NORTHWEST 28TH STREET, WITHIN THE LAUDERDALE LAKES INDUSTRIAL PARK; PROVIDING FOR SPECIFIC CONDITIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 21, 2017, XCELL Professional Auto Care & Accessories, Inc., submitted an application for conditional use approval, through Jason Smith, owner, to operate a detailing and steam cleaning facility of high end motor vehicles, and

WHEREAS, Subsection 707.12 of Section 707 of the Land Development Regulations provides for conditional use for businesses involved in “the sale, service and storage of motor vehicles, trailers motor homes and boats,” and

WHEREAS, staff has recommended that the Planning and Zoning Board forward a favorable recommendation to the City Commission with respect to this conditional use application, and

WHEREAS, the Planning and Zoning Board, at its meeting of April 27, 2017, reviewed the application for conditional use and recommended the approval of same by a 4 to 0 vote,

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

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

Section 2. APPROVAL: The City Commission of the City of Lauderdale Lakes hereby approves the conditional use Application #01-CU-17, for the establishment of a detailing and steam cleaning facility for high end motor vehicles, in the two vacant bays consisting of +/- 2,800 square feet of gross floor area that is part of a +/- .55 acre site, which is located at 3079-3083 Northwest 28th Street, in the Lauderdale Lakes Industrial Park, subject to the following conditions:

- a. No car washing services shall be provided ;
- b. Hours of operation are from 8:00 a.m. to 7:00 p.m., Monday through Sunday;
- c. Off the street parking will be provided by eight (8) parking places, four (4) in the front of the building and four (4) in the back of the building, plus spaces for six (6) cars within each bay, and
- d. All services shall be provided solely within a building.

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 MAY 23, 2017.

HAZELLE ROGERS, MAYOR

ATTEST:

SHARON HOUSLIN, CITY CLERK

JCB:jla

Sponsored by: TANYA DAVIS-HERNANDEZ, AICP, Director of Development Services
and FERNANDO LEIVA, AICP, Development Services Manager/Principal Planner

VOTE:

Mayor Hazelle Rogers	_____	(For)	_____	(Against)	_____	(Other)
Vice-Mayor Veronica Edwards Phillips	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Sandra Davey	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Gloria Lewis	_____	(For)	_____	(Against)	_____	(Other)
Commissioner Beverly Williams	_____	(For)	_____	(Against)	_____	(Other)

CITY OF LAUDERDALE LAKES

Development Services Department **INTEROFFICE MEMORANDUM**

TO: Phil Alleyne, City Manager

DATE: April 23, 2017
Rev. May 16, 2017

THRU: Tanya Davis-Hernandez, AICP
Development Services Director

RE: APPLICATION NO. 01-CU-17 ON
BEHALF OF XCELL PROFESSIONAL
AUTO CARE, REQUESTING
CONDITIONAL USE APPROVAL FOR
DETAILING AND STEAM
CLEANING OF MOTOR VEHICLES
ON PROPERTY LOCATED AT 3079-
3083 NORTHWEST 28TH STREET,
JUST EAST OF NORTHWEST 31ST
AVENUE, WITHIN THE INDUSTRIAL
ZONING DISTRICT.

Leiva
FROM: Fernando Leiva, AICP, Assoc. AIA
Development Services Manager/
Principal Planner

March 15, 2017 – Development Review Committee
April 27, 2017 – Planning & Zoning Board Meeting
May 23, 2017 - City Commission Regular Meeting

RECOMMENDATION

Staff recommends approval of the proposed conditional use request based upon the findings and conclusions contained within this report.

THE REQUEST

The Petitioner is requesting conditional use approval to operate an automobile detailing and steam cleaning facility in the Industrial (I-1) zoning district, pursuant to the City's Land Development Regulations (LDRs) Section 707.1.2. The proposed facility will not include car-washing services.

BACKGROUND

The Request: On February 21, 2017, Jason Smith, owner of XCELL Professional Auto Care and Accessories, Inc., filed with the City an application for conditional use approval. In summary, approval of the conditional use would allow for operation of an automobile detailing and steam cleaning shop within the existing Lauderdale Lakes Industrial Park.

The Site: The subject two vacant bays consist of +/- 2,800 sq. ft. of gross floor area, that is part of a +/- .55 acre site, under the same ownership by Lauderdale Lakes Industrial Park, J.V., c/o Levy Realty Advisors, Inc. The subject site is zoned Industrial which allows service of motor vehicles as a conditional use.

The Application: The Development Review Committee reviewed and discussed this application on March 15, 2017. The applicant's documentation shown at the end of this report includes a letter of intent and a site plan showing the proposed overall layout of the two contiguous bays he is seeking to lease in Building #1 on the subject site (Industrial Park).

XCELL Professional Auto Care has operated a carwash and detailing facility in Lauderdale Lakes for more than 5 years in conjunction with the Shell gas station located at the southwest corner of North SR 7 and Oakland Park Boulevard in the Town Center zoning district. The existing/prior landlord cancelled the lease.

Access and Parking: There are two main driveway access points to/from the Industrial Park, along the site's NW 31st Street frontage. The bays will have access to four (4) surface parking spaces in the front with additional parking space in the rear of the building as well.

ANALYSIS

- Per Section 503 of the LDRs, conditional uses shall be generally compatible with the other land uses permitted in a zoning district but, because of their unique characteristics or potential impacts on the surrounding neighborhood and the city as a whole, require individual review as to location, design, configuration, and/or operation for the particular use at the particular location proposed, as well as the imposition of individualized conditions in order to ensure that the use is compatible with the surrounding neighborhoods and appropriate at a particular location.

General Standards of Review: The following general standards of review apply to the subject conditional use request:

Subsection 503.3 *General standards of review.* In addition to the standards set forth in the LDRs for the particular use, all proposed conditional uses shall meet each of the following standards:

- (a) The proposed use shall be consistent with the comprehensive plan;
The subject property has a Future Land Use Map (FLUM) designation of Industrial and a zoning district of Industrial, which are consistent with one another.
- (b) The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare;
The proposed use is compatible with the surrounding industrial uses.
- (c) The proposed use shall be consistent with the community character of the immediate neighborhood of the proposed use;
The proposed use will not be in variance from the existing land use pattern within the Industrial Park.
- (d) Utilities, roadway capacity, drainage, and other necessary public facilities, including police, fire and emergency services, shall exist at the city's adopted levels of service, or will be available concurrent with demand as provided for in the requirements of these LDRs;
Services (Water/sewer, electricity, solid waste collection, will be available to the site.
- (e) Adequate measures exist or shall be taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets;
There is an existing ingress/egress access just west of the subject site.
- (f) The establishment of the conditional use shall not impede the development of surrounding properties for uses permitted in the zoning district;

Given the location of the business within an industrial area, the establishment of an auto detailing and steam cleaning operation will not have a direct impact on the development of surrounding properties.

- (g) The design of the proposed use shall minimize adverse effects, including visual impacts, of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria; and
In response to this criteria, the Applicant will conduct business within the enclosed leased space. In conjunction with the Conditional Use request a sketch plan was submitted which staff has reviewed (see Applicant's documentation).
- (h) The city commission finds that the granting of the application will be in the best interest of the city.

Staff believes the criteria for approval of a conditional use has been met as set forth in 503.3. A primary consideration in the review of a conditional use application is the compatibility of the proposed use and the existing land uses; thus, the established character of the Industrial Park is a primary consideration in this case. Staff also finds the proposed conditional use is consistent with the City's Comprehensive Plan and LDRs.

- Other Applicable Regulations:

LDR 707.1.2. *Conditional use.* The following uses may be established if first approved as a conditional use:

Stores for the sale or rent of new or used merchandise, conducted solely within a building, whether or not to the ultimate consumer.

The sale, service and storage of motor vehicles, trailers, motor homes and boats.

Health club or spa and physical fitness facilities.

All uses permitted in the U district.

All uses permitted in the ROS district.

Daycare centers.

- Pursuant to LDRs. - 304.3. *Quasi-judicial matters*, and 501.11. *Courtesy notices*. A Conditional use approval shall be considered to be quasi-judicial. The City will publish a legal advertisement in the Sun Sentinel and provide the Applicant with the text and format for all required public posted and mailed notice on this application.

As required by Code, on April 12, 2017, the Petitioner notified all the property owners surrounding the subject property within 300 feet by US Mail. The site was also posted with two notice signs compliant with Code.

- Per LDR Subsection 801.4.7., the required parking for auto care business must be provided pursuant as follows:

Contractor shops (general, electrical, plumbing, roofing, air conditioning)	One space per 400 square feet gross floor area
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Based on the LDR 801.4.7. - the proposed business is required to provide 7 parking spaces. The subject application complies with the parking requirement since 10 parking spaces are provided.

CONCLUSION(S)

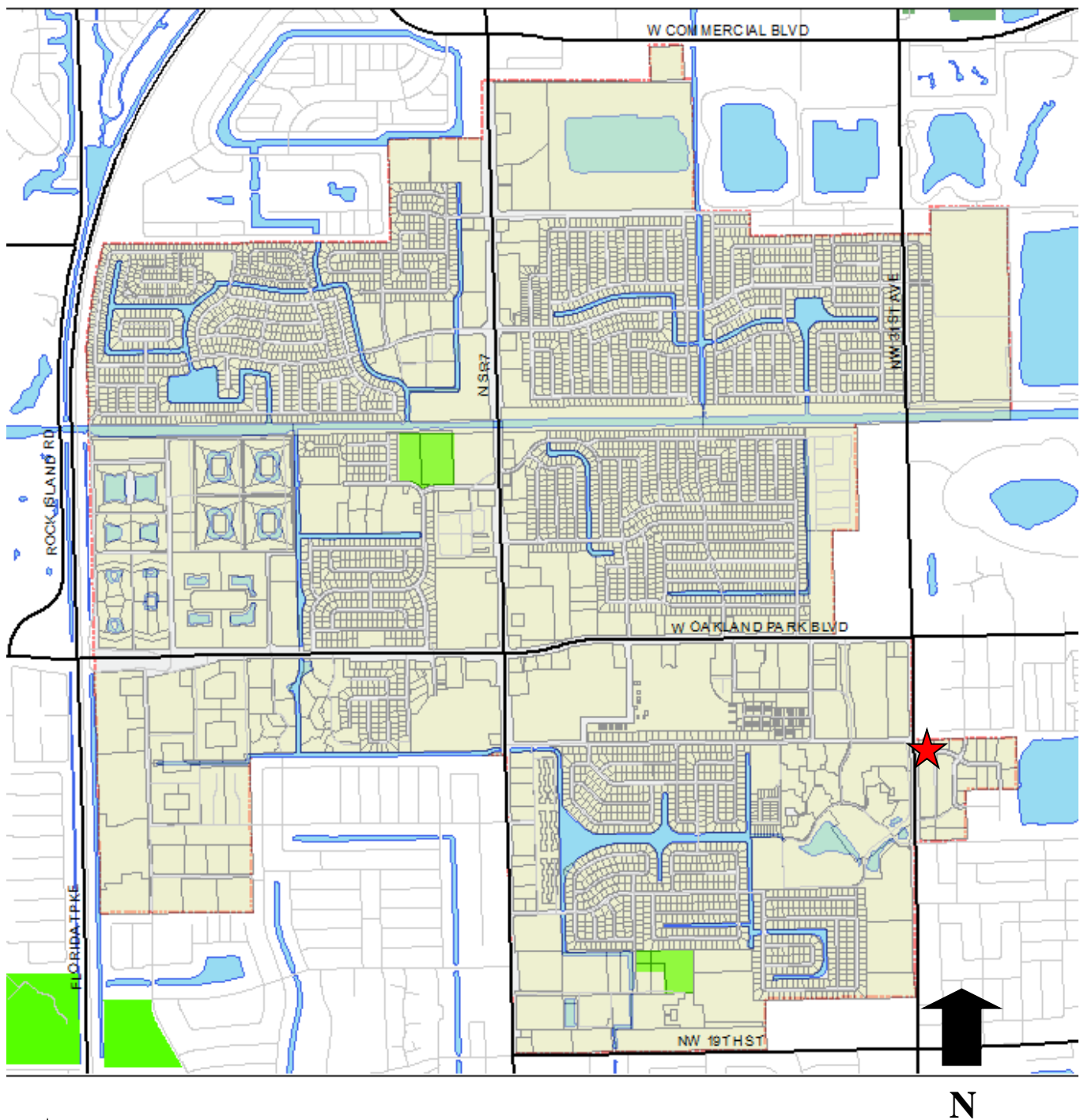
Staff recommends if and when approved by the City Commission, this application shall subject to the following conditions: 1) No car washing services shall be provided; 2) Hours of operation shall be from 8:00 a.m. to 7:00 p.m., Monday thru Sunday; 3) Off-street parking will be provided by eight (8) parking places, four (4) in the front of the building and four (4) in the back of the building, plus spaces for six (6) cars within each bay; and 4) All services shall be provided solely within a building.

Planning and Zoning Board Recommendation: At the April 27, 2017 Planning & Zoning Board meeting, a favorable recommendation (Motion carried 4 – 0) was forwarded to the City Commission.

ATTACHMENTS/EXHIBITS

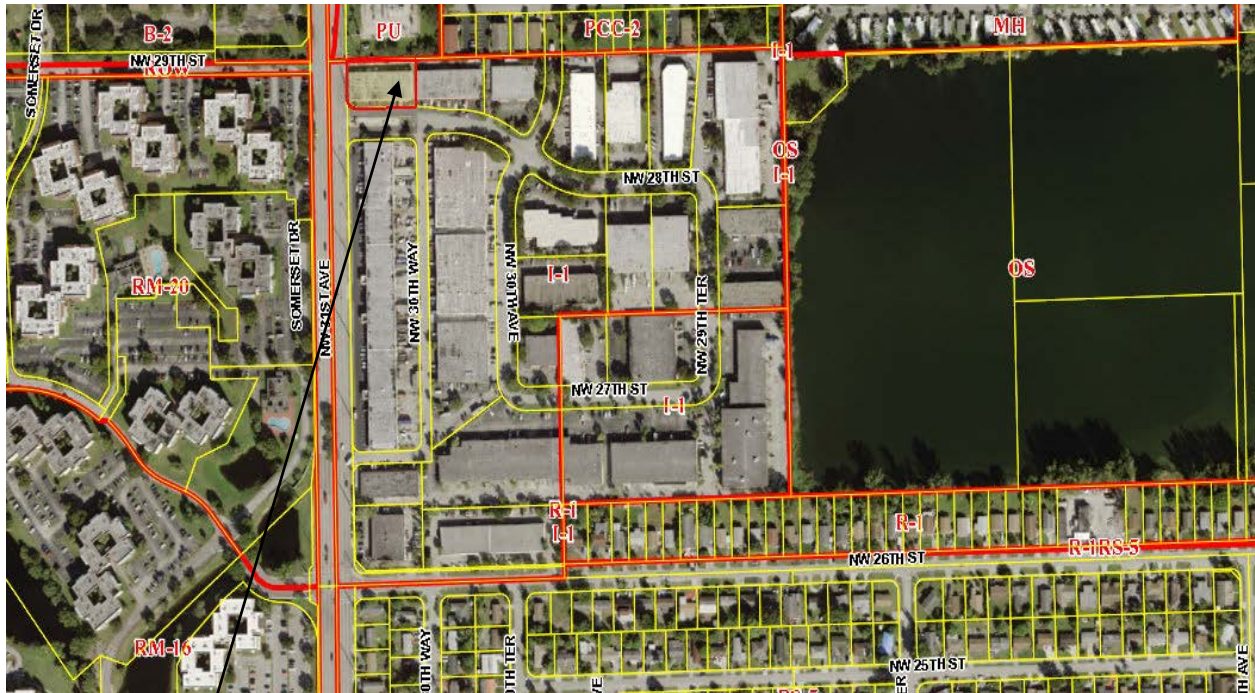
- A. Location Map
- B. Future Land Use and Zoning Map
- C. Google Photographs
- D. Site Plan (Industrial Park)
- E. Applicant's Documentation

EXHIBIT A LOCATION MAP



★ Subject Site

EXHIBIT B LAND USE AND ZONING MAP



Subject Site



	<h3 style="text-align: center;">Land Use and Zoning Map</h3>
<p style="text-align: center;">XCELL Professional Auto Care Application No: 01 -CU-17 Conditional Use Request</p>	<p style="text-align: center;">Development Services Department 4/18/2017</p>

EXHIBIT C

GOOGLE PHOTOGRAPHS



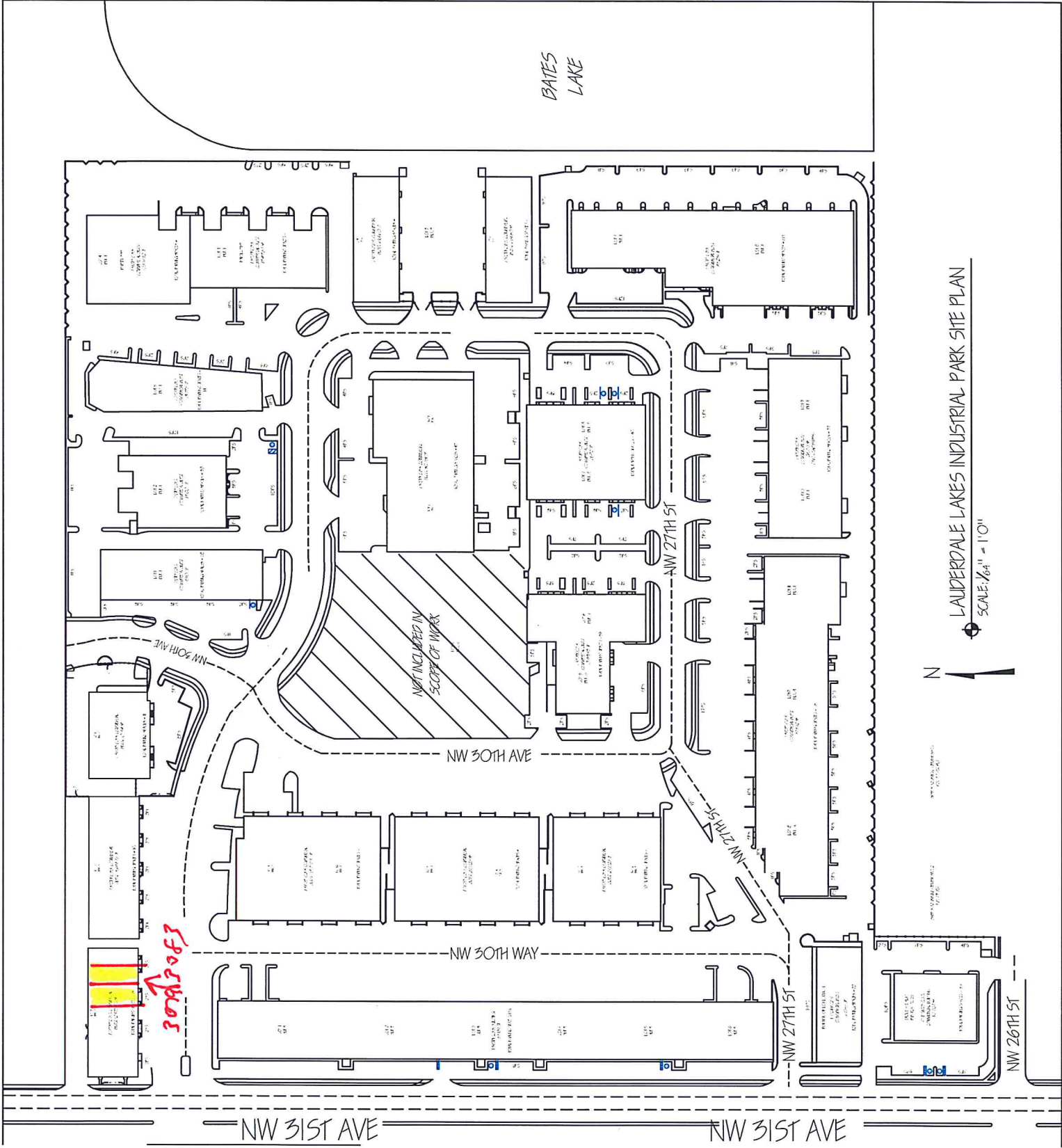
View of Subject Site

	<p>Google Aerial Map</p>
<p>XCELL Professional Auto Care Application No: 01-CU-17 Conditional Use Request</p>	<p>Development Services Department 4/18/2017</p>



VIEW OF SUBJECT SITE- LOOKING NORTH-NORTH EAST

EXHIBIT D





CITY OF LAUDERDALE LAKES

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 _____

- | | |
|---|--|
| <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 type="checkbox"/> Variance |
| <input checked="" 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: LAUDERDALE LAKES INDUSTRIAL PARK, I.V., c/o Levy		
Mailing Address: REALITY ADVISORS, INC., 4901 NW 17th Way, STE 103 FORT		
Business Telephone: LAUDERDALE, FL 33309 (954) 491-5505	Home: 491-5505	Email: ALevy@LevyRA.com
Name of Applicant (if different from owner): Jason Smith		
I am the (check one):		
<input type="checkbox"/> Attorney Representing Owner	<input type="checkbox"/> Contractor and/or Architect	
<input type="checkbox"/> Prospective Purchaser	<input type="checkbox"/> Representative/Agent	
	<input type="checkbox"/> Tenant	
Mailing Address: 3101 N. State Rd. 7, Lauderdale Lakes, FL 33319		
Business Telephone: 954-288-3516	Home: 954-588-2521	Email: xcc1750@hotmail.com
Name of Representative (if different from owner and Applicant):		
I am the (check one):		
<input type="checkbox"/> Attorney Representing Owner/Applicant	<input type="checkbox"/> Contractor and/or Architect	
<input type="checkbox"/> Other (please specify)		
Mailing Address:		
Business Telephone:	Home:	Email:

Location of Subject Property: 3079-3083 NW 28th Street, Landerdale Lake, FL 33311

Property Size: 2,800 +/- square feet

Present Zoning: I-1

Present Land Use Designation: _____

Folio Number: _____

Full Legal Description (attach additional sheets, if necessary): _____

Brief Description of Request

Detailing of motor vehicles, steam cleaning, upholstery cleaning, leather cleaning.

[Signature]
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.

Landerdale Lakes Industrial Park, JV

By: [Signature]

PROPERTY OWNER'S SIGNATURE

Levy Realty Advisors, Inc

ALAN LEVY

PROPERTY OWNER (PRINT NAME)

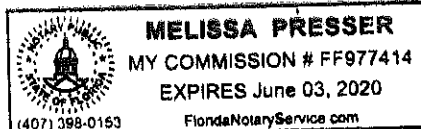
FOR LANDERDALE LAKES
INDUSTRIAL PARK, J.V.
(1 DOWNER) c/o

LEVY REALTY ADVISORS, INC
LANDLORD'S AGENT

Sworn to and subscribed before me this 16
day of Feb., 20 17

Melissa Presser
NOTARY PUBLIC, STATE OF FLORIDA

My commission expires:





February 21, 2017

Xcell Professional Auto Care & Accessories, Inc.
3101 N State Rd. 7
Lauderdale Lakes, FL 33319

City of Lauderdale Lakes
4300 NW 36th St.
Lauderdale Lakes, FL 33319

Re: Lauderdale Lakes Conditional Use / License:

This letter has been prepared by Xcell Professional Auto Care & Accessories, Inc. to announce our intention on applying for a Conditional Use / License within the City of Lauderdale Lakes.

Xcell Professional Auto Care & Accessories, Inc. is a complete automotive detailing business. We provide complete automotive detailing services within Broward County for over 15 years. Our company has been in Lauderdale Lakes since 2011 providing service for all motor vehicles. As Xcell Professional Auto Care & Accessories, Inc. continues to grow we need a space that will accommodate this new growth. We are interested in a warehouse space located at 3079-3083 NW 28th Street, Lauderdale Lakes to provide Complete Detailing Services for our high-end motor vehicle clients. Our current location is a full service car wash, the new location is not an extension of a car wash but a new adventure of a professional steam cleaning, detailing and window tinting facility.

Xcell Professional Auto Care & Accessories, Inc has embarked on a venture with Fortador Steam Machine powered by Lamborghini making us the only one in Broward County to offer these services that are currently in Sunny Isles, Bay Harbor and Miami Beach. Our steam cleaning process gives a new light on the meticulous cleaning needed for high end vehicles, used cars, everyday wear and tear and vehicle transport services where the vehicle has multiple individuals that have utilized each vehicle.

The average vehicle has approximately 283 different types of bacteria in every square centimeter, according to a study from the Aston University in Birmingham led by Anthony Hilton, the university's director of Biology and Biomedical Science. The car is consistently dirtier than the home, having 1700 times more bacteria, according to a study done by GAP Antimicrobial Services. The cup holder in a car has 228% more bacteria than the average toilet seat according to Jessica Shaw, an environmental scientist who took part in the study. We will provide the service that disinfects, sanitize, deodorize, kill bacteria and refurbish the interior and exterior of motor vehicles.

We will be providing the following services as walk-ins and by appointment only for our existing and new accounts. All services provided will be completed within the area of the bay. If the customer would like to be dropped off to a location of their choice, as their car is being serviced, we will provide a shuttle for them as well. This would help with the amount of customers at the facility leaving us with less congestion.

Xcell's Steam Cleaning Complete Detailing Services- Exterior and Interior Detailing Services would include:

- Full Steam Exterior Cleaning
- Deep Steam of interior, deep steam of vents, vacuum and wipe down
- Deep Steam cup holders, door panels, door jambs and door handles
- Deep Steam of wheels and rim
- Deep Steam of upholstery and carpets
- Trunk carpet vacuumed and steamed
- Full hand waxing and buffing

Additional Services Provided in this location:

Plastic Upholstery, Leather/Vinyl Refurbishment and Exterior/Interior Repairs

- Plastic Interior Repair - Vinyl, or otherwise named plastic, that has been victim of scratches, gouges or discoloration.
- Upholstery Repair - Upholstery, or otherwise named cloth, that has been torn or discolored can be repaired without having to replace an entire panel, seat, headliner or carpet flooring.
- Leather / Vinyl Repair - Leather Rip/Tear Repair service tackles minor impurities.
- Steering Wheel Repair - Due to the notorious wear and tear on this area of the vehicle, this is one of our most popular Automotive Interior Repair services.
- Headlight Restoration – clean and restore your headlights, tail lights and fog lamps with our progressive wet sanding and polishing techniques for maximum visibility.
- Cigarette Burn Repair - A cigarette burn can affect many areas – including the headliner, seats, flooring, vinyl areas, or any other of the sort.
- Window Tinting – removal and installation of tint
- Headliner Replacement - often is a composite material that is adhered to the inside roof of automobiles or yachts, replacement services.

Xcell has been established within Lauderdale Lakes and surrounding areas providing complete detailing for the following companies:

City of Lauderdale Lakes Fleet Vehicles

Westway Towing

BSO/Vector Fleet Management

Hyatt Transportation Service

Amerifleet Transport Service

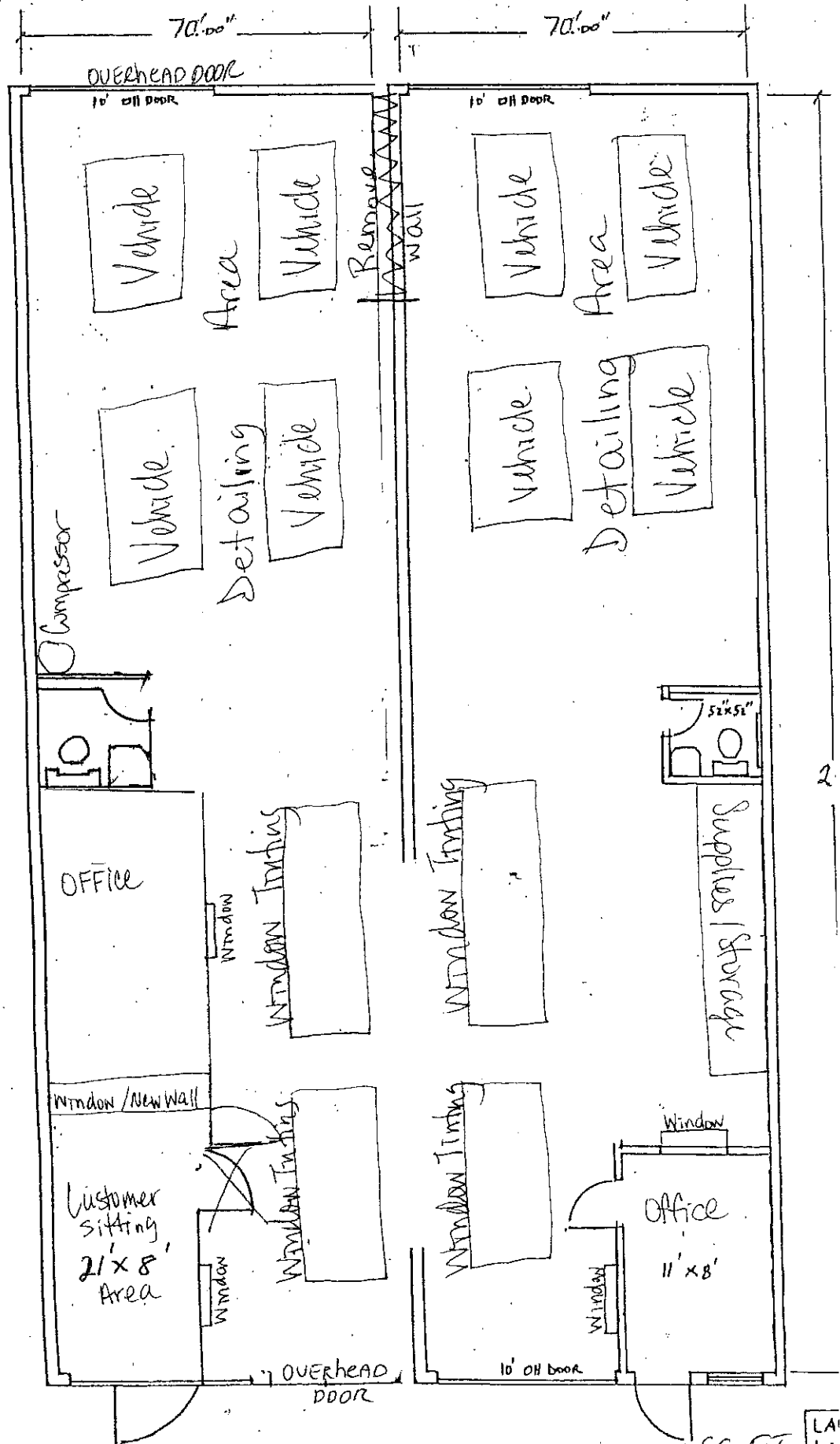
Schools – Central Charter, Boyd Anderson and Millennium to name a few.

Our current location has given us an opportunity to advance our skillset as a company. Your support will allow Xcell Professional Auto Care & Accessories Inc. to have a primary location to provide complete detailing services that has out grown our existing location. We look forward to continuing doing business within the City of Lauderdale Lakes.

Thank you,


A handwritten signature in black ink, appearing to read 'Jason Smith', is written over a horizontal line.

Jason Smith, Owner
Xcell Professional Auto Care & Accessories, Inc.



2800 SQ. FT.
01-2079/3063
Page 68 of 72

2000-2003, 70th STREET

LAI
LA
INI
PA

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.

Print name of Petitioner

Signature of Petitioner

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:

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 Jason Smith 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.

Jason Smith
Print name of Petitioner

Signature of Petitioner

STATE OF Florida

COUNTY OF Broward

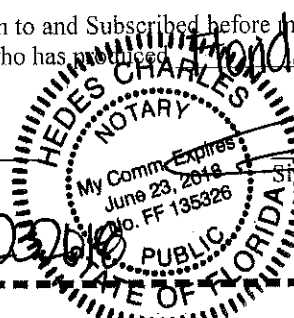
The foregoing instrument was Sworn to and Subscribed before me this 17 of Feb., 2017, by Jason Smith, who is personally known to me or who has produced Florida Drivers License as identification.

HEDES CHARLES
Printed Name of Notary Public

Signature of Notary Public

My Commission Expires:

June 23, 2018



Tenant or Owner Affidavit

I, Jason Smith 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.

Jason Smith
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, _____, 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.

JASON SMITH
Print name of Petitioner

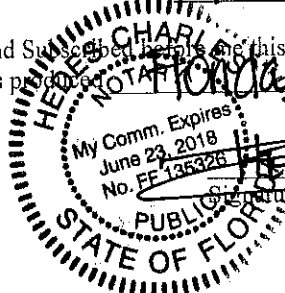
Signature of Petitioner

STATE OF Florida

COUNTY OF Broward

The foregoing instrument was Sworn to and Subscribed before me this 17 of Feb., 2017, by Jason Smith, who is personally known to me or who has produced _____ as identification.

HEDES CHARLES
Printed Name of Notary Public



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.

Print Name

Signature

DISCLOSURE OF INTEREST

If the property, which is the subject of the application, is owned or leased by a CORPORATION, list the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

Xcell Professional Auto Care & Accessories
Corporation Name

Name, Address, and Office

Percentage of Stock

Jason Smith
3101 N State Rd. 2
Lauderdale Lakes, FL 33319

100%

If the property which is the subject of the application is owned or leased by a TRUSTEE, list the beneficiaries of the trust and the percentage of interest held by each. . [Note: where the beneficiary(ies) consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

Trust Name

Name and Address

Percentage of Interest

If the property which is the subject of the application is owned or leased by a PARTNERSHIP or LIMITED PARTNERSHIP, list the principals of the partnership, including general and limited partners, and the percentage of ownership held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s), trust(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

Partnership or Limited Partnership Name

Name and Address

Percentage of Ownership

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

Name Date of Contract

Name and Address

Percentage of Interest

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed. The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Jason Smith
Signature of Applicant

JASON SMITH
Print Name of Applicant

STATE OF Florida

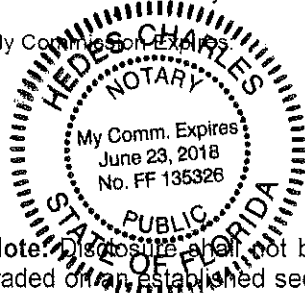
COUNTY OF Broward

The foregoing instrument was sworn to and Subscribed before me this 17th day of February, 2017, by Jason Smith who is personally known to me or who has produced Florida Drivers as identification.

HEDES CHARLES
Printed Name of Notary Public

HEDES CHARLES
Signature of Notary Public

My Commission Expires



Note: Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or other country; or of any entity, the ownership interests of which are held in a limited partnership consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the limited partnership.

City of Lauderdale Lakes
AFFIDAVIT MAIL NOTIFICATION

Case No: _____

STATE OF FLORIDA
BROWARD COUNTY

BEFORE ME THIS DAY PERSONALLY APPEARED

Jason Smith

(PRINT, TYPE, OR STAMP NAME)

WHO BEING DULY SWORN, DEPOSES AND SAYS:

1. The attached property owners list is, to the best of my knowledge, a complete and accurate list of all property owners, mailing addresses and property control numbers as recorded in the latest official tax rolls obtained from the Broward County Property Appraiser's Office for all properties within 300 feet of the property which is the subject of this request.
2. The attached property owners list includes, to the best of my knowledge, all affected property owners, municipalities, counties, homeowners associations and property owners associations in accordance with the requirements of the Lauderdale Lakes Developmental Code.
3. Posting the subject property with public notice, my obligation to provide, will be in accordance with the requirements of the Lauderdale Lakes Developmental Code.

[Signature]
Signature

The foregoing instrument was acknowledged before me this 17th day of February 2017

By Jason A. Smith, Who is personally known to me, or who has produced
(Name of person Acknowledging)

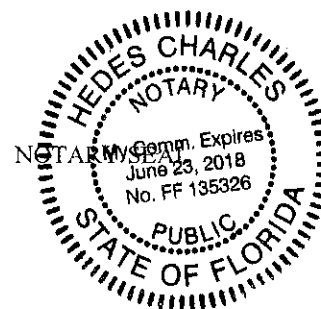
Florida Drivers, and who did/did not (circle one) take an oath.
(Type of identification)

[Signature]
(Signature of Person Taking Acknowledgement)

HEDES CHARLES
(Name of Acknowledger)

Public Notary
(Title of Rank)

FF 135326
(Serial Number)



City of Lauderdale Lakes
AFFIDAVIT OF POSTING SIGNS

STATE OF FLORIDA
BROWARD COUNTY

CASE NO. _____

RE: _____ Planning and Zoning Board
_____ City Commission

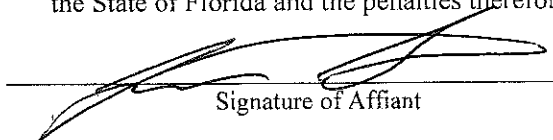
APPLICANT: Jason Smith

PROPERTY: 3079-3083 NW 28th Street, Lauderdale Lakes, FL 33311

PUBLIC HEARING DATE: _____

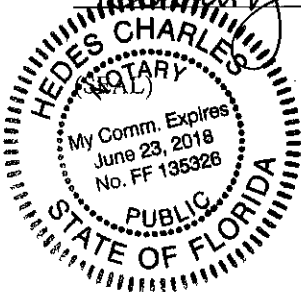
BEFORE ME, the undersigned authority, personally appeared _____,
who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the applicant in the above cited City of Lauderdale Lakes **Board or Commission** Case.
2. The Affiant/Applicant has posted or has caused to be posted on the property the signage as required by the Lauderdale lakes Developmental code, which such signage notifies the public of the time, date and place of the Public Hearing on the application for review and or approval before the **Board or Commission**.
3. The sign(s) referenced in Paragraph two (2) above was posted on the Property in such a manner as to be visible from adjacent streets and was posted at least ten (10) days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets, and shall be securely fastened to a stake, fence, or building.
4. Affiant acknowledges that the sign must remain posted on the property until disposition of the case before the Commission. Should the application be continued, deferred or re-heard, the sign shall be amended to reflect the new dates.
5. Affiant acknowledges that this Affidavit must be executed and filed with the City's Community Development Department five (5) calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
6. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefore.



Signature of Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this 17th day of February, 20 17.





NOTARY PUBLIC
MY COMMISSION EXPIRES:



COMMERCIAL • INDUSTRIAL • INVESTMENTS

4901 N.W. 17th Way, Suite 103
Fort Lauderdale, FL 33309
T: 954.491.5505 F: 954.491.5404
www.levyrealtyadvisors.com

January 23, 2017

VIA E-MAIL: xcell75@hotmail.com
Phone #: (954) 288-3516

Mr. Jason Smith
XCELL PROFESSIONAL AUTOCARE & ACCESSORIES, INC.
3101 N. State Road 7, Lauderdale Lakes, FL 33319

RE: LEASE PROPOSAL:
Lauderdale Lakes Industrial Park
Building #1: 3079-3083 NW 28th Street
Lauderdale Lakes, FL 33311

Dear Jason,

On behalf of the owners of Lauderdale Lakes Industrial Park (Lauderdale Lakes Industrial Park, J.V.), Levy Realty Advisors, Inc., ("Broker") is pleased to present this proposal to enter into a lease transaction with **XCELL PROFESSIONAL AUTOCARE AND ACCESSORIES, INC.**, at the above referenced allocation and in accordance with the following basic terms and conditions:

PROJECT: Lauderdale Lakes Industrial Park

LANDLORD: Lauderdale Lakes Industrial Park, J.V.

TENANT: Xcell Professional Auto Care and Accessories, Inc.

SPACE: Building #1: 3079-3083 NW 28th Street, Lauderdale Lakes, FL 33311

SQUARE FEET: 2,800 +/- square feet

USE OF PREMISES: General office/warehouse use for window tinting and auto accessories and services, i.e., steam cleaning and detailing the inside of automobiles (**NO HAZARDOUS MATERIALS**).

TERM: Two (2) Years

LEASE COMENCEMENT DATE: To Be Determined (TBD)

**RENTAL RATE:**

- **Year One (1): TBD**
\$1,983.33/Base Rent + \$100.00/Water & Sewer + \$125.00/Sales Tax = **\$2,208.33/MONTH**
- **Year Two (2): TBD**
\$2,052.75/Base Rent + \$110.00/Water & Sewer + \$129.76/Sales Tax = **\$2,292.51/MONTH**

PREPAYMENT: Upon execution of this lease, Tenant shall deliver first month's rent (\$2,208.33) along with a Security Deposit (\$4,500.00) for a **TOTAL AMOUNT DUE OF \$6,708.33.**

LANDLORD'S WORK &

IMPROVEMENTS: Tenant agrees to accept the subject premises in "AS IS" condition with the exception of the following improvements to be performed by Landlord at Landlord's sole cost and expense:

1. OFFICE AREA:

- a. Deliver entire subject premises in broom swept, clean condition with all plumbing, electric, air conditioning unit and doors operational, in good working order and up to Code as set forth by the City of Lauderdale Lakes upon Tenant taking occupancy of the subject premises.
- b. Prime, prep and paint office areas including restrooms.

2. WAREHOUSE AREA:

- a. Deliver entire subject premises in broom swept, clean condition with all plumbing, electric, lighting, air conditioning unit and doors operational, in good working order and up to Code as set forth by the City of Lauderdale Lakes upon Tenant taking occupancy of the subject premises.
- b. Prime, prep and paint warehouse floor with an industrial grade paint (Color: Gray)

WATER USAGE: Tenant shall not use Landlord's water for washing of automobiles at any time throughout this lease term. Any violation of this provision shall be considered a default of this lease agreement and grounds for eviction.

NO AUTOMOTIVE REPAIRS: It is understood and agreed that Tenant **SHALL NOT** be permitted to conduct any automotive repair work within the Leased Premises or the common areas of the subject premises at any time throughout the term of this Lease. If it were not for this covenant, Landlord would not have entered into this Lease with the Tenant. Any breach of this covenant by Tenant will be considered a default of this Lease which will be strictly enforced resulting in an action for Eviction and Tenant removal from the premises.

ACCUMULATION OF AUTOMOBILES: It is understood and agreed under no circumstances shall there be an accumulation of automobiles parked in the common areas of the subject premises at any time during the term of this Lease. It is also understood and agreed that there shall be no automobiles or "junk" automobiles left outside the common areas of the subject premises at any time during the term of this Lease. Any violation of this provision shall be considered a default of this Lease and grounds for eviction.

TRASH REMOVAL: Tenant Responsibility

WATER & SEWER: Included in Base Rent for normal usage.

ELECTRIC: Tenant Responsibility

DISCLAIMER: This Lease Proposal is intended to constitute an outline for an agreement and is not intended to be relied on by the parties as constituting a final agreement nor shall it be binding or create any contractual problems for any party until all negotiations and a formal lease agreement is fully executed by both parties. This Proposal shall remain valid through close of business Wednesday, January 25, 2017 and may be withdrawn or modified at any time. We are looking forward to completing this transaction in a manner satisfactory to both parties, and look forward to your timely response.



COMMERCIAL • INDUSTRIAL • INVESTMENTS

4901 N.W. 17th Way, Suite 103
Fort Lauderdale, FL 33309
T: 954.491.5505 F: 954.491.5404
www.levyrealtyadvisors.com

If the foregoing meets with your approval please sign on the line provided below at which time, subject to Landlord's approval of the attached forms, i.e., Tenant Application, Emergency Tenant Contact Form and Tenant Disclosure Statement, I shall prepare a lease for your review and execution.

In the event you have any questions or you require any additional information, please feel free to contact me at one of the following numbers:

- ✓ Office #: (954) 485-9200
- ✓ Cell #: (954) 658-4479

I remain

Very truly yours,

LEVY REALTY ADVISORS, INC. ("Broker")

Jan Stalow, Broker Associate

AGREED AND ACCEPTED this _____ day of January, 2017

TENANT: XCELL PROFESSIONAL AUTOCARE & ACCESSORIES, INC.

By: _____
Jason Smith, President