

CITY OF TAMARAC REGULAR CITY COMMISSION MEETING

Commission Chamber August 25, 2021 7:00 PM

CALL TO ORDER:

ROLL CALL:

PLEDGE OF ALLEGIANCE:

Commissioner Bolton

INTRODUCTION

- 1. CITY ATTORNEY REPORT
- 2. CITY MANAGER REPORT
 - a. Investment Report June 2021

Investment Report - June 2021

b. Quarterly Employee Service Awards

5-Years of Service

Nancy Rivera

Ann Marie Gordon

Lerenzo Calhoun

Chevelle Crusan

10-Years of Service

Hazel Alzugaray

Jason Bua

Job Maria

Jonathoan Neary

Paul Onorati

Christopher Rogers

Michael Stairs

Brian Maloney

Rodney Smith

Anthony Elliott

15-Years of Service

Cynthia Natale

Michael Christopher

Bhanmatie Ramnarine
20-Years of Service
Nicholas Pyke
Mark Brown
25-Years of Service
Sadhana Swaroop
Michael Regits
Natalie Turner

c. 2021 Neighborhood Beautification Recognition Program - Q2

Commercial Property

L4 Palm Beach LLC (Taco Bell) - 7625 W. Commercial Blvd.

Residential Properties

District 1 - Arnaldo Barrionuevo, 5401 NW 57 Street

District 2 - Mellesha N Brown & Shoalan A Smith, 5009 N. Travelers Palm Lane

District 3 - Safir & Jameela Mohammed, 9107 NW 73 Street

District 4 - Gentil & Marita De Jesus Castro, 7010 Golf Pointe Circle

Commission District(s): Citywide

3. PUBLIC PARTICIPATION

Any member of the public may speak to any issue that is not agendized for public hearing at this meeting. Speakers will be limited to three minutes during this item and at public hearings. There will be a thirty (30) minute aggregate time limit for this item. When an issue has been designated as quasi-judicial, public remarks shall only be heard during a quasi-judicial hearing that has been properly noticed for that matter.

Members of the public wishing to provide comments to the members of the City Commission on any matter, including items on the agenda, may submit their comments by email to CityClerk@Tamarac.org. All comments submitted by email shall be made part of the public record. The City has authority under the City Code to regulate the manner in which public comments are made during any public meetings. Please be advised, the City will not read publicly any emails.

ANNOUNCEMENT OF TIME ALLOCATIONS-MOTIONS TO TABLE

The Chair at this time will announce those items that have been given a specific time to be heard, and will entertain motions from the Commission members to table those items that require research. The Commission may agendize by majority consent matters of an urgent nature which have come to the Commission's attention after publication.

4. CONSENT AGENDA

Items listed under Consent Agenda are viewed to be routine and the recommendation will be enacted by ONE MOTION in the form listed below. If discussion is desired, then, in accordance with Resolution 2003-15, Sec. 4.5, the item(s) will be removed from the Consent Agenda and will be considered separately.

- a. Approval of the July 7, 2021 City Commission Workshop Minutes
- b. Approval of the July 14, 2021 City Commission Meeting Minutes
- C. TR13640 Broward Co Interlocal Agmt Inspections

A Resolution of the City Commission of the City of Tamarac, Florida, authorizing the appropriate city officials to execute the Interlocal Agreement for Emergency/Non-Guaranteed Supplemental Support between Broward County and the City of Tamarac for inspection and plan review services to be performed by the Broward County Building Code Services Division in the event there is a staff shortage at the rates of eighty-five and 67/100 dollars (\$85.67) per hour for a building code inspector, ninety-seven and 58/100 dollars (\$97.58) per hour for a plans examiner, ninety-eight and 56/100 dollars (\$98.56) per hour for a chief building code inspector, ninety-nine and 80/100 dollars (\$99.80) per hour for building official services, and thirty-seven and 70/100 dollars (\$37.70) per hour for clerical services, overtime, when pre-approved by the city, will be at one and one half (1½) the normal hourly rate, all hourly charges will be billed in increments of thirty (30) minutes, including annual increase not to exceed 5%, for a five-year period through October 1, 2026; providing for conflicts; providing for severability; and providing for an effective date.

Commission District(s): Citywide

d. TR13649 - Mayor At-Large Appointment to the Diversity, Equity & Inclusion Board

A Resolution of the City Commission, of the City of Tamarac, Florida, appointing Mike Jeknavorian as an At-Large member, appointed by the Mayor, to the Diversity, Equity and Inclusion Board, for a term that is concurrent with the Mayor, or until such time as new appointments are made; providing for conflicts; providing for severability; and providing for a effective date.

Commission District(s): Citywide

e. TR13653 - Appointments to the Veterans Affairs Committee

A Resolution of the City Commission of the City of Tamarac, Florida, appointing eight or more members to the Veterans Affairs Committee, to each serve a four-year term, or until such time as new appointments are made; providing for conflicts; providing for severability; and providing for an effective date.

f. TR13655 - First Amendment to Interlocal Agreement between Broward County and the City of Tamarac for Community Shuttle Service

A Resolution of the City Commission of the City Of Tamarac, Florida, authorizing the appropriate City Officials to execute the First Amendment to Interlocal Agreement between Broward County and the City Of Tamarac for Community Shuttle Service; providing for conflicts; providing for severability; and providing an effective date.

g. TR13661 - Amending List of Charitable Entities

A Resolution of the City Commission of the City of Tamarac, Florida, amending Resolution R-2021-081, by specifically adding to and deleting from the list of charitable entities with whom the City of Tamarac recognizes a formally approved relationship; providing for an amended Exhibit "A", attached hereto and incorporated herein, as may be amended from time to time, for the expressed purpose of compliance with Section 1-19(C)(5)(A)(4) of the Broward County Code of Ordinances; providing for conflicts; providing for severability and providing for an effective date.

h. TR13664 - Appointing Brian Neff as a Resident Trustee on the Fire Pension Board

A Resolution of the City Commission of the City of Tamarac, Florida, confirming the appointment of Brian Neff as a Resident Appointed Trustee to the Firefighters Pension Board to serve a four-year term ending August 25, 2025, or until a new appointment is made; providing for conflicts; providing for severability; and providing for an effective date.

TR13665 - Accepting an EMS Grant from Broward County for purchase of pre-hospital ventilators

A Resolution of the City Commission of the City of Tamarac, Florida accepting an Emergency Medical Services (EMS) grant award from Broward County for the purchase of pre-hospital ventilators in the amount of \$8,010; authorizing the appropriate City Officials to execute an Agreement and necessary documents pending legal review between Broward County and the City

of Tamarac for grant funding in the amount of \$8,010; providing for conflicts; providing for severability; and providing for an effective date.

Commission District(s): Citywide

j. TR13666 - Adjustment factor to be applied to annual Water and Sewer Rate Schedule for Fiscal Year beginning October 1, 2021

A Resolution of the City Commission of the City of Tamarac, Florida, establishing the adjustment factor to be applied to the Annual Water and Sewer Rate Schedule for the Fiscal Year beginning October 1, 2021; providing for conflicts; providing for severability; and providing for an effective date.

k. TR13669 - Approval of Liability Waiver Agreement with BSO's Fire Rescue Logistics Unit

A Resolution of the City Commission of the City of Tamarac, Florida, to approve a Liability Waiver Agreement Renewal with the Broward Sheriff's Office (BSO) to purchase emergency medical and firefighter equipment and supplies from Broward County Sheriff's Office Fire Rescue Regional Logistics Unit in an amount of one hundred and eighty six thousand (\$186,000) dollars for FY22 and one hundred ninety five thousand (\$195,000) dollars for FY23 for a total amount not to exceed three hundred and eighty one thousand (\$381,000) dollars for a two year period and authorize the City Manager to extend the total dollar amount by an additional twenty five thousand (\$25,000) dollars annually based upon exigent circumstances; authorizing the appropriate City Officials to execute a Liability Waiver Agreement for the purchases; providing for conflicts; providing for severability; and providing for an effective date.

5. REGULAR AGENDA

a. TR13654 - Renaming the large dog area of the Gary B. Jones Park for People and Pups.

A Resolution of the City Commission of the City of Tamarac, Florida, renaming the large-dog area of the Gary B. Jones Park for People and Pups in honor of Dr. Michael Horbal; providing for conflicts; providing for severability; and providing for an effective date.

Commission District(s): District 4

b. TR13667 - Authorization to deviate from Section 2-76(4)(e) and grant a reduction in the lien amount for property located at 6700 NW 74 Avenue/ Anthony Aidone to \$125,000.00

A Resolution of the City Commission of the City of Tamarac, Florida, approving and authorizing a deviation from Section 2-76 of the City of Tamarac Code of Ordinances entitled "Lien Reduction and Abatement Procedures", specifically Section 2-76 (4) (e), to allow for a reduction in the lien amount to the amount of one hundred and twenty five thousand dollars, for property located at 6700 NW 74 Avenue (Anthony Aidone); providing for conflicts; providing for severability; and providing for an effective date.

Commission District(s): District 4

6. ORDINANCE(S) - FIRST READING

a. TO2479 - Amendment to the City's Comprehensive Plan to create a new Property Rights Element as required by Florida Statutes 177.3177(6)(i)/HB59

An Ordinance of the City of Tamarac, Florida, adopting an amendment to the City of Tamarac Comprehensive Plan, by and through procedures required for the expedited state review process pursuant to authority under state statutes Section 163.3184, specifically creating a new property rights element of the comprehensive plan entitled "Property Rights" attached hereto as Exhibit "A"; authorizing transmittal of the adopted property rights element comprehensive plan amendment to the Department of Economic Opportunity and other agencies as required by Florida Statutes 163.3184(3) providing for inclusion in the comprehensive plan; providing for conflict; providing for severability; and, providing for an effective date

Commission District(s): Citywide

7. PUBLIC HEARING(S)

a. TO2477 - Land Use map Change of 5601 N Hiatus Road to change the future land use designation of approximately 15.82 gross acres of land from "Commercial" to "Industrial"

An Ordinance of the City Commission of the City of Tamarac, Florida, adopting a Small Scale Land Use Plan Amendment to the City of Tamarac's Comprehensive Plan Future Land Use Map in accordance with Chapter 163, specifically Section 163.3187 of the Florida State Statutes, for said lands situated, lying, and being in Broward County, Florida, and located at 5601 N Hiatus Road, and more particularly described in the legal description shown in Exhibit "A" attached hereto, to change the future land use designation of approximately 15.82 gross acres of land from "Commercial" to "Industrial" to facilitate and allow for the development of an industrial use and provide consistency with the Land Development Code in accordance with the intent of the Comprehensive Plan of the City of Tamarac (Case No. 1-LUA-21); authorizing transmittal of the Small Scale Land Use Map Amendment to the Broward County Planning Council for recertification of the City of Tamarac Future Land Use Map; providing for amendment to the land use plan to reflect such change; providing for conflicts; providing for severability; and providing for an effective date

Commission District(s): District 2

8. ORDINANCE(S) - SECOND READING

a. TO2476 - Ordinance Extending the Woodlands Overlay District Termination Date to Sunset and Terminate, Nunc Pro Tunc, Four (4) Years After the Effective Date of the Land Development Code

An Ordinance of the City Commission of the City of Tamarac, florida extending the Woodlands Overlay District termination date, nunc pro tunc to July 12, 2022 by amending Chapter 10 of the City of Tamarac Code of Ordinances, entitled "Land Development Code" by amending Article 2, entitled "Zoning Districts" by specifically amending Section 10-2.7(C), entitled "Woodlands Overlay District", to sunset and terminate the woodlands overlay district four years after the effective date of the City of Tamarac Land Development Code, in conformity with the City of Tamarac Comprehensive Plan; providing for codification; providing for conflicts; providing for severability; and providing for an effective date.

Commission District(s): District 2

b. TO2463 - Prohibition of Begging, Panhandling & Solicitation Ordinance

An Ordinance of the City of Tamarac, Florida, amending Chapter 14 of the City's Code of Ordinances entitled "Motor Vehicle and Traffic" by amending Article I, Section 14-3 Entitled "Activity Restricted on Streets"; Prohibiting Begging, Panhandling and Solicitation In and Upon Roadways and Rights-of-Way Within the City; providing for definitions; providing for findings and intent; providing for penalties; providing for codification; providing for conflicts; providing for severability; and providing for an effective date.

9. QUASI-JUDICIAL HEARING(S)

a. TO2478 - Rezoning of 5601 N Hiatus Road from MU-C (Mixed-Use Commercial) zoning classification to BP (Business Park) zoning classification

An Ordinance of the City Commission of the City of Tamarac, Florida, amending the Official Zoning Map of the City of Tamarac referenced in Section 10-2.1(B) of Chapter 10 of the City of Tamarac Code of Ordinances for approximately 12.55 acres of land situated, lying, and being in Broward County, Florida, and legally described in Exhibit "A", from the current MU-C (Mixed-Use Corridor) zoning classification to BP (Business Park) zoning classification, to facilitate the development of a distribution center use and provide consistency with the Land Development Code in accordance with the intent of the Comprehensive Plan of the City of Tamarac; (Case No. 2-Z-21); providing for amendment to the official zoning map to reflect such change; providing for conflicts; providing for severability; and providing for an effective date

Commission District(s): District 2

10. <u>OTHER</u>

The City Commission may consider and act upon such other business as may come before it. In the event this agenda must be revised, such revised copies will be available to the public at the City Commission meeting.

Pursuant to Chapter 286.0105, Florida Statutes, if a person decides to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing, he 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 based.

The City of Tamarac complies with the provisions of the Americans with Disabilities Act. If you are a disabled person requiring any accommodations or assistance, please notify the City Clerk's Office at (954) 597-3505 of such need at least 48 hours (2 days) in advance. Additionally, if you are hearing or speech impaired and need assistance, you may contact the Florida Relay Service at either of the following numbers: 1-800-955-8770 or 1-800-955-8771.

Jennifer Johnson, CMC

City Clerk



Title - Commissioner Bolton



Title - Investment Report - June 2021

Investment Report - June 2021

ATTACHMENTS:

Description Upload Date Type

Investment Report - June 2021 7/20/2021 Backup Material

City of Tamarac Interoffice Memorandum Financial Services Department ADMINISTRATIVE DIVISION

To: Michael C. Cernech, City Manager

From: Christine Cajuste, CPA, Financial Services Director

Date: July 12, 2021

Re: Investment Report: June 2021

Recommendation:

The following report outlines the results of the City's investment activities for the Month of June 2021.

<u>lssue:</u>

This report provides an update of the City's investment activity through the month of June 2021. Tamarac's Code, Section 6-29 "Investment Reports", provides that: "The Finance Director shall prepare a written report of the City's investments at least on a monthly basis. The report shall be presented and explained to the City Commission at a regular or special meeting."

Background:

The Financial Services staff reviews the City's cash positions on a daily basis and invests funds as cash flow, investment needs, and interest rates dictate. Operating funds are invested according to cash flow needs with surplus funds invested in securities of varying maturities. No single investment is invested longer than a maturity of sixty (60) months, and the average duration of Tamarac's investment portfolio is targeted to be less than thirty-six (36) months.

Investment Portfolio Weighted Yield:

The total Operations & Reserve investment portfolio weighted average yield for the month of June was 0.15%. The managed portion of the portfolio had a weighted average yield of 0.89%, while the cash portion of the portfolio had a weighted average yield of 0.05%.

The Series 2018 Bond proceeds portfolio weighted average yield for the month was 0.05%.

The combined weighted average yield of all portfolios for the month of June was 0.15%.

Investment Report Memo - June 2021 7/12/21 Page 2

Investment Strategy:

The City's interest-bearing checking account at TD Bank holds funds needed to pay its weekly obligations. Funds held for short-term liquidity needs are invested in the TD Bank, the AIM Treasury money market fund, Wells Fargo and the FLSAFE Local Government Investment Pool. Based on the cash flow model and short-term investment strategy, the target amount for liquidity purposes is at least \$15 million. Funds not needed for liquidity purposes are used to purchase longer-term securities. Total liquidity in the Operations and Reserve Portfolio held in the SBA, FLSAFE, FLSAFE Term, Wells Fargo, AIM account and at TD Bank on June 30, 2021 was \$182,941,532.11 of which \$47,375,108.56 was retained in the SBA. The Series 2018 Capital Improvement Bond proceeds portfolio had \$3,287,905.26 in FLSAFE.

Investment Activity – June 2021

Investment Maturities/Calls/Sold:

No securities matured, were called or were sold during the month of June.

Investment Purchases:

No investments were purchased during the month of June.

Investment News (Source: Neil Waud, CFA, Chief Investment Officer, Portfolio Manager, John F. Grady, Managing Director).

Anticipation of a More Normal Summer

June 10, 2021 - Public Trust Trading Desk

The topic of inflation has been garnering attention in financial markets and the news. With supply chain bottlenecks, increases in commodity prices, and a tightening labor market, one could posit that the inflation narrative was bound to find its way into the conversation. The consumer price index (CPI) report for May registered 5.0%, compared to April's 4.2% and marking the largest year-over-year increase since August 2008. How inflation plays out in the near-to-medium term and whether these factors are transitory remains to be seen.

That said, there are many reasons to be optimistic; the unemployment rate ticked down to 5.8% in May, an improvement of 0.30% from April's 6.1% that came as a result of total nonfarm payroll numbers increasing by 559k in May as reported by the U.S. Bureau of Labor Statistics. The jobs print also had noteworthy gains in leisure and hospitality, increasing by 292k with approximately two-thirds of the increase driven by food services and bars (+186k), both of which have been negatively impacted throughout the pandemic. These figures are significantly improved from the April 2020 report yet remain below pre-COVID-19 levels.

Investment Report Memo - June 2021 7/12/21 Page 3

On May 13, the Centers for Disease Control (CDC) announced that fully vaccinated people no longer need to wear a mask or social distance in any setting, most notably indoor locations. The relatively unexpected announcement from the CDC resulted in many state and local governments and private companies rushing to update their protocols. Overall, businesses such as leisure and hospitality have seen a surge in traffic as consumers steadily embrace the new mask guidelines and prepare for the summer season. As of June 7, 2021, the CDC reports that 53% of the U.S. adult population (18 years or older) has been fully vaccinated while 63.7% of adults have received at least one dose. The increased vaccination rates, new mask and social distancing guidelines, and pent-up demand should all assist in a much-desired recovery.

Investment Recommendation: Interest rate and credit market conditions remain dynamic and reflect an evolving array of economic and monetary policy conditions and expectations. While short-term interest rates remain anchored by the Fed's continued near zero interest policy, two- through five-year Treasury yields rose over the month as investors pulled forward expectations for the Federal Reserve's first interest rate increase. Somewhat counterintuitively, despite the acceleration of inflation in recent months longer term (e.g., 10-30 year) interest rates declined over the period as market participant's view recent price pressures as likely transitory and focus on the economy's comparatively more subdued longer-term growth prospects. Considering the generally positively sloping nature of the yield curve and the incremental income and greater expected returns that are available for longer-maturity portfolios as compared to shorterterm cash alternatives, PTA continues to recommend an investment strategy laddering securities in the one to five year area of the yield curve. To that end, PTA is currently modeling the investment of the City's current money market fund balances towards a 0-5 year portfolio strategy that will provide diversified exposure to the yield curve and benefit from higher current yields and greater expected return over time.



Compliant

YES

Permitted by Policy⁽²⁾

100.00%

50.00%

50.00%

100.00%

100.00%

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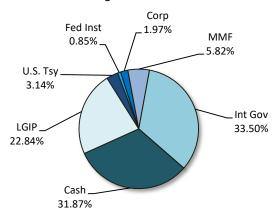
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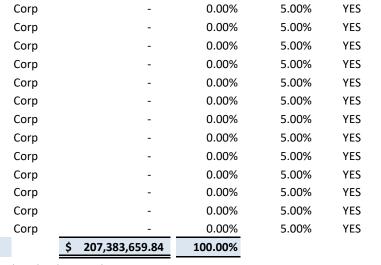
City of Tamarac Asset Allocation as of June 30, 2021

Security Distribution ⁽¹⁾	June 30, 2021 Ending Balance	Portfolio Allocation	Issuer Description(1)	Sec. Desc.	June 30, 2021 Ending Balance	Portfolio P Allocation
Cash	\$ 66,089,689.45	31.87%	Cash	Cash	\$ -	0.00%
LGIP	47,375,108.56	22.84%	FL PRIME (SBA) ⁽²⁾	LGIP	47,375,108.56	22.84%
U.S. Treasury Notes	6,514,202.40	3.14%	FLSAFE	Int Gov	69,476,734.10	33.50%
U.S. Agency Notes	-	0.00%	Wells Fargo	Cash	236,365.23	0.11%
FNMA	343,657.27	0.17%	TD Bank ⁽²⁾	Cash	65,853,324.22	31.75%
FHLMC	-	0.00%	Fidelity MMF	MMF	12,074,291.38	5.82%
FFCB	-	0.00%	U.S. Treasury Notes	UST	6,514,202.40	3.14%
FHLB	1,428,497.49	0.69%	U.S. Agency Notes	US Agy	-	0.00%
Fed Instrumentality Subtotal	\$ 1,772,154.76	0.85%	FNMA	GSE	343,657.27	0.17%
Asset Backed Securities	-	0.00%	FHLMC	GSE	-	0.00%
Commercial Paper	-	0.00%	FFCB	GSE	-	0.00%
Corporate Notes	4,081,479.19	1.97%	FHLB	GSE	1,428,497.49	0.69%
Bankers Acceptances	-	0.00%	Apple	Corp	2,043,667.30	0.98%
Money Market Funds	12,074,291.38	5.82%	Exxon Mobile	Corp	2,037,811.89	0.99%
Municipal Bonds	-	0.00%		Corp	-	0.00%
FLSAFE	69,476,734.10	33.50%		Corp	-	0.00%
Certificates of Deposit	-	0.00%		Corp	-	0.00%
Total Portfolio Market Value	\$ 207,383,659.84	100.00%		Corp	-	0.00%
				Corp	-	0.00%
				•		

Ending Portfolio Allocation



Total Portfolio Market Value



- (1) Mortgage backed securities included in security description and listed separately in issuer description. Public Trust managed assets represent market value plus accrued interest.
- (2) External assets not managed by Public Trust. Information provided by City staff. Asset allocation limits defined in the City's investment policy.





City of Tamarac - Managed Portfolio Investment Report

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Supporting Reports

Portfolio Holdings	
• Transactions	Į.
• Income	
• GASB 40	I
Portfolio Activity Summary	Į.

Disclaimers

Relationship Management Team

Relationship Managers

John Grady | Managing Director

Direct: (407) 588-0525 Mobile: (407) 701-8002

john.grady@publictrustadvisors.com

Tom Tight | Managing Director

Direct: (407) 588-9391 Mobile: (407) 765-0761

tom.tight@publictrustadvisors.com

Portfolio Manager

Neil Waud, CFA | Chief Investment Officer

Direct: (303) 244-0468 Mobile: (720) 255-7404

neil.waud@publictrustadvisors.com

Cory Gebel, CFA | Director, Portfolio Management

Direct: (720) 845-5788

cory.gebel@publictrustadvisors.com



Portfolio Overview 06/01/2021 to 06/30/202

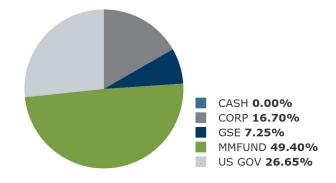
Portfolio Characteristics

	05/31/21	06/30/21
Duration	0.456	0.411
Years to Effective Maturity	0.457	0.415
Years to Final Maturity	0.478	0.435
Coupon Rate	1.043	1.041
Book Yield	0.891	0.889
Market Yield	0.073	0.082
Benchmark Yield		

Portfolio Summary

Summary	05/31/21	06/30/21
Historical Cost	\$24,261,538.45	\$24,285,246.14
Book Value	24,201,522.69	24,222,400.84
Accrued Interest	70,544.42	67,479.31
Net Pending Transactions	104.56	101.35
Book Value Plus Accrued	\$24,272,171.67	\$24,289,981.50
Net Unrealized Gain/Loss	172,052.37	152,247.58
Market Value Plus Accrued	\$24,444,224.04	\$24,442,229.08

Asset Allocation



Income Summary

Period Income	Income
Interest Income	\$20,639.37
Net Amortization/Accretion Income	(2,829.54)
Net Income	\$17,809.83

Detail may not add to total due to rounding.

Portfolio Overview

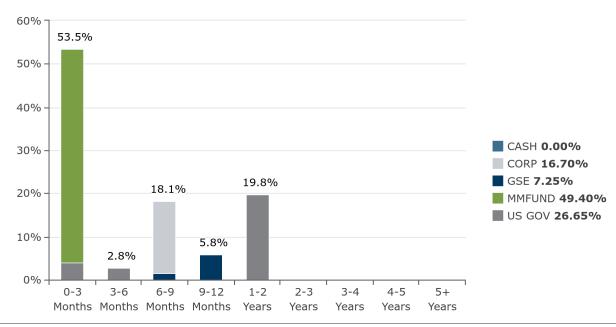
Maturity Distribution by Security Type

Security Distribution	0-3 Months	3-6 Months	6-9 Months	9-12 Months	I-2 Years	2-3 Years	3-4 Years	4-5 Years	5+ Years	Portfolio Total
CASH	\$101.35									\$101.35
CORP			4,081,479.19							4,081,479.19
FED INST (GSE)			343,657.27	1,428,497.49						1,772,154.76
MMFUND	12,074,291.38									12,074,291.38
US GOV	1,008,712.72	673,530.31			4,831,959.36					6,514,202.40
TOTAL	\$13,083,105.45	\$673,530.31	\$4,425,136.45	\$1,428,497.49	\$4,831,959.36	-		-		\$24,442,229.08

Top Ten Holdings

Issuer	Value
Invesco Ltd.	49.40%
United States	26.65%
Apple Inc.	8.36%
Exxon Mobil Corporation	8.34%
Federal Home Loan Banks	5.84%
Federal National Mortgage Association	1.41%
(CCYUSD) UNITED STATES OF AMERICA	0.00%

Maturity Distribution by Type



Portfolio Overview 06/01/2021 to 06/30/202

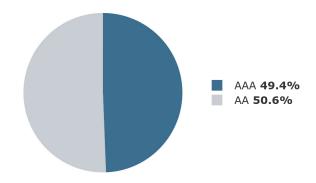
S&P Rating Distribution

S&P Rating Distribution	Jun 30, 2021 Ending Balance	Portfolio Allocation
Short Term Rating Distribution		
A-I+	\$0.00	0.00%
A-I		
A-2		
Total Short Term Ratings	\$0.00	0.00%
Long Term Rating Distribution		
AAA	\$12,074,392.73	49.40%
AA	\$12,367,836.35	50.60%
A		
Below A		
Not Rated		
Total Long Term Ratings	\$24,442,229.08	100.00%
Portfolio Total	\$24,442,229.08	100.00%

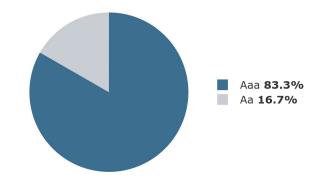
Moody's Rating Distribution

Moody's Rating Distribution	Jun 30, 2021 Ending Balance	Portfolio Allocation
Short Term Rating Distribution		
P-I	\$0.00	0.00%
P-2		
Total Short Term Ratings	\$0.00	0.00%
Long Term Rating Distribution		
Aaa	\$20,360,749.89	83.30%
Aa	\$4,081,479.19	16.70%
A		
Below A		
Not Rated		
Total Long Term Ratings	\$24,442,229.08	100.00%
Portfolio Total	\$24,442,229.08	100.00%

Allocation by Standard and Poor's Rating



Allocation by Moody's Rating



Portfolio Overview

Market Value Basis Security Distribution

Security Distribution	May 31, 2021 Ending Balance	May 31, 2021 Portfolio Allocation	Jun 30, 2021 Ending Balance	Jun 30, 2021 Portfolio Allocation	Change in Allocation	Book Yield
Cash	\$104.56	0.00%	\$101.35	0.00%	(0.00%)	0.00%
U.S. Treasury Notes	\$6,524,341.26	26.69%	\$6,514,202.40	26.65%	(0.04%)	1.67%
Federal Instrumentality (GSE)	1,787,074.78	7.31%	1,772,154.76	7.25%	(0.06%)	1.82%
Money Market Funds	\$12,050,583.69	49.30%	\$12,074,291.38	49.40%	0.10%	0.01%
Corporate Notes	4,082,119.76	16.70%	4,081,479.19	16.70%	(0.00%)	1.88%
Portfolio Total	\$24,444,224.04	100.00%	\$24,442,229.08	100.00%		0.89%

Asset Balance by Security Type



Portfolio Overview

Historic Cost Basis Security Distribution

Security Distribution	May 31, 2021 Ending Balance	May 31, 2021 Portfolio Allocation	Jun 30, 2021 Ending Balance	Jun 30, 2021 Portfolio Allocation	Change in Allocation	Book Yield
Cash	\$104.56	0.00%	\$101.35	0.00%	(0.00%)	0.00%
U.S. Treasury Notes	\$6,403,443.96	26.39%	\$6,403,443.96	26.37%	(0.03%)	1.67%
Federal Instrumentality (GSE)	1,754,330.80	7.23%	1,754,330.80	7.22%	(0.01%)	1.82%
Money Market Funds	\$12,050,583.69	49.67%	\$12,074,291.38	49.72%	0.05%	0.01%
Corporate Notes	4,053,180.00	16.71%	4,053,180.00	16.69%	(0.02%)	1.88%
Portfolio Total	\$24,261,643.01	100.00%	\$24,285,347.49	100.00%		0.89%

Asset Balance by Security Type



City of Tamarac - Managed Portfolio

Public Trust Advisors (7)

Portfolio Holdings

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized % Gain/Loss	6 of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
CASH							,	0.00%			
Receivable CCYUSD 0.00%	06/30/21 06/30/21 0.00		101.35	\$101.35 \$101.35	\$101.35 1.00	\$101.35 \$0.00	\$0.00	0.00%	N 	0.00%	AAA Aaa
CASH TOTAL	06/30/21 06/30/21 0.00	 	101.35	\$101.35 \$101.35	\$101.35 1.00	\$101.35 \$0.00	\$0.00	0.00%	N 	0.00% 	AAA Aaa
MMFUND								0.00%			
INVESCO TREASURY INST 825252406 0.01%	06/30/21 06/30/21 0.00		12,074,291.38	\$12,074,291.38 \$12,074,291.38	\$12,074,291.38 1.00	\$12,074,291.38 \$0.00	(\$0.00)	49.40%	N 	0.01% 	AAAm Aaa
MMFUND TOTAL	06/30/21 06/30/21 0.00	 	12,074,291.38	\$12,074,291.38 \$12,074,291.38	\$12,074,291.38 1.00	\$12,074,291.38 \$0.00	(\$0.00)	49.40%	N 	0.01% 	AAAm Aaa
US GOV								0.00%			
UNITED STATES TREASURY 9128287F1 1.75%	07/31/21 07/31/21 0.09	08/09/19 08/12/19	1,000,000.00	\$1,002,656.25 \$1,000,113.30	\$1,001,413.00 100.14	\$1,008,712.72 \$7,299.72	\$1,299.70	4.13%	N 	1.61% 0.10% 	AA+ Aaa
UNITED STATES TREASURY 9128285R7 2.62%	12/15/21 12/15/21 0.46	01/09/19 01/11/19	665,000.00	666,584.57 665,255.86	672,767.20 101.17	673,530.3 l 763.1 l	7,511.34	2.76%	N 	2.54% 0.08%	AA+ Aaa
UNITED STATES TREASURY 912828YA2 1.50%	08/15/22 08/15/22 1.12	12/03/19 12/04/19	1,250,000.00	1,249,218.75 1,249,674.28	1,269,482.50 101.56	1,276,526.70 7,044.20	19,808.22	5.22%	N 	1.52% 0.12% 	AA+ Aaa
UNITED STATES TREASURY 912828YF1 1.50%	09/15/22 09/15/22 1.20	12/03/19 12/04/19	1,250,000.00	1,249,267.58 1,249,682.32	1,270,605.00 101.65	1,276,107.72 5,502.72	20,922.68	5.22%	N 	1.52% 0.14% 	AA+ Aaa
UNITED STATES TREASURY 912828M49 1.88%	10/31/22 10/31/22 1.32	12/30/19 12/31/19	1,225,000.00	1,232,943.37 1,228,783.65	1,253,184.80 102.30	1,257,054.54 3,869.74	24,401.15	5.14%	N 	1.64% 0.15% 	AA+ Aaa
UNITED STATES TREASURY 912828TY6 1.62%	11/15/22 11/15/22 1.36	12/03/19 12/04/19	1,000,000.00	1,002,773.44 1,001,307.62	1,020,195.00 102.02	1,022,270.41 2,075.41	18,887.38	4.18%	N 	1.53% 0.15% 	AA+ Aaa
US GOV TOTAL	06/27/22 06/27/22 0.98	-	6,390,000.00	\$6,403,443.96 \$6,394,817.03	\$6,487,647.50 101.53	\$6,514,202.40 \$26,554.90	\$92,830.47	26.65%	N 	1.67% 0.13% 	AA+ Aaa
GSE								0.00%			

Portfolio Holdings

06/01/2021 to 06/30/202

Description Identifier Coupon	Effective Maturity Final Maturity Duration	Trade Date Settle Date	Par Value	Original Cost Book Value	Market Value Market Price	MV + Accrued Accrued Balance	Net Unrealized 9 Gain/Loss	% of Market Value	Callable Next Call Date	Book Yield YTM YTC	S&P Moody's
FEDERAL NATIONAL MORTGAGE ASSOCIATION 3135G0U92 2.62%	01/11/22 01/11/22 0.52	01/09/19 01/11/19	335,000.00	\$334,758.80 \$334,956.20	\$339,504.66 101.34	\$343,657.27 \$4,152.60	\$4,548.46	1.41%	N 	2.65% 0.09% 	AA+ Aaa
FEDERAL HOME LOAN BANK 313379Q69 2.12%	S 06/10/22 06/10/22 0.94	08/09/19 08/12/19	1,400,000.00	1,419,572.00 1,406,626.63	1,426,762.08 101.91	1,428,497.49 1,735.42	20,135.45	5.84%	N 	1.62% 0.10% 	AA+ Aaa
GSE TOTAL	05/12/22 05/12/22 0.86		1,735,000.00	\$1,754,330.80 \$1,741,582.83	\$1,766,266.74 101.80	\$1,772,154.76 \$5,888.02	\$24,683.91	7.25%	N 	1.82% 0.10% 	AA+ Aaa
CORP								0.00%			
APPLE INC 037833CM0 2.50%	01/09/22 02/09/22 0.52	08/08/19 08/12/19	2,000,000.00	\$2,027,500.00 \$2,006,094.63	\$2,023,945.08 101.20	\$2,043,667.30 \$19,722.22	\$17,850.45	8.36%	Y 01/09/22	1.91% 0.53% 0.22%	AA+ AaI
EXXON MOBIL CORP 3023 I GAJI 2.40%	01/06/22 03/06/22 0.52	08/08/19 08/12/19	2,000,000.00	2,025,680.00 2,005,614.96	2,022,497.72 101.12	2,037,811.89 15,314.17	16,882.76	8.34%	Y 01/06/22	1.85% 0.74% 0.22%	AA- Aa2
CORP TOTAL	01/08/22 02/21/22 0.52	08/08/19 08/12/19	4,000,000.00	\$4,053,180.00 \$4,011,709.59	\$4,046,442.80 101.16	\$4,081,479.19 \$35,036.39	\$34,733.21	16.70%	Y 	1.88% 0.63% 0.22%	AA Aal
PORTFOLIO TOTAL	11/28/21 12/06/21 0.41		24,199,392.73	\$24,285,347.49 \$24,222,502.19	\$24,374,749.77 51.83	\$24,442,229.08 \$67,479.31	\$152,247.58	100.00%		0.89% 0.29% 0.22%	AA+ Aaa

Transactions 06/01/2021 to 06/30/2021

Description Current Units Type Trade Date Settle Date Price Principal Realized Broker Amount Identifier Gain/Loss

Income

Description Identifier	Final Maturity	Current Units	Interest Income	Realized Gain Realized Loss	Accretion Income	Amortization Expense	Misc Income	Net Income	Interest Received Interest Due
APPLE INC 037833CM0	02/09/22	2,000,000.00	\$4,166.67	\$0.00 \$0.00	\$0.00	(\$957.54)	\$0.00	\$3,209.13	\$0.00 \$0.00
EXXON MOBIL CORP 3023 I GAJ I	03/06/22	2,000,000.00	3,995.00	0.00 0.00	0.00	(884.83)	0.00	3,110.17	0.00 0.00
FEDERAL HOME LOAN BANKS 313379Q69	06/10/22	1,400,000.00	2,479.17	0.00 0.00	0.00	(573.33)	0.00	1,905.84	14,875.00 0.00
FEDERAL NATIONAL MORTGAGE ASSOCIATION 3135G0U92	01/11/22	335,000.00	732.81	0.00 0.00	6.79	0.00	0.00	739.61	0.00 0.00
INVESCO TREASURY INST 825252406	06/30/21	12,074,291.38	101.35	0.00 0.00	0.00	0.00	0.00	101.35	104.56 101.35
UNITED STATES TREASURY 9128285R7	12/15/21	665,000.00	1,434.51	0.00 0.00	0.00	(45.81)	0.00	1,388.70	8,728.13 0.00
UNITED STATES TREASURY 9128287F1	07/31/21	1,000,000.00	1,450.28	0.00 0.00	0.00	(113.30)	0.00	1,336.97	0.00 0.00
UNITED STATES TREASURY 912828M49	10/31/22	1,225,000.00	1,872.45	0.00 0.00	0.00	(229.53)	0.00	1,642.93	0.00 0.00
UNITED STATES TREASURY 912828TY6	11/15/22	1,000,000.00	1,324.73	0.00 0.00	0.00	(77.04)	0.00	1,247.69	0.00 0.00
UNITED STATES TREASURY 912828YA2	08/15/22	1,250,000.00	1,553.87	0.00 0.00	23.77	0.00	0.00	1,577.63	0.00 0.00
UNITED STATES TREASURY 912828YFI	09/15/22	1,250,000.00	1,528.53	0.00 0.00	21.26	0.00	0.00	1,549.80	0.00 0.00
Receivable CCYUSD	06/30/21	101.35	0.00	0.00 0.00	0.00	0.00	0.00	0.00	0.00 0.00
Portfolio Total	12/06/21	24,199,392.73	\$20,639.37	\$0.00 \$0.00	\$51.82	(\$2,881.36)	\$0.00	\$17,809.83	\$23,707.69 \$101.35

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06/01/2021 to 06/30/202

lssuer Identifier	Security Type % of Market Value	Book Yield Market Yield	Duration	S&P Moody's	Effective Maturity Final Maturity	Current Units	Accrued	Book Value Book Value + Accrued	Market Value Market Value + Accrued
Apple Inc.									
Apple Inc. 037833CM0	CORP 8.36%	1.91% 0.22%	0.52	AA+ AaI	01/09/22 02/09/22	2,000,000.00	\$19,722.22	\$2,006,094.63 \$2,025,816.86	\$2,023,945.08 \$2,043,667.30
Apple Inc.	8.36%	1.91% 0.22%	0.52	AA+ Aal		2,000,000.00	\$19,722.22	\$2,006,094.63 \$2,025,816.86	\$2,023,945.08 \$2,043,667.30
Exxon Mobil Corporation									
Exxon Mobil Corporation 3023 GAJ	CORP 8.34%	1.85% 0.22%	0.52	AA- Aa2	01/06/22 03/06/22	2,000,000.00	\$15,314.17	\$2,005,614.96 \$2,020,929.13	\$2,022,497.72 \$2,037,811.89
Exxon Mobil Corporation	8.34%	1.85% 0.22%	0.52	AA- Aa2		2,000,000.00	\$15,314.17	\$2,005,614.96 \$2,020,929.13	\$2,022,497.72 \$2,037,811.89
Federal Home Loan Banks									
Federal Home Loan Banks 313379Q69	GSE 5.84%	1.62% 0.10%	0.94	AA+ Aaa	06/10/22 06/10/22	1,400,000.00	\$1,735.42	\$1,406,626.63 \$1,408,362.05	\$1,426,762.08 \$1,428,497.49
Federal Home Loan Banks	5.84%	1.62% 0.10%	0.94	AA+ Aaa		1,400,000.00	\$1,735.42	\$1,406,626.63 \$1,408,362.05	\$1,426,762.08 \$1,428,497.49
Federal National Mortgage Association									
Federal National Mortgage Association 3135G0U92	GSE 1.41%	2.65% 0.09%	0.52	AA+ Aaa	01/11/22 01/11/22	335,000.00	\$4,152.60	\$334,956.20 \$339,108.80	\$339,504.66 \$343,657.27
Federal National Mortgage Association	1.41%	2.65% 0.09%	0.52	AA+ Aaa		335,000.00	\$4,152.60	\$334,956.20 \$339,108.80	\$339,504.66 \$343,657.27
Short-Term Investment Trust - Invesco Treasury Portfolio									
Short-Term Investment Trust - Invesco Treasury Portfolio 825252406	MMFUND 49.40%	0.01% 0.01%	0.00	AAAm Aaa	06/30/21 06/30/21	12,074,291.38	\$0.00	\$12,074,291.38 \$12,074,291.38	\$12,074,291.38 \$12,074,291.38
Short-Term Investment Trust - Invesco Treasury Portfolio	49.40%	0.01% 0.01%	0.00	AAAm Aaa		12,074,291.38	\$0.00	\$12,074,291.38 \$12,074,291.38	\$12,074,291.38 \$12,074,291.38
United States Department of The Treasury									

Issuer Identifier	Security Type % of Market Value	Book Yield Market Yield	Duration	S&P Moody's	Effective Maturity Final Maturity	Current Units	Accrued	Book Value Book Value + Accrued	Market Value Market Value + Accrued
United States Department of The Treasury 9128287F1	US GOV 4.13%	1.61% 0.10%	0.09	AA+ Aaa	07/31/21 07/31/21	1,000,000.00	\$7,299.72	\$1,000,113.30 \$1,007,413.03	\$1,001,413.00 \$1,008,712.72
United States Department of The Treasury 9128285R7	US GOV 2.76%	2.54% 0.08%	0.46	AA+ Aaa	12/15/21 12/15/21	665,000.00	763.11	665,255.86 666,018.97	672,767.20 673,530.31
United States Department of The Treasury 912828YA2	US GOV 5.22%	1.52% 0.12%	1.12	AA+ Aaa	08/15/22 08/15/22	1,250,000.00	7,044.20	1,249,674.28 1,256,718.48	1,269,482.50 1,276,526.70
United States Department of The Treasury 912828YFI	US GOV 5.22%	1.52% 0.14%	1.20	AA+ Aaa	09/15/22 09/15/22	1,250,000.00	5,502.72	1,249,682.32 1,255,185.04	1,270,605.00 1,276,107.72
United States Department of The Treasury 912828M49	US GOV 5.14%	1.64% 0.15%	1.32	AA+ Aaa	10/31/22 10/31/22	1,225,000.00	3,869.74	1,228,783.65 1,232,653.38	1,253,184.80 1,257,054.54
United States Department of The Treasury 912828TY6	US GOV 4.18%	1.53% 0.15%	1.36	AA+ Aaa	11/15/22 11/15/22	1,000,000.00	2,075.41	1,001,307.62 1,003,383.03	1,020,195.00 1,022,270.41
United States Department of The Treasury	26.65%	1.67% 0.13%	0.98	AA+ Aaa		6,390,000.00	\$26,554.90	\$6,394,817.03 \$6,421,371.93	\$6,487,647.50 \$6,514,202.40
Portfolio Total	100.00%	0.89% 0.08%	0.41	AA+ Aaa	11/28/21 12/06/21	24,199,291.38	\$67,479.31	\$24,222,400.84 \$24,289,880.15	\$24,374,648.42 \$24,442,127.73

Description Identifier	Security Type Final Maturity	Beginning Original Cost Beginning Market Value Beginning Book Value	Purchases Purchased Accrued	Sales Disposed Accrued	Maturities Paydowns	Interest Received Transfers	Realized Gain/Loss Unrealized Gain/Loss	Ending Original Cost Ending Market Value Ending Book Value
Receivable CCYUSD	CASH 06/30/21	\$104.56 \$104.56 \$104.56	\$0.00 \$0.00	\$0.00 \$0.00	\$0.00 \$0.00	\$0.00 \$0.00	\$0.00 \$0.00	\$101.35 \$101.35 \$101.35
INVESCO TREASURY INST 825252406	MMFUND 06/30/21	12,050,583.69 12,050,583.69 12,050,583.69	23,707.69 0.00	0.00 0.00	0.00 0.00	104.56 0.00	0.00 (0.00)	12,074,291.38 12,074,291.38 12,074,291.38
APPLE INC 037833CM0	CORP 02/09/22	2,027,500.00 2,028,555.14 2,028,555.14	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 17,850.45	2,027,500.00 2,023,945.08 2,006,094.63
EXXON MOBIL CORP 3023 I GAJI	CORP 03/06/22	2,025,680.00 2,026,689.90 2,026,689.90	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 16,882.76	2,025,680.00 2,022,497.72 2,005,614.96
FEDERAL NATIONAL MORTGAGE ASSOCIATION 3135G0U92	GSE 01/11/22	334,758.80 340,303.23 340,303.23	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 4,548.46	334,758.80 339,504.66 334,956.20
FEDERAL HOME LOAN BANK 313379Q69	<sgse 06/10/22</sgse 	1,419,572.00 1,429,220.51 1,429,220.51	0.00 0.00	0.00 0.00	0.00 0.00	14,875.00 0.00	0.00 20,135.45	1,419,572.00 1,426,762.08 1,406,626.63
UNITED STATES TREASURY 9128287F1	US GOV 07/31/21	1,002,656.25 1,002,862.00 1,002,862.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 1,299.70	1,002,656.25 1,001,413.00 1,000,113.30
UNITED STATES TREASURY 9128285R7	US GOV 12/15/21	666,584.57 674,273.42 674,273.42	0.00 0.00	0.00 0.00	0.00 0.00	8,728.13 0.00	0.00 7,511.34	666,584.57 672,767.20 665,255.86
UNITED STATES TREASURY 912828YA2	US GOV 08/15/22	1,249,218.75 1,271,240.00 1,271,240.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 19,808.22	1,249,218.75 1,269,482.50 1,249,674.28
UNITED STATES TREASURY 912828YF1	US GOV 09/15/22	1,249,267.58 1,272,412.50 1,272,412.50	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 20,922.68	1,249,267.58 1,270,605.00 1,249,682.32
UNITED STATES TREASURY 912828M49	US GOV 10/31/22	1,232,943.37 1,255,481.68 1,255,481.68	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 24,401.15	1,232,943.37 1,253,184.80 1,228,783.65
UNITED STATES TREASURY 912828TY6	US GOV 11/15/22	1,002,773.44 1,021,953.00 1,021,953.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 0.00	0.00 18,887.38	1,002,773.44 1,020,195.00 1,001,307.62
Portfolio Total		\$24,261,643.01 \$24,373,679.62 \$24,201,627.25	\$23,707.69 \$0.00	\$0.00 \$0.00	\$0.00 \$0.00	\$23,707.69 \$0.00	\$0.00 \$152,247.58	\$24,285,347.49 \$24,374,749.77 \$24,222,502.19

Disclaimers 06/01/2021 to 06/30/2021

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Many factors affect performance including changes in market conditions and interest rates and in response to other economic, political, or financial developments. Investment involves risk including the possible loss of principal. No assurance can be given that the performance objectives of a given strategy will be achieved. Past performance is no guarantee of future results. Any financial and/or investment decision may incur losses.

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City of Tamarac - Managed Portfolio Public Trust Advisors (15)





Contact

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Headquarters

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Title - Quarterly Employee Service Awards

5-Years of Service

Nancy Rivera

Ann Marie Gordon

Lerenzo Calhoun

Chevelle Crusan

10-Years of Service

Hazel Alzugaray

Jason Bua

Job Maria

Jonathoan Neary

Paul Onorati

Christopher Rogers

Michael Stairs

Brian Maloney

Rodney Smith

Anthony Elliott

15-Years of Service

Cynthia Natale

Michael Christopher

Bhanmatie Ramnarine

20-Years of Service

Nicholas Pyke

Mark Brown

25-Years of Service

Sadhana Swaroop

Michael Regits

Natalie Turner

ATTACHMENTS:

Description	Upload Date	Туре
Employee Service Awards Memo	8/5/2021	Backup Material

CITY OF TAMARAC INTEROFFICE MEMORANDUM HUMAN RESOURCES DEPARTMENT

TO: City Clerk

DATE: August 2, 2021

FROM: Benefits Manager

RE: Employee Service Awards

August 25, 2021 Commission Meeting

The following is a list of employees to be recognized at the City Commission Meeting scheduled for August 25, 2021.

SERVICE AWARDS

Employee Name	Job Title	Department	Length of Service
Nancy Rivera	Administrative Coordinator	City Manager	5 yrs.
Ann Marie Gordon	Office Coordinator	City Clerk	5 yrs.
Lerenzo Calhoun	Director of Human Resources	Human Resources	5 yrs.
Chevelle Crusan	Enterprise Application Specialist	Information Technology	5 yrs.
Hazel Alzugaray	Firefighter Paramedic	Fire Rescue	10 yrs.
Jason Bua	Lieutenant Paramedic	Fire Rescue	10 yrs.
Job Maria	Firefighter Paramedic	Fire Rescue	10 yrs.
Jonathan Neary	Firefighter Paramedic	Fire Rescue	10 yrs.
Paul Onorati	Lieutenant Paramedic	Fire Rescue	10 yrs.
Christopher Rogers	Firefighter Paramedic	Fire Rescue	10 yrs.
Michael Stairs	Driver Engineer Paramedic	Fire Rescue	10 yrs.
Brian Maloney	Wastewater Service Worker III	Public Services	10 yrs.
Rodney Smith	Mechanic II	Public Services	10 yrs.
Anthony Elliott	Bus Driver	Parks and Recreation	10 yrs.
Cynthia Natale	Customer Service Rep II	Finance	15 yrs.
Michael Christopher	Utility Material Resource Coord	Public Services	15 yrs.
Bhanmatie Ramnarine	Customer Service Rep II	Parks and Recreation	15 yrs.
Nicholas Pyke	Lieutenant Paramedic	Fire Rescue	20 yrs.

CITY OF TAMARAC INTEROFFICE MEMORANDUM HUMAN RESOURCES DEPARTMENT

Mark Brown	Groundskeeper I Part Time	Public Services	20 yrs.
Sadhana Swaroop	HR Support Specialist II	Human Resources	25 yrs.
Michael Regits	Driver Engineer Paramedic	Fire Rescue	25 yrs.
Natalie Turner	Lieutenant Paramedic	Fire Rescue	25 yrs.

Please feel free to call me if you have any questions.

Vora Carles

CC:

Human Resources Director Assistant City Clerk



Title - 2021 Neighborhood Beautification Recognition Program - Q2

Commercial Property

L4 Palm Beach LLC (Taco Bell) - 7625 W. Commercial Blvd.

Residential Properties

District 1 - Arnaldo Barrionuevo, 5401 NW 57 Street

District 2 - Mellesha N Brown & Shoalan A Smith, 5009 N. Travelers Palm Lane

District 3 - Safir & Jameela Mohammed, 9107 NW 73 Street

District 4 - Gentil & Marita De Jesus Castro, 7010 Golf Pointe Circle

Commission District(s):

Citywide



Title - Approval of the July 7, 2021 - City Commission Workshop Minutes

ATTACHMENTS:

Description Upload Date Type

07072021 - Draft Workshop Minutes 8/9/2021 Backup Material

City of Tamarac Virtual City Commission Workshop - Minutes Wednesday, July 7, 2021

CALL TO ORDER: Mayor Gomez called the Wednesday, July 7, 2021, City Commission Workshop to order at 11 a.m.

ROLL CALL: Commissioner Debra Placko, Vice Mayor Elvin Villalobos and Mayor Michelle J. Gomez were present. Commissioner Marlon Bolton arrived at 11:01 a.m. Commissioner Mike Gelin arrived at 11:02 a.m.

Also present were City Manager Michael C. Cernech, City Attorney John R. Herin, Jr., and City Clerk Jennifer Johnson.

PLEDGE OF ALLEGIANCE: Commissioner Placko led the Pledge of Allegiance.

1. City Manager's Opening Remarks

City Manager, Michael C. Cernech, kicked off the meeting with remarks about this being for information purposes as the budget process moves forward and the work that goes into the budget every year.

2. Overview of FY2022 Proposed Budget

Financial Services Director, Christine Cajuste, provided remarks about the overarching budget, staying status quo, losses incurred as a result of COVID-19, etc. getting the capital projects plan back on track, property home values, and challenges for next year, etc.

Budget Manager, Jeff Streder, provided a presentation, which is on file in the City Clerk's Office.

Discussion by the Commission ensued related to spending, using the median value instead of average when comparing Tamarac against other cities for millage, have staff provide the items that would be cut from the budget at roll back rate and 7.150, provide year to date spent versus budgeted items, conduct a needs assessment for communities that need a barrier wall, provide the top 8 communities of values greater than \$300,000 and their taxes, travel funds, and a community that needs a barrier wall on Pine Island.

By consensus, Commissioner Placko, Vice Mayor Villalobos and Mayor Gomez, agreed to have individualized travel accounts, and have the travel budget at \$50,000 divided equally. Commissioner Bolton and Commissioner Gelin were not in agreement.

Mayor Gomez recessed the meeting at 1:02 p.m. and reconvened at 1:38 p.m. Commissioner Placko and Vice Mayor Villalobos were in attendance. Commissioner Gelin returned at 1:40 p.m. and Commission Bolton returned at 1:42 p.m.

Each of the city's department directors provided a FY2022 Budget presentation, which are on file in the City Clerk's Office.

Discussion by the Commission ensued with questions related to when the COPs would be back on the road, signage in school zones, provided the current grant writer contract to the Commission, bring back a presentation on options for the location of the social justice wall.

Mayor Gomez recessed the meeting at 3:16 p.m. and reconvened at 3:30 p.m.

Discussion by the Commission ensued with a request to add the September "Executive/Closed Sessions" regarding collective bargaining on the Commission member's calendar in advance, when the bathroom renovation at Sunset Point Park would be taking place, and initiatives.

By consensus, Commissioner Bolton, Commissioner Placko, Vice Mayor Villalobos and Mayor Gomez to take money from the Hispanic Heritage Month events for 2021 and 2022. Commissioner Gelin was not in agreement.

By consensus to keep the Caribbean Heritage Month, with a budget of \$78,000. Commissioner Gelin, Commissioner Bolton and Commissioner Placko were in favor. Vice Mayor Villalobos and Mayor Gomez were not in agreement.

By consensus, keep the \$25,000 per Commissioner Initiative budget. Commissioner Bolton, Commissioner Gelin and Vice Mayor Villabobos agreed. Commissioner Placko and Mayor Gomez were not in agreement.

Discussion by the Commission ensued with a request to have guidelines for how to use the initiative budget, and an initiative should be 100% paid from the initiative budget.

Discussion by the Commission ensued related to hiring an individual in Public Services to help with litter, and the consensus of the Commission was to hire the person now. Commissioner Placko, Commissioner Gelin, Vice Mayor Villalobos and Mayor Gomez were in consensus. Commissioner Bolton was not in agreement.

Mayor Gomez adjourned the meeting at 5:24 p.m., but the Commission reconvened at 5:25 p.m.

Discussion by the Commission ensued related to what comes out of the budget if we decide to go to the roll back rate. City Manager Cernech stated that staff would look at items that would have to come out, the long-term effect of approving the rollback rate, etc. and they would bring that list back at the next meeting.

3. Adjournment

There being nothing further to discuss, Mayor Gomez adjourned the meeting at 5:49 p.m.

Minutes transcribed and submitted by City Clerk Jennifer Johnson.

Jennifer Johnson,	, CMC	-
Michelle J. Gomes	z. Mavor	

Note to the reader: The above signature is the City Clerk, of the City of Tamarac, Florida. If the minutes you have received are not signed, or completed as indicated above, they are not the official minutes of the Tamarac City Commission Workshop held Wednesday, July 7, 2021.

Pursuant to Chapter 286.0105, Florida Statutes, if a person decides to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing, he 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 based.

The City of Tamarac complies with the provisions of the Americans with Disabilities Act. If you are a disabled person requiring any accommodations or assistance, please notify the City Clerk's Office at (954) 597-3505 of such need at least 48 hours (2 days) in advance. Additionally, if you are hearing or speech impaired and need assistance, you may contact the Florida Relay Service at either of the following numbers: 1-800-955-8770 or 1-800-955-8771.





Title - Approval of the July 14, 2021 - City Commission Meeting Minutes

ATTACHMENTS:

DescriptionUpload DateType07142021 - Draft Minutes8/9/2021Backup Material

City Commission Minutes Wednesday, July 14, 2021 5 p.m.

<u>CALL TO ORDER:</u> Mayor Gomez called the Wednesday, July 14, 2021, Regular City Commission meeting, being held at City Hall, to order at 5:00 p.m.

ROLL CALL: Commissioner Marlon Bolton, Commissioner Mike Gelin, Commissioner Debra Placko, Vice Mayor Villalobos and Mayor Gomez were in attendance.

PLEDGE OF ALLEGIANCE: Mayor Gomez led the Pledge of Allegiance.

1. CITY ATTORNEY REPORT

None.

2. CITY MANAGER REPORT

a. Recognizing Community Christian Church, Christian Life Center, and the Korean Methodist Church for their commitment to the community during the COVID-19 pandemic

Greg Warner, Director of Parks and Recreation, recognized each of the organizations for their continued support, and coordination with food distribution events throughout the past 13 months. Warner stated the organizations helped distribute meals to more than 21,000 families in need.

The Mayor and Commission commended the organizations for their work, and thanked the members of BSO, Parks and Recreation and Public Services for their dedication.

- b. Investment Report April 2021
- c. Investment Report May 2021
- **d.** City Manager, Michael C. Cernech, stated the Florida League of Cities reached out and was looking for the City to nominate a member of the Commission to be a voting delegate at the annual conference in August.

The consensus of the Commission was to have Commissioner Bolton as this year's (2021) voting delegate.

3. PUBLIC PARTICIPATION

Mayor Gomez opened for public comments.

a. Carol Mendelson, of 8021 NW 72nd Street, Tamarac, provided remarks regarding the Commission's behavior, and asked that certain items be removed from the annual

- budget. Mendelson also mentioned the Commission has ignored homeowner's pleas for help with coyotes.
- **b.** Mel Yoder, of 9539 Weldon Circle, Tamarac, provided comments related to the Commissions behavior, and doing a better job of representing the good and welfare of the City.
- **c.** Rudy Delgado, of 8307 NW 57th Court, Tamarac, provided a statement, which is attached.
- **d.** Darcy Schiller, of 7879 Granville Drive, Tamarac, requested Commissioner Bolton be censured. Schiller also asked that speeding on 108th Terrace, flooding in the west-end of town be looked into. Schiller stated her opinion on keeping the budget flat, and limiting the funds for One Tamarac, Caribbean Heritage Month, Juneteenth and Black History Month.
- **e.** Mike Farago, of 5105 Yellow Pine, Tamarac, expressed his concern regarding potential development at the Woodlands and the desire to keep the golf course.

Mayor Gomez closed public comments.

4. CONSENT AGENDA

- a. Approval of the June 9, 2021, City Commission Workshop Minutes
- **b.** Approval of the June 9, 2021, City Commission Meeting Minutes
- **c.** Approval of the June 23, 2021, City Commission Meeting Minutes

d. TR13574 – Approve Change Order No. 1 to the Agreement with SFM for Landscaping Services

A Resolution of the City Commission of the City of Tamarac, Florida authorizing increased expenditures for Grounds Maintenance Services with SFM Services, Inc. due to increased quantity of landscaped areas to be maintained and increased serve levels to certain areas, nunc pro tunc, at a cost not to exceed \$109,364.23 and approve an annual cost adjustment based on the Miami Urban CPI for the period June 2020 to June 2021, not to exceed 4% and said CPI cost adjustment shall be effective on October 1, 2021; authorizing annual expenditures not to exceed \$831,632.47, including annual price escalation/de-escalation per bid no 19-29b; authorizing proper city officials to execute contract renewals; providing for conflicts; providing for severability; and providing for an effective date.

e. TR13633 – Appointing the 5th Member of the Firefighters Pension Board A Resolution of the City Commission of the City of Tamarac, Florida, confirming the appointment of Pete Prior as the 5th Member Trustee of the Firefighters Pension Board to serve a four-year-term ending May 19, 2025; providing for conflicts; providing for severability; and providing for an effective date.

f. TR13634 – TCC Roof Replacement

A Resolution of the City Commission of the City of Tamarac, Florida, approving a piggy-back agreement with PSI Roofing, a Florida corporation utilizing OMNIA Contract Number 180901-FL-021, and authorizing the appropriate City officials to execute said piggy-back agreement with PSI Roofing, to replace the metal roof at the Tamarac Community Center, at

a cost not to exceed \$281,123.31, a contingency in the amount of 10% or \$28,112.33 will be added to the project account for a total project budget of \$309,235.64; providing for conflicts; providing for severability; and providing for an effective date.

g. TR13635 - City Hall Roof Design T.A. #21-05D

A Resolution of the City Commission of the City of Tamarac, Florida, approving Task Authorization No. 21-05D and authorizing the appropriate City officials to execute Task Authorization No. 21-05D with Walters Zackria Associates, PLLC, to provide professional services to prepare the design of The City Hall Roof Replacement Project in accordance with the City's Consulting Engineering Agreement as authorizing by Resolution No. R-2016-80, at a cost not to exceed \$68,100.00, a contingency in the amount of 10% or \$6,810.00 will be added to the project account for a total project budget of \$74,910.00, pursuant to F.S. 166.241(2); providing for conflicts; providing for severability; and providing for an effective date.

h. TR13643 – Prospect Road Highway Maintenance Memorandum of Agreement A Resolution of the City Commission of the City of Tamarac, Florida, approving the Highway Maintenance Memorandum of Agreement (MMOA) between the City of Tamarac and the State of Florida Department of Transportation (FDOT) for the Prospect Road Right-of-Way from east of NW 31st Avenue to west of 28th Avenue; authorizing the appropriate City officials to execute said Highway Maintenance Memorandum of Agreement, pending legal review between FDOT and the City of Tamarac, for the Prospect Road Right-of-Way from east of NW 31st Avenue to west of 28th Avenue; providing for conflicts; providing for severability; and providing for an effective date.

i. TR13644 - NW 70th Street Pipe Bursting Project

A Resolution of the City Commission of the City of Tamarac, Florida, awarding a contract to Murphy Pipeline Contractors, Inc. utilizing pricing from an Agreement obtained through a formal competitive process by the Purchasing Cooperative of America per Contract Number OD-307-20, for the replacement of 3,600 linear feet of water pipe together along with 10 existing fire hydrants along NW 70th Street between the intersection of Pine Island Road on NW 70th Street to NW 80th Avenue; authorizing the appropriate City officials to execute a Purchase Order Agreement with Murphy Pipeline Contractors, Inc. for a project cost of \$684,283.64, a contingency of 10% or \$68,428.36 will be added to the project account for a total project budget of \$752,712.00; project will be funded by CIAC Fees; authorizing a Budget amendment in an amount not to exceed the total project cost of \$752,712.00 pursuant to F.S. 166.241(20; authorizing the appropriate City officials to administer the contract; providing for conflicts; providing for severability; and providing for an effective date.

j. TR13646 - D3 Appointment to the Sister Cities Committee

A Resolution of the City Commission of the City of Tamarac, Florida, appointing Mary Jo Rivera to the Sister Cities Committee to serve a term concurrent with the appointing Commission member, or until such time new appointments are made; providing for conflicts; providing for severability; and providing for an effective date.

k. TR13648 – Opioid Litigation Settlement

A Resolution of the City Commissioner of the City of Tamarac, Florida, authorizing the City of Tamarac, Florida, to join with the State of Florida and other local governmental units as a

participant in the Florida Memorandum of Understanding and Formal Agreements implementing a Unified Plan Settlement Agreement; directing the City Clerk to provide a copy of this Resolution to the Florida League of Cities and the Florida Attorney General; authorizing the execution of all documents necessary to effectuate the intent of this Resolution; providing for conflicts; providing for severability; and providing for an effective date.

i. TR13650 – Metro Express Cumulative Expenditure

A Resolution of the City Commission of the City of Tamarac, Florida, approving various Task Authorizations with Metro Express Inc.; authorizing a cumulative expenditure for said purpose in an amount not to exceed \$71,492.50; providing for conflicts; providing for severability; and providing for an effective date.

j. TR13651 - Amending the List of Charitable Entities

A Resolution of the City Commission of the City of Tamarac, Florida, amending Resolution R-2021-054, by specifically adding to the List of Charitable Entities with whom the City of Tamarac recognizes a formally approved relations; providing for an amended Exhibit "A", attached hereto and incorporated herein, as may be amended from time to time, for the expressed purpose of compliance with Section 1-19(C)(5)(A)(4) of the Broward County Code of Ordinances; providing for conflicts; providing for severability; and providing for an effective date.

Mayor Gomez asked the City Manager if there were any additions or deletions.

City Manager Cernech stated there was none.

Commissioner Bolton motioned to approve. Commissioner Placko seconded.

Clerk Johnson conducted a roll call vote, and the motion carried unanimously 5-0.

5. REGULAR AGENDA

a. Presentation - Solid Waste Working Group (SWWG)

SWWG Chair, Cooper City Mayor, Greg Ross, and SWWG Vice Chair, Broward County Commissioner, Beam Furr, provided a presentation, which is on file in the City Clerk's Office.

At the conclusion of the presentation, Mr. Ross stated the SWWG will come back in about 30 days with a recommendation of a dependent or independent district.

Mayor Gomez stated this item would need to come back for further discussion at a future meeting.

b. TR13622 – FY2022 Proposed Millage Rate and Public Hearing on the FY2022 Budget

A Resolution of the City Commission of the City of Tamarac, Florida, approving the proposed millage rate of 7.2899 mils for the general operating purposes; approving September 13, 2021, at 5:05 p.m. at the Tamarac Commission Chambers, 7525 NW 88th Avenue, Tamarac, Florida, as the date, time and place for the first public hearing to set the tentative millage rate and budget for Fiscal Year 2022; approving September 28, 2021, at 5:05 p.m. at the Tamarac Commission Chambers, 7525 NW 88th Avenue, Tamarac, Florida as the date, time, and place for the second public hearing to adopt the

millage rate and budget for fiscal year 2022; authorizing the City manager to send the proposed millage rate of 7,2899 and the date, time and place for both he first and second public hearing to the Broward County Property Appraiser for fiscal year 2022; providing for conflicts; providing for severability; and providing for an effective date.

City Attorney, Herin, read the title for the record.

Commissioner Placko motioned to approve. Vice Mayor Villalobos seconded.

Christine Cajuste, Director of Financial Services, provided a presentation, which is on file in the City Clerk's Office.

Mayor Gomez opened for comments from the public. There being none, Mayor Gomez closed public comments.

Discussion by the Commission ensued.

Following discussion, Clerk Johnson conducted a roll call vote and the motion carried 3-2. Commissioner Placko, Vice Mayor Villalobos and Mayor Gomez were in favor. Commissioner Bolton and Commissioner Gelin dissented.

c. TR13623 – FY2022 Preliminary Fire Assessment Resolution

A Resolution of the City Commission of the City of Tamarac, Florida, relating to the provision of the Fire Rescue Services, facilities and programs in the City of Tamarac, Florida, establishing the estimated assessment rate for Fire Rescue Assessments for the fiscal year beginning October 1, 2021; directing the preparation of an assessment roll; authorizing a public hearing and directing the provision of notice thereof; providing for conflicts; providing for severability; and providing an effective date.

City Attorney, Herin, read the title for the record.

Commissioner Placko motioned to approve. Vice Mayor Villalobos seconded.

Christine Cajuste, Director of Financial Services, provided a presentation, which is on file in the City Clerk's Office.

Mayor Gomez opened for comments from the public. There being none, Mayor Gomez closed public comments.

Discussion by the Commission ensued.

Following discussion, Clerk Johnson conducted a roll call vote and the motion carried unanimously (5-0).

d. TR13624 – FY2022 Preliminary Stormwater Utility Management Fee Resolution
A Resolution of the City Commission of the City of Tamarac, Florida, relating to the provision of Stormwater Management provided by the City's Stormwater Utility; determining that certain real property will be specially benefited thereby; establishing and confirming the method of calculating the cost of Stormwater Management Service against the real property that will be specially benefitted thereby; directing the City Manager to prepare or direct the preparation of a Preliminary Stormwater Utility Management Fee Roll based upon the methodology set forth herein; establishing a public hearing for the proposed Stormwater Utility Management Fees and directing the provision of notice in connection therewith; providing for conflict; providing for severability; and providing for an effective date.

City Attorney, Herin, read the title for the record.

Commissioner Bolton motioned to approve. Commissioner Placko seconded.

Christine Cajuste, Director of Financial Services, provided a presentation, which is on file in the City Clerk's Office.

Mayor Gomez opened for comments from the public.

1. Darcy Schiller, of Granville, Tamarac, stated she would like to see the event money moved to this fund instead to address the storms and flooding issues throughout the city.

There being no other comments from the public, Mayor Gomez closed public comments. Discussion by the Commission ensued.

Following discussion, Clerk Johnson conducted a roll call vote and the motion carried unanimously (5-0).

Mayor Gomez recessed the meeting at 7:13 p.m., and reconvened at 7:35 p.m.

e. TR13625 - FY2022 Preliminary Solid Waste Assessment Resolution

A Resolution of the City Commission of the City of Tamarac, Florida, relating to the provision of residential Solid Waste Collection Services and facilities and programs in the City of Tamarac, Florida; providing for purpose and definitions; providing for legislative determination; establishing beginning October 1, 2021; directing the preparation of a Residential Solid Waste Collection Services special assessment roll; authorizing a public hearing and directing the provision of notice thereof; and providing an effective date.

City Attorney, Herin, read the title for the record.

Commissioner Placko motioned to approve. Vice Mayor Villalobos seconded.

Christine Cajuste, Director of Financial Services, provided a presentation, which is on file in the City Clerk's Office.

Mayor Gomez opened for comments from the public. There being none, Mayor Gomez closed public comments.

Discussion by the Commission ensued.

Following discussion, Clerk Johnson conducted a roll call vote and the motion carried unanimously (5-0).

f. TR13626 – FY2022 Preliminary Nuisance Abatement Assessment Resolution

A Resolution of the City Commission of the City of Tamarac, Florida, relating to the provision of Nuisance Abatement on certain real properties by the City in accordance with Chapter 9, Article II, Division V of the City's Code of Ordinances; determining that certain real property has been specially benefitted by the City's Abatement of Nuisances thereon; directing the City Manager to prepare or direct the preparation of a preliminary Nuisance Abatement Assessment Roll; establishing a Public Hearing for the proposed levy of unpaid nuisance Abatement Assessments on the annual tax bill and directing the provision of notice in connection therewith; providing for conflict; providing for severability; and providing for an effective date.

City Attorney, Herin, read the title for the record.

Commissioner Bolton motioned to approve. Vice Mayor Villalobos seconded.

Christine Cajuste, Director of Financial Services, provided a presentation, which is on file in the City Clerk's Office.

Mayor Gomez opened for comments from the public. There being none, Mayor Gomez closed public comments.

Discussion by the Commission ensued.

Following discussion, Clerk Johnson conducted a roll call vote and the motion carried unanimously (5-0).

6. ORDINANCE(S) FIRST READING

a. TO2475 – Amendment to Zoning Code to Ban Distribution, Sale or Use of Plastic Straws and Stirrers

An Ordinance of the City Commission of the City of Tamarac, Florida, creating Article XVII. – entitled "Prohibition on Distribution, Sale or Use of Plastic Straws and Stirrers", of Chapter 12 – Licenses and Business regulation, of the Code of Ordinances of the City of Tamarac; providing limitations on the distribution, use, and sale of plastic straws and stirrers within the City; providing for conflicts; providing for codification; providing for conflicts; providing for severability; and providing for an effective date.

City Attorney, Herin, read the title for the record.

Commissioner Placko motioned to approve. Commissioner Bolton seconded.

Mayor Gomez opened for comments from the public. There being none, Mayor Gomez closed public comments.

Discussion by the Commission ensued.

Following discussion, Clerk Johnson conducted a roll call vote and the motion to approve failed 3-2. Commissioner Placko, Vice Mayor Villalobos and Mayor Gomez voted no, and Commissioner Bolton and Commissioner Gelin voted yes.

b. TO2476 – Ordinance Extending the Woodlands Overlay District Termination Date to Sunset and Terminate, Nunc Pro Tunc, Four (4) Years After the Effective Date of the Land Development Code

An Ordinance of the City Commission of the City of Tamarac, Florida, extending the Woodlands Overlay District termination date, nunc pro tunc, to July 12, 2022, by amending Chapter 10 of the City of Tamarac Code of Ordinances, entitled "Land Development Code" by amending Article 2, entitled "Zoning Districts" by specifically amending Section 10-2.7(C), entitled "Woodlands Overlay District", to sunset and terminate the Woodland Overlay District four years after the effective date of the City of Tamarac Land Development Code, in conformity with the City of Tamarac Comprehensive Plan; providing for codification; providing for conflicts; providing for severability; and providing for an effective date.

City Attorney, Herin, read the title for the record.

Vice Mayor Villalobos motioned to approve. Commissioner Bolton seconded.

Mayor Gomez opened for comments from the public. There being none, Mayor Gomez closed public comments.

There was no discussion by the Commission.

Clerk Johnson conducted a roll call vote and the motion carried unanimously (5-0).

c. TO2463 – Prohibition of Begging, Panhandling & Solicitation Ordinance
An Ordinance of the City Commission of the City of Tamarac, Florida, amending Chapter 14
of the City's Code of Ordinances entitled "Motor Vehicle and Traffic" by amending Article I,
Section 14-3 entitled "Activity Restricted on Certain Streets"; Prohibiting Begging,
Panhandling and Solicitation In and Upon Certain Roadways and Rights-Of-Way Within the
City; providing for definitions; providing for findings and intent; providing for penalties;
providing for codification; providing for conflicts; providing for severability; and providing for an effective date.

City Attorney, Herin, read the title for the record.

Commissioner Placko motioned to approve. Vice Mayor Villalobos seconded.

Captain Jeff Cirminiello, Lt. Jermeriah Cooper, and Deputy Jennifer Marion provided information related to the ordinance, enforcement, issues within the city related to the panhandling and begging, etc.

Mayor Gomez opened for comments from the public. There being none, Mayor Gomez closed public comments.

Discussion by the Commission ensued with a request to remove the word "certain" from the title. Attorney Herin stated that would taken care prior to the second reading, and staff could research the cost to prosecute these cases if someone is charged.

Following discussion, Clerk Johnson conducted a roll call vote and the motion carried 4-1. Commissioner Gelin, Commissioner Placko, Vice Mayor Villalobos and Mayor Gomez were in favor. Commissioner Bolton dissented.

7. PUBLIC HEARING

a. TR13645 - Eden West - Vacation of Easement

A Resolution of the City Commission of the City of Tamarac, Florida, approving/denying a vacation of easement petition in an effort to vacate three (3) utility easements located on the Eden West property, more specifically located at the northeast corner of W McNab Road and N Pine Island Road (NW 88 Avenue) as further described in the legal description attached hereto as Exhibit "A"; (Case No. 2-P-21); providing for conflicts; providing for severability; and providing for an effective date.

City Attorney Herin read the title for the record.

Vice Mayor Villalobos motioned to approve. Commissioner Placko seconded.

Mayor Gomez opened for public comments. There being none, Mayor Gomez closed public comments.

Clerk Johnson conducted a roll call vote and the motion carried unanimously (5-0).

b. TR13641 – Approval of FY2021/2022 CDBG Annual Action Plan

A Resolution of the City Commission of the City of Tamarac, Florida, approving the projects recommended for inclusion in the Fiscal Year 2021/2022 Annual Action Plan for expenditure of the Community Development Block Grant funds estimated to be \$392,687 for the twenty second program year, attached hereto as Exhibit "A"; authorizing the appropriate City

Officials to submit said Annual Action Plan and related document to the United States Department of Hosuing and Urban Development; authorizing the Mayor or appropriate City Officials to execute Fiscal Year 2021-2022 Annual Action Plan federal application for funding; providing for conflicts; providing for severability; and providing for an effective date.

City Attorney Herin read the title for the record.

Vice Mayor Villalobos motioned to approve. Commissioner Placko seconded.

Mayor Gomez opened for public comments. There being none, Mayor Gomez closed public comments.

Clerk Johnson conducted a roll call vote and the motion carried unanimously (5-0).

c. TR13642 – 3rd Amendment to the FY19/20 CDBG Annual Action Plan

A Resolution of the City Commission of the City of Tamarac, Florida, approving A third amendment to the City's previously adopted Annual Action Plan for Fiscal Year 2019/2020 attached hereto as Exhibit "A:, for expenditure of the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG); providing for the reprogramming of one hundred thousand dollars (\$100,000) in Coronavirus Aid, Relief, and Economic Security (CARES) Act Funds (CDBG-CV1) slated for Economic Development and assign those funds to the Residential Housing Assistance Payment Program and other Public Service activities as defined by 24CFR570.201€; providing for conflicts; providing for an effective date.

City Attorney Herin read the title for the record.

Vice Mayor Villalobos motioned to approve. Commissioner Placko seconded.

Mayor Gomez opened for public comments. There being none, Mayor Gomez closed public comments.

Clerk Johnson conducted a roll call vote and the motion carried unanimously (5-0).

8. ORDINANCE(S) SECOND READING

None

9. QUASI-JUDICIAL HEARING(S)

None.

10. OTHER

a. Discussion Related to Social Media Use

City Manager, Michael Cernech, stated staff was preparing a presentation regarding the above matter, and potential training, which we would like to bring back for discussion in the near future.

Discussion by the Commission ensued related to other cities policy, consistent messaging from the Commission, the Broward County Social Media Ethics Forum, etc.

Additional Comments

Commissioner Gelin asked how long the investment advisors have been with the city, and if staff could set up a presentation for the Commission from the investment advisors.

Financial Services Director, Christine Cajuste, provided information related to the length of the contract with the investment advisors, current City's funds, and cash flow, etc.

Commissioner Bolton asked when the Woodlands, 13th Floor, item was coming forward. Bolton also stated he is actively speaking with residents about the project and will be holding a Town Hall Meeting soon.

City Manager Cernech stated the matter would be coming before the Commission sometime between August 25 and November.

There being nothing further to discuss, Mayor Gomez adjourned the meeting on Wednesday, July 14, 2021, at 9:19 p.m.

Minutes transcribed and submitted by City Clerk Jennifer Johnson.
Jennifer Johnson, CMC
Michelle J. Gomez, Mayor

Note to the reader: The above signature is the City Clerk, of the City of Tamarac, Florida. If the minutes you have received are not signed, or completed as indicated above, they are not the official minutes of the Tamarac City Commission Meeting held Wednesday, July 14, 2021.

Pursuant to Chapter 286.0105, Florida Statutes, if a person decides to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing, he 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 based.

The City of Tamarac complies with the provisions of the Americans with Disabilities Act. If you are a disabled person requiring any accommodations or assistance, please notify the City Clerk's Office at (954) 597-3505 of such need at least 48 hours (2 days) in advance. Additionally, if you are hearing or speech impaired and need assistance, you may contact the Florida Relay Service at either of the following numbers: 1-800-955-8770 or 1-800-955-8771.

PUBLIC PARTICIPATION SIGN-UP SHEET

REGULAR COMMISSION MEETING JULY 14, 2021

PLEASE PRINT FULL NAME * ADDRESS * PHONE NO.

PRINT NAME	ADDRESS	PHONE	
Carol Mendelson	8021 NW 72 St Tamajac	954 461-1788	5:12
Mel Yoder	9539 Weldon Circle TAMA		(515
RUDY DELGADO	8307 NW 57 CT +AM	954.529 -7573	5-10
Don'el Kim	650 N. Composed Bly	94 52 8300	
DONA 1D ZAYAS	2633 WE 12 AVE	788-214/6149	
Sang Yeal Lea	1010 SW 191 Ter, Paulsothine	954-394-388/	
Darry Schiller	7879 Graville Dr	9542611368	8:30
Michael Fergoo	5505 Yellaskis Scho		
	,		
			-

10 parking

Rudy Delgado resident of Section 11, Fairhaven Eleven, District 2

I was here last month talking about issues about my HOA current administration and the abuses that they are committing. I apologize but this is the only way to communicate with the city officials.

The first of two issues I have

1- deals with what I spoke about the previous time where the irrigation system that is provided as part of our HOA monthly fees for our 255 homes was rebuilt but the procedure and the quality is questionable. I thank out City Clerk Jennifer Johnson for addressing my concert to the Chief Building Official. I sent him an email message but I have not received a response.

As I explained, the irrigation project at about \$125.000 was done in sneaky way, without three estimates and no preliminary studies. My concern is that the quality of this repair us mediocre. Instead of using the 13 Rainbirds timers that were already in place and working perfectly they installed more than 100 underground timers that are not suited for our application. They are powered by 9 VDC battery and are located underground in a pit where they can get flooded when there is a big downpour. I don't believe the City of Tamarac would approve this installation.

2- On April according to our bylaws we were supposed to have elections but because of the covid and lack of support from the administration at that me, no new officers stepped forward so basically the incumbent officers elected themselves for a new term. At that meeting of April three people stepped forward to be board members but their requests were rejected. It looks like the president himself took on the task of selecting the new board members but he discriminates people in the process. Our last bulletin shows names of three new board members that were arbitrarily selected. I would provide all details upon request.

I kindly request assistance from my commissioner Mr. Mike Gelin on this matter.

Rudy Delgado 954-529-7575 rudydelgado@hotmail.com



Title - TR13640 - Broward Co Interlocal Agmt - Inspections

A Resolution of the City Commission of the City of Tamarac, Florida, authorizing the appropriate city officials to execute the Interlocal Agreement for Emergency/Non-Guaranteed Supplemental Support between Broward County and the City of Tamarac for inspection and plan review services to be performed by the Broward County Building Code Services Division in the event there is a staff shortage at the rates of eighty-five and 67/100 dollars (\$85.67) per hour for a building code inspector, ninety-seven and 58/100 dollars (\$97.58) per hour for a plans examiner, ninety-eight and 56/100 dollars (\$98.56) per hour for a chief building code inspector, ninety-nine and 80/100 dollars (\$99.80) per hour for building official services, and thirty-seven and 70/100 dollars (\$37.70) per hour for clerical services, overtime, when pre-approved by the city, will be at one and one half (1½) the normal hourly rate, all hourly charges will be billed in increments of thirty (30) minutes, including annual increase not to exceed 5%, for a five-year period through October 1, 2026; providing for conflicts; providing for severability; and providing for an effective date.

Commission District(s):

Citywide

ATTACHMENTS:

Description	Upload Date	Туре
TR#13640 MEMO Broward Co Interlocal Agmt – Inspections	7/22/2021	Cover Memo
TR#13640 RESO Broward Co Interlocal Agmt – Inspections		Resolution
TR#13640 Exh #1 Broward Co Interlocal Agmt – Inspections	7/22/2021	Exhibit

City of Tamarac Interoffice Memorandum City Manager's Office

To: Michael Cernech, City Manager

From: George Folles, Chief Building Official /Department Director

Date: July 20, 2021

Re: Interlocal Agreement Re: Inspection/Plan Review Services

Temp Reso #13640

Recommendation:

The Chief Building Official recommends the placing of Temp Reso #13640 on the August 25, 2021 Commission agenda authorizing the appropriate City officials to execute the Interlocal Agreement for Emergency/NonGuaranteed Supplemental Support between Broward County and the City of Tamarac for building inspection and plan review services in the event of staff shortages.

Issue:

Provide continuity of building inspection and plan review services through the Interlocal Agreement for Emergency/NonGuaranteed Supplemental Support between Broward County and the City of Tamarac on an as needed basis during staff shortages.

Background:

The City of Tamarac entered into an agreement with Broward County, Resolution No. R-2016-87, which was executed by Broward County on September 13, 2016 providing for inspection and plan review services (copy on file with the City Clerk's Office). Broward County has indicated their willingness to continue providing the same services at the rates of eighty-five and 67/100 dollars (\$85.67) per hour for a Building Code Inspector, ninety-seven and 58/100 dollars (\$97.58) per hour for a Plans Examiner, ninety-eight and 56/100 dollars (\$98.56) per hour for a Chief Building Code Inspector, ninety-nine and 80/100 dollars (\$99.80) per hour for Building Official Services, and thirty-seven and 70/100 dollars (\$37.70) per hour for clerical services. Overtime, when pre-approved by City, will be at one and one half (1½) the normal hourly rate. All hourly charges will be billed in increments of thirty (30) minutes, including annual increase of 5%, for a five year period commencing October 1, 2021 expiring September 30, 2026.

Fiscal Impact:

Available funds exist in the operating budget account number 150-3500-524-3100.

CITY OF TAMARAC, FLORIDA

RESOLUTION NO. R-2021-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC. FLORIDA. AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE INTERLOCAL AGREEMENT FOR EMERGENCY/NON-GUARANTEED SUPPLEMENTAL SUPPORT BETWEEN BROWARD COUNTY AND THE CITY OF TAMARAC FOR INSPECTION AND PLAN REVIEW SERVICES TO BE PERFORMED BY THE BROWARD COUNTY BUILDING CODE SERVICES DIVISION IN THE EVENT THERE IS A STAFF SHORTAGE AT THE RATES OF EIGHTY-FIVE AND 67/100 DOLLARS (\$85.67) PER HOUR FOR A BUILDING CODE INSPECTOR, NINETY-SEVEN AND 58/100 DOLLARS (\$97.58) PER HOUR FOR A PLANS EXAMINER, NINETY-EIGHT AND 56/100 DOLLARS (\$98.56) PER HOUR FOR A CHIEF BUILDING CODE INSPECTOR, NINETY-NINE AND 80/100 DOLLARS (\$99.80) PER HOUR FOR BUILDING OFFICIAL SERVICES, AND THIRTY-SEVEN AND 70/100 DOLLARS (\$37.70) PER HOUR FOR CLERICAL SERVICES, OVERTIME, WHEN PRE-APPROVED BY THE CITY, WILL BE AT ONE AND ONE HALF (11/2) THE NORMAL HOURLY RATE, ALL HOURLY CHARGES WILL BE BILLED IN INCREMENTS OF THIRTY (30) MINUTES, INCLUDING ANNUAL INCREASE NOT TO EXCEED 5%, FOR A FIVE-YEAR PERIOD THROUGH OCTOBER 1, 2026; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Tamarac desires to maintain a high level of inspection service; and

WHEREAS, in the event of a prolonged absence of qualified inspection and plan review personnel the City would be unable to provide these services to the construction industry; and

WHEREAS, Broward County has agreed to provide these services on an as needed basis in accordance with the fees as provided in the interlocal agreement attached hereto as Exhibit 1; and

WHEREAS, the City previously entered into an agreement with Broward County for this service by Resolution No. R-2016-87, which expires on September 30, 2021; and

WHEREAS, representatives of the County and the City of Tamarac have negotiated a means and method to accomplish the objectives of providing for inspection and plan review services on an as needed basis by the execution of the Interlocal Agreement, attached hereto as Exhibit 1, which, by its terms, shall provide for certain monetary payments from the City to the County; and

WHEREAS, available funds exist in the Building Department Revenue budget for said purpose; and

WHEREAS, the Chief Building Official recommends that the City enter into the Interlocal Agreement for inspection, plan review, Building Official and related services to be performed by the Broward County Building Code Services Division of the Environmental Protection and Growth Management Department; and

WHEREAS, the City Commission of the City of Tamarac, Florida deems it to be in the best interests of the citizens and residents of the City of Tamarac to authorize the appropriate City Officials to execute the Interlocal Agreement for inspection, plan review, Building Official and related services to be performed by the Broward County Environmental Licensing and Building Permitting Division, Department of Environmental Protection and Growth Management.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA:

SECTION 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof. All Exhibits attached hereto are incorporated herein and made a specific part hereof.

SECTION 2: The appropriate City Officials are hereby authorized to execute the Interlocal Agreement for inspection, plan review, Building Official and related services to be performed by the Broward County Environmental Licensing and Building Permitting Division, Department of Environmental Protection and Growth Management (attached hereto as Exhibit 1), the rates of eighty-five and 67/100 dollars (\$85.67) per hour for a Building Code Inspector, ninety-seven and 58/100 dollars (\$97.58) per hour for a Plans Examiner, ninety-eight and 56/100 dollars (\$98.56) per hour for a Chief Building Code

Inspector, ninety-nine and 80/100 dollars (\$99.80) per hour for Building Official Services, and thirty-seven and 70/100 dollars (\$37.70) per hour for clerical services. Overtime, when pre-approved by City, will be at one and one half (1½) the normal hourly rate. All hourly charges will be billed in increments of thirty (30) minutes, including annual increase not to exceed 5%, for a five year period commencing October

<u>SECTION 3:</u> Funding is available for these inspection and plan review services in the building fund Protective Inspections; Professional Services Account.

1, 2021.

<u>SECTION 4:</u> All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 6: This Resolution shall become effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED this	day of	, 2021.
	MICHELL	E J. GOMEZ, MAYOR
ATTEST:	MAYOR (DIST 1: C DIST 2: C DIST 3: V	OF COMMISSION VOTE: GOMEZ COMM. BOLTON COMM. GELIN C.M. VILLALOBOS COMM. PLACKO
JENNIFER JOHNSON, CMC CITY CLERK I HEREBY CERTIFY that I have approved this RESOLUTION as to form.		
John R. Herin, Jr. City Attorney		

Return recorded document to: Hipolito Cruz, Jr., Director Building Code Services Division 2307 West Broward Boulevard, Suite 300 Fort Lauderdale, Florida 33312

Document prepared by:
Maite Azcoitia, Deputy County Attorney
Broward County Attorney's Office
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301

TR#13640 07/20/21 Exhibit #1

INTERLOCAL AGREEMENT FOR EMERGENCY/NONGUARANTEED SUPPLEMENTAL SUPPORT BUILDING CODE SERVICES TO BE PERFORMED BY THE BROWARD COUNTY BUILDING CODE SERVICES DIVISION OF THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

This is an Interlocal Agreement, made and entered into by and between: Broward County, a political subdivision of the state of Florida, hereinafter referred to as "County,"

and

City of Tamarac, a municipal corporation existing under the laws of the State of Florida, hereinafter referred to as "City" (collectively referred to as the "Parties").

- A. This Agreement is entered into pursuant to Section 163.01, Florida Statutes, also known as the "Florida Interlocal Cooperation Act of 1969."
- B. County maintains an Environmental Protection and Growth Management Department, which includes a Building Code Services Division ("BCSD") that conducts building official, plan review, permit inspections, code enforcement, and other services relating to building.
- C. City is desirous of procuring from County Emergency/Nonguaranteed Supplemental Support for Building Code Services within the municipal boundaries of City.
- D. County, through BCSD, is willing to perform such Services pursuant to the terms and conditions hereafter set forth.

Now, therefore, in consideration of the mutual terms, conditions, promises, covenants, and payments hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

ARTICLE 1 - SCOPE OF SERVICES

- 1.1 City agrees to transfer to County the authority to perform Services in accordance with the terms herein.
- 1.2 County shall perform the Services through its BCSD, or any successor division as may be designated by the County Administrator.
- 1.3 City issues permits and retains fees. County charges hourly rates for providing Emergency Supplemental Staffing for the year to City. Requested staffing levels are **not guaranteed**. BCSD will maintain a finite group of resources to provide peak load relief or emergency services on a first come first serve basis.

ARTICLE 2 - FUNCTIONS AND DUTIES NOT TRANSFERRED TO THE COUNTY

2.1 It is specifically understood and agreed that all rights and powers as may be vested in City pursuant to Chapter 166, Florida Statutes, or any other law or ordinance or Charter provision of City not specifically addressed by this Agreement, shall be retained by City. It is further understood and agreed that this Agreement is not intended to address any of the functions listed below:

Engineering
Water Management
Drainage Districts
Traffic Engineering
Natural Resource Protection
Health Department
Fire Protection

2.2 In the event City desires to have County provide any of the above functions, a separate agreement shall be required between City and County.

ARTICLE 3 - COMPENSATION

- 3.1 For Services requested in Schedule A, County will provide Services at the rate of Eighty-five and 67/100 Dollars (\$85.67) per hour for a Building Code Inspector, Ninety-seven and 58/100 Dollars (\$97.58) per hour for a Plans Examiner, Ninety-eight and 56/100 Dollars (\$98.56) per hour for a Chief Building Code Inspector, Ninety-nine and 80/100 Dollars (\$99.80) per hour for Building Official Services, and Thirty-seven and 70/100 Dollars (\$37.70) per hour for clerical services. Overtime, when pre-approved by City, will be at one and one half (1½) the normal hourly rate. All hourly charges will be billed in increments of thirty (30) minutes.
- 3.2 All costs must be documented and said documentation provided to City with the monthly invoices. County will invoice City on a monthly basis for the Services requested in Schedule A by City for the preceding month. City shall reimburse County

within thirty (30) calendar days after the date of the invoice. Any sums paid to County are nonrefundable to City.

3.3 The amounts set forth above will be adjusted annually by County, in an amount not to exceed five percent (5%) each year, to address increases in operating and labor costs. Notwithstanding the foregoing, County may also adjust the amounts set forth above by amounts exceeding five percent (5%) in order to address natural disasters and other unforeseen events and circumstances. No later than May 1st of each year, County will provide City with written notice of anticipated increases, if any. Any increases will take effect on October 1st following the May 1st notification.

ARTICLE 4 - TERM OF AGREEMENT

- 4.1 This Agreement will commence on October 1, 2021, and will continue in full force and effect until midnight September 30, 2026. Unless terminated as provided in Article 7, TERMINATION, this Agreement may be renewed for an additional five (5) year period upon request of City and written approval of the County Administrator.
- 4.2 This Agreement will remain in full force and effect through the termination date or any extended termination date, as set forth above, unless written notice of termination by County or City is provided pursuant to Article 8, NOTICES.

ARTICLE 5 - GOVERNMENTAL IMMUNITY

City is a state agency as defined in Chapter 768.28, Florida Statutes, and County is a political subdivision of the State of Florida. Each agrees to be fully responsible for acts and omissions of their agents or employees to the extent permitted by law. Nothing herein is intended to serve as a waiver of sovereign immunity by any party nor will anything included herein be construed as consent to be sued by third parties in any matter arising out of this Agreement or any other contract.

ARTICLE 6 - INSURANCE

County is self insured in accordance with provisions set forth within Section 768.28, Florida Statutes.

ARTICLE 7 - TERMINATION

This Agreement may be terminated by either party upon ninety (90) days written notice to the other party of such termination pursuant to Article 8, NOTICES, herein.

ARTICLE 8 - NOTICES

Any and all notices given or required under this Agreement shall be in writing and may be delivered in person or by United States mail, postage prepaid, first class and certified, return receipt requested, addressed as follows:

To County:

Director, Building Code Services Division 2307 West Broward Boulevard, Suite 300 Fort Lauderdale, Florida 33312

With copy to:

County Administrator 115 South Andrews Avenue, Suite 409 Fort Lauderdale, Florida 33301

To City:

Michael C. Cernech, City Manager City of Tamarac 7525 NW 88 Avenue Tamarac, FL 33321-2401

With copy to:

Jennifer Johnson, City Clerk City of Tamarac 7525 NW 88 Avenue Tamarac. FL 33321-2401

ARTICLE 9 - MISCELLANEOUS PROVISIONS

- 9.1 ASSIGNMENT: County shall perform the selected Services provided for in this Agreement exclusively and solely for City that is a party to this Agreement. Neither party shall have the right to assign this Agreement.
- 9.2 WAIVER: The failure of either party to enforce any provision of this Agreement will not be deemed a waiver of such provision or modification of this Agreement. A waiver of any breach under this Agreement will not be deemed a waiver of any subsequent breach.
- 9.3 SEVERABILITY: In the event any part of this Agreement is found to be unenforceable by any court of competent jurisdiction, that part will be deemed severed

from this Agreement and the balance of this Agreement will remain in full force and effect.

- 9.4 ENTIRE AGREEMENT: It is understood and agreed that this Agreement incorporates and includes all prior negotiations, agreements or understandings applicable to the matters contained herein and the Parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written.
- 9.5 INDEPENDENT CONTRACTOR: County is an independent contractor under this Agreement. Services provided by County pursuant to this Agreement shall be subject to the supervision of County. In providing such Services, neither County nor its agents shall act as officers, employees, or agents of City. This Agreement shall not constitute or make the Parties a partnership or joint venture.
- 9.6 MODIFICATION: It is further agreed that no modifications, amendments, or alterations in the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith. Amendments extending the term of this Agreement pursuant to Section 4.1 or adding or deleting services to the Scope of Services under Article 1 may be approved by the County Administrator.
- 9.7 CHOICE OF LAW; WAIVER OF JURY TRIAL: Any controversies or legal problems arising out of this transaction and any action involving the enforcement or interpretation of any rights hereunder must be submitted to the jurisdiction of the State courts of the Seventeenth Judicial Circuit of Broward County, Florida, the venue situs, and will be governed by the laws of the state of Florida. BY ENTERING INTO THIS AGREEMENT, CITY AND COUNTY HEREBY EXPRESSLY WAIVE ANY AND ALL RIGHTS EITHER PARTY MAY HAVE TO A TRIAL BY JURY OF ANY CIVIL LITIGATION RELATED TO THIS AGREEMENT.
- 9.8 PUBLIC RECORDS: The Parties shall comply with all public records requirements of Chapter 119, Florida Statutes, as may be required by law.

IF EITHER PARTY HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO A PARTY'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT BROWARD COUNTY CUSTODIAN OF PUBLIC RECORDS. Rulka. (954) 765-4400 EXT. Andrea AT WEST (ARULKA@broward.org), 2703 **BROWARD** BOULEVARD, SUITE 300, FORT LAUDERDALE, FLORIDA 33312; OR CITY CUSTODIAN OF PUBLIC RECORDS: CITY CLERK 7525 NW 88TH AVENUE, ROOM 101, TAMARAC, FL 33321, BY TELEPHONE (954) 597-3505, E-MAIL (CITYCLERK@TAMARAC.ORG) OR MAIL 7525 NW 88TH AVENUE, TAMARAC, FL 33321-2401.

- 9.9 DRAFTING: This Agreement has been negotiated and drafted by all Parties hereto and shall not be more strictly construed against any party because of such party's preparation of this Agreement.
- 9.10 COUNTERPARTS AND MULTIPLE ORIGINALS: This Agreement may be executed in multiple originals, and may be executed in counterparts, each of which will be deemed to be an original, but all of which, taken together, will constitute one and the same agreement.
- 9.11 RECORDING: This Agreement will be recorded in the Public Records of Broward County, in accordance with the Florida Interlocal Cooperation Act of 1969.
- 9.12 RECITALS: The truth and accuracy of each Recital set forth herein is acknowledged by the Parties as being true and correct and form a material part of this Agreement upon which the Parties have relied.

[Remainder of page intentionally left blank]

Interlocal Agreement between County and the Broward County Building Code Servi and Growth Management Department or County signing by and through its Mayor of Board action on the 14th day of December	arties hereto have made and executed this I City for selected services to be performed by ces Division of the Environmental Protection in the respective dates under each signature: or Vice-Mayor, authorized to execute same by er, 2010, and City, signing by and through its to execute same by City Commission action, 20
	<u>ounty</u>
WITNESSES:	Broward County, by and through its County Administrator or designee
Print Name:	By Broward County Administrator
Print Name:	Approved as to form by Andrew J. Meyers Broward County Attorney Governmental Center, Suite 423 115 South Andrews Avenue Fort Lauderdale, Florida 33301 Telephone: (954) 357-7600 By Maite Azcoitia (Date) Deputy County Attorney

INTERLOCAL AGREEMENT FOR EMERGENCY/NONGUARANTEED SUPPLEMENTAL SUPPORT BUILDING CODE SERVICES TO BE PERFORMED BY THE BROWARD COUNTY BUILDING CODE SERVICES DIVISION OF THE ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT

	<u>City</u>
	City of Tamarac
Attest:	By Mayor-Commissioner
City Clerk	day of, 20
	By City Manager day of, 20
	APPROVED AS TO FORM:
	ByCity Attorney

MA/ #21-49 BCSDnonguar_Tamarac-a01



Title - TR13649 - Mayor At-Large Appointment to the Diversity, Equity & Inclusion Board

A Resolution of the City Commission, of the City of Tamarac, Florida, appointing Mike Jeknavorian as an At-Large member, appointed by the Mayor, to the Diversity, Equity and Inclusion Board, for a term that is concurrent with the Mayor, or until such time as new appointments are made; providing for conflicts; providing for severability; and providing for a effective date.

Commission District(s):

Citywide

ATTACHMENTS:

Description	Upload Date	Туре
TR13649 - At-Large Appointment to DE&I Memo	7/26/2021	Cover Memo
TR13649 - At-Large Appointment to DE&I Reso	8/19/2021	Resolution
Email - Rescinding Application	6/28/2021	Backup Material
Mike Jeknavorian - Board Application	7/26/2021	Backup Material

CITY OF TAMARAC INTEROFFICE MEMORANDUM CITY CLERK'S OFFICE

TO: Michael C. Cernech, DATE: July 26, 2021

City Manager

FROM: Jennifer Johnson, CMC RE: TR13649 – Selection of an At-

City Clerk Large Diversity, Equity and

Inclusion Board Member

RECOMMENDATION:

I am requesting TR13649 – Selection of an At-Large Diversity, Equity and Inclusion Advisory Board Member be placed on the Aug. 25, 2021, Commission agenda for consideration.

ISSUE:

The City Commission created, by Ordinance No. O-2021-001, the Diversity, Equity and Inclusion Advisory Board, wherein each elected official would select one resident be appointed to the board

At the June 23, 2021, City Commission meeting, Mayor Gomez selected Ronald Fried as the At-Large member to the Diversity, Equity and Inclusion Board. Following the appointment, Mr. Fried rescinded his application and interest to the board, creating a vacancy on the Board.

Mayor Gomez selected Mike Jeknavorian, from the applications remaining following the District Commissioner's appointments.

Name of Appointee Committee Commission District Term Ending

Mike Jeknavorian Diversity, Equity & Inclusion Mayor At Large Nov. 8, 2022

Mr. Jeknavorian shall serve a term concurrent with Mayor Gomez or until such time new appointments are made.

List of non-selected applicants:

Elot of Hoff bolot	otou apphoantor				
Ana Newman	St. Aubyn King	Sherry Taveras	Sharon	Sarah Kellem	Sandra Fyfe
			McKnight-Grant		
Rose Goldie	Athlean Clarke	Raymond C.	Randolph	Queena Phanor	Peter A.
Louis	Smith	Bonaparte	Merchant		Busacca Jr.
Nicole Higgs	Michelle	Marsha Stevens	Mark A. Alie	Marcia Villiers	Lisa Butler
Doughty	Alexander			Montalvo	
Jose Galindo	Leonard Levin	Larraine Jones	Julia K.	Judith	Joseph
	Wilson		Dourvetakis	Rodriguez	Lanouette
Iris Ojeda	Joan Bennett-	Jesus Rivera	Jesus Cedillo	Jennifer Lacey	Janice
	Clarke				Haywood

Donnette C.	Irene Carolina	Germania	Gail. M. Duscha	Farrah Peterson	Ethiel Calvo-
Smith	Thompson	Roman			Torres
Andrew Brown	Clarissa Reyes	Carlos Pena	Brian Haywood	Brenda	Randolph
			-	Edwards	Merchant

BACKGROUND:

Division 4. - Diversity, Equity and Inclusion Advisory Board

Sec. 2-136. – Created; composition

There is hereby created a Diversity, Equity and Inclusion Advisory Board of the city, which shall consist of five (5) regular members, serving without pay, appointed by the city commission. The mission of this board is to promote awareness and to celebrate the rich heritage and the vast diversity of the City of Tamarac.

(Ord. No. 2021-001, § 2, 1-27-21)

Sec. 2-137. – Residency Requirements

Each member of the board shall be a resident of the city or an owner or employee of a business located in the city. Failure to be a resident of the city or employed by a business located in the city shall result in forfeiture of the position on the board. The city commission may waive the requirements of this section.

(Ord. No. <u>2021-001</u>, § 2, 1-27-21)

Sec. 2-138. – Appointment process; terms; annual review.

The appointment process shall occur in accordance with the terms and provisions of sections <u>2-57</u> and <u>2-58</u> of the City Code. Terms of appointees shall occur in accordance with the terms and provisions of <u>section 2-59</u> of the City Code. The annual review shall occur in accordance with the terms and provisions of <u>section 2-60</u> of the City Code.

(Ord. No. 2021-001, § 2, 1-27-21)

Sec. 2-139. – Duties and responsibilities

The Diversity, Equity and Inclusion Advisory Board shall have the following duties and responsibilities:

- (1) The board will make recommendations to the city commission on diversity and equity strategies that strengthen connections among diverse community groups and with city government
- (2) The board will advise on initiatives that will promote appreciation, acceptance and respect for cultural and ability differences. These initiatives will contribute to city services and programs being equitable and accessible for all.(3)

The board will make recommendations to the city commission, on ways to work with public and private stakeholders in the city to increase understanding of the diverse groups that make up the city.

(Ord. No. <u>2021-001</u>, § 2, 1-27-21)

Sec. 2-140. – Meetings.

The advisory board shall meet at least once a month at the regularly scheduled time which is to be approved by the city clerk; the board may determine annually its own vacation period not to exceed more than one (1) cancelled meeting per year. A quorum shall consist of a majority of the membership.

(Ord. No. <u>2021-001</u>, § 2, 1-27-21)

Sec. 2-141. – Vacancies.

Removal of members. A board member appointed by the city commission serves at the pleasure of the city commission and shall be removed at any time by majority vote of the city commission.

(b)

Resignation of members. A resignation by a board member made either orally or in writing will be deemed accepted by the city commission when the board member announces his or her resignation to the city commission, city manager or city commission. The city commission need not take any formal action to accept the resignation. Failure to attend three (3) consecutive meetings without being excused by the chairperson shall be deemed a resignation.

FISCAL IMPACT:

No fiscal impact to the City.

District

ATTACHMENT(S)

Applications for the selected members.

CITY OF TAMARAC, FLORIDA RESOLUTION NO. R-2021 -

RESOLUTION OF THE CITY Α COMMISSION OF THE CITY OF TAMARAC, FLORIDA. **APPOINTING** MIKE JEKNAVORIAN AS AN AT-LARGE MEMBER APPOINTED BY THE MAYOR TO THE DIVERSITY, **EQUITY** INCLUSION & ADVISORY BOARD, TO SERVE A TERM CONCURRENT WITH THE MAYOR OR UNTIL SUCH TIME NEW APPOINTMENTS ARE MADE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission is desirous of appointing members to the City of Tamarac's advisory boards and committees; and

WHEREAS,; the City Commission created the Diversity, Equity & Inclusion Advisory Board through Ordinance O-2021-001; and

WHEREAS, members of the Diversity, Equity and Inclusion Advisory Board shall serve terms in accordance with the terms and provisions of §2-59 and of the City's Code of Ordinances; and

WHEREAS, in accordance with §2-57 and §2-58 of the Tamarac Code, the City Commission shall appoint qualified individuals to the respective positions; and WHEREAS, by Resolution R-2021-063, Mayor Gomez appointed Ronald Fried to the Diversity, Equity and Inclusion Board; and

WHEREAS, Mr. Fried rescinded his application after being appointed to the board; and

WHEREAS, the City Commission of the City of Tamarac, deems it to be in the best interest of the citizens and residents of the City of Tamarac to appoint an At-Large member to the Diversity, Equity and Inclusion Advisory Board, in accordance with the procedures provided for in §2-58 and §2-59 of the Tamarac Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA THAT:

SECTION 1: The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution. All exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

SECTION 2: The following individuals are hereby appointed to serve as members of the Diversity, Equity and Inclusion Advisory Board, and to serve terms concurrent with their appointing Commission member, or until such time as new appointments are made.

Name of Appointee Board District Term Ending

Mike Jeknavorian Diversity, Equity & Inclusion Mayor At Large Nov. 8, 2022

<u>SECTION 3:</u> All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or

Temp. Reso. #13649 July 26, 2021 Page **3** of **3**

invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 5: This Resolution sha	all become effective immediately upon
adoption.	
PASSED, ADOPTED AND APPROVED	O this,
2021.	
	Michelle J. Gomez MAYOR
ATTEST:	
Jennifer Johnson, CMC CITY CLERK	
I HEREBY CERTIFY that I have approved this RESOLUTION as to form.	
John R. Herin, Jr.	
CITY ATTORNEY	

From: <u>Kimberly Dillon</u>
To: <u>Jennifer Johnson</u>

Subject: FW: [EXTERNAL] Re: Diversity, Equity and Inclusion Advisory Board

Date: Monday, June 28, 2021 12:24:07 PM

Attachments: <u>image001.png</u>

FYI

Sincerely,

Kimberly Dillon, CMC

Assistant City Clerk | City Clerk's Office (954) 597-3504 | www.tamarac.org 7525 NW 88th Ave, Tamarac, FL 33321

From: ron <rronhollywood@gmail.com> Sent: Monday, June 28, 2021 12:20 PM

To: Kimberly Dillon < Kimberly. Dillon@tamarac.org>

Subject: [EXTERNAL] Re: Diversity, Equity and Inclusion Advisory Board

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Hello Kimberly.

Per our chat just a few minutes ago, below is a copy of a portion of the email that I sent to Michelle on June 14, 2021:

"Therefore, after much consideration, I would like to advise you that I am withdrawing my application to sit on the Diversity Advisory Board and therefore will not accept an appointment to the board, although the offer is very much appreciated, since my diversity concerns are now moot. I am advising you early, so you can fill the seat with another applicant"

Thank you.

Konaid	L.	Fried,	JD.		

On Fri, Jun 25, 2021 at 1:07 PM Kimberly Dillon < Kimberly.Dillon@tamarac.org wrote:

Good afternoon Board Members:

Congratulations on your appointment to the City of Tamarac Diversity, Equity and Inclusion Advisory Board. Your appointment was confirmed during Wednesday night's Commission meeting.

The City Clerk's Office will be sending out a welcome packet, with administrative requirements to you via USPS mail.

This is a new board and dates/times for meetings have not yet been determined. The board liaison will contact you to confirm availability, etc. as you move forward.

Welcome on aboard! We appreciate the commitment and dedication to supporting your community.

If you have any questions, please let us know.

Once again, congratulations.

Sincerely, **Kimberly Dillon, CMC**Assistant City Clerk | City Clerk's Office (954) 597-3504 | www.tamarac.org
7525 NW 88th Ave, Tamarac, FL 33321

The City of Tamarac is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. Email messages are covered under Chapter 119 and are thus subject to public records disclosure. All email messages sent and received are captured by our server and retained as public records.



Please check Boards/Committees for which you wish to be	considered:			
Charter Board	versity, Equity and Inclusion Advisory Board			
Charter Board Parks and Recreation Board Planning Board Planning Board Planning Board Planning Board Planning Board				
Public Art Committee Sister Cities Committee Other (Please specify):				
Ruth Bader Ginsberg Commission on the Status of Women (RBG)				
Application is for:Reappointment	_ ` '			
	vew appearance.			
PERSONAL:				
Name:	Telephone Number:			
6209 ROYAL POINCIANA LANE Home Address:				
Length of Residence in Tamarac (If applicable)	12 YearsMonths			
Length of Time as Business Person in Tamarac (If applicable)	YearsMonths			
E-Mail Address: MTJ20@HOTMAIL.COM				
Development/Section Name and Number: WOODLANDS COUN	TRY CLUB			
Commission District Number: 2				
EDUCATION:				
Name and location of High School: PLAINVILLE HIGH SCHOOL	PLAINVILLE, CONN.			
College (if appropriate): YES				
Years Completed: Degree:	ABD			
Field of Study:				
Other professional or technical training (Name of school, course	e name, etc.):			

2202000 1010			
EMPLO'	<u>YMENT</u> :		
Current of	or most recent employer: THE HART	FORD	
Address	. HARTFORD, CONN.		
Position:	SENIOR DISABILIY SPECIALIST		Years of Service: 14
Duties:	TRAINING AND CURRICULUM DES	IGN	
OTHER	QUALIFICATIONS:		
Please p	provide a brief statement outlining wh	ny you wish to potenti	ially serve on the applicable advisory boards
and/or co	ommittees selected. In addition, ple	ase feel free to attach	h a copy of your resume or vita (optional):
I RUN TH YEARS.	HE LGBTQ EMPLOYEE RESOURCE	GROUP FOR THE HAI	RTFORD. I'VE DONE THIS FOR ABOUT EIGHT
I'VE PRO	DJECT-MANAGED THE HARTFORD'S	PARTICIPATION IN M	IIAMI GAY PRIDE FOR ABOUTEIGHTYEARS.
	A STANDING COLUMN WITH THE OL LUMN IS CALLED NAMES AND FAC		AGAZINE IN SOUTH FLORIDA, HOT SPOTS.
МЕМВЕ	RSHIPS:		
Completi	ion of this section is optional. The in	formation will be help	oful to the press if you are appointed; however,
it is not a	a prime factor in making appointmen	ts.	
	Tamarac Organization	Years Member	Office Held (if any)
	Outside City of Tamarac		
		ACKNOWLEDG	
I underst	tand that in accordance with the Flo		this information will be posted for public review
I	ive any objection to such publication.		·
I underst or benefi		ositions indicated abo	ove is a voluntary service, with no compensation
term, and particula applicabl	d will comply with all laws or ordinar rly those pertaining to the conduc	nces of the City of Tar et of public office an take the applicable s	office, will make every endeavor to serve my ful marac, Broward County and the State of Florida nd related financial disclosure requirements, it statutory oath. I understand that if appointed,
resident committe	of the city. Failure to be a resident ee. This section does not apply to s sponsibilities. At their discretion, the	of the city shall resustaff appointed to a be	rd or committee of the City of Tamarac shall be a ult in forfeiture of the position on the board of loard, committee or commission as part of their mmission may waive the requirements of this
	Wike Jeknavorian Key: 218b3fe6ddb8d9e84ead33ce2d137d75		July 18, 2021
	Signature of Applicant		Date

pplicar	nt Name: MIKE JEKNAVORIAN
	1 Do you have any relatives presently employed by the City of Tamarac? NO
	If yes, please state names and City departments/divisions:
;	Are you aware of any potential conflict of interest that may arise from your serving on City of Tamarac advisory boards and committees? NO If yes, please explain:
;	Do you presently have monies owed to the City of Tamarac which are delinquent? If yes, please explain: NO
	Do you have any pending code violations relative to property owned by you within The City of Tamarac? If yes, please explain: NO
į	Do you have any existing violations relative to other City codes? NO
	If yes, please list:



Title - TR13653 - Appointments to the Veterans Affairs Committee

A Resolution of the City Commission of the City of Tamarac, Florida, appointing eight or more members to the Veterans Affairs Committee, to each serve a four-year term, or until such time as new appointments are made; providing for conflicts; providing for severability; and providing for an effective date.

ATTACHMENTS:

Description	Upload Date	Type
TR13653 - Appointing Members to the VAC Memo	8/13/2021	Cover Memo
TR13653 - Appointing Members to the VAC Reso	8/13/2021	Resolution
2021 VAC Applications	8/13/2021	Backup Material

City of Tamarac Interoffice Memorandum City Clerk's Office

To: Michael C. Cernech, City Manager

Thru: Greg Warner, Director of Parks and Recreation

From: Jennifer Johnson, City Clerk

Date: Aug. 13, 2021

Re: TR#13653: Appointing Members to the Veterans Affairs Committee

Recommendation:

I recommend that the City Commission place TR #13653 "Appointing Members to the Veterans Affairs Committee" on the Aug. 25, 2021, consent agenda for approval.

<u>lssue:</u>

The City Clerk's Office recently conducted an application drive for the Veterans Affairs Committee and received 19 applications, and 16 applicants meeting the city's requirements for appointment. The Committee consists of at least eight (8) members, and historically, all applicants who have applied and meet the qualifications are selected to serve.

Members must have served in a branch of the Armed Forces of the United States and must have received an honorable discharge, or be affiliated with a non-profit organization providing services to Veterans.

District 1	District 2	District 3	District 4
Claudia Brantley	Alan Cohen	Wesley Borner	Dominic Gray
Herbert Daley	Joseph Lanouette *	Peter Busacca	James Griffin *
Brian Haywood	Adriane Reesey	Jesus Rivera	Willie Johnson
Wilfred Rodriguez			Jay Koutcher *
			Stanley Pannaman
			Lisa Sierra

^{*} Member is currently appointed to another board.

Background:

The Veterans Affairs Committee was established in 1988, to promote and facilitate awareness among Veterans in the community. During Strategic Planning, the City Commission expressed interest in having robust Veterans programming for its residents. To do so, the City Commission adopted Ordinance O-2021-019, amending Sec. 2-223(a) of the City's Code of Ordinances. The amendment eliminated membership requirements to additional Veterans organizations, and amended the term of service from one (1) year to four (4).

These amendments encouraged new and additional residents the opportunity to apply to the Committee, and provides for longevity for committee members.

The appointments supports Strategic Goal 1: Tamarac is Home, and Strategic Goal 4: Tamarac is Vibrant.

Fiscal Impact:

None

CITY OF TAMARAC, FLORIDA

RESOLUTION NO. R-2020 -

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, APPOINTING EIGHT OR MORE MEMBERS TO THE VETERANS AFFAIRS COMMITTEE TO EACH SERVE A FOUR-YEAR TERM, OR UNTIL SUCH TIME AS NEW APPOINTMENTS ARE MADE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Veterans Affairs Committee was created to promote, and facilitate awareness among Veterans of their rights, benefits and any other special needs; and

WHEREAS, the City Commission is desirous of appointing members to the Veterans Affairs Committee; and

WHEREAS, Section 2-223(a) of the Tamarac Code, the Veterans Affairs Committee shall consist of eight (8) or more members appointed by the City Commission to serve four-year terms, or until such time new appointments are made; and

WHEREAS, under the City's Code of Ordinances, the City Commission may appoint as many applicants to the committee as it deems necessary; and

WHEREAS, the City Commission of the City of Tamarac, deems it to be in the best interest of the citizens and residents of the City of Tamarac to appoint 16 members to the Veterans Affairs Committee, in accordance with the procedures set out in §2-58 of the Tamarac Code; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA THAT:

SECTION 1: The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution. All exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

SECTION 2: That the following individuals are hereby appointed as members of the Veterans Affairs Committee, to serve four-year terms expiring Aug. 25, 2022, or until such time as new appointments are made:

Claudia Brantley	Alan Cohen	Wesley Borner	Dominic Gray
Herbert Daley	Joseph Lanouette	Peter Busacca	James Griffin
Brian Haywood Wilfred Rodriguez	Adriane Reesey Lisa Sierra	Jesus Rivera Jay Koutcher	Willie Johnson Stanley Pannaman

SECTION 3: All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 5: This Resolution shall become effective immediately upon adoption.

PASSED, ADOPTED AND APPROVED this _____ day of _______,

2021.

Temp. Reso. #13653 Aug. 25, 2021 Page **3** of **3**

ATTEST:	Michelle J. Gomez MAYOR	
Jennifer Johnson, CMC CITY CLERK		
I HEREBY CERTIFY that I have approved this RESOLUTION as to form.		
John R. Herin, Jr. CITY ATTORNEY		



Please check Boards/Committees for which you wish to be	considered:			
✓ Charter Board Di	versity,Equity and Inclusion Advisory Board			
Charter Board Diversity, Equity and Inclusion Advisory Board Planning Board				
Public Art Committee Veteran's Affairs Committee Sister Cities Committee Other (Please specify):				
Ruth Bader Ginsberg Commission on the Status				
Application is for:Reappointment	New appointment			
PERSONAL:				
Name:	Telephone Number:			
6703 Westwood Blvd West Home Address:				
Length of Residence in Tamarac (If applicable)	8 YearsMonths			
Length of Time as Business Person in Tamarac (If applicable)	3 YearsMonths			
E-Mail Address: Profreesey@gmail.com				
Development/Section Name and Number:				
Commission District Number: 2	Voting Precinct Number:			
EDUCATION:	···			
Name and location of High School: Westmont Hilltop, Johnstown	ı PA			
College (if appropriate):				
Years Completed:Degree:	MS			
Field of Study:				
Other professional or technical training (Name of school, course	e name, etc.):			

The processional of tearning (Name of solidor, course name, etc.).
ev. 07/06/16
Other professional or technical training (Name of school, course name, etc.):
Rev. 07/06/16
lev. 07/00/10
Other professional or technical training (Name of school, course name, etc.):
Lev. 07/06/16
Other professional or technical training (Name of school, course name, etc.):
Lev. 07/06/16
Other professional or technical training (Name of school, course name, etc.):

The processional of tearning (Name of solidor, course name, etc.).
ev. 07/06/16
Other professional or technical training (Name of school, course name, etc.):
Rev. 07/06/16
lev. 07/00/10
Other professional or technical training (Name of school, course name, etc.):
Lev. 07/06/16
Other professional or technical training (Name of school, course name, etc.):
Lev. 07/06/16
Other professional or technical training (Name of school, course name, etc.):



Please check Boards/Committees for which you wish to be	considered:			
Charter Board Di	versity, Equity and Inclusion Advisory Board			
Parks and Recreation BoardPlanning Board				
Public Art Committee Sister Cities Committee Other (Please specify):				
Ruth Bader Ginsberg Commission on the Status of Women (RBG)				
Application is for:Reappointment	New appointment			
PERSONAL:				
Name:	Telephone Number:			
5302 Date Palm Place Home Address:	Zip Code: 33319			
Length of Residence in Tamarac (If applicable)	7 Years 6 Months			
Length of Time as Business Person in Tamarac (If applicable)	YearsMonths			
E-Mail Address:alan@paragonbrands.biz				
Development/Section Name and Number: Woodlands, Section 1				
Commission District Number: 2	Voting Precinct Number:			
EDUCATION:				
Name and location of High School: Evander Childs H.S				
College (if appropriate): Bronx Community College				
Years Completed: Degree:				
Field of Study:				
Other professional or technical training (Name of school, course Various courses related to career as Wine and Spirits Broker	e name, etc.):			
American Legion Post Service Officer Certification-annual				

EMPL	OVMENT.		
	<u>OYMENT</u> :		
Curren	t or most recent employer: Retire	d 	
Addres	s:		
Positio	n:		Years of Service:
Duties:			
	R QUALIFICATIONS:		
and/or	committees selected. In addition,	please feel free to attach a	y serve on the applicable advisory boards a copy of your resume or vita (optional): Officer for 11 years and am Chairman for s.
Comple	ERSHIPS: etion of this section is optional. The t a prime factor in making appointn Tamarac Organization	•	to the press if you are appointed; however, Office Held (if any)
	Outside City of Tamarac Ameican Legion DAV		Service Officer and Dept
		ACKNOWLEDGM	
and I w I under or bene If appointerm, a particul applica must ta Section residen commit	aive any objection to such publicate stand that appointment to any of the fits. Inted, I agree to faithfully and fully nd will comply with all laws or ord larly those pertaining to the concible to my position. I further agree ake the oath of office prescribed in a 2-56 of the Tamarac Code provident of the city. Failure to be a residence. This section does not apply esponsibilities. At their discretion	perform the duties of my of inances of the City of Tamaduct of public office and to take the applicable state Florida Statutes. The seach member of a board of the city shall result to staff appointed to a board of the staff appointed to a board of the staff appointed to a board of the city shall result to a board of the cit	e is a voluntary service, with no compensation fice, will make every endeavor to serve my full trac, Broward County and the State of Florida, related financial disclosure requirements, if atutory oath. I understand that if appointed, I or committee of the City of Tamarac shall be a in forfeiture of the position on the board or ord, committee or commission as part of their nission may waive the requirements of this
	Signature of Applicant		Date

pplicant	Name: Alan Cohen
1	Do you have any relatives presently employed by the City of Tamarac? No
	If yes, please state names and City departments/divisions:
2	Are you aware of any potential conflict of interest that may arise from your serving on City of Tamarac advisory boards and committees? No If yes, please explain:
3	Do you presently have monies owed to the City of Tamarac which are delinquent? If yes, please explain: No
4	Do you have any pending code violations relative to property owned by you within The City of Tamarac? If yes, please explain: No
5	Do you have any existing violations relative to other City codes? No
	If yes, please list:



Please check Boards/Committees for which you wish to be Charter Board Parks and Recreation Board Public Art Committee Sister Cities Committee Other (Pleath Bader Ginsberg Commission on the Status Application is for: Reappointment	versity,Equity and Inclusion Advisory Board Inning Board teran's Affairs Committee ease specify): of Women (RBG)
PERSONAL: Name: Brian Haywood Home Address: 4805 NW 51 Terrace Length of Residence in Tamarac (If applicable) Length of Time as Business Person in Tamarac (If applicable) E-Mail Address: haywood.brian02@gmail.com Development/Section Name and Number:	2 Years 6 Months Years Months
Commission District Number: 1	
Name and location of High School: Carol City High School, Carol City High Sch	B.S.

EMPLO	DYMENT:		
Current	or most recent employer:		
	s: 6001 E. 8th Avenue, Hialeah, FL		
	Account Executive		Years of Service: 0.5
			mers' current supply chain needs and creates
	QUALIFICATIONS:	to a Calabara and alkal	to a construction of the contract
			ly serve on the applicable advisory boards a copy of your resume or vita (optional):
family i serve, l abilities	nto Tamarac and enjoy living in this will be an asset. I have 15 vears of	city, which will be our fore management experience	es selected because I recently moved my ever home. I trust wherever I am chosen to e and my analytical skills, strong leadership d purpose that are developed to enhance the
MEMB!	 ERSHIPS:		
Comple	etion of this section is optional. The	information will be helpfu	I to the press if you are appointed; however,
it is not	a prime factor in making appointme	ents.	
	Tamarac Organization	Years Member	Office Held (if any)
	Outside City of Tamarac Calvary Chapel Fort	15	High School Ministry Group
		ACKNOWLEDGM	<u></u>
	stand that in accordance with the faive any objection to such publication		s information will be posted for public review
I unders or bene		positions indicated abov	e is a voluntary service, with no compensation
term, ar particul applical	nd will comply with all laws or ordin arly those pertaining to the cond	nances of the City of Tama uct of public office and to take the applicable sta	ffice, will make every endeavor to serve my full arac, Broward County and the State of Florida, related financial disclosure requirements, if atutory oath. I understand that if appointed, I
residen commit	t of the city. Failure to be a residentee. This section does not apply to esponsibilities. At their discretion,	ent of the city shall result o staff appointed to a boa	or committee of the City of Tamarac shall be a t in forfeiture of the position on the board or ard, committee or commission as part of their mission may waive the requirements of this
	Brian K. Haywood Key, 21853fe9ddb8d9e84ead33ce2d137c75		April 06, 2021
	Signature of Applicant		Date

Applicant	Name: Brian Haywood
1	Do you have any relatives presently employed by the City of Tamarac? No
	If yes, please state names and City departments/divisions: N/A
2	on City of Tamarac advisory boards and committees? No If yes, please explain:
	N/A
3	Do you presently have monies owed to the City of Tamarac which are delinquent? If yes, please explain: No
4	Do you have any pending code violations relative to property owned by you within The City of Tamarac? If yes, please explain:
	No
5	Do you have any existing violations relative to other City codes? No
	If yes, please list:
	N/A



Parks and Recreation Board Public Art Committee Sister Cities Committee Other (Planning Board Veteran's Affairs Committee Please specify):
Application is for: Reappointment	New appointment
PERSONAL:	
Name: CLAUDIA BRANTLEY, ESQ.	Telephone Number: 954-655-2123
Home Address: 5489 GATE LAKE RD, TAMARAC, FL	Zip Code: 33319
Length of Residence in Tamarac (If applicable)	
Length of Time as Business Person in Tamarac (If applicable)	$\frac{16}{9}$ Years $\frac{8}{3}$ Months
E-Mail Address: claudiabrantley@brantleylawgroup.com	
Development/Section Name and Number: claudiabrantley@br	antleylawgroup.com
Commission District Number: 1	
EDUCATION:	
Name and location of High School: FORT LAUDERDALE HIGH	SCHOOL, FT. LAUDERDALE, FL
College (if appropriate): UNIVERSITY OF FLORIDA	
Years Completed: 3 Degre	e: Bachelor of Arts
Years Completed: Degre	INIECC ADMINISTRATION (Minor)
COCIOLOCY (Major) C BUCI	
Field of Study: SOCIOLOGY (Major) & BUSI	
COCIOLOCY (Major) C BUCI	se name, etc.):

EMPLOY	/MENT:		
	or most recent employer:THE BRAN	ΓLEY LAW GROUP. P	.L.L.C.
	5489 GATE LAKE RD, TAMARAC, FL		
	MANAGING ATTORNEY		Years of Service: 10
Duties: _	General law practice with focus on Co	intracts, LLC and Sm	nall Business Start-Ups, and Real Estate
OTHER (QUALIFICATIONS:		
Please pi	rovide a brief statement outlining why	you wish to potentia	ally serve on the applicable advisory boards
and/or co	ommittees selected. In addition, plea	se feel free to attach	a copy of your resume or vita (optional):
Advisory Army Vet judicious a I will be a and/or co	Boards and Committees are an integreran, and Businesswoman, I have a valuable asset to the City of Tamara mmittee.	gral part of local gove wide range of knowle ss of effective, respo c if I am granted the	ernment. As an Attorney, Real Estate Broker, edge and experiences which allow me to proviously ensible, and efficient government. I am confide opportunity to serve on an advisory board
MEMBER	RSHIPS:		
Completi	on of this section is optional. The info	ormation will be helpf	ul to the press if you are appointed; however,
it is not a	prime factor in making appointments	. .	
	Tamarac Organization	Years Member	Office Held (if any)
	Outside City of Tamarac		
		ACKNOWLEDG	MENT
	and that in accordance with the Florive any objection to such publication.	ida Sunshine Law, th	nis information will be posted for public revie
I understa or benefit		sitions indicated abo	ve is a voluntary service, with no compensation
term, and particular applicable	I will comply with all laws or ordinand rly those pertaining to the conduct	ces of the City of Tan of public office and ake the applicable s	office, will make every endeavor to serve my funarac, Broward County and the State of Florid direlated financial disclosure requirements, tatutory oath. I understand that if appointed
resident committe	of the city. Failure to be a resident of the city. Failure to be a resident of the city. This section does not apply to st ponsibilities. At their discretion, the observed via Seamlew Docus John	of the city shall resu aff appointed to a bo	d or committee of the City of Tamarac shall be alt in forfeiture of the position on the board board, committee or commission as part of the mmission may waive the requirements of th
	Claudia Brantley Key, 218b3fe9ddb8d9e84ead33ce2d137c75		February 05, 2021
	Signature of Applicant	***************************************	Date

Applicant	Name: CLAUDIA BRANTLEY, ESQ.
1	Do you have any relatives presently employed by the City of Tamarac? NO
	If yes, please state names and City departments/divisions:
2	Are you aware of any potential conflict of interest that may arise from your serving on City of Tamarac advisory boards and committees? NO If yes, please explain:
3	Do you presently have monies owed to the City of Tamarac which are delinquent? If yes, please explain: NO
4	Do you have any pending code violations relative to property owned by you within The City of Tamarac? If yes, please explain: NO
5	Do you have any existing violations relative to other City codes? NO If yes, please list:



EMPLOYMENT:				
Current or most recent employer: None (Retired)				
Address:				
Position:		Years of Service:		
Duties:				
OTHER QUALIFICATIONS:				
Please provide a brief statement outlining wh	y you wish to potential	ly serve on the applicable advisory boards		
and/or committees selected. In addition, plea	ase feel free to attach a	a copy of your resume or vita (optional):		
_ I am a Marine Corp. Vietnam Veteran (4 ye	ars) with an Honorable	e Discharge. I have been serving as a		
member of the Tamarac Veterans Affairs Cor				
Veterans Coalition.				
votoruno ocumon.				
MEMBERSHIPS:				
Completion of this section is optional. The info	ormation will be helpfu	I to the press if you are appointed; however,		
it is not a prime factor in making appointment				
Tamarac Organization	Years Member	Office Held (if any)		
Tamarac Veterans Affairs Cmte		Chairman		
PAROT Foundation	10	Chairman		
Outside City of Tamarac				
	ACKNOWLEDGM	IENT		
	I understand that in accordance with the Florida Sunshine Law, this information will be posted for public review and I waive any objection to such publication.			
I understand that appointment to any of the positions indicated above is a voluntary service, with no compensation or benefits.				
If appointed, I agree to faithfully and fully perform the duties of my office, will make every endeavor to serve my full term, and will comply with all laws or ordinances of the City of Tamarac, Broward County and the State of Florida, particularly those pertaining to the conduct of public office and related financial disclosure requirements, if applicable to my position. I further agree to take the applicable statutory oath. I understand that if appointed, I must take the oath of office prescribed in the Florida Statutes.				

section.	Signature of Applicant	Commission may waive the requirements of this Commission may waive the requirements of this Date		
PLI	EASE RETURN THIS APPLICATION TO THE CIT			
	City of Tamarac, 7525 NW 88th Avenue, Tama	rac, FL 33321-2401 (954) 597-3505		
	ADDENDUM TO ADVISORY BOARD A	ND COMMITTEE APPLICATION FORM		
Applicant	Name: Dominic S. GRAY			
1	Do you have any relatives presently employe	d by the City of Tamarac?No		
	If yes, please state names and City department	nts/divisions:		
2	Are you aware of any potential conflict of inte on City of Tamarac advisory boards and com			
3	Do you presently have monies owed to the City of Tamarac which are delinquent? No If yes, please explain:			
4	Do you have any pending code violations relative to property owned by you within The City of Tamarac? No If yes, please explain:			
5	Do you have any existing violations relative to	o other City codes? _NO		
	If yes, please list:			



Please check Boards/Committees for which you wish to be considered: Charter Board Parks and Recreation Board Public Art Committee Sister Cities Committee Other (Please specify): Ruth Bader Ginsberg Commission on the Status of Women (RBG) Application is for: Reappointment Diversity, Equity and Inclusion Advisory Board Planning Board Veteran's Affairs Committee Other (Please specify): New appointment
PERSONAL:
Name: HERBERT DALEN Telephone Number: 954 297 2148
Home Address: 6085 N SABAL PALM BLVD Zip Code: 33319
Length of Residence in Tamarac (If applicable)
Length of Time as Business Person in Tamarac (If applicable) YearsMonths
E-Mail Address: HERBENT- DALEY 6085 @ COMCASTONET
Development/Section Name and Number: LAKES OF CARRIAGEHILLS 954 968 2340
Commission District Number: 1 Voting Precinct Number: 5014
EDUCATION:
Name and location of High School: MM TECHNICAL HIGH School N.Y., N.Y.
College (if appropriate):
Years Completed:Degree:
Field of Study:
Other professional or technical training (Name of school, course name, etc.):
20 3 W Z-1 102

EMPLOYMENT:	A. C.		g.
Current or most recent employer: PARAMOUNT			
Address: Ft. LAUNERDALE	general en como e interes ano différence en la que en entre en entre en entre entre en entre entre entre entre		manuscriptor/ALPROSPROTOLULU/APPAPAPARA michael arib.
Position: OPERATIONS MHNAGER		Years of Service: 12 15th	<
Duties: MANAGE ALL ASPO	Z/3 U VIN	IBINE OFERTERIORS	
OTHER QUALIFICATIONS:			
Please provide a brief statement outlining why and/or committees selected. In addition, pleas	•		
_			,
PREVIOUSLY WAS A MENDER	. I HAN DETER	HUR L'MALSO CURREN	74
A CONTRIBUTOC			
MEMBERSHIPS:			
Completion of this section is optional. The infor	mation will be helpful	I to the press if you are appointed; h	owever,
it is not a prime factor in making appointments.			
	Years Member	Office Held (if any)	
CERT PAROT	10 YEAR'S	LEHDENCHIP GROSP	
Outside City of Tamarac	anna ann an a		-
BSU COP'S	18 4E075	LEHNERSHIP	Antonionoffe.
FL STATE AL SÉNIOSIYS CRIME	4 YEARS	THWHRAL MOR.	www.cococa
	ACKNOWLEDGM		
I understand that in accordance with the Floridand I waive any objection to such publication.	ia Sunsnine Law, this	s information will be posted for pub	lic review
I understand that appointment to any of the positions indicated above is a voluntary service, with no compensation or benefits.			
If appointed, I agree to faithfully and fully perform the duties of my office, will make every endeavor to serve my full term, and will comply with all laws or ordinances of the City of Tamarac, Broward County and the State of Florida, particularly those pertaining to the conduct of public office and related financial disclosure requirements, if applicable to my position. I further agree to take the applicable statutory oath. I understand that if appointed, I must take the oath of office prescribed in the Florida Statutes.			
Section 2-56 of the Tamarac Code provides each member of a board or committee of the City of Tamarac shall be a resident of the city. Failure to be a resident of the city shall result in forfeiture of the position on the board or committee. This section does not apply to staff appointed to a board, committee or commission as part of their work responsibilities. At their discretion, the Tamarac City Commission may waive the requirements of this section.			
Signature of Applicant	-	June 2, 2021	hama kanala di salahai serampan kendadi 2018 Zirina untuk dalah

Applicant	Name: HERBERT DAGEY
1	Do you have any relatives presently employed by the City of Tamarac?
	If yes, please state names and City departments/divisions:
2	Are you aware of any potential conflict of interest that may arise from your serving on City of Tamarac advisory boards and committees? No If yes, please explain:
3	Do you presently have monies owed to the City of Tamarac which are delinquent? If yes, please explain:
4	Do you have any pending code violations relative to property owned by you within The City of Tamarac? If yes, please explain: 1
5	Do you have any existing violations relative to other City codes?
	If yes, please list:



Investment Advisory Committee Parks and Recreation Board Planning Board Public Art Committee Social Services Board Veteran's Affairs Committee Other (Please specify):
Application is for: Reappointment New appointment
ersonal: James M. Tariffin Telephone Number: (954) 724.8723
ome Address: 78/0 N.W. 85th Ave Zip Code: 3332/
ength of Residence in Tamarac (If applicable)
ength of Time as Business Person in Tamarac (If applicable) Years Months
-Mail Address: JJJGriffin @ aol.com
evelopment/Section Name and Number: Le Jardine Tract 57
ommission District Number:
DUCATION:
ame and location of High School: Newman Prep. Boston. Mass
ollege (if appropriate): Harvard University - Kennedy School
Years Completed: 1981 Degree: MP A
Field of Study:
other professional or technical training (Name of school, course name, etc.):
Department of State. Foreign Service Institute. Diplomacy
repartment of strate. Totallyn services significant

EMPLOYMENT:			
Current or most recent employer: Person	t of Just	ice Eoir	et e a commence de la
Address: Washington	n. PC		
Position: Court Administrate	X	Years of Service:	
Duties: Executive A			
OTHER QUALIFICATIONS:			
Analysis of the county of the	iah ta natantia	lly convo on the applicable advisory be	narde
Please provide a brief statement outlining whand/or committees selected. In addition, please the second of the sec	ase feel free to attach		al):
MEMBERSHIPS: Completion of this section is optional. The infit is not a prime factor in making appointment		ul to the press if you are appointed; ho	wever,
Tamarac Organization	Years Member	Office Held (if any)	
Tematec Univerty Veteran Affaire Comm.	2012	Makes and a second seco	annone.
Outside City of Tamarac	6_	Volunteer	
Credit Umpn	SACKNOWLEDGE	DIVECTOR	
I understand that in accordance with the Floand I waive any objection to such publication. I understand that appointment to any of the poor benefits.	rida Sunshine Law, th	is information will be posted for publi	
If appointed, I agree to faithfully and fully perfiterm, and will comply with all laws or ordinan particularly those pertaining to the conduct applicable to my position. I further agree to must take the oath of office prescribed in the Section 2-56 of the Tamarac Code provides earesident of the city. Failure to be a resident committee. This section does not apply to swork responsibilities. At their discretion, t section.	tices of the City of Tam tof public office and take the applicable st Florida Statutes. ach member of a board of the city shall resu staff appointed to a bo	narac, Broward County and the State of related financial disclosure requirer ratutory oath. I understand that if appears of the City of Tamarac solt in forfeiture of the position on the pard, committee or commission as parnmission may waive the requirements	f Florida, ments, if pointed, I shall be a board or t of their s of this
Signature of Applicant	r	6 /11/202 Date	<u></u>

pplicant	Name: Jomes Griffin
1	Do you have any relatives presently employed by the City of Tamarac?
	If yes, please state names and City departments/divisions:
2	Are you aware of any potential conflict of interest that may arise from your serving on City of Tamarac advisory boards and committees? <u>MO</u> If yes, please explain:
3	Do you presently have monies owed to the City of Tamarac which are delinquent? If yes, please explain:
4	Do you have any pending code violations relative to property owned by you within The City of Tamarac? If yes, please explain:
5	Do you have any existing violations relative to other City codes? No
	If yes, please list:



Please check Boards/Committees for which you wish to be Charter Board Parks and Recreation Board Public Art Committee Sister Cities Committee Other (P Ruth Bader Ginsberg Commission on the Status Application is for: Reappointment	iversity,Equity and Inclusion Advisory Board anning Board eteran's Affairs Committee lease specify): of Women (RBG)
PERSONAL: Name: Jesus Rivera Home Address: 10610 NW 70 Street Length of Residence in Tamarac (If applicable) Length of Time as Business Person in Tamarac (If applicable) E-Mail Address: jayrivs@gmail.com Development/Section Name and Number: jayrivs@gmail.com	0 Years 8 Months 0 Years 0 Months
Commission District Number:	
Name and location of High School: Miami Southridge Senior High College (if appropriate): Florida International University Years Completed: 1998 Years Completed: Psychology/English Field of Study: Name of school, course Multiple degrees earned in several institution	Bachelors in Arts/Science

Multiple degrees earned in several institution
Rev. 07/06/16
Otner professional or technical training (Name of school, course name, etc.): Multiple degrees earned in several institution
Rev. 07/06/16
Other professional or technical training (Name of school, course name, etc.): Multiple degrees earned in several institution
Rev. 07/06/16
Other professional or technical training (Name of school, course name, etc.): Multiple degrees earned in several institution
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Other professional or technical training (Name of school, course name, etc.): Multiple degrees earned in several institution

Multiple degrees earned in several institution
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Otner professional or technical training (Name of school, course name, etc.): Multiple degrees earned in several institution
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Rev. 07/06/16
Other professional or technical training (Name of school, course name, etc.): Multiple degrees earned in several institution



✓ Parks and Recreation Board ✓ Plant	versity,Equity and Inclusion Advisory Board anning Board teran's Affairs Committee
Application is for: Reappointment	New appointment
PERSONAL: Name: Joseph M Lanouette	Telephone Number: 413-277-8615
Home Address: 5307 Bayberry Lane	•
Length of Residence in Tamarac (If applicable) Length of Time as Business Person in Tamarac (If applicable) E-Mail Address: joseph_lanouette@yahoo.com	3 Years Months 0 Years Months
Development/Section Name and Number: joseph_lanouette@ya	hoo.com
Name and location of High School: Whitehall HS - Pennsylvania College (if appropriate): Keiser University, Harvard University, Years Completed: Degree: Field of Study: Economics, Business, Sustaina Field of Study: Name of school, course Several acquisition and auditing related technical training, Programmanagement certifications, ASI 9100 and ISO 9001 auditor.	Endicott College, and Westfield State University MS IT, MA Sustainability, MBA, BA Economics bility, and Information Technology name, etc.):

EMPLOYMENT:
Current or most recent employer: Defense Contract Management Agency
Address: 2700 S Commerce Parkway
Position: Quality Assurance Specialist - US Government Years of Service: 4
Duties: Oversight on 15 military contractors performing on military contracts awarded by US Government
OTHER QUALIFICATIONS:
Please provide a brief statement outlining why you wish to potentially serve on the applicable advisory boards
and/or committees selected. In addition, please feel free to attach a copy of your resume or vita (optional):
Completion of multiple degrees and with the speciality of economics and sustainability cities and communities from Harvard provides a well rounded educated and perspective. The community would be in my best interest to reduce carbon footprint, increase green awareness, and develop strategies to make Tamarac better tomorrow than it is today.
MEMBERSHIPS:
Completion of this section is optional. The information will be helpful to the press if you are appointed; however,
it is not a prime factor in making appointments.
Tamarac OrganizationYears MemberOffice Held (if any)Police and FD Pension Board2Trustee
Outside City of Tamarac
<u>ACKNOWLEDGMENT</u>
I understand that in accordance with the Florida Sunshine Law, this information will be posted for public review and I waive any objection to such publication.
I understand that appointment to any of the positions indicated above is a voluntary service, with no compensation or benefits.
If appointed, I agree to faithfully and fully perform the duties of my office, will make every endeavor to serve my full term, and will comply with all laws or ordinances of the City of Tamarac, Broward County and the State of Florida, particularly those pertaining to the conduct of public office and related financial disclosure requirements, if applicable to my position. I further agree to take the applicable statutory oath. I understand that if appointed, I must take the oath of office prescribed in the Florida Statutes.
Section 2-56 of the Tamarac Code provides each member of a board or committee of the City of Tamarac shall be a resident of the city. Failure to be a resident of the city shall result in forfeiture of the position on the board or committee. This section does not apply to staff appointed to a board, committee or commission as part of their work responsibilities. At their discretion, the Tamarac City Commission may waive the requirements of this section. **Toseph CM Lanouette** **Toseph CM Lanouette**
Signature of Applicant Date

pplicant	t Name: Joseph M Lanouette
1	Do you have any relatives presently employed by the City of Tamarac?
	If yes, please state names and City departments/divisions: n/a
2	Are you aware of any potential conflict of interest that may arise from your serving on City of Tamarac advisory boards and committees? no If yes, please explain:
3	Do you presently have monies owed to the City of Tamarac which are delinquent? If yes, please explain: no
4	Do you have any pending code violations relative to property owned by you within The City of Tamarac? If yes, please explain: no
	n/a
5	Do you have any existing violations relative to other City codes? no
	If yes, please list:
	n/a



Please check Boards/Committees for which you wish to be	considered:
Charter Board D	iversity, Equity and Inclusion Advisory Board
Parks and Recreation Board Pl	anning Board
Public Art Committee ✓ Volume Sister Cities Committee Other (P	eteran's Affairs Committee
Ruth Bader Ginsberg Commission on the Status	
	,
Application is for:Reappointment	New appointment
PERSONAL:	
Name:	Telephone Number: 954-479-4792
8173 ROYAL PALM COURT, Tamarac, Fl.	Zip Code: 33321-2726
Length of Residence in Tamarac (If applicable)	21 YearsMonths
Length of Time as Business Person in Tamarac (If applicable)	YearsMonths
E-Mail Address: jay.koutcher@gmail.com	
Development/Section Name and Number:	
Commission District Number: 4	Voting Precinct Number:
EDUCATION:	•
Name and location of High School: Mortheast High School, Algorithms	on and Cottman Aves., Philadelphia, Pa.
College (if appropriate): Temple University, North Broad Street	, Philadelphia, Pa.
Years Completed: 6 Degree:	
General Field of Study:	
Other professional or technical training (Name of school, course	e name, etc.):

ired, again & again & aga	in)
	Years of Service:
	y serve on the applicable advisory boards copy of your resume or vita (optional):
information will be helpful	to the press if you are appointed; however
ents.	
<u>Years Member</u> 5	Office Held (if any) Recording Secretary of
5	Recording Secretary of
3	Judge
10	President
ACKNOWLEDGME	 ENT
positions indicated above erform the duties of my off ances of the City of Tama uct of public office and i	information will be posted for public reviews is a voluntary service, with no compensations in the serve my force, will make every endeavor to serve my force, Broward County and the State of Florical related financial disclosure requirements,
e Florida Statutes. each member of a board o	tutory oath. I understand that if appointed or committee of the City of Tamarac shall be in forfeiture of the position on the board
staff appointed to a boar	rd, committee or commission as part of the nission may waive the requirements of the state of th
	information will be helpful ents. Years Member 5 5 4 ACKNOWLEDGMI Florida Sunshine Law, this en. positions indicated above erform the duties of my off ances of the City of Tama act of public office and to take the applicable state of the City shall result of the city shall result.

Rev. 07/06/16

PLEASE RETURN THIS APPLICATION TO THE CITY CLERK'S OFFICE FOR PROCESSING. City of Tamarac, 7525 Northwest 88 Avenue, Tamarac, FL 33321-2401 (954) 597-3505

ADDENDUM TO ADVISORY BOARD AND COMMITTEE APPLICATION FORM

Name: Jay Koutcher
Do you have any relatives presently employed by the City of Tamarac? No
If yes, please state names and City departments/divisions:
Are you aware of any potential conflict of interest that may arise from your serving on City of Tamarac advisory boards and committees? No If yes, please explain:
Do you presently have monies owed to the City of Tamarac which are delinquent? If yes, please explain: No
Do you have any pending code violations relative to property owned by you within The City of Tamarac? If yes, please explain: No
Do you have any existing violations relative to other City codes? No
If yes, please list:



Please check Boards/Committees for which you wish to be considered:			
Charter Board Di	versity,Equity and Inclusion Advisory Board		
Charter Board Diversity, Equity and Inclusion Advisory Boa Planning Board Planning Board Veteran's Affairs Committee			
Sister Cities Committee Other (Please specify):			
Ruth Bader Ginsberg Commission on the Status of Women (RBG)			
Application is for:Reappointment	New appointment		
PERSONAL:			
laura sierra Name:	Telephone Number:		
5902 NW 72nd Ave Home Address:	Zip Code:		
Length of Residence in Tamarac (If applicable)	16 YearsMonths		
Length of Time as Business Person in Tamarac (If applicable)			
E-Mail Address: laura.natalia.sierra@icloud.com			
Development/Section Name and Number:			
Commission District Number:	Voting Precinct Number:		
EDUCATION:			
Name and location of High School: JP Taravella High			
College (if appropriate):			
Years Completed:Degree:			
Field of Study:			
Other professional or technical training (Name of school, course	name, etc.):		

EMPLO	<u>DYMENT</u> :		
Current	or most recent employer: Law Offi	ices of Scott Sobol	
	351 SW 136th Avenue		
			_Years of Service: 2
	Asisst legal team, obtain medical a		
OTHER	QUALIFICATIONS:		
-			y serve on the applicable advisory boards copy of your resume or vita (optional):
Comple	ERSHIPS: Ition of this section is optional. The is a prime factor in making appointme Tamarac Organization	·	to the press if you are appointed; however, Office Held (if any)
	Outside City of Tamarac		
		ACKNOWLEDGM	 ENT
and I wa I unders or benef If appointerm, an particula applicate must tak Section resident committed	stand that appointment to any of the fits. Inted, I agree to faithfully and fully pend will comply with all laws or ordinarly those pertaining to the conducte to my position. I further agree to the oath of office prescribed in the 2-56 of the Tamarac Code provides to the city. Failure to be a residentee. This section does not apply to	positions indicated above erform the duties of my of ances of the City of Tama act of public office and to take the applicable state Florida Statutes. each member of a board of the city shall result staff appointed to a board.	s information will be posted for public review is a voluntary service, with no compensation fice, will make every endeavor to serve my full trac, Broward County and the State of Florida, related financial disclosure requirements, if stutory oath. I understand that if appointed, I or committee of the City of Tamarac shall be a in forfeiture of the position on the board or rd, committee or commission as part of their
work re section.	•	the Tamarac City Comn	nission may waive the requirements of this
	Signature of Applicant		Date

PLEASE RETURN THIS APPLICATION TO THE CITY CLERK'S OFFICE FOR PROCESSING. City of Tamarac, 7525 Northwest 88 Avenue, Tamarac, FL 33321-2401 (954) 597-3505

ADDENDUM TO ADVISORY BOARD AND COMMITTEE APPLICATION FORM

Applicant	Name: laura sierra
1	Do you have any relatives presently employed by the City of Tamarac? NO
	If yes, please state names and City departments/divisions:
2	Are you aware of any potential conflict of interest that may arise from your serving on City of Tamarac advisory boards and committees? NO If yes, please explain:
3	Do you presently have monies owed to the City of Tamarac which are delinquent? If yes, please explain: NO
4	Do you have any pending code violations relative to property owned by you within The City of Tamarac? If yes, please explain: NO
5	Do you have any existing violations relative to other City codes? NO
	If yes, please list:



Parks and Recreation BoardPla	versity,Equity and Inclusion Advisory Board anning Board eteran's Affairs Committee lease specify): of Women (RBG)
Application is for.	New appointment
PERSONAL: Major (Ret) Wilfred Rodriguez Name:	Telephone Number: 706 221 0729
5102 Laurel Circle Home Address:	Zip Code:
Length of Residence in Tamarac (If applicable)	YearsMonths
Length of Time as Business Person in Tamarac (If applicable) E-Mail Address: BrowardforWestPoint@gmail.com Woodlands	
Development/Section Name and Number: Woodlands	
Commission District Number: 1	Voting Precinct Number:
EDUCATION:	
Name and location of High School: Xavier HS NY, NY	
College (if appropriate): United States Military Academy (West	Point)
Years Completed:Degree: Field of Study:	BS ecurity
Other professional or technical training (Name of school, course Masters Degree in Counseling & Leader Development LIU CW I Combined Arms Services Staff School Ft. Leavenworth KS Combined Arms General Staff College Ft. Leavenworth KS	e name, etc.): Post

f			
EMPLO	YMENT:		
Current	or most recent employer: W2TF LLC		
	6412 N. University Dr. Siote 106 T		
Position			Years of Service: 8 Yrs
	Planning Marketing Peccurcing Co	onducting Training & Cla	
	QUALIFICATIONS:		
		by you wish to notential	y serve on the applicable advisory boards
•	•		copy of your resume or vita (optional):
I have 2 troops a years of	0+ years of service as an Infantry C and served in a wide variety of staff individual soldier counseling makes	Officer including combat. positions. My Masters in me an ideal candidate to	I have led units ranging from 40 to 1000 Counseling & Leader Development as well as serve our veterans
	ERSHIPS: tion of this section is optional. The ir	nformation will be helpfu	to the press if you are appointed; however,
it is not	a prime factor in making appointmer	nts.	
	Tamarac Organization	Years Member	Office Held (if any)
	Outside City of Tamarac		
		ACKNOWLEDGM	 ENT
	stand that in accordance with the Fl ive any objection to such publication		s information will be posted for public review
I unders or benef		positions indicated above	e is a voluntary service, with no compensation
term, an particula applicab	d will comply with all laws or ordina arly those pertaining to the condu	nces of the City of Tama ct of public office and take the applicable sta	fice, will make every endeavor to serve my full trac, Broward County and the State of Florida, related financial disclosure requirements, if atutory oath. I understand that if appointed, I
resident committ	ee. This section does not apply to sponsibilities. At their discretion, 1	t of the city shall result staff appointed to a boa	or committee of the City of Tamarac shall be a in forfeiture of the position on the board or ord, committee or commission as part of their nission may waive the requirements of this
	Wilfred Rodrigeory & Key, 2186369adabadae4ead33ce2d137675		July 18, 2021
	Signature of Applicant		Date

PLEASE RETURN THIS APPLICATION TO THE CITY CLERK'S OFFICE FOR PROCESSING. City of Tamarac, 7525 Northwest 88 Avenue, Tamarac, FL 33321-2401 (954) 597-3505

ADDENDUM TO ADVISORY BOARD AND COMMITTEE APPLICATION FORM

ant	Name: Major (Ret) Wilfred Rodriguez
1	Do you have any relatives presently employed by the City of Tamarac? No
	If yes, please state names and City departments/divisions:
2	Are you aware of any potential conflict of interest that may arise from your serving on City of Tamarac advisory boards and committees? No If yes, please explain
3	Do you presently have monies owed to the City of Tamarac which are delinquent
	If yes, please explain: No



Parks and Recreation Board Plan Public Art Committee Other (Plan Sister Cities Committee Other (Plan Ruth Bader Ginsberg Commission on the Status of	versity,Equity and Inclusion Advisory Board nning Board eran's Affairs Committee ease specify):
Application is for:Reappointment	New appointment
PERSONAL: Stanley Pannaman Name:	Telephone Number:
7201 NW 75th Court Tomoras El	Zip Code:
Length of Residence in Tamarac (If applicable)	20 Years 2 Months
Length of Time as Business Person in Tamarac (If applicable) E-Mail Address:	YearsMonths
Development/Section Name and Number:	
Commission District Number:	Voting Precinct Number:
Name and location of High School: Martin Van Buren high school College (if appropriate): Suffolk County Community College, Suffolk County C	No

EMPLO	YMENT:		
Current	or most recent employer: Retired		
			Years of Service:
	OHALIEICATIONS.		
	QUALIFICATIONS:		
	_		y serve on the applicable advisory boards
	•		copy of your resume or vita (optional):
I am cur Tamarac of the Ta	rrently president of the Broward Vec. I also serve as program chair of the marac Veterans Affairs committed	eterans Coalition. I am also the Broward group of the S e	o senior vice commander of DAV Chapter 73 Sierra Club. I also am a participating member
Comple	ERSHIPS: tion of this section is optional. The a prime factor in making appointment	•	to the press if you are appointed; however,
	Tamarac Organization	Years Member	Office Held (if any)
	Outside City of Tamarac		
		ACKNOWLEDGM	 ENT
	stand that in accordance with the laive any objection to such publication		information will be posted for public review
I unders or benef		e positions indicated above	e is a voluntary service, with no compensation
term, an particula applicat	nd will comply with all laws or ordinary those pertaining to the cond	nances of the City of Tama luct of public office and to take the applicable sta	fice, will make every endeavor to serve my full rac, Broward County and the State of Florida, related financial disclosure requirements, if tutory oath. I understand that if appointed, I
resident committ	of the city. Failure to be a reside tee. This section does not apply to sponsibilities. At their discretion,	ent of the city shall result o staff appointed to a boa	or committee of the City of Tamarac shall be a in forfeiture of the position on the board or rd, committee or commission as part of their nission may waive the requirements of this
220,011	Stanley Pannaman Key: 218b3fr9ddb8d9e34ead33ce2d137c75		June 21, 2021
	Signature of Applicant		Date

PLEASE RETURN THIS APPLICATION TO THE CITY CLERK'S OFFICE FOR PROCESSING. City of Tamarac, 7525 Northwest 88 Avenue, Tamarac, FL 33321-2401 (954) 597-3505

ADDENDUM TO ADVISORY BOARD AND COMMITTEE APPLICATION FORM

plicant	Name: Stanley Pannaman
1	Do you have any relatives presently employed by the City of Tamarac? No
	If yes, please state names and City departments/divisions:
2	Are you aware of any potential conflict of interest that may arise from your serving on City of Tamarac advisory boards and committees? No If yes, please explain:
3	Do you presently have monies owed to the City of Tamarac which are delinquent? If yes, please explain: No
4	Do you have any pending code violations relative to property owned by you within The City of Tamarac? If yes, please explain: NO
_	
5	Do you have any existing violations relative to other City codes? No
	If ves, please list:



Parks and Recreation BoardPla	versity,Equity and Inclusion Advisory Board nning Board teran's Affairs Committee ease specify):of Women (RBG)
Application is for.	New appointment
PERSONAL:	
Peter A. Busacca Jr. Name:	Telephone Number: 954-366-7386
9563 Weldon Circle Apt. D409 Home Address:	
Length of Residence in Tamarac (If applicable)	0 Years 6 Months
Length of Time as Business Person in Tamarac (If applicable)	O Years O Months
E-Mail Address: pbusacca@gmail.com	
Development/Section Name and Number:	
Commission District Number:	Voting Precinct Number:
EDUCATION:	
Name and location of High School: Wm. L. Dickinson H.S. Jersey	City NJ 07307
College (if appropriate):	
Years Completed:Degree: _	
Field of Study:	
Other professional or technical training (Name of school, course NJ Bell/Bell Atlantic/Verizon Technical Training Installation and Repasswitching Systems, Central Office Power Systems	name, etc.): air of Telecommunication Systems, Electronic

EMPLO	<u>YMENT</u> :		
Current	or most recent employer: Stage Tec	hnician Apprenticeship	Recruiters LLC
Address	: 154 Ridge Road Lyndhurst NJ 070	71	
Position:	. Managing Partner		Years of Service: 8
Duties:	Decision maker for the organization		
OTHER	QUALIFICATIONS:		
		hy you wish to potentia	ally serve on the applicable advisory boards
	_		a copy of your resume or vita (optional):
It has be state of commur	een my honor and privilege to have s New Jersey. Having relocated to Tam nity in my new home. I have included	served on numerous bonarac I have come to to the distribution of t	pards and organizations in my former home he realization I can continue to serve the application.
Complet	RSHIPS: tion of this section is optional. The in a prime factor in making appointmen	·	ul to the press if you are appointed; however,
	Tamarac Organization	<u>Years Member</u>	Office Held (if any)
	Outside City of Tamarac		
		ACKNOWLEDGI	 MENT
I understor benefit appointerm, and	ive any objection to such publication tand that appointment to any of the pits. Ited, I agree to faithfully and fully per d will comply with all laws or ordinal	ositions indicated abo form the duties of my onces of the City of Tan	ve is a voluntary service, with no compensation office, will make every endeavor to serve my full narac, Broward County and the State of Florida, if related financial disclosure requirements, if
applicab		take the applicable s	tatutory oath. I understand that if appointed, I
resident committe	of the city. Failure to be a resident ee. This section does not apply to s sponsibilities. At their discretion, t	t of the city shall resu staff appointed to a bo	or committee of the City of Tamarac shall be a lt in forfeiture of the position on the board or eard, committee or commission as part of their mission may waive the requirements of this
	Peter Authony Busacca Ir. Key. 21 8b3fe9ddb8d9e64ead33ce2d137c75		March 16, 2021
	Signature of Applicant		Date

PLEASE RETURN THIS APPLICATION TO THE CITY CLERK'S OFFICE FOR PROCESSING. City of Tamarac, 7525 Northwest 88 Avenue, Tamarac, FL 33321-2401 (954) 597-3505

ADDENDUM TO ADVISORY BOARD AND COMMITTEE APPLICATION FORM

ant	Name: Peter A. Busacca Jr.
1	Do you have any relatives presently employed by the City of Tamarac? No
	If yes, please state names and City departments/divisions:
2	Are you aware of any potential conflict of interest that may arise from your serving on City of Tamarac advisory boards and committees? No If yes, please explain
3	
	If yes, please explain: No



Please check Boards/Committees for which you wish to be considered: Charter Board Parks and Recreation Board Public Art Committee Sister Cities Committee Other (Please specify): Ruth Bader Ginsberg Commission on the Status of Women (RBG) Application is for: Reappointment Diversity, Equity and Inclusion Advisory Board Planning Board Veteran's Affairs Committee Other (Please specify): Ruth Bader Ginsberg Commission on the Status of Women (RBG)
PERSONAL: Name: Wesley F. Borner Home Address: 7912 Exeter Circle West, Tamarac FL Length of Residence in Tamarac (If applicable) Length of Time as Business Person in Tamarac (If applicable) E-Mail Address: bborner@bellsouth.net Development/Section Name and Number: 702 Commission District Number: 20
Name and location of High School: Soldan-Blewett High School, St. Louis, MO

U.S. Navy Instructor Training and Petty Officer Leadership School, San Diego, CA
U.S. Navy Radioman Class "B" Advanced Communications Systems, Maintenance and Repair School, San Diego, CA
North Island Navy Flying Club, San Diego, CA, FAA Private Pilot Training
American Flyers Flight School, Pompano Beach Airpark, FAA Instrument airplane training
American Flyers Flight School, Pompano Beach Airpark, FAA Certified Flight Instructor (CFI) training

American Flyers Flight School, Pompano Beach Airpark, FAA Certified Instrument Flight Instructor (CFI-i) training

Rev. 07/06/16

Other professional or technical training (Name of school, course name, etc.):
U.S. Navy Instructor Training and Petty Officer Leadership School, San Diego, CA
U.S. Navy Radioman Class "B" Advanced Communications Systems, Maintenance and Repair School, San Diego, CA
North Island Navy Flying Club, San Diego, CA, FAA Private Pilot Training
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American Flyers Flight School, Pompano Beach Airpark, FAA Certified Instrument Flight Instructor (CFI-i) training



Please check Boards/Committees for which you wish to be	e considered:			
Charter Board	iversity, Equity and Inclusion Advisory Board			
Diversity, Equity and Inclusion Advisory Board Parks and Recreation Board Planning Board Planning Board Victorian & Affoire Committee				
Public Art Committee Sister Cities Committee Other (Please specify):				
Ruth Bader Ginsberg Commission on the Status	• • • •			
Application is for:Reappointment				
PEDGONAL				
PERSONAL:				
Willie Johnson Name:	Telephone Number: 7862955729			
7352 NW 83RD WAY Home Address:	Zip Code: 33321			
Length of Residence in Tamarac (If applicable)	4 Years ⁷ Months			
Length of Time as Business Person in Tamarac (If applicable)	YearsMonths			
E-Mail Address: faces387@gmail.com Woodmont Tract 70 L				
Development/Section Name and Number: Woodmont Tract 70 L	a Reserve			
Commission District Number: 4				
EDUCATION:	······································			
Name and location of High School: Miami Killian Sr. High - 1065	55 SW 97th Ave, Miami, FL 33176			
College (if appropriate): Barry University				
Years Completed: Pegree:	Pending			
Criminal Justice/Legal Studies Field of Study:	- Pre-Law			
Other professional or technical training (Name of school, cours • San Bernardino Valley College, San Bernardino, Ca. • Broward Community College, Ft. Lauderdale, Fl. • Miami Dade Community College, Miami, Fl. • Fl. International University, Criminal Justice Major, Pre Law Certificates of Accomplishments) Instructor Technique Workshop & Life Skills Instructor Electronic Restraint Device Instructor (stun gun) Chemical Agents & Firearms Instructor Impact Weapons Instructor (Baton & PR-24) 3rdrd Class FCC Radio License Endorsed & Notary Public #CC Security "DI, D, G, Licenses.				

EMPLO	<u>DYMENT</u> :		
Current	or most recent employer:	etired U. S. Customs & Bord	der Protection, & Florida Department of
	s: 1103 N. Cruise Blvd. Term	inal G. Miami, FL 33132	
Position	·		Years of Service: 18
	QUALIFICATIONS:		
	•		itially serve on the applicable advisory boards
		•	ch a copy of your resume or vita (optional):
new pro Planni major o Direct	ocedures and policy changes ing and accomplishing assign perations and law enforcemently by overseeing a team of sub- poinspections. Outbound Oper	ments, projects, studies or in ent problems, or to develop, ordinates and performing a f	s regarding functions or programs. d enforcement information, and disseminating nvestigations intended to explore and resolve improve, or implement new procedures. full range of supervisory functions ions, Vessel searches, and Radiation Portal
MEMBE	ERSHIPS:		
	<u></u>	al. The information will be hel	pful to the press if you are appointed; however,
•	a prime factor in making app	,	
	Tamarac Organization HOA - La Reserve	Years Member 3	Office Held (if any) President
	Outside City of Tamarac		
		ACKNOWLED	GMENT
	stand that in accordance wit aive any objection to such pu		this information will be posted for public review
I unders or bene		of the positions indicated at	bove is a voluntary service, with no compensation
term, ar particula applical	nd will comply with all laws o arly those pertaining to the	or ordinances of the City of Ta e conduct of public office a agree to take the applicable	y office, will make every endeavor to serve my full amarac, Broward County and the State of Florida, and related financial disclosure requirements, if e statutory oath. I understand that if appointed, I
resident commit	t of the city. Failure to be a tee. This section does not a esponsibilities. At their disc	resident of the city shall re- pply to staff appointed to a laretion, the Tamarac City Co	ard or committee of the City of Tamarac shall be a sult in forfeiture of the position on the board or board, committee or commission as part of their ommission may waive the requirements of this
	Willie Toh Key, 21 8b3fe9ddb8d9e64ead3	(NUSON) 13ce2d137c75	July 06, 2021
	Signature of Appl	icant	Date

PLEASE RETURN THIS APPLICATION TO THE CITY CLERK'S OFFICE FOR PROCESSING. City of Tamarac, 7525 Northwest 88 Avenue, Tamarac, FL 33321-2401 (954) 597-3505

ADDENDUM TO ADVISORY BOARD AND COMMITTEE APPLICATION FORM

Applican	t Name: Willie Johnson
1	Do you have any relatives presently employed by the City of Tamarac? No
	If yes, please state names and City departments/divisions: N/A
2	Are you aware of any potential conflict of interest that may arise from your serving on City of Tamarac advisory boards and committees? No If yes, please explain:
3	Do you presently have monies owed to the City of Tamarac which are delinquent? If yes, please explain: No
4	Do you have any pending code violations relative to property owned by you within The City of Tamarac? If yes, please explain: No
5	Do you have any existing violations relative to other City codes? No
	If yes, please list:
	N/A



Title - TR13655 - First Amendment to Interlocal Agreement between Broward County and the City of Tamarac for Community Shuttle Service

A Resolution of the City Commission of the City Of Tamarac, Florida, authorizing the appropriate City Officials to execute the First Amendment to Interlocal Agreement between Broward County and the City Of Tamarac for Community Shuttle Service; providing for conflicts; providing for severability; and providing an effective date.

ATTACHMENTS:

Description	Upload Date	Туре
Temp. Reso# 13655 First Amendment to Interlocal Agreement between Broward County and the City of Tamarac for Community Shuttle Service - Memo	7/29/2021	Cover Memo
Temp. Reso# 13655 First Amendment to Interlocal Agreement between Broward County and the City of Tamarac for Community Shuttle Service - Resolution	7/29/2021	Resolution
Temp. Reso# 13655 First Amendment to Interlocal Agreement between Broward County and the City of Tamarac for Commity Shuttle Service - Exhibit 1	7/29/2021	Exhibit

City of Tamarac Interoffice Memorandum Department

To: Michael C. Cernech, City Manager

From: Gregory Warner, Director of Parks and Recreation

Date: July 20, 2021

Re: Temp. Reso. # 13655 - First Amendment to Interlocal Agreement between

Broward County and the City of Tamarac for Community Shuttle Service

Recommendation:

I recommend that the City Commission authorize the appropriate City Officials to execute the First Amendment to the Interlocal Agreement between Broward County and the City of Tamarac for Community Shuttle Service.

<u>lssue:</u>

First Amendment to the Interlocal Agreement between Broward County and the City of Tamarac for Community Shuttle Service.

Background:

In 2019, the City Commission approved Resolution No. R-2019-104 authorizing the appropriate City officials to execute an Interlocal Agreement between Broward County and the City of Tamarac for Community Shuttle Service from October 1, 2019 to September 30, 2022 with an option to extend the agreement for up to two (2) additional one (1) year renewal periods. All terms and conditions of the Agreement remain in full force and effect.

The First Amendment to the Agreement (Exhibit 1) is to reflect a funding increase from \$57.87 to \$60.05 per vehicle hour. This adjustment is to cover the City's increased operations and maintenance costs. The First Amendment also amends the vehicle list to reflect the County vehicles that are being utilized by the City. The original Agreement provided the City two (2) buses. The Amendment replaces those two (2) buses with three (3) buses in 2021 to be used on the Red and Red Extension routes. The changes are reflected in the Amendment as Exhibit D and Exhibit F.

Fiscal Impact

In accordance with the First Amendment to the Agreement, the City will receive \$60.05 per vehicle hour equaling up to \$237,041.97 per year.

Gregory Warner

Duguz Warm___

CITY OF TAMARAC, FLORIDA

RESOLUTION NO. R-2021 -

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE FIRST AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF TAMARAC FOR COMMUNITY SHUTTLE SERVICE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, sufficient public transportation is an important and essential component of a progressive city; and

WHEREAS, the City has an existing Interlocal Agreement for Community Shuttle Service with Broward County which expires September 30, 2022; said Agreement on file at the City Clerk's Office; and

WHEREAS, the existing Agreement has shown to provide a valuable service to the residents of the City of Tamarac; and

WHEREAS, the First Amendment to the Agreement amends the vehicle list to reflect the vehicles that are being utilized by the City; and

WHEREAS, the First Amendment to the Agreement reflects a funding increase of \$57.87 to \$60.05 per vehicle hour to cover the City's increased operations and maintenance costs; said rate increase is retroactive to October 1, 2020; and

WHEREAS, it is the recommendation of the Director of Parks and Recreation that the City approve the First Amendment to Interlocal Agreement between Broward County and the City of Tamarac for Community Shuttle Service; and

WHEREAS, the City Commission of the City of Tamarac, Florida deems it to be in the best interest of the citizens and residents of the City of Tamarac to approve the execution of the First Amendment to Interlocal Agreement between Broward County and the City of Tamarac for Community Shuttle Service.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA:

SECTION 1: The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof. All exhibits attached hereto are hereby incorporated herein by this reference.

SECTION 2: The City Commission hereby approves the First Amendment to Interlocal Agreement between Broward County and the City of Tamarac for Community Shuttle Service. The appropriate City Officials are further authorized to execute the First Amendment to the Agreement, a copy of which is attached hereto as "Exhibit 1".

SECTION 3: All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

<u>SECTION 4:</u> If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Temp. Reso. #13655 July 20, 2021 Page 3

SECTION 5: This Resolution shall beco	me effective im	mediately upon its pass	age
and adoption.			
PASSED, ADOPTED AND APPROVED this	day of	, 2021.	
	MICHELLE J. Mayor	GOMEZ	
ATTEST:	Mayor		
JENNIFER JOHNSON, CMC CITY CLERK			
I HEREBY CERTIFY that I have approved this RESOLUTION as to form.			
JOHN R. HERIN, JR. CITY ATTORNEY			

FIRST AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF TAMARAC FOR COMMUNITY SHUTTLE SERVICE

This is the First Amendment to the Agreement (the "First Amendment") between Broward County (the "County") and the City of Tamarac, a municipal corporation located in Broward County, Florida, organized and existing under the laws of the state of Florida (the "City") (collectively the "Parties").

RECITALS

- A. The Parties entered into an Agreement dated October 28, 2019 ("Agreement"), which provides for Community Shuttle Service as an alternative form of public transportation for residents within the jurisdictional limits of the City.
- B. The Parties desire to enter this First Amendment to reflect a funding increase to cover the City's increased operations and maintenance costs and amend the vehicle list to reflect the vehicles that are being utilized by the City.

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

- 1. Except as expressly modified herein, all terms and conditions of the Agreement remain in full force and effect. Amendments made to the Agreement pursuant to this First Amendment are indicated herein by use of strikethroughs to indicate deletions and bold/underlining to indicate additions. Terms used herein but not defined herein shall have the meaning ascribed to such terms in the Agreement.
- 2. Exhibit D is hereby amended as indicated in the attached Exhibit D.
- 3. Exhibit F is hereby amended as indicated in the attached Exhibit F.
- 4. The rates in Exhibit F are hereby amended as indicated in the attached Exhibit F retroactive to October 1, 2020.
- 5. The effective date of this First Amendment shall be the date of complete execution by both Parties. This First Amendment, together with the Agreement, represents the final and complete understanding of the Parties regarding the subject matter of the items addressed herein, and together with the Agreement, supersedes all prior and contemporaneous negotiations and discussions regarding that subject matter. There is no commitment, agreement, or understanding concerning the subject matter of this First Amendment or the Agreement that is not contained in this written document or the Agreement.

- 6. This First Amendment may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.
- 7. Each individual executing this First Amendment on behalf of a party hereto hereby represents and warrants that he or she is, on the date he or she signs this First Amendment, duly authorized by all necessary and appropriate action to execute this First Amendment on behalf of such party and does so with full legal authority.

(Remainder of Page Intentionally Left Blank)

Amendment to Agreement: Broward Co to execute same by Board action on	Parties hereto have made and executed this First unty, through its County Administrator, authorized the 20th day of August, 2019, and the City of, duly authorized to execute same.
	COUNTY
WITNESSES:	BROWARD COUNTY, by and through its County Administrator
(Signature)	By Bertha Henry County Administrator
(Print Name of Witness)	day of, 20
	Approved as to form by Andrew J. Meyers
(Signature)	Broward County Attorney Governmental Center, Suite 423 115 South Andrews Avenue
(Print Name of Witness)	Fort Lauderdale, Florida 33301 Telephone: (954) 357-7600 Telecopier: (954) 357-7641
	By Angela J. Wallace (Date) Transportation Surtax General Counsel

AJW/hb City of Tamarac Community Bus First Amendment 07/09/2021 #21-114.00

FIRST AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF TAMARAC FOR COMMUNITY SHUTTLE SERVICE

CITY

	CITY OF TAMARAC		
WITNESSES:	Ву		
(Signature)	day of, 20		
(Print Name of Witness)			
(Signature)	Approved as to form:		
(Print Name of Witness)	By City Attorney		

EXHIBIT "D"

City of Tamarac

Vehicles for Fiscal Year 2020 2021

Vehicle #	<u>Year</u>	<u>Make</u>	<u>Seats</u>	<u>Asset</u>	<u>VIN</u>
M1380	2013	ENC Aerotech	16/2	316413	1GB6GSBL6D1141169
M1382	2013	ENC Aerotech	16/2	316410	1GB6G5BL6D1148815
M2034	<u>2021</u>	Champion Defender	<u>16/2</u>	339634	1FDUF5GN8LEE97633
<u>M2035</u>	<u>2021</u>	Champion Defender	<u>16/2</u>	339635	1FDUF5GN0LEE90599
M2036	<u>2021</u>	Champion Defender	<u>16/2</u>	339636	1FDUF5GN8LEE97624

EXHIBIT "F"

City of Tamarac

Annual Operating Funding - FY 2020 2021 Community Shuttle Service - (\$57.87/Hour \$60.05/Hour)

Buses	Service	Route	Span of Service	Frequency	Daily Vehicle Hours	Days	Funding Per Vehicle Hour	Annual Funding
1	Mon-Fri	Red	7:00a-7:00p	60 min	12.18	255	57.87 <u>60.05</u>	\$ 179,738.43 <u>186,509.30</u>
1	Tues/Thur	Red Ext (formerly Yellow)*	9:00a-4:55p	60 min	8.17	103	57.87 <u>60.05</u>	\$4 8,698.18 50,532.67

Total Annual BCT Funding Increase Annual Cost of Amendment \$228,436.62 237,041.97 \$8,605.35

^{*} Route aka "Red Extension" on Time Tables



Title - TR13661 - Amending List of Charitable Entities

A Resolution of the City Commission of the City of Tamarac, Florida, amending Resolution R-2021-081, by specifically adding to and deleting from the list of charitable entities with whom the City of Tamarac recognizes a formally approved relationship; providing for an amended Exhibit "A", attached hereto and incorporated herein, as may be amended from time to time, for the expressed purpose of compliance with Section 1-19(C)(5)(A)(4) of the Broward County Code of Ordinances; providing for conflicts; providing for severability and providing for an effective date.

ATTACHMENTS:

Description	Upload Date	Туре
TR1366 - Memo - Amending list of charitable entities	7/22/2021	Cover Memo
TR13661 - Reso - Amending list of charitable entities	7/22/2021	Resolution
TR13661 - Exhibit A - Amended list of charitable entities	7/22/2021	Exhibit
TR13661 - Exhibit B - One Hundred Black Men of South Florida Inc	7/22/2021	Exhibit

City of Tamarac Interoffice Memorandum Financial Services Department ADMINISTRATION DIVISION

To: Michael C. Cernech, City Manager

From: Christine Cajuste, Director of Financial Services

Date: July 20, 2021

Re: Temporary Resolution #13661 - Amending list of Charitable Entities

Recommendation:

I recommend that TR#13661 amending the list of charitable entities with which the City of Tamarac recognizes a sponsorship or co-sponsorship relationship be placed on the August 25, 2021 consent agenda for approval by the City Commission.

<u>lssue:</u>

Staff has received a request by the elected officials to amend the list of charitable entities that is recognized as having a sponsorship or co-sponsorship relationship by the City of Tamarac.

Background:

The City of Tamarac has a rich history of sponsoring charitable organizations within the community. On October 11, 2011, the Board of County Commissioners of Broward County, Florida, adopted Ordinance No. 2011-19 (the "Code of Ethics"), which implemented a Code of Ethics for elected municipal officials.

The Code of Ethics establishes certain conditions and disclosure obligations on elected officials who engage in fundraising on behalf of charitable organizations. Specifically, Section 1-19(C)(5)(A)(4) of the Code of Ethics provides that the additional obligations shall not apply to an elected official who raises funds for those charities and events which are sponsored by the elected official's municipality.

So, on May 9, 2012, the City Commission approved Resolution No. R-2012-61 adopting a list of entities with which the City has sponsorship relationships.

On November 14, 2012, Resolution R-2012-61 was subsequently amended by R-2012-125 by adding to the list of charitable entities with whom the City of Tamarac recognizes a sponsorship or co-sponsorship relationship.

Resolution No. R-2012-125 was subsequently amended by Resolution No. R-2016-10 on January 13, 2016 by adding to the list of charitable entities with whom the City of Tamarac recognizes a sponsorship or co-sponsorship relationship.

Resolution No. R-2016-10 was subsequently amended by Resolution No. R-2017-02 on January 11, 2017 by adding to the list of charitable entities with whom the City of Tamarac recognizes a sponsorship or co-sponsorship relationship.

Temp. Reso. #13661 – Memo 7/20/2021 Page 2

Resolution No. R-2017-02 was subsequently amended by Resolution No. R-2017-91 on August 23, 2017 by adding to the list of charitable entities with whom the City of Tamarac recognizes a sponsorship or co-sponsorship relationship.

Resolution No. R-2017-91 was subsequently amended by Resolution No. R-2018-08 on January 11, 2018 by adding to the list of charitable entities with whom the City of Tamarac recognizes a sponsorship or co-sponsorship relationship.

Resolution No. R-2018-08 was subsequently amended by Resolution No. R-2018-30 on March 28, 2018 by adding to the list of charitable entities with whom the City of Tamarac recognizes a sponsorship or co-sponsorship relationship.

Resolution No. R-2018-30 was subsequently amended by Resolution No. R-2019-15 on January 23, 2019 by adding to the list of charitable entities with whom the City of Tamarac recognizes a sponsorship or co-sponsorship relationship.

Resolution No. R-2019-15 was subsequently amended by Resolution No. R-2019-41 on May 22, 2019 by adding to the list of charitable entities with whom the City of Tamarac recognizes a sponsorship or co-sponsorship relationship.

Resolution No. R-2019-41 was subsequently amended by Resolution No. R-2019-90 on September 11, 2019 by adding to the list of charitable entities with whom the City of Tamarac recognizes a sponsorship or co-sponsorship relationship.

Resolution No. R-2019-90 was subsequently amended by Resolution No. R-2020-81 on September 9, 2020 by adding to the list of charitable entities with whom the City of Tamarac recognizes a sponsorship or co-sponsorship relationship.

Resolution No. R-2020-81 was subsequently amended by Resolution No. R-2020-130 on December 9, 2020 by adding to the list of charitable entities with whom the City of Tamarac recognizes a sponsorship or co-sponsorship relationship.

Resolution No. R-2020-130 was subsequently amended by Resolution No. R-2021-054 on May 12, 2021 by adding to the list of charitable entities with whom the City of Tamarac recognizes a sponsorship or co-sponsorship relationship.

Resolution No. R-2020-054 was subsequently amended by Resolution No. R-2021-081 on July 14, 2021 by adding to the list of charitable entities with whom the City of Tamarac recognizes a sponsorship or co-sponsorship relationship.

The City Commission has reviewed the existing list of charitable entities approved as part of Resolution No. R-2021-081 and there has been a request to add to and delete from the list of charitable entities as follows:

Additions:

• One Hundred Black Men of South Florida

Temp. Reso. 13661 – Memo 7/20/21 Page 3

Deletions:

• One Hundred Black Men of SW Florida

Updated list of Charitable Organizations is also attached as Exhibit A.

City staff has verified that One Hundred Black Men of South Florida, Inc., is a 501(c)(3) Charitable Organization and has attached information from irs.gov regarding same. See Exhibit B.

Fiscal Impact:

The City budgets an amount for total Charitable contributions each year. There is no additional fiscal impact to the city from this resolution.

AMENDED EXHIBIT A

ORGANIZATION	
100 Black Men of SW Florida	
Aging & Disability Resource	Hun
Alzheimer's Association	Jur
American Cancer Society	
American Red Cross	
ARC Broward	Kiw
Art Serve	Ĺ
Bahati Foundation	LCpl Jano
Bit by Bit, Inc.	Le
Broward Coalition-Homeless	
Broward Education Foundation	Ment
Broward Health (Gold Coast Hospice)	Nationa
Broward Homebound Program	Nine M
Broward League of Cities	
Broward Outreach Center	One Hun
Broward Veterans Coalition, Inc.	S
Dellenbach Foundation	So
Discover the Beauty	S
Family Central	
Family and Friends Connection, Inc.	Т
Father's MIA, Inc.	Та
Feeding South Florida	
First Call for Help	
Florida Initiative for Suicide Prevention, Inc.	Tar
Florida Special Arts Center	United Mg
Gilda's Club	
HANDY, Inc.	Urk
Healing Ars Institute of South FL Inc.	Wom
Honor Flight South Florida, Inc.	
<u> </u>	

ORGANIZATION
House of Hope
Humane Society of Broward County
Junior Achievement South Florida
Kids in Distress
Kids Voting Broward
Kiwanis Tamarac Foundation, Inc.
Lakes Alzheimer's Foundation
LCpl Janos V. Lutz Live to Tell Foundation, Inc.
Level Up Cycling Movement, Inc.
Lighthouse of Broward
Mental Health Association of Broward
National Association of the Bahamas, Inc.
Nine Muses Art Center of Broward County
No More Tears, Inc.
One Hundred Black Men of South Florida, Inc.
St. Jude's Children's Hospital
Social Services - City of Tamarac
Susan G. Komen for the Cure
Tamarac Bulldogs
Tamarac Challenger Baseball
Tamarac Chamber of Commerce
Tamarac Cougars
Tamarac Historical Society
Tamarac Parks & Rec Foundation
United Mgd. Care, Alzheimer's Supp Group, Inc.
United Way
Urban League of Broward County
Women In Distress of Broward County
Wounded Warriors

Coding:

Words in strike-through type are deletions from existing law ;Words in underscored type are additions

Details about One hundred black men of south florida inc.

Temp. Reso. #13661 - Exhibit B Page 1 of 3

Q HELP⊕ MENU≡

<u>Home > Tax Exempt Organization Search > One Hundred Black Men Of South Florida Inc.</u>

Back to Search Results

One Hundred Black Men Of South Florida Inc.

EIN: 65-0138060 | Miami Lakes, FL, United States

> Other Names

ONE HUNDRED BLACK MEN OF SOUTH FLORIDA

Publication 78 Data 6

Organizations eligible to receive tax-deductible charitable contributions. Users may rely on this list in determining deductibility of their contributions.

On Publication 78 Data List: Yes

Deductibility Code: PC

Copies of Returns (990, 990-EZ, 990-PF, 990-T) **⊕**

Electronic copies (images) of Forms 990, 990-EZ, 990-PF or 990-T returns filed with the IRS by charities and non-profits.

> Tax Year 2018 Form 990EZ **Organization Name:** One Hundred Black Men Of South Florida EIN: 65-0138060 Tax Period: 201806 **Return ID:** 1346500 Filing Type: **Return Type:** 990EZ Copy of Return: 2018 Form 990EZ Filing > Tax Year 2017 Form 990EZ **Organization Name:** One Hundred Black Men Of South Florida EIN: 65-0138060 Tax Period: 201706 **Return ID:** 1346499 Filing Type: **Return Type:** 990EZ Copy of Return: 2017 Form 990EZ Filing

A A/AATT 1 10/400

Page Last Reviewed or Updated: 20-November-2020 Share Print

CITY OF TAMARAC, FLORIDA

RESOLUTION NO. R-2021-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, AMENDING RESOLUTION R-2021-081, BY SPECIFICALLY ADDING TO AND DELETING FROM THE LIST OF CHARITABLE ENTITIES WITH WHOM THE CITY OF TAMARAC RECOGNIZES A FORMALLY APPROVED RELATIONSHIP; PROVIDING FOR AN AMENDED EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN, AS MAY BE AMENDED FROM TIME TO TIME, FOR THE EXPRESSED PURPOSE OF COMPLIANCE WITH SECTION 1-19(C)(5)(A)(4) OF THE BROWARD COUNTY CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on October 11, 2011, the Board of County Commissioners of Broward County, Florida, adopted Ordinance No. 2011-19 (the "Code of Ethics"), which implemented a Code of Ethics for elected municipal officials; and

WHEREAS, the Code of Ethics establishes certain conditions and disclosure obligations on elected officials who engage in fundraising on behalf of charitable organizations; and

WHEREAS, Section 1-19(C)(5)(A)(4) of the Code of Ethics provides that the additional obligations shall not apply to an elected official who raises funds for those charities and events which are formally approved by elected official's municipality; and

WHEREAS, on May 9, 2012, the City Commission approved Resolution No. R-2012-61 adopting a list of entities with which the City has formally approved relationships; and

WHEREAS, on November 14, 2012, the City Commission approved Resolution No. R-2012-125 amending Resolution R-2012-61 by adding to the list of charitable entities with whom the City of Tamarac recognizes a formally approved relationship; and

WHEREAS, on January 13, 2016, the City Commission approved Resolution No. R-2016-10 amending Resolution R-2012-61 by adding and deleting from the list of charitable entities with whom the City of Tamarac recognizes a formally approved relationship; and

WHEREAS, on January 11, 2017, the City Commission approved Resolution No. R-2017-02 amending Resolution R-2017-10 by adding and deleting from the list of charitable entities with who the City of Tamarac recognizes a formally approved relationship; and

WHEREAS, on August 23, 2017, the City Commission approved Resolution No. R-2017-91 amending Resolution R-2017-02 by adding and deleting from the list of charitable entities with who the City of Tamarac recognizes a formally approved relationship; and

WHEREAS, on January 11, 2018, the City Commission approved Resolution No. R-2018-08 amending Resolution R-2017-91 by adding to the list of charitable entities with who the City of Tamarac recognizes a formally approved relationship; and

WHEREAS, on March 28, 2018, the City Commission approved Resolution No. R-2018-30 amending Resolution R-2018-08 by adding to the list of charitable entities with who the City of Tamarac recognizes a formally approved relationship; and

WHEREAS, on January 23, 2019, the City Commission approved Resolution No. R-2019-15 amending Resolution R-2018-30 by adding to the list of charitable entities with who the City of Tamarac recognizes a formally approved relationship; and

WHEREAS, on May 22, 2019, the City Commission approved Resolution No. R-2019-41 amending Resolution R-2019-15 by adding to the list of charitable entities with who the City of Tamarac recognizes a formally approved relationship; and

WHEREAS, on September 11, 2019, the City Commission approved Resolution No. R-2019-90 amending Resolution R-2019-41 by adding to the list of charitable entities with who the City of Tamarac recognizes a formally approved relationship; and

WHEREAS, on September 9, 2020, the City Commission approved Resolution No. R-2020-81 amending Resolution R-2019-41 by adding to the list of charitable entities with who the City of Tamarac recognizes a formally approved relationship; and

WHEREAS, on December 9, 2020, the City Commission approved Resolution No. R-2020-130 amending Resolution R-2020-81 by adding to the list of charitable entities with who the City of Tamarac recognizes a formally approved relationship; and

WHEREAS, on May 12, 2021, the City Commission approved Resolution No. R-2021-054 amending Resolution R-2020-130 by adding to the list of charitable entities with who the City of Tamarac recognized a formally approved relationship; and

WHEREAS, on July 14, 2021, the City Commission approved Resolution No. R-2021-081 amending Resolution R-2020-130 by adding to and deleting from the list of charitable entities with who the City of Tamarac recognized a formally approved relationship; and

WHEREAS, the City of Tamarac has a rich history of formally approving charitable organizations within the community and seeks to amend the previously adopted list of entities with which the City of Tamarac has a formally approved relationship with to include those entities listed in Amended Exhibit "A", attached hereto and incorporated herein, as may be amended from time to time, to ensure compliance with the Code of Ethics; and

WHEREAS, the City Commission finds that the formally approved charities and events organized by and promoted by those entities listed on Amended Exhibit "A" is in the best interest of the health, safety, and welfare of the residents and citizens of the City of Tamarac; and

WHEREAS, the City Commission deems it beneficial to amend Resolution No. R-2021-054 to include the entities listed in Amended Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof. All Exhibits attached hereto are incorporated herein and made a specific part hereof.

Section 2. The City Commission of the City of Tamarac, Florida, hereby amends Resolution No. R-2021-081 to hereby amend the City of Tamarac's list of entities with which it has a formally approved relationship to include those entities listed in Amended Exhibit "A", attached hereto and incorporated herein, as may be amended from time to time, for the expressed purpose of ensuring compliance with Section 1-19(C)(5)(A)(4) of the Code of Ethics for elected municipal officials.

<u>Section 3.</u> All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 5. This Resolution shall become e	effective immediatel	y upon its passage
and adoption.		
PASSED, ADOPTED AND APPROVED this	day of	, 2021.
	MICHELLE J.	GOMEZ, MAYOR
ATTEST:		
JENNIFER JOHNSON, CMC, CITY CLERK		
	RECORD OF C	OMMISSION VOTE:
	MAYOR GOMI	
	DIST 1: COMM DIST 2: COMM	
	DIST 3: V/M VI DIST 4: COMM	
I HEREBY CERTIFY that I have approved this RESOLUTION as to form.		
JOHN R. HERIN, JR., CITY ATTORNEY		

AMENDED EXHIBIT A

ORGANIZATION
100 Black Men of SW Florida
Aging & Disability Resource
Alzheimer's Association
American Cancer Society
American Red Cross
ARC Broward
Art Serve
Bahati Foundation
Bit by Bit, Inc.
Broward Coalition-Homeless
Broward Education Foundation
Broward Health (Gold Coast Hospice)
Broward Homebound Program
Broward League of Cities
Broward Outreach Center
Broward Veterans Coalition, Inc.
Dellenbach Foundation
Discover the Beauty
Family Central
Family and Friends Connection, Inc.
Father's MIA, Inc.
Feeding South Florida
First Call for Help
Florida Initiative for Suicide Prevention, Inc.
Florida Special Arts Center
Gilda's Club
HANDY, Inc.
Healing Ars Institute of South FL Inc.
Honor Flight South Florida, Inc.

ORGANIZATION
House of Hope
Humane Society of Broward County
Junior Achievement South Florida
Kids in Distress
Kids Voting Broward
Kiwanis Tamarac Foundation, Inc.
Lakes Alzheimer's Foundation
LCpl Janos V. Lutz Live to Tell Foundation, Inc.
Level Up Cycling Movement, Inc.
Lighthouse of Broward
Mental Health Association of Broward
National Association of the Bahamas, Inc.
Nine Muses Art Center of Broward County
No More Tears, Inc.
One Hundred Black Men of South Florida, Inc.
St. Jude's Children's Hospital
Social Services - City of Tamarac
Susan G. Komen for the Cure
Tamarac Bulldogs
Tamarac Challenger Baseball
Tamarac Chamber of Commerce
Tamarac Cougars
Tamarac Historical Society
Tamarac Parks & Rec Foundation
United Mgd. Care, Alzheimer's Supp Group, Inc.
United Way
Urban League of Broward County
Women In Distress of Broward County
Wounded Warriors

Coding:

Words in strike-through type are deletions from existing law ;Words in underscored type are additions

Q HELP⊕ MENU≡

Home > Tax Exempt Organization Search > One Hundred Black Men Of South Florida Inc.

< Back to Search Results

One Hundred Black Men Of South Florida Inc.

EIN: 65-0138060 | Miami Lakes, FL, United States

> Other Names

ONE HUNDRED BLACK MEN OF SOUTH FLORIDA

Publication 78 Data e

Organizations eligible to receive tax-deductible charitable contributions. Users may rely on this list in determining deductibility of their contributions.

On Publication 78 Data List: Yes

Deductibility Code: PC

Copies of Returns (990, 990-EZ, 990-PF, 990-T) •

Electronic copies (images) of Forms 990, 990-EZ, 990-PF or 990-T returns filed with the IRS by charities and non-profits.

> Tax Year 2018 Form 990EZ

Organization Name: One Hundred Black Men Of South Florida

EIN:

65-0138060

Tax Period:

201806

Return ID:

1346500

Filing Type:

Return Type:

990EZ

Copy of Return:

2018 Form 990EZ Filing

> Tax Year 2017 Form 990EZ

Organization Name: One Hundred Black Men Of South Florida

EIN:

65-0138060

Tax Period:

201706

Return ID:

1346499

Filing Type:

Return Type:

990EZ

Copy of Return:

2017 Form 990EZ Filing



Title - TR13664 - Appointing Brian Neff as a Resident Trustee on the Fire Pension Board

A Resolution of the City Commission of the City of Tamarac, Florida, confirming the appointment of Brian Neff as a Resident Appointed Trustee to the Firefighters Pension Board to serve a four-year term ending August 25, 2025, or until a new appointment is made; providing for conflicts; providing for severability; and providing for an effective date.

ATTACHMENTS:

Description	Upload Date	Туре
TR13664 Memo	8/5/2021	Cover Memo
TR13664 Resolution	8/5/2021	Resolution
Application	8/5/2021	Exhibit
Backup	8/5/2021	Backup Material
R-2017-065 - Backup	8/5/2021	Backup Material

CITY OF TAMARAC INTEROFFICE MEMORANDUM CITY CLERK'S OFFICE

TO: Michael C. Cernech, DATE: July 27, 2021

City Manager

THRU: Lerenzo Colhoun

Human Resources Director

FROM: Kimberly Dillon, CMC RE: TR13664 – Appointing Brian Neff

Assistant City Clerk as Resident Trustee to the Firefighters Pension Board

RECOMMENDATION:

I am requesting TR13664 – "Appointing Brian Neff as a Resident Trustee to the Firefighters Pension Board" be placed on the August 25, 2021, Commission agenda for consideration.

ISSUE:

Brian Neff was appointed by Resolution R-2017-065, as a Resident Trustee to the Firefighters Pension Board" and his term expired June 2021.

Mr. Neff would like to continue to serving as a Resident Trustee. Attached is an updated board application, and correspondence from Mr. Neff for review. If appointed, the term would expire Aug. 25, 2025, or until such time new appointments are made.

BACKGROUND:

Sec. 16-331. Members.

- (a) The plan shall be administered by five (5) trustees, as follows:
 - (1) Two trustees, unless otherwise prohibited by law, shall be legal residents of the city, who shall be appointed by the city commission.
 - (2) Two trustees shall be full-time firefighters, as defined in section 175.032(8)(a), F.S., or retired firefighters, receiving benefits hereunder, if no active firefighter is willing or available to serve as trustee, who shall be elected by a majority of the active firefighters who are participants of the plan.
 - (3) One (1) trustee shall be selected by the other four trustees as provided for herein, and shall be appointed, as a ministerial act, by the city commission.
 - (4) Each trustee may succeed himself or herself in office and may also serve on other city boards including the police officer and/or the general employee pension plans.
- (b) Appointed resident trustees shall serve terms of four (4) years, unless sooner replaced by the city commission at whose pleasure resident trustees shall serve.

- (c) Elected trustees shall serve terms of four (4) years, unless the trustee sooner leaves firefighter employment of the city. The city clerk shall conduct the elections by secret ballot prior to the expiration of a trustee's expiring term.
- (d) The fifth member shall have the same rights as each of the other four members appointed or elected as herein provided, and shall serve a term of four (4) years.
- (e) A vacancy shall occur whenever: a trustee resigns; in the case of an appointed resident trustee, as per subsection (b) herein, is removed by the city commission; is no longer eligible or qualified to serve as a trustee; dies or becomes incapacitated.
 - (1) A vacancy in the office of an appointed resident trustee shall be filled by an appointment by the city commission to serve a new four (4) year term.
 - (2) A vacancy in the office of an elected trustee shall be filled by an election in the same manner as an original trustee was elected to serve a new four (4) year term.
 - (3) A vacancy in the office of the trustee selected by the other four trustees shall be filled in the same manner as the original trustee was selected to serve a new four (4) year term.
- (f) A firefighter who has started participation in the DROP after the date on which he/she began a term as a trustee shall be entitled to complete that full term. A firefighter who has started participation in the DROP for purposes of this section shall be considered to be retired.

FISCAL IMPACT:

No fiscal impact to the City.

District

ATTACHMENT(S)

Updated board application from Mr. Neff Email correspondence R-2017-065 "Appointment as a Resident Trustee to the Firefighters Pension Board"

CITY OF TAMARAC, FLORIDA

RESOLUTION NO. R-2021 -

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, CONFIRMING THE APPOINTMENT OF BRIAN NEFF AS RESIDENT APPOINTED TRUSTEE TO THE FIREFIGHTERS PENSION BOARD TO SERVE A FOUR-YEAR TERM ENDING AUGUST 25, 2025, OR UNTIL A NEW APPOINTMENT IS **PROVIDING** MADE: FOR CONFLICTS: PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 16, Division 1, Section 16-331 of the Tamarac Code of Ordinances provides for members of the Firefighters Pension Board; and

WHEREAS, Resident Trustees shall be legal residents of the City of Tamarac appointed by the City Commission; and

WHEREAS, Brian Neff was appointed by Resolution R-2017-065, to serve as a Resident Trustee to the Firefighters Pension Board; and

WHEREAS, Mr. Neff term that expired June 2021, and a resident must be appointed; and

WHEREAS, Mr. Neff expressed interest in continuing to serve to serve as a Resident Trustee to the Firefighters Pension Board; and attached hereto as Exhibit 1, is an updated Pension Board Application.

WHEREAS, the City Commission of the City of Tamarac, Florida, deems it to be in the best interest of the citizens and residents of the City of Tamarac to NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF

THE CITY OF TAMARAC, FLORIDA THAT:

SECTION 1: The foregoing "WHEREAS" clauses are hereby ratified and

confirmed as being true and correct and are hereby made a specific part of this

Resolution. All exhibits attached hereto are incorporated herein and made a

specific part of this Resolution.

SECTION 2: Pursuant to Section 16-331 of the Tamarac Code of

Ordinances, the appointment of the following individual as Resident Trustee of the

Firefighters Pension Board to complete a four-year-term expiring August 25, 2025,

or until such time as new appointments are made, hereby confirms

Brian Neff

SECTION 3: All resolutions or parts of resolutions in conflict herewith are

hereby repealed to the extent of such conflict.

SECTION 4: If any clause, section, other part or application of this

Resolution is held by any court of competent jurisdiction to be unconstitutional or

invalid, in part or application, it shall not affect the validity of the remaining portions

or applications of this Resolution.

THE REMAINDER OF THIS PAGE WAS LEFT INTENTIONALLY BLANK

Temp. Reso. #13664 August 25, 2021 Page **3** of **3**

SECTION 5: This Resolution shall be	come effective immediately upon
adoption.	
PASSED, ADOPTED AND APPROVED this	day of,
2021.	
	Michelle J. Gomez MAYOR
ATTEST:	
Jennifer Johnson, CMC CITY CLERK	
I HEREBY CERTIFY that I have approved this RESOLUTION as to form.	

John R. Herin, Jr. CITY ATTORNEY



CITY OF TAMARAC APPLICATION FOR FIREFIGHTERS AND POLICE PENSION BOARD APPOINTMENTS

Service on an advisory Board or Committee provides citizens with an opportunity to help shape future policy and strategic direction for the City of Tamarac. Tamarac residents are cordially invited to apply for appointment by the City Commission to a Board or Committee. Advisory board and committee members are voluntary positions and serve without benefit of compensation.

Please check Boards/Committees for which you wish to be considered:			
✓ Pension Board – FirefightersPension Board – Police			
Application is for: Reappointment	New appointment		
PERSONAL: Name:Brian Neff	Telephone Number: (954) 675-0027		
Home Address: 7611 Southampton Terrace, #411	Zip Code: <u>33321</u>		
Length of Residence in Tamarac (If applicable)	5 Years 0 Months		
Length of Time as Business Person in Tamarac (If applicable)			
E-Mail Address: bneff@smartadvantage.com			
Development/Section Name and Number:			
Commission District Number:	Voting Precinct Number:		
EDUCATION:			
Name and location of High School: Oak Hills High School, Cincini	nati, Ohio		
College (if appropriate): Vassar College			
Years Completed: 1984 Degree:			
Field of Study: English			
Other professional or technical training (Name of school, course name, etc.): University of Kansas, Masters of Public Administration, 1991			
EMPLOYMENT:			
Current or most recent employer: Smart Advantage, Inc.			

Address:	230 Blanca Isles Lane, Jupiter, F	L	
Position:	Senior Consultant	Yea	rs of Service: 14
Duties: _	Deliver marketing/sales services t	o individual clients	
OTHER (QUALIFICATIONS:		
60 (Control of Control		why you wish to potentially se	rve on the applicable advisory boards
	y tenure on the Fire Pension Boa		y of your resume or vita (optional): 6 return each year. I'd like to keep this
	on of this section is optional. The	5	ne press if you are appointed; however,
	prime factor in making appointm		
	Tamarac Organization	Years Member	Office Held (if any)
r,			
,	Outside City of Tamarac		
		ACKNOWLEDGMENT	
I understa or benefit If appoint term, and particular applicable must take Section 2- resident of committee	re any objection to such publication and that appointment to any of the s. ed, I agree to faithfully and fully particle will comply with all laws or ording those pertaining to the concept of my position. I further agree the oath of office prescribed in the content of the Tamarac Code provide of the city. Failure to be a reside. This section does not apply the city of the content of the city.	e positions indicated above is a perform the duties of my office, nances of the City of Tamarac, duct of public office and related to take the applicable statutor he Florida Statutes. Is each member of a board or content of the city shall result in fit to staff appointed to a board, or	voluntary service, with no compensation will make every endeavor to serve my full Broward County and the State of Florida, red financial disclosure requirements, if y oath. I understand that if appointed, I entertain the committee of the City of Tamarac shall be a confeiture of the position on the board or committee or commission as part of their
section.	Srian Veff [Key dao?9a0771frdd4921174005377b547	i, the ramarac city commiss	ion may waive the requirements of this 07/28/2021
T.	Signature of Applicant	<u>_</u>	Date

ADDENDUM TO ADVISORY BOARD AND COMMITTEE APPLICATION FORM

Applicant	Name: Brian Neff			
1	Do you have any relatives presently employed by the City of Tamarac? yes			
	If yes, please state names and City departments/divisions: Whitney Boyd (wife)			
	Human Resources			
2	Are you aware of any potential conflict of interest that may arise from your serving on City of Tamarac advisory boards and committees? no If yes, please explain:			
3	Do you presently have monies owed to the City of Tamarac which are delinquent? If yes, please explain: no			
4	Do you have any pending code violations relative to property owned by you within The City of Tamarac? If yes, please explain: no			
5	Do you have any existing violations relative to other City codes?			
	If yes, please list:			
6	Have you ever been convicted of a crime? NO			
	If so, please explain:			

NAME: Brian Neff	DATE:	07/28/2021		
APPLICANT TRAINING AND EXPERIENCE				
Please describe your experience in managing an in managers to include number of years' experience in I have served as a Trustee on the Fire Pension board the FPPTA	each area.			
Please describe your experience in the insurance a years' experience in each area. I have not been involved in these fields professionally	_	gement indust	ries to includ	de number of
Please describe the amount and type of experience y My experience has come since being appointed a Tru	• • • • • • • • • • • • • • • • • • • •	inistering a per	nsion or retire	ement plan.
List any education and training you have in the above FPPTA training	e areas:			
Are you able to meet during a weekday once a month Are you able to attend training seminars once or twic		ays each?	Yes Yes	No No
Are you willing to complete and submit State-required	d financial disclosure	e forms?	Yes	No

From: Brian Neff

To: <u>Luis Bartlett-Narvaez</u>
Cc: <u>Kimberly Dillon</u>

Subject: [EXTERNAL] RE: Resident Appointee Notice Date: Tuesday, July 27, 2021 6:04:16 PM

Attachments: <u>image001.png</u>

image003.jpg

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Luis -

Thanks for the update. Yes, I can confirm interest in continuing as an appointee to the Fire Pension Fund Board.

Brian Neff

From: Luis Bartlett-Narvaez [mailto:Luis.Bartlett-Narvaez@tamarac.org]

Sent: Tuesday, July 27, 2021 2:32 PM

To: Brian Neff

 Co: Kimberly Dillon
 Ci: Kimberly Dillon

Subject: Resident Appointee Notice

Hello Brian,

I hope you are doing well.

It was brought to our attention that your term as a resident appointee has expired, and we wanted to confirm whether you were still interested in renewing your term. When you get a chance, could you please confirm your interest by responding to this email?

Thank you in advance.

Regards,

Luis Bartlett-Narvaez

HR Technician | Human Resources Department (954) 597-3616 | www.tamarac.org
7525 NW 88th Ave, Tamarac, FL 33321

The City of Tamarac is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. Email messages are covered under Chapter 119 and are thus subject to public records disclosure. All email messages sent and received are captured by our server and retained as public records.

CITY OF TAMARAC, FLORIDA RESOLUTION NO. R-2017 - 65

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, APPOINTING ONE RESIDENT TRUSTEE TO THE FIREFIGHTERS PENSION BOARD OF TRUSTEES TO SERVE A FOUR-YEAR TERM OF OFFICE ENDING JUNE 15, 2021 OR UNTIL A NEW APPOINTMENT IS MADE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 16-331 of the Tamarac Code provides for members of the Firefighters Pension Board; and

WHEREAS, Resident Trustees shall be legal residents of the City of Tamarac appointed by the City Commission; and

WHEREAS, Daniel W. Keefe was appointed to serve as a Resident Trustee to the Fire Pension Board on February 24, 2016 via Resolution R2016-22; and

WHEREAS, Daniel W. Keefe has resigned as Trustee effective April 21, 2017; and

WHEREAS, the Human Resources Director and the City Manager recommend appointment of one Resident Trustee to serve a new four-year term; and

WHEREAS, the City Commission of the City of Tamarac, deems it to be in the best interest of the citizens and residents of the City of Tamarac to appoint one Resident Trustee to the Firefighters Pension Board to serve a new four-year term.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA THAT:

SECTION 1: The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

SECTION 2: That pursuant to Section 16-331 of the Tamarac Code, the following individual is hereby appointed as Resident Trustee of the Firefighters Pension Board for a four-year term expiring June 15, 2021 or until such time as a new appointment is made:

Brian Neff

SECTION 3: All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or

Temp. Reso. #12961 May 11, 2017 Page 3 of 3

application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 5: This Resolution shall become effective immediately upon adoption.

PASSED, ADOPTED AND APPROVED this 14th day of ______, 2017.

ATTEST:

RECORD OF COMMISSION VOTE:

MAYOR DRESSLER

DIST 1: COMM. BOLTON

DIST 2: COMM. GOMEZ

DIST 3: COMM. FISHMAN

DIST 4: VICE MAYOR PLACKO

I HEREBY CERTIFY THAT I HAVE APPROVED THIS RESOLUTION AS TO FORM

CITY ATTORNEY



Title - TR13665 - Accepting an EMS Grant from Broward County for purchase of prehospital ventilators

A Resolution of the City Commission of the City of Tamarac, Florida accepting an Emergency Medical Services (EMS) grant award from Broward County for the purchase of pre-hospital ventilators in the amount of \$8,010; authorizing the appropriate City Officials to execute an Agreement and necessary documents pending legal review between Broward County and the City of Tamarac for grant funding in the amount of \$8,010; providing for conflicts; providing for severability; and providing for an effective date.

Commission District(s):

Citywide

ATTACHMENTS:

Description	Upload Date	Type
TR13665 - MEMO - Broward County Ventilators	8/11/2021	Cover Memo
TR13665 - RESO - Broward County Ventilators	8/11/2021	Resolution
TR13665 - Exhibit A to Reso - Agmt with Broward County for EMS County Grant Funding	8/19/2021	Exhibit

City of Tamarac Interoffice Memorandum Financial Services Department

To: Michael C. Cernech, City Manager

Through: Christine Cajuste, Director of Financial Services

From: Michael Gresek, Grants Administrator

Date: August 10, 2021

Re: TR#13665: Accepting and Authorizing the Execution of a Broward County

EMS grant Agreement for pre-hospital ventilators

Recommendation:

The Director of Financial Services recommends the above referenced item be placed on the agenda for the August 25, 2021 City Commission Meeting.

Issue:

The City of Tamarac was selected for a \$8,010 Emergency Medical Services (EMS) grant award through Broward County for the purchase of pre-hospital ventilators for Tamarac Fire Rescue. The attached Resolution provides for acceptance of the award and execution of the grant agreement.

Background:

The Broward Regional EMS Council Grant Committee annually accepts proposals for projects that may be funded by EMS Trust Fund monies under the Florida EMS County Grant Program. The grant guidelines state that monies to fund the program are derived from surcharges on the fines for various traffic violations. Florida counties forward the surcharges for deposit into the State EMS Trust Fund, which is the sole source of funds for all the state EMS grant programs. No funds are obtained from any tax levied upon the general public or from federal funds.

Annually, counties are eligible to receive 45% of its EMS Trust Fund deposits. Funds are awarded via the State EMS County Grant Application process to each eligible county's Board of County Commissioners according to the proportion of each county's contribution. The Committee members, with approval from the Broward Regional EMS Council, recommend projects to the Board of County Commissioners for approval.

The Committee uses criteria for recommending projects for funding to improve and expand prehospital EMS systems with emphasis on multiple agencies or Countywide participation. Accordingly, the Committee recommended and Broward County approved Tamarac for \$8,010 in grant funding for the purchase of pre-hospital ventilators.

Pre-hospital ventilators are devices that are utilized by paramedics to assist the recovery of cardiac arrest victims for transportation to the hospital or resuscitation center. During this critical time, a patient's oxygen levels must be maintained for optimum survivability. Pre-hospital ventilators provide this life-saving function and therefore improve and expand prehospital EMS in Broward County. Broward Health, Florida Medical, and University Hospital & Medical Center strongly support the equipment as a critical piece of technology for Tamarac's first responders.

Fiscal Impact:

This is a reimbursement grant and funds will be received after the City has received the equipment and paid the invoice.

The City applied for \$17,963. 55 but was awarded a reduced amount of \$8,010. 00 . At \$1,812. 63 each, the grant will fund about four and a half ventilators. Tamarac Fire Rescue will be purchasing a total of nine at a total cost of \$16,313. 67 .

Although no match is required for this grant, the City will be providing training for the use of these devices, at an estimated cost \$9,040. Although including these expenses was a required part of the grant application, the EMS grant will NOT cover these costs, and is thus a fiscal impact of the award.

C: Percy Sales, Keith Glatz, Jeff Streder

CITY OF TAMARAC, FLORIDA RESOLUTION NO. R-2021-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, ACCEPTING A BROWARD COUNTY EMERGENCY MEDICAL SERVICES (EMS) GRANT AWARD IN THE AMOUNT OF \$8,010; AUTHORIZING THE CITY MANAGER AND APPROPRIATE CITY OFFICIALS TO EXECUTE A BROWARD COUNTY **EMS** GRANT AGREEMENT AND NECESSARY DOCUMENTS PENDING LEGAL REVIEW BETWEEN BROWARD COUNTY AND THE CITY OF TAMARAC FOR GRANT FUNDING IN THE AMOUNT OF \$8,010 FOR THE PURCHASE OF PRE-HOSPITAL VENTILATORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Tamarac desires to enhance the health, wellness and safety of its residents, businesses and visitors; and

WHEREAS, Broward County and the Broward County Regional Emergency Medical Services (EMS) Council support the Broward County EMS grant program for the improvement and expansion of prehospital emergency medical services in Broward County pursuant to Chapter 401, Part II, Florida Statutes, and

WHEREAS, the State of Florida, Department of Health, Bureau of Emergency Services approved and distributed funds to Broward County from the State EMS Trust Fund to use for EMS grant funding in Broward County, and

WHEREAS, the City of Tamarac submitted a Broward EMS grant application for the purchase of pre-hospital ventilators and the Broward County EMS Grants Committee and Broward Regional EMS Council recommended awarding the City of Tamarac a non-matching Broward EMS grant award in the amount of \$8,010, and

WHEREAS, the City Manager and Fire Chief recommend accepting the Broward County EMS grant award in the amount of \$8,010 to purchase pre-hospital ventilators, and

WHEREAS, the City Commission of the City of Tamarac, Florida, deems it to be in the best interest of the citizens and residents of the City of Tamarac to accept the Broward EMS grant award in the amount of \$8,010 for the purchase of pre-hospital ventilators.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF TAMARAC, FLORIDA:

SECTION 1: The foregoing WHEREAS clauses are HEREBY ratified and confirmed as being true and correct and are HEREBY made a specific part of this Resolution. All Exhibits attached HERETO are incorporated HEREIN and made a specific part of this Resolution.

<u>SECTION 2:</u> The City Commission of the City of Tamarac HEREBY accepts the \$8,010 Broward County EMS grant award for the provision of pre-hospital ventilators.

SECTION 3: The Tamarac City Manager and appropriate City Officials are HEREBY authorized to execute a Broward EMS grant agreement and necessary documents pending legal review between Broward County and the City of Tamarac for grant funding in the amount of \$8,010 for pre-hospital ventilators, a copy of which is attached HERETO as Exhibit A and is incorporated HEREIN by this reference; and

SECTION 4: All Resolutions or parts of Resolutions in conflict herewith are HEREBY repealed to the extent of such conflict.

TR# 13665 Page 3 August 25, 2021

SECTION 5: If any clause, section, part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

<u>SECTION 6:</u> This Resolution shall become effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPR	day of	, 2021.	
		MICHELLE J. GOMEZ MAYOR	
ATTEST:			
JENNIFER JOHNSON, CMC CITY CLERK			
I HEREBY CERTIFY that I have approved this Resolution as to form.			
JOHN R. HERIN, JR. CITY ATTORNEY			

AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF TAMARAC FOR EMS COUNTY GRANT FUNDING (21-OMETS-03)

Project: Pre-Hospital Ventilator – Improving Survivability Tamarac

This Agreement ("Agreement") is made and entered by and between: BROWARD COUNTY, a political subdivision of the State of Florida, ("COUNTY") and CITY OF TAMARAC, a municipal corporation of the State of Florida, ("CITY"), (each a "Party" and collectively referred to as the "Parties").

RECITALS

- A. Pursuant to Chapter 401, Part II, Florida Statutes, and Section 64J-1.015, Florida Administrative Code, COUNTY is the recipient of Emergency Medical Services ("EMS") County Grant Program Funds from the State of Florida, Department of Health, Bureau of Emergency Medical Services ("DOH") for improvement and expansion of pre-hospital emergency medical services in Broward County; and
- B. COUNTY has allocated a portion of Fiscal Year 2021 EMS County Grant Program Funds to CITY for the Project described herein; and
- C. The Parties desire to enter into this Agreement to provide for the implementation of the Project in accordance with the terms set forth herein.

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

ARTICLE 1. DEFINITIONS

- 1.1. **Application** means the EMS County Grant Application submitted by CITY for the award of EMS County Grant Funds, which is incorporated herein by reference.
- 1.2. **Board** means the Board of County Commissioners of Broward County, Florida.
- 1.3. **Contract Administrator** means the Office of Medical Examiner and Trauma Services, Trauma Management Agency Manager.
- 1.4. **County Administrator** means the administrative head of COUNTY appointed by the Board.
- 1.5. **OMETS** means the Office of Medical Examiner and Trauma Services.
- 1.6. **Participating Agency** means the agency(ies) that joins in CITY'S Application to COUNTY for the Project and executes an "Addendum to EMS County Grant Funding Agreement" with COUNTY, in substantially the form attached as Exhibit "G."

- 1.7. **Project** means the EMS Grant Project described in Article 3, Exhibit "A," Scope of Project, and in the Application.
- 1.8. **Subcontractor** means an entity or individual providing services to County through Contractor for all or any portion of the work under this Agreement. The term "Subcontractor" shall include all subconsultants.

ARTICLE 2. EXHIBITS

Exhibit A	Scope of Project
Exhibit B	Project Schedule
Exhibit C	Project Budget
Exhibit D	Outcomes/Indicators
Exhibit E	Cost Reimbursement Invoice Office of Medical Examiner
	and Trauma Services
Exhibit F	Required Reports and Submission Timeline

ARTICLE 3. PROJECT AND SCOPE OF SERVICES

- 3.1. CITY shall implement the Project described in Exhibit "A," Scope of Project, in a manner satisfactory to COUNTY, within the Project Schedule set forth in Exhibit "B," and within the proposed Project Budget set forth in Exhibit "C," achieving outcomes identified in Exhibit "D." Outcomes/Indicators.
- 3.2. The Project is a description of CITY'S obligations and responsibilities and deemed to include preliminary considerations and prerequisites, and all labor, materials, equipment, and tasks, which are such an inseparable part of the work described, that exclusion would render performance by CITY impractical, illogical, or unconscionable.
- 3.3. CITY acknowledges that the Contract Administrator has no authority to make changes that would increase, decrease, or otherwise modify the Project and Scope of Services to be provided under this Agreement except as expressly set forth in this Agreement. The primary responsibilities of the Contract Administrator are to coordinate and communicate with CITY and to manage and supervise execution and completion of the Project and the terms and conditions of this Agreement as set forth herein.

ARTICLE 4. TERM AND TIME OF PERFORMANCE

- 4.1. <u>Term.</u> The term of this Agreement shall begin on the date it is fully executed by the Parties ("Effective Date") and continue for a term of one (1) year ("Initial Term").
- 4.2. <u>Extensions</u>. This Agreement may be extended for two (2) additional one (1) year terms (each an "Extension Term") upon mutual agreement of the Parties by providing written

notice in at least thirty (30) days prior to the expiration of the then-current term accordance with the "Notices" section of this Agreement. The Initial Term and the Extension Term shall be collectively referred to as "Agreement Term."

- 4.3. <u>Extension Rates and Terms.</u> For any extension beyond the Initial Term, CITY shall be compensated at the rates in effect when the extension was invoked by COUNTY, unless otherwise expressly stated in this Agreement. CITY shall continue the project upon the same terms and conditions as set forth in this Agreement for such extended period.
- 4.4. <u>Fiscal Year</u>. The continuation of this Agreement beyond the end of any COUNTY fiscal year is subject to both the appropriation and the availability of funds in accordance with Chapter 129, Florida Statutes.
- 4.5. <u>Time of the Essence</u>. Unless otherwise agreed to by the Parties in writing, all duties, obligations, and responsibilities of CITY required by this Agreement shall be completed no later than the end of the Agreement Term. Time shall be deemed to be of the essence in performing the duties, obligations, and responsibilities required by this Agreement.

ARTICLE 5. FUNDING AND METHOD OF PAYMENT

5.1.	COUNTY	shall prov	ide an a	amount no	ot to	exceed	Eight	Thousa	and and	Ten	Dollars
(\$8,01	0.00) ("Fu	nds") in the	e manne	r describe	ed be	low to c	omplet	e the P	roject in	acco	rdance
with th	e terms of	this Agree	ement								

\boxtimes	to City of Tamarac on a reimbursement basis.
	to Vendor on behalf of CITY.

- 5.2. COUNTY'S obligation to disburse any Funds to CITY or Vendor is predicated upon the availability and payment of Funds in an equal amount provided by DOH.
- 5.3. CITY shall use the Funds solely for the purposes described in this Agreement.
- 5.4. The County Administrator has the authority, in the County Administrator's sole discretion, to make line item budget adjustments to Exhibit "C," Project Budget, to maximize the expenditure of the Funds. Such adjustments shall be made in writing and signed by the County Administrator.
- 5.5. When Funds are paid directly to Vendor on behalf of CITY, the following shall apply:
 - A. CITY may submit invoices for reimbursement no more often than on a monthly basis, but only after the Project activities for which the invoices are submitted have been completed during the Agreement term.

- B. All requests for payment submitted by CITY shall be set forth on the Cost Reimbursement Invoice form, attached as Exhibit "E," and shall be signed by CITY'S Designated Representative. An original Vendor invoice plus one (1) copy, including paid receipts, and the Project Vendor's name and address, must be received no later than thirty (30) days after the expiration of this Agreement. The invoice shall include evidence of expenses incurred for the Project during the Agreement term and, if applicable, proof of delivery of the items(s), commodity(ies), or property, hereinafter referred to as the "Property," identified on Exhibit "E," Attachment 1, Property Receipt, to the Participating Agency(ies), if applicable.
- C. COUNTY shall pay CITY within thirty (30) calendar days of receipt of CITY'S proper invoice, as required by the "Broward County Prompt Payment Ordinance," Section 1-51.6, Broward County Code of Ordinances. To be deemed proper, all invoices must comply with the requirements set forth in this Agreement and must be submitted on the then-current COUNTY form and pursuant to instructions prescribed by the Contract Administrator. Payment may be withheld for failure of CITY to comply with a term, condition, or requirement of this Agreement.
- D. All payments by COUNTY to the Vendor shall be made solely in the name of the Vendor at the address provided on the Vendor's Invoice.
- 5.6. Failure of CITY to timely provide any reports or documentation required under this Agreement and specifically Exhibit "F," Required Reports, or any misuse of Funds, shall be deemed a breach of this Agreement and shall require CITY to return all unexpended Funds to COUNTY. CITY shall further be responsible for reimbursing COUNTY for any Funds expended by CITY in violation of this Agreement.
- 5.7. CITY shall own all Property purchased by, or on behalf of CITY, pursuant to this Agreement, excluding Property provided to a Participating Agency under the Addendum to EMS County Grant Funding, if applicable. CITY shall be responsible for licensing and permitting the Property, as applicable, and for insuring, maintaining, and utilizing the Property throughout the useful life of same. When the Property is no longer usable, it may be disposed of in the customary manner in accordance with CITY procedures for same.

ARTICLE 6. REPRESENTATIONS AND WARRANTIES

6.1. Representation of Authority. CITY represents and warrants that this Agreement constitutes the legal, valid, binding, and enforceable obligation of CITY, and that neither the execution nor performance of this Agreement constitutes a breach of any agreement that CITY has with any third party or violates any law, rule, regulation, or duty arising in law or equity applicable to CITY. CITY further represents and warrants that execution of this

Agreement is within CITY's legal powers, and each individual executing this Agreement on behalf of CITY is duly authorized by all necessary and appropriate action to do so on behalf of CITY and does so with full legal authority.

- 6.2. <u>Grant Representations</u>. CITY represents and warrants that all statements and representations made in CITY's proposal, bid, or other supporting documents submitted to COUNTY in connection with the grant, negotiation, or award of this Project, including during the grant evaluation process, were true and correct when made and are true and correct as of the date CITY executes this Agreement, unless otherwise expressly disclosed in writing by CITY.
- 6.4. <u>Truths-in-Negotiation Representation</u>. CITY certifies that wage ranges, factual unit costs, and any other representations supporting the expenditure by COUNTY of the Funds under this Agreement are accurate, complete, and current at the time of contracting. The original Agreement price and any additions thereto shall be adjusted to exclude any Funds which COUNTY determines the Agreement price was increased due to inaccurate, incomplete, or noncurrent wage rates, factual unit costs, and any other representations. All such Agreement adjustments shall be made within one (1) year following the end of this Agreement.
- 6.5. Public Entity Crime Act. CITY represent that it is familiar with the requirements and prohibitions under the Public Entity Crime Act, Section 287.133, Florida Statutes, and represents that its entry into this Agreement will not violate that Act. CITY further represents that there has been no determination that it committed a "public entity crime" as defined by Section 287.133, Florida Statutes, and that it has not been formally charged with committing an act defined as a "public entity crime" regardless of the amount of money involved or whether CITY has been placed on the convicted vendor list.
- 6.6. <u>Discriminatory Vendor and Scrutinized Companies Lists</u>. CITY represents that it has not been placed on the "discriminatory vendor list" as provided in Section 287.134, Florida Statutes, and that it is not a "scrutinized company" pursuant to Section 215.473, Florida Statutes. CITY represents and certifies that it is not ineligible to contract with COUNTY on any of the grounds stated in Section 287.135, Florida Statutes.
- 6.7. Claims Against CITY. CITY represents and warrants that there is no action or proceeding, at law or in equity, before any court, mediator, arbitrator, governmental or other board or official, pending or, to the knowledge of CITY, threatened against or affecting CITY, the outcome of which may (a) affect the validity or enforceability of this Agreement, (b) materially and adversely affect the authority or ability of CITY to perform its obligations under this Agreement, or (c) have a material and adverse effect on the consolidated financial condition or results of operations of CITY or on the ability of CITY to conduct its business as presently conducted or as proposed or contemplated to be conducted.

- 6.8. <u>Verification of Employment Eligibility</u>. CITY represents that CITY and each Subcontractor has registered with and uses the E-Verify system maintained by the United States Department of Homeland Security to verify the work authorization status of all newly hired employees in compliance with the requirements of Section 448.095, Florida Statutes, and that entry into this Agreement will not violate that statute. If CITY violates this section, COUNTY may immediately terminate this Agreement for cause and CITY shall be liable for all costs incurred by COUNTY due to the termination.
- 6.9. <u>Warranty of Performance</u>. CITY represent and warrant that it possesses the knowledge, skill, experience, and financial capability required to perform the Project and that each person and entity that engages in the Project is duly qualified to perform such services by all appropriate governmental authorities, where required, and is sufficiently experienced and skilled in the area(s) for which such person or entity will perform the Project. CITY represents and warrants that the Project shall be performed in a skillful and respectful manner, and that the quality of the Project shall equal or exceed prevailing industry standards for the Project.
- 6.10. <u>Breach of Representations</u>. In entering into this Agreement, CITY acknowledge that COUNTY is materially relying on the representations, warranties, and certifications of CITY stated in this article. COUNTY shall be entitled to recover any damages it incurs to the extent any such representation or warranty is untrue. In addition, if any such representation, warranty, or certification is false, COUNTY shall have the right, at its sole discretion, to terminate this Agreement without any further liability to CITY, to deduct from any amounts due CITY under this Agreement the full amount of any value paid in violation of a representation or warranty, and to recover all sums paid to CITY under this Agreement.

ARTICLE 7. GOVERNMENTAL IMMUNITY

Nothing herein is intended to serve as a waiver of sovereign immunity by any Party nor shall anything included herein be construed as consent to be sued by third parties in any matter arising out of this Agreement or any other contract. CITY is a state agency or political subdivision as defined in Chapter 768.28, Florida Statutes, and shall be fully responsible for the acts and omissions of its agents or employees to the extent permitted by law.

ARTICLE 8. INSURANCE

CITY is an entity subject to Section 768.28, Florida Statutes, and CITY shall furnish the Contract Administrator with written verification of liability protection in accordance with state law prior to final execution of this Agreement.

ARTICLE 9. TERMINATION OF AGREEMENT

- 9.1. This Agreement may be terminated for cause by the aggrieved Party if the Party in breach has not corrected the breach within ten (10) days after receipt of written notice from the aggrieved Party identifying the breach. This Agreement may also be terminated for convenience at any time by COUNTY, through its Contract Administrator. Termination for convenience by COUNTY shall be effective on the termination date stated in the written notice provided by COUNTY, which termination date shall be not less than thirty (30) days after the date of such written notice. Termination for cause may be effected by the County Administrator, the COUNTY representative expressly authorized under this Agreement, or the COUNTY representative (including any successor) who executed the Agreement on behalf of COUNTY. This Agreement may also be terminated by the County Administrator upon such notice as the County Administrator determines that termination is necessary to protect the public health, safety, or welfare. If COUNTY erroneously, improperly, or unjustifiably terminates for cause, such termination shall be deemed a termination for convenience, and shall be effective thirty (30) days after such notice of termination for cause is provided.
- 9.2. This Agreement may be terminated for cause by COUNTY for reasons including, but not limited to, CITY'S failure to suitably or continuously perform the Project in a manner calculated to meet or accomplish the objectives in this Agreement, or repeated submission (whether negligent or intentional) for payment of false or incorrect bills or invoices.
- 9.3. In the event COUNTY terminates this Agreement for cause, which includes noncompliance with the terms set forth in the Application, CITY shall be required to repay COUNTY in full all Funds disbursed to CITY prior to the effective date of termination and shall result in COUNTY declaring CITY ineligible for further participation in the EMS Grant Program.
- 9.4. In the event COUNTY terminates this Agreement for convenience, any Funds paid to CITY in accordance with the terms of this Agreement prior to the effective date of termination can be retained by CITY for the Project through the termination date specified in the written notice of termination, subject to any right of COUNTY to retain any sums otherwise due and payable. CITY acknowledges that it has received good, valuable and sufficient consideration from COUNTY, the receipt and adequacy of which are, hereby acknowledged by CITY, for COUNTY'S right to terminate this Agreement for convenience in the form of COUNTY'S obligation to provide advance notice to CITY in accordance with Section 9.1.
- 9.5. Notice of termination shall be provided in accordance with the "Notices" section of this Agreement, except that notice of termination by the County Administrator to protect the public health, safety, or welfare may be oral notice which shall be promptly confirmed in writing.

- 9.6. In the event this Agreement is terminated for any reason, any Funds due CITY shall be withheld by COUNTY until all documents are provided to COUNTY pursuant to Section 12.1 of Article 12.
- 9.7. In addition to any right of termination stated in this Agreement, COUNTY shall be entitled to seek any and all available remedies, whether stated in this Agreement or otherwise available at law or in equity.

ARTICLE 10. FINANCIAL STATEMENTS/MANAGEMENT LETTERS

- 10.1. CITY shall provide a copy of CITY'S audited financial statements and any applicable management letters as well as CITY'S response to any management letters. The audit of financial statements shall be prepared by an independent certified public accountant in accordance with generally accepted accounting principles for the fiscal year Funds are received and for each subsequent fiscal year until such time as all of the Funds are expended.
- 10.2. CITY shall provide to Contract Administrator copies of a special report showing all revenues, by source, and all expenditures as set forth in the Scope of Services for the Project being funded by this Agreement. The report shall specifically disclose any Funds received which were not expended in accordance with this Agreement or with any regulations incorporated by reference therein. It shall identify the total of noncompliant expenditures as due back to COUNTY. If the special report is prepared by an independent certified public accountant, it shall be in accordance with generally accepted auditing standards. If the special report is prepared by an internal auditor, it shall be as nearly in accordance with generally accepted auditing standards as the status of the internal auditor permits, realizing that the internal auditor may not issue the opinions required therein. The special report is to be filed with CITY'S governing body.
- 10.3. CITY shall submit the documents required by this section to Contract Administrator within one hundred twenty (120) days after the close of CITY'S fiscal year in which CITY receives Funds under this Agreement, unless otherwise approved by the Contract Administrator in writing.

ARTICLE 11. EQUAL EMPLOYMENT OPPORTUNITY AND CBE COMPLIANCE

11.1. No party to this Agreement may discriminate on the basis of race, color, sex, religion, national origin, disability, age, marital status, political affiliation, sexual orientation, pregnancy, or gender identity and expression in the performance of this Agreement. CITY shall include the foregoing or similar language in its contracts with any Subcontractors, except that any project assisted by the U.S. Department of Transportation funds shall comply with the non-discrimination requirements in 49 C.F.R. Parts 23 and 26. CITY shall comply with all applicable provisions of the Americans with Disabilities Act (ADA) in the

course of providing any services funded by COUNTY, including Titles I and II of the ADA (regarding nondiscrimination on the basis of disability), and all applicable regulations, guidelines, and standards. CITY shall include the foregoing or similar language in its contracts with any Subcontractors, except that any project assisted by the U.S. Department of Transportation funds shall comply with the non-discrimination requirements in 49 C.F.R. Parts 23 and 26.

- 11.2. Failure by CITY to carry out any of these requirements shall constitute a material breach of this Agreement, which shall permit the COUNTY to terminate this Agreement or to exercise any other remedy provided under this Agreement, Broward County Code of Ordinances, Broward County Administrative Code, or under other applicable law, all such remedies being cumulative.
- 11.3. The CBE Program, which is implemented under the Broward County Business Opportunity Act of 2012, Section 1-81, Broward County Code of Ordinances, referred to as the "Act," provides for the establishment and implementation of CBE participation goals, initiatives, and other opportunities for COUNTY contracts. Although no CBE goal has been set for this Agreement, COUNTY encourages CITY to give full consideration to the use of CBE firms to perform work under this Agreement.

ARTICLE 12. MISCELLANEOUS PROVISIONS

- 12.1. <u>Public Records</u>. To the extent CITY is acting on behalf of COUNTY as stated in Section 119.0701, Florida Statutes, CITY shall:
 - 12.1.1. Keep and maintain public records required by COUNTY to perform services under this Agreement;
 - 12.1.2. Upon request from COUNTY, provide COUNTY with a copy of the requested records or allow the records to be inspected or copied within a reasonable time and at a cost that does not exceed that provided in Chapter 119, Florida Statutes, or as otherwise provided by law;
 - 12.1.3. Ensure that public records that are exempt or confidential and exempt from public record requirements are not disclosed except as authorized by law for the duration of this Agreement and following completion or termination of this Agreement if the records are not transferred to COUNTY; and
 - 12.1.4 Upon completion or termination of this Agreement, transfer to COUNTY, at no cost, all public records in possession of CITY or keep and maintain public records required by COUNTY to perform the services. If CITY transfers the records to COUNTY, CITY shall destroy any duplicate public records that are exempt or confidential and exempt. If CITY keeps and maintains public records, CITY shall meet all applicable requirements for retaining public records. All records stored

electronically must be provided to COUNTY upon request in a format that is compatible with the information technology systems of COUNTY.

A request for public records regarding this Agreement must be made directly to COUNTY, who will be responsible for responding to any such public records requests. CITY will provide any requested records to COUNTY to enable COUNTY to respond to the public records request.

Any material submitted to COUNTY that CITY contends constitutes or contains trade secrets or is otherwise exempt from production under Florida public records laws (including Florida Statutes Chapter 119) ("Trade Secret Materials") must be separately submitted and conspicuously labeled "EXEMPT FROM PUBLIC RECORD PRODUCT – TRADE SECRET." In addition, CITY must, simultaneous with the submission of any Trade Secret Materials, provide a sworn affidavit from a person with personal knowledge attesting that the Trade Secret Materials constitute trade secrets under Section 812.081, Florida Statutes, and stating the factual basis for same. In the event a third party submits a request to COUNTY for records designated by CITY as Trade Secret Materials, COUNTY shall refrain from disclosing the Trade Secret Materials, unless otherwise ordered by a court of competent jurisdiction or authorized in writing by CITY. CITY shall indemnify and defend COUNTY and its employees and agents from any and all claims, causes of action, losses, fines, penalties, damages, judgments, and liabilities of any kind, including attorneys' fees, litigation expenses, and court costs, relating to the non-disclosure of any Trade Secret Materials in response to a records request by a third party.

IF CITY HAS QUESTIONS REGARDING THE APPLICATION OF FLORIDA STATUTES CHAPTER 119 TO CITY'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (954) 357-5234, Med Exam Trauma@broward.org, 5301 SW 31st AVENUE, FORT LAUDERDALE, FLORIDA 33312.

12.2. <u>Audit Right and Retention of Records</u>. COUNTY shall have the right to audit the books, records, and accounts of CITY and its Subcontractors that are related to this Agreement. CITY and Subcontractors shall keep such books, records, and accounts as may be necessary in order to record complete and correct entries related to this Agreement and performance under this Agreement. All books, records, and accounts of CITY shall be kept in written form, or in a form capable of conversion into written form within a reasonable time, and upon request to do so, CITY or its Subcontractors shall make same available in written form at no cost to COUNTY.

CITY and its Subcontractors shall preserve and make available, at reasonable times within Broward County, Florida for examination and audit by COUNTY, all financial records, supporting documents, statistical records, and any other documents pertinent to this Agreement for at least six (6) years after expiration or termination of this Agreement or until

resolution of any audit findings, whichever is longer. Any audits and inspections pursuant to this Section may be performed by any COUNTY representative (including any outside representative engaged by COUNTY). COUNTY reserves the right to conduct such audit or review at CITY'S place of business, if deemed appropriate by COUNTY, with seventy-two (72) hours advance notice.

Any incomplete or incorrect entry in such books, records, and accounts shall be a basis for COUNTY'S disallowance and recovery of any payment upon such entry. If an audit or inspection in accordance with this Section discloses overpricing or overcharges to COUNTY of any nature by CITY in excess of five percent (5%) of the total contract billings reviewed by COUNTY, the reasonable actual cost of COUNTY's audit shall be reimbursed to COUNTY by CITY in addition to making adjustments for the overcharges. Any adjustments and/or payments due as a result of such audit or inspection shall be made within thirty (30) days from presentation of COUNTY'S findings to CITY.

CITY shall ensure that the requirements of this section are included in all agreements with its Subcontractor(s).

- 12.3. <u>Single Annual Audit</u>. CITY, as a subrecipient of State Financial Assistance must on an annual basis, submit CITY's most recent annual financial reporting packages, reports, or other information as required to be submitted in accordance with Section 215.97, Florida Statutes. A copy of CITY's most recent single audit complies with this requirement.
- 12.4. <u>Independent Contractor</u>. CITY is an independent contractor of COUNTY, and nothing in this Agreement shall constitute or create a partnership, joint venture, or any other relationship between the Parties. In carrying out the Project, neither CITY nor its agents shall act as officers, employees, or agents of COUNTY. CITY shall not have the right to bind COUNTY to any obligation not expressly undertaken by COUNTY under this Agreement.
- 12.5. Regulatory Capacity. Notwithstanding the fact that COUNTY is a political subdivision with certain regulatory authority, COUNTY's performance under this Agreement is as a Party to this Agreement and not in its regulatory capacity. If COUNTY exercises its regulatory authority, the exercise of such authority and the enforcement of any rules, regulation, laws, and ordinances shall have occurred pursuant to COUNTY's regulatory authority as a governmental body separate and apart from this Agreement, and shall not be attributable in any manner to COUNTY as a party to this Agreement.
- 12.6. <u>Sovereign Immunity</u>. Except to the extent sovereign immunity may be deemed to be waived by entering into this Agreement, nothing herein is intended to serve as a waiver of sovereign immunity by COUNTY nor shall anything included herein be construed as consent by COUNTY to be sued by third parties in any matter arising out of this Agreement. COUNTY is a political subdivision as defined in Section 768.28, Florida Statutes, and shall

be responsible for the negligent or wrongful acts or omissions of its employees pursuant to Section 768.28, Florida Statutes.

- 12.7. <u>Third Party Beneficiaries</u>. Neither CITY nor COUNTY intends to directly or substantially benefit a third party by this Agreement. Therefore, the Parties acknowledge that there are no third-party beneficiaries to this Agreement and that no third party shall be entitled to assert a right or claim against either of them based upon this Agreement.
- 12.8. <u>Notices</u>. In order for a notice to a Party to be effective under this Agreement, notice must be sent via U.S. first-class mail, hand delivery, or commercial overnight delivery, each with a contemporaneous copy via email, to the addresses listed below and shall be effective upon mailing or hand delivery (provided the contemporaneous email is also sent). The addresses for notice shall remain as set forth in this section unless and until changed by providing notice of such change in accordance with the provisions of this section.

FOR COUNTY: Office of Medical Examiner and Trauma Services

Manager, Trauma Management Agency

5301 SW 31st Avenue

Fort Lauderdale, FL 33312

FOR CITY: CITY of Tamarac Fire Rescue

Fire Chief

6000 Hiatus Road Tamarac, FL 33321

- 12.9. <u>Designated Representative</u>. The Designated Representative for CITY responsible for the administration of the Project under this Agreement, including submitting invoices to COUNTY, is Jonathan Frasher.
- 12.10. <u>Assignment</u>. All Subcontractors must be expressly identified in this Agreement or otherwise approved in advance and in writing by COUNTY'S Contract Administrator. Except for subcontracting approved by COUNTY in advance, neither this Agreement nor any right or interest in it may be assigned, transferred, subcontracted, or encumbered by CITY without the prior written consent of COUNTY. Any assignment, transfer, encumbrance, or subcontract in violation of this section shall be void and ineffective, constitute a breach of this Agreement, and permit COUNTY to immediately terminate this Agreement, in addition to any other remedies available to COUNTY at law or in equity.
- 12.11. <u>Conflicts</u>. Neither CITY nor its employees shall have or hold any continuing or frequently recurring employment or contractual relationship that is substantially antagonistic or incompatible with CITY'S loyal and conscientious exercise of judgment and care related to its performance under this Agreement. During the term of this Agreement none of the CITY'S officers or employees shall, during the term of this Agreement, serve as an expert

witness against COUNTY in any legal or administrative proceeding in which he, she, or CITY is not a party, unless compelled by court process. Further, such persons shall not give sworn testimony or issue a report or writing, as an expression of his or her expert opinion, which is adverse or prejudicial to the interests of COUNTY in connection with any such pending or threatened legal or administrative proceeding unless compelled by court process. The limitations of this section shall not preclude CITY or any persons in any way from representing themselves, including giving expert testimony in support thereof, in any action or in any administrative or legal proceeding. In the event CITY is permitted, pursuant to this Agreement, to utilize Subcontractors to perform any services required by this Agreement, CITY shall require such Subcontractors, by written contract, to comply with the provisions of this section to the same extent as CITY.

- 12.12. Materiality and Waiver of Breach. Each requirement, duty, and obligation set forth in this Agreement was bargained for at arm's-length and is agreed to by the Parties. Each requirement, duty, and obligation set forth in this Agreement is substantial and important to the formation of this Agreement, and each is, therefore, a material term of this Agreement. COUNTY'S failure to enforce any provision of this Agreement shall not be deemed a waiver of such provision or modification of this Agreement. A waiver of any breach of a provision of this Agreement shall not be deemed a waiver of any subsequent breach and shall not be construed to be a modification of the terms of this Agreement. To be effective, any waiver must be in writing and signed by an authorized signatory of the party granting the waiver.
- 12.13. Compliance with Laws. CITY and the Project must comply with all applicable federal, state and local laws, codes, ordinances, rules, and regulations including, without limitation, American with Disabilities Act, 42 U.S.C.§ 12101, Section 504 of the Rehabilitation Act of 1973, and any related federal, state, or local laws, rules, and regulations.
- 12.14. <u>Severability</u>. If any part of this Agreement is found to be unenforceable by any court of competent jurisdiction, that part shall be deemed severed from this Agreement and the balance of this Agreement shall remain in full force and effect.
- 12.15. <u>Joint Preparation</u>. This Agreement has been jointly prepared by the Parties and shall not be construed more strictly against either party.
- 12.16. <u>Interpretation</u>. The titles and headings contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement. All personal pronouns used in this Agreement shall include the other gender, and the singular shall include the plural, and vice versa, unless the context otherwise requires. Terms such as "herein," "hereof," "hereunder," and "hereinafter," refer to this Agreement as a whole and not to any particular sentence, paragraph, or section where they appear, unless the context otherwise requires. Whenever reference is made to a section or article of this Agreement, such reference is to the section or article as a whole, including all of the subsections of such section, unless the reference is made to a particular

subsection or subparagraph of such section or article. Any reference to "days" means calendar days, unless otherwise expressly stated.

- 12.17. <u>Priority of Provisions</u>. If there is a conflict or inconsistency between any term, statement, requirement, or provision of any document or exhibit attached to, referenced by, or incorporated in this Agreement and any provision of Articles 1 through 12 of this Agreement, the provisions contained in Articles 1 through 12 shall prevail and be given effect.
- 12.18. Law, Jurisdiction, Venue, Waiver of Jury Trial. This Agreement shall be interpreted and construed in accordance with and governed by the laws of the State of Florida. The exclusive venue for any lawsuit arising from, related to, or in connection with this Agreement shall be in the state courts of the Seventeenth Judicial Circuit in and for Broward County, Florida. If any claim arising from, related to, or in connection with this Agreement must be litigated in federal court, the exclusive venue for any such lawsuit shall be in the United States District Court or United States Bankruptcy Court for the Southern District of Florida. BY ENTERING INTO THIS AGREEMENT, CITY AND COUNTY HEREBY EXPRESSLY WAIVE ANY RIGHTS EITHER PARTY MAY HAVE TO A TRIAL BY JURY OF ANY CIVIL LITIGATION RELATED TO THIS AGREEMENT. IF A PARTY FAILS TO WITHDRAW A REQUEST FOR A JURY TRIAL IN A LAWSUIT ARISING OUT OF THIS AGREEMENT AFTER WRITTEN NOTICE BY THE OTHER PARTY OF VIOLATION OF THIS SECTION, THE PARTY MAKING THE REQUEST FOR JURY TRIAL SHALL BE LIABLE FOR THE REASONABLE ATTORNEYS' FEES AND COSTS OF THE OTHER PARTY IN CONTESTING THE REQUEST FOR JURY TRIAL, AND SUCH AMOUNTS SHALL BE AWARDED BY THE COURT IN ADJUDICATING THE MOTION.
- 12.19. <u>Amendments</u>. No modification, amendment, or alteration in the terms or conditions contained in this Agreement shall be effective unless contained in a written document prepared with the same or similar formality as this Agreement and executed by the COUNTY and CITY or others delegated authority to or otherwise authorized to execute same on their behalf. The County Administrator may execute amendments to this Agreement revising the Scope of Project set forth in Exhibit "A," extending the term of this Agreement, and the Project Budget set forth in Exhibit "C," in order to ensure utilization of EMS County Grant Funds that were underutilized in other EMS County Grant Program projects.
- 12.20. <u>Prior Agreements</u>. This Agreement represents the final and complete understanding of the Parties regarding the subject matter hereof and supersedes all prior and contemporaneous negotiations and discussions regarding that subject matter. There is no commitment, agreement, or understanding concerning the subject matter of this Agreement that is not contained in this written document.

- 12.21. <u>Survival</u>. COUNTY'S right to monitor, evaluate, enforce, audit, and review shall survive the expiration or earlier termination of this Agreement.
- 12.22. <u>Incorporation by Reference</u>. Any and all Recital clauses stated above are true and correct and are incorporated in this Agreement by reference. The attached Exhibits A-F are incorporated into and made a part of this Agreement.
- 12.23. <u>Counterparts and Multiple Originals</u>. This Agreement may be executed in multiple originals, and may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same Agreement.

(This page intentionally left blank.)

IN WITNESS WHEREOF, the Parties hereto have made and executed this Agreement: BROWARD COUNTY, through its BOARD OF COUNTY COMMISSIONERS, signing by and through its County Administrator, authorized to execute same by Resolution #2020-688 on the 1st day December 2020, and CITY OF TAMARAC signing by and through its Fire Chief, duly authorized to execute same.

COUNTY

WITNESSES:		BROWARD COUNTY, through its County Administrator	
Signature		By Bertha Henry	
Print Name		day of2021	
Signature	<u>_</u> _	Approved as to form by Andrew J. Meyers Broward County Attorney Governmental Center, Suite 423	
Print Name		Governmental Center, Suite 423 115 South Andrews Avenue Fort Lauderdale, Florida 33301 Telephone: (954) 357-7600 Telecopier: (954) 357-7641	
Insurance requirements Approved by Broward County Risk Management Division		By Adam Katzman (Date) Senior Assistant County Attorney	
By Signature ((Date)		
Print Name and Title Above			

AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF TAMARAC FOR EMS COUNTY GRANT FUNDING; AGREEMENT NUMBER 21-OMETS-03 (PROJECT: PRE-HOSPITAL VENTILATOR- IMPROVING SURVIVABILITY TAMARAC)

CITY

WITNESSES:	CITY OF TAMARAC	
Signature	By Signature	
Print Name	Print Name and Title	
Signature	day of	, 2021
Print Name		

EXHIBIT "A"

SCOPE OF PROJECT

Name: CITY OF TAMARAC

Project Name: Pre-Hospital Ventilator – Improving Survivability Tamarac

Agreement: 21-OMETS-03

Scope of Project:

Tamarac's population continues to grow at a rate of 1% per year over the past 10 years (US Census Bureau). With significant population increase, cardiac arrest calls are also increasing. For 2020, Tamarac Fire Rescue (TFR) is up to 136 calls through August and annual snowbirds have not yet arrived (TFR In-house records).

The calls are followed by transport to a hospital or resuscitation center. During this critical time, a patient's oxygen levels must be maintained for optimum survivability. TFR requires pre-hospital ventilators to improve its pre-hospital emergency medical response to meet the expanding number of transports while minimizing first responder fatigue.

Research shows for optimal outcomes, immediate chest compressions and if appropriate, defibrillation to restart the heart, are essential in the chain of survivability. This proposed device is an O-TWO Care vent. It would give TFR the ability to properly auto-ventilate the increasing number of patients requiring a pre-measured amount of tidal volume for tissue perfusion without increasing intrathoracic pressure.

This purchase provides for one pre-hospital ventilator for every front-line Advanced Life Support (ALS) apparatus plus one pre-hospital ventilation to be put in service for emergency activations. Broward Health, Florida Medical, and University Hospital & Medical Center strongly support the equipment as critical for Tamarac's first responders.

EXHIBIT "B" PROJECT SCHEDULE

Name: CITY OF TAMARAC

Project Name: Pre-Hospital Ventilator-Improving Survivability Tamarac

Agreement: 21-OMETS-03

PERIOD	ACTIVITY
1	Training site for operation and capabilities
2	Deployment of pre-hospital ventilators on apparatus
3	Monitor training for one hundred percent compliance
4	Evaluate patient outcomes
12	Close out grant

The Project Schedule above is in addition to the required reports set forth in Exhibit "F."

EXHIBIT "C"

PROJECT BUDGET

Agreement: 21-OMETS-03

Project: Pre-Hospital Ventilator-Improving Survivability Tamarac

A. Salaries and Benefits:

For each position title, provide the amount of salary per hour. FICA per hour, other tringe benefits, and the total number of hours.	Amount
TOTAL Salaries	N/A
TOTAL FICA	
Grand total Salaries and FICA	N/A

B. Expenses: These are travel costs and the usual, ordinary, and incidental expenditures by an agency, such as, commodities and supplies of a consumable nature, excluding expenditures classified as operating capital outlay (see next category).

List the item and, if applicable, the quantity	Amount
Future Expenses: Training hours (two hours per paramedic, x113=226 training hours) @ \$40.00	\$9,040.00
TOTAL	\$9,040.00

C. Vehicles, Equipment, and other operating capital outlay means equipment, fixtures, and other tangible personal property of a non-consumable and non-expendable nature with a normal expected life of one (1) year or more.

List the item and, if applicable, the quantity	Amount
o-Two CAREvent ALS \$1,995.95 x 9	\$17,963.55
тот	AL \$17,963.55

EXHIBIT "D"

OUTCOMES/INDICATORS

Name: CITY OF TAMARAC Project Name: Pre-Hospital Ventilator-Improving Survivability Tamarac Agreement: 21-OMETS 03

Data Collection Method	Manual excel spreadsheet, mycares.org cardiac outcomes utilizing the Utestein method for cardiac arrest.
Data Source	Pre and post cardiac arrest data from mycares.org. These data are currently in the TFR data base.
Indicators	Training will be documented within Target Solutions training software for one hundred percent compliance.
Outcomes	ns pital e ROSC gold mark
Activities	Although no match is ROSC and pre- required for this grant hospital survival program, TFR needs statics for perso this equipment and needing pre-hos will provide training ventilators will be funds if this grant is cultivated and awarded. Training monitored for funds are anticipated improved patien to be approximately outcomes by in- \$9,040, providing house Tamarac more than a 50/50 Rescue Staff. Rematch for this award. Is the accepted standard bench for outcome measurement.
Project	The purchase and in-service training on pre-hospital ventilators for all paramedics employed with Tamarac Fire Rescue (TFR).

EXHIBIT "E" COST REIMBURSEMENT INVOICE OFFICE OF MEDICAL EXAMINER AND TRAUMA SERVICES

1.CITY OF TAMARAC	'AC		2. Vendor Identification Number		3 County Agreement Number	
Agreement Total - \$8,010.00	010.00		Click or tap here to enter text		21-OMETS-03	
4 Date of Request	5. Reimbursement	Requested: \$ Click or ta	up here to enter tex	t. 6. Reimbursemen	Requested: \$ Click or tap here to enter text. 6. Reimbursement Year to Date: \$ Click or tap	T
QUANTITY	DESCR	DESCRIPTION	UNIT PRICE	TOTAL AMOUNT	ext	
			TOTAL			
7. CERTIFICATIC	CERTIFICATION: I hereby affirm and c	sertify that:	12.21			$\neg \Gamma$
REIMBURSEM reimbursemen compliance, or PAY DIRECTLY payment have	REIMBURSEMENT BASIS: The costs reimbursement have met Program elig compliance, or PAY DIRECTLY TO VENDOR: The cost payment have met Program eligibility recompliance	eimbursed herewith have been incurred per the Agreement, that all invoices submitter jibility requirements, and that sufficient written information is available to document cots herewith have been incurred per the Agreement, that all vendor invoices submitted trequirements, and that sufficient written information is available to document contract	re been incurred per t d that sufficient writte curred per the Agreer ufficient written infor	he Agreement, that n information is ava nent, that all vendo mation is available	REIMBURSEMENT BASIS: The costs reimbursed herewith have been incurred per the Agreement, that all invoices submitted for cost reimbursement have met Program eligibility requirements, and that sufficient written information is available to document contract compliance, or PAY DIRECTLY TO VENDOR: The costs herewith have been incurred per the Agreement, that all vendor invoices submitted for payment have met Program eligibility requirements, and that sufficient written information is available to document contract	
Authorized Signato	Authorized Signatory: Jonathan Frasher	8. Signature:			I	
9. Date:	(Type Name and	d itte)				
	FOF	R COUNTY USE ONLY				7
Fund Number	Agency Number	Unit Number	Object Number			7
Date Invoice Received from Agency	I from Agency	Invoice Reviewed By	d By		Date	Т
Date Forwarded to Accounting	counting	Invoice Approved By	d Bv		Date	T
			֡֜֝֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֜֓֓֓֓֓֓֜֜֜֜֜֜֜֜֜֜֜		17.	=

EXHIBIT "F"

REQUIRED REPORTS AND SUBMISSION TIMELINE

	Description of Report(s)	Required Submission Timeline
1.	Current Certificate of Insurance	One (1) copy due with signed Agreement.
2.	Copy of Purchase Order	Submit to Contract Administrator with Cost Reimbursement Invoice (Exhibit "E").
3.	Cost Reimbursement Invoice (Exhibit "E")	Submit two (2) copies to the Contract Administrator as the Project, or a portion of the Project is completed.
4.	EMS Property Receipt (Exhibit "E," Attachment 1)	Submit to Contract Administrator with Cost Reimbursement Invoice (Exhibit "E"), if there are any Participating Agency(ies).
5.	Outcomes/Indicators Report (Exhibit "D")	Submit to Contract Administrator within one (1) year of Project completion.



Title - TR13666 - Adjustment factor to be applied to annual Water and Sewer Rate Schedule for Fiscal Year beginning October 1, 2021

A Resolution of the City Commission of the City of Tamarac, Florida, establishing the adjustment factor to be applied to the Annual Water and Sewer Rate Schedule for the Fiscal Year beginning October 1, 2021; providing for conflicts; providing for severability; and providing for an effective date.

ATTACHMENTS:

Description	Upload Date	Type
TR13666 - MEMO - Adjustment factor to be applied to annual Water and Sewer Rate Schedule for Fiscal Year beginning October 1 2021	8/5/2021	Cover Memo
TR13666 - RESO - Adjustment factor to be applied to annual Water and Sewer Rate Schedule for Fiscal Year beginning October 1 2021	8/5/2021	Resolution

City of Tamarac Interoffice Memorandum Financial Services Department ADMINISTRATIVE DIVISION

To: Michael C. Cernech, City Manager

Through: Christine Cajuste, Director Financial Services

Date: August 4, 2021

Re: Temporary Resolution #13666 - Approving the adjustment factor for

Water and Sewer Rates

Recommendation:

I recommend that TR #13666 approving the adjustment factor to be applied to the Fiscal Year 2022 water and sewer rate schedule and be effective for the Fiscal Year beginning October 1, 2021, be placed on the August 25, 2021 agenda for approval. The recommended adjustment factor is zero percent (0%).

<u>lssue:</u>

Chapter 22 "Utilities", Section 22-96 provides for an adjustment to the water and sewer rates using the U.S. Consumer Price Index Water and Sewerage Maintenance Index as determined as of April unless the City Commission approves the use of a different adjustment factor.

Background:

In April 2015, the City contracted with Burton & Associates to evaluate revenue sufficiency in light of changes in the forecasted need of a Reverse Osmosis plant in FY 2020 and a reallocation of funding towards inflow/infiltration projects and other infrastructure renewal and replacement projects.

On August 24, 2015, Burton and Associates presented their results of the FY 2015 Water and Sewer Revenue Sufficiency Analysis.

On September 22, 2015, the City Commission adopted TO #2325 amending Section 22-96 of the City of Tamarac Code of Ordinances providing for the establishment of an adjustment factor based upon the U.S. Consumer Price Index Water and Sewerage Maintenance Index as determined as of April of the calendar year and the provision for the City Commission to approve a different adjustment factor at their discretion by resolution. The U.S. Consumer Price Index Water and Sewerage Maintenance Index as of June 2021 is 3.4.

The FY 2015 Water and Sewer Revenue Sufficiency Analysis indicated that the Utility does not require a rate adjustment to meet its revenue requirements during FY 2016 – FY 2018 (FY 2015 Water and Sewer Revenue Sufficiency Analysis is on file with the City Clerk's office).

Temp. Reso. # 13666 – Memo 8/4/2021 Page 2

City staff has reviewed the existing operations, twenty (20) year capital improvement plan and current cash flows and has determined that the existing rates may provide sufficient revenue to support the utility system for fiscal year 2022. However, after six years of no adjustments, it will be necessary to commission a rate study and evaluate rates to support the remainder of the twenty (20) year capital improvement plan.

The City was in the process of commissioning a study in March 2020, which was at the same time of the onset of the Coronavirus pandemic (COVID 19). As a result, staff reviewed the events, specifically the suspension of shutoffs and penalties as a result of the difficulties that arose from COVID and made the decision to delay the rate study for 2021 and yet again for another year as the effects of COVID-19 has not subsided.

Therefore, the recommended adjustment factor is zero percent (0%). This zero percent (0%) adjustment factor will be applied to the Fiscal Year 2022 Water and Sewer Utility rates and those rates will be effective for the fiscal year beginning October 1, 2021.

Fiscal Impact:

There is no fiscal impact to the water and sewer revenue as the proposed adjustment factor applied to the Fiscal Year 2021 water and sewer rates is zero percent (0%) and those same rates will be in effect for Fiscal Year 2022 beginning on October 1, 2021.

CITY OF TAMARAC, FLORIDA

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, ESTABLISHING THE ADJUSTMENT FACTOR TO BE APPLIED TO THE ANNUAL WATER AND SEWER RATE SCHEDULE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Tamarac operates and maintains public water and wastewater facilities that provide service to certain properties located in the City of Tamarac; and

WHEREAS, Chapter 22 of the City of Tamarac Code of Ordinances authorizes the establishment of rates for the operation of the City's public utility system by resolution after a duly noticed public hearing; and

WHEREAS, Section 22-96 (b) provides for an automatic adjustment of the water and sewer rates annually pursuant to the U.S. Consumer Price Index Water and Sewerage Maintenance Index; and

WHEREAS, Section 22-96 of the City of Tamarac Code of Ordinances provides for the City Commission to use an adjustment factor other than the U.S. Consumer Price Index Water and Sewerage Maintenance Index to be applied to the water and sewer rates annually; and

WHEREAS, it is the recommendation of the Director of Financial Services and the Public Services Director that the adjustment factor to be applied to the water and sewer rates be effective October 1, 2021; and

WHEREAS, the City of Tamarac has performed a Revenue Sufficiency Analysis for the Water and Sewer Utility System, titled the *FY 2015 Water and Sewer Revenue Sufficiency Analysis*; and

WHEREAS, the objective of the FY 2015 Water and Sewer Revenue Sufficiency Analysis is to ensure that the Utility has sufficient annual revenues to meet its financial requirements, and to identify a plan of future rate increases that would provide adequate revenue to fund the Utility's operating, capital, debt service (including coverage), and reserve requirements over a multi-year projection period; and

WHEREAS, the FY 2015 Water and Sewer Revenue Sufficiency Analysis indicates that the Utility does not require a rate adjustment to meet its revenue requirements during FY 2016 – FY 2018; and

WHEREAS, staff has reviewed its current operations, capital improvements, and future cash flow needs and has determined that the utility system does not require a rate adjustment to meet its revenue requirements for FY 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA THAT:

<u>SECTION 1:</u> The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

<u>SECTION 2:</u> The water and sewer rate schedule currently in effect shall have an adjustment factor of zero (0) percent applied to it for the fiscal year beginning October 1, 2021.

<u>SECTION 3</u>: All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

<u>SECTION 4</u>: If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 5: This Resolution shall become effective on October 1, 2021.

The remainder of this page is blank.

PASSED, ADOPTED AND APPROVED	o this day of, 2021	
	CITY OF TAMARAC FLORI	DA
	MICHELLE J. GOMEZ, MA	YOR
ATTEST:		
JENNIFER JOHNSON, CMC CITY CLERK		
	RECORD OF COMMISSION VOT	E:
	MAYOR GOMEZ DIST 1: COMM. BOLTON DIST 2: COMM. GELIN DIST 3: V/M. VILLALOBOS DIST 4: COMM. PLACKO	
I HEREBY CERTIFY THAT I HAVE APPROVED THIS RESOLUTION AS TO FORM:		
JOHN R. HERIN, JR. CITY ATTORNEY		



Title - TR13669 - Approval of Liability Waiver Agreement with BSO's Fire Rescue Logistics Unit

A Resolution of the City Commission of the City of Tamarac, Florida, to approve a Liability Waiver Agreement Renewal with the Broward Sheriff's Office (BSO) to purchase emergency medical and firefighter equipment and supplies from Broward County Sheriff's Office Fire Rescue Regional Logistics Unit in an amount of one hundred and eighty six thousand (\$186,000) dollars for FY22 and one hundred ninety five thousand (\$195,000) dollars for FY23 for a total amount not to exceed three hundred and eighty one thousand (\$381,000) dollars for a two year period and authorize the City Manager to extend the total dollar amount by an additional twenty five thousand (\$25,000) dollars annually based upon exigent circumstances; authorizing the appropriate City Officials to execute a Liability Waiver Agreement for the purchases; providing for conflicts; providing for severability; and providing for an effective date.

ATTACHMENTS:

Description	Upload Date	Туре
TR13669 Memo	8/12/2021	Cover Memo
TR13669 Resolution	8/12/2021	Resolution
TR13669 Exhibit 1	8/12/2021	Exhibit

City of Tamarac Interoffice Memorandum City Manager's Office

To: Michael C. Cernech, City Manager

From: Percy Sayles, Fire Chief

Date: August 6, 2021

Re: TR13669 Approval of Liability Waiver Agreement with BSO's Fire Rescue

Logistics Unit

Recommendation:

To place TR#13669 on the Agenda for the August 25, 2021 Commission meeting requesting approval and execution of a Liability Waiver Agreement with the Broward Sheriff's Office (BSO) Department of Fire Rescue and Emergency Services to purchase fire and emergency medical and firefighting equipment and supplies in an amount not to exceed one hundred and eighty six thousand (\$186,000) dollars for FY22 and one hundred and ninety five thousand (\$195,000) dollars for FY23 for a total amount not to exceed three hundred and eighty one thousand (\$381,000) dollars for the two-year period and authorize the City Manager to extend the total dollar amount by an additional twenty five thousand (\$25,000) dollars annually based upon exigent circumstances.

Issue:

To procure emergency medical and firefighting equipment and supplies from Broward Sheriff's Office Fire Rescue Regional Logistics Unit.

Background:

BSO has developed and implemented a program to allow Fire-Rescue departments within Broward County to make purchases directly from the BSO Fire Rescue Regional Logistics Unit in order to promote standardization of supplies across the County, and to take advantage of deeper discounting through increased volume purchases. A considerable savings can be realized because of the volume purchased by the BSO's Fire Rescue Regional Logistics Unit.

BSO's Fire Rescue Regional Logistics Unit stocks emergency medical and firefighting equipment and supplies for most fire rescue departments in Broward County. The City of Tamarac purchases fire and emergency medical supplies including first aid supplies, pharmaceutical supplies, chemical supplies, and janitorial supplies from BSO's Fire Rescue Regional Logistics Unit and has maintained a purchasing arrangement for several years. All purchases meet or exceed Broward County guidelines for purchasing, through bids and contracts.

Supplies currently stored in the BSO's Fire Rescue Regional Logistics Unit are obtainable the same or next day, allowing purchases in various quantities and saving the City the cost of storage space.

Tamarac Fire Rescue Department is requesting authorization to execute a Liability Waiver Agreement with the Broward Sheriff's Office for the purchase of emergency medical and firefighting equipment and supplies from their Fire Rescue Regional Logistics Unit attached hereto as Exhibit 1 in the amount of one hundred and eighty six thousand (\$186,000) dollars for FY22 and one hundred and ninety five thousand (\$195,000) dollars for FY23 for a total amount not to exceed three hundred and eighty one thousand (\$381,000) dollars for the two-year period and authorize the City Manager to extend the total dollar amount by an additional twenty five thousand (\$25,000) dollars annually based upon exigent circumstances.

Fiscal Impact:

The funds have been budgeted to support the day-to-day operations of field emergency response units and to maintain station readiness. The dollar amount requested is based on FY21 costs associated with fire rescue operations. These funds have been budgeted in Fire Rescue Operations Account# 120-4520-522-52-05 for FY22 and FY23 proposed budget.

CITY OF TAMARAC, FLORIDA

RESOLUTION NO.	. R-2021-
RESOLUTION NO.	. R-2021-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, TO APPROVE A LIABILITY WAIVER AGREEMENT RENEWAL WITH THE BROWARD SHERIFF'S OFFICE (BSO) TO PURCHASE EMERGENCY MEDICAL AND FIREFIGHTING EQUIPMENT AND SUPPLIES FROM BROWARD SHERIFF'S OFFICE FIRE COUNTY RESCUE **REGIONAL** LOGISTICS UNIT IN AN AMOUNT OF ONE HUNDRED AND EIGHTY SIX THOUSAND (\$186,000) DOLLARS FOR FY22 AND HUNDRED NINETY FIVE THOUSAND (\$195,000) DOLLARS FOR FY23 FOR A TOTAL AMOUNT NOT TO EXCEED THREE HUNDRED AND EIGHTY ONE THOUSAND (\$381,000) DOLLARS FOR A TWO YEAR PERIOD AND AUTHORIZE THE CITY MANAGER TO EXTEND THE TOTAL DOLLAR AMOUNT BY AN ADDITIONAL TWENTY FIVE THOUSAND (\$25,000) DOLLARS ANNUALLY BASED UPON EXIGENT CIRCUMSTANCES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A LIABILITY WAIVER AGREEMENT FOR THE PURCHASES; PROVIDING FOR CONFLICTS: PROVIDING FOR SEVERABILITY: AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Broward County Fire Rescue Regional Logistics Unit is administered by Broward County Sheriff's Office (BSO); and

WHEREAS, the Tamarac Fire Rescue Department purchases fire and emergency medical and firefighting equipment and supplies for daily operations from BSO's Fire Rescue Regional Logistics Unit's warehouse; and

WHEREAS, BSO's Fire Rescue Regional Logistics Unit's warehouse facility maintains a large inventory of supplies that are readily available; and

WHEREAS, BSO's Fire Rescue Regional Logistics Unit meets or exceeds

Broward County guidelines for purchasing through bids and contracts; and

WHEREAS, the BSO Department of Fire Rescue and Emergency
Services has developed a cooperative regional logistics program designed to
support both BSO needs and the needs of municipal fire rescue departments in
Broward County, including the Tamarac Fire Rescue Department, to obtain
standardization of products used across Broward County, and to obtain
significant discounts through volume purchasing; and

WHEREAS, BSO's Fire Rescue Regional Logistics Unit will sell supplies to the City of Tamarac Fire Rescue Department for cost which will result in savings on the cost of the supplies to the city and on the cost of storage of inventory; and

WHEREAS, City Code Section 6-148 (e) provides that the City may purchase goods or services from the federal government, any state or political subdivision thereof, or any municipality without requiring additional competition; and

WHEREAS, it is the recommendation of the Fire Chief and the Purchasing Contracts Manager to execute a Liability Waiver Agreement with BSO for the purchase of fire and emergency medical and firefighting equipment and supplies from BSO's Fire Rescue Regional Logistics Unit; and

WHEREAS, the City Commission of the City of Tamarac, Florida deems it to be in the best interest of the citizens and residents of the City of Tamarac to approve and execute the Liability Waiver Agreement renewal with Broward

Sheriff's Office for the purchase of emergency medical and firefighting equipment

Page 3

and supplies from the BSO's Fire Rescue Regional Logistics Unit, attached hereto

as Exhibit 1.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF TAMARAC, FLORIDA:

SECTION 1: The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution. All Exhibits attached hereto are expressly incorporated herein and made a part hereof.

SECTION 2: The appropriate City Officials are hereby authorized to execute the Liability Waiver Agreement with Broward Sheriff's Office attached hereto as Exhibit 1 for the purchase of fire and emergency medical and firefighting equipment and supplies from BSO's Fire Rescue Regional Logistics Unit in an amount of one hundred and eighty six thousand (\$186,000) dollars for FY22 and one hundred and ninety five thousand (\$195,000) dollars for FY23 for a total amount not to exceed three hundred and eighty one thousand (\$381,000) dollars for the two-year period and authorize the City Manager to extend the total dollar amount by an additional twenty five thousand (\$25,000) dollars annually based upon exigent circumstances.

SECTION 3: All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: If any clause, section, other part, or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining

portions or applications of this Resolution.						
SECTION 5: This Resolution shall become effective immediately upon its						
passage and adoption.						
PASSED, ADOPTED AND APPROVED this	day of	, 2021.				
	MICHELLE GON	MEZ, MAYOR				
ATTEST:						
JENNIFER JOHNSON,						
CMC, CITY CLERK						
I HEREBY CERTIFY that I						
have approved this						
RESOLUTION as to form.						

JOHN R. HERIN CITY ATTORNEY

SHERIFF OF BROWARD COUNTY, FLORIDA RELEASE AND WAIVER OF LIABILITY PURCHASE OF FIRE AND MEDICAL SUPPLIES AND/OR MAINTENANCE AND REPAIR SERVICES FOR FIRE AND RESCUE EQUIPMENT

NOTICE: This Release and Waiver of Liability Form when signed is a contract with legal consequences. PLEASE READ IT CAREFULLY BEFORE SIGNING!

TO THE SHERIFF OF BROWARD COUNTY: In consideration of the opportunity afforded to the undersigned entity to participate in a program established by the Sheriff to allow the entity to purchase fire and medical supplies directly from the Sheriff and/or purchase maintenance and repair services for its fire and rescue equipment from the Sheriff, the entity makes the following contractual representations and agreements:

The entity understands that the fire and medical supplies are provided "as is" with all faults and BSO makes no representations or warranties, either expressed or implied, regarding the fire and medical supplies, including the warranty of merchantability and fitness for a particular purpose.

The entity AGREES TO ASSUME THE RISKS associated with the procurement, use, maintenance or storage of the supplies and/or the maintenance and repair services for its fire and rescue equipment.

The entity RELEASES and forever discharges the released parties defined below, of and from all liabilities, claims, actions, damages, costs or expenses of any nature arising out of or in any way connected with the procurement, use, maintenance or storage of the supplies and/or the maintenance and repair services for its fire and rescue equipment and further agrees, to the extent permitted by law, to indemnify and hold harmless each of the released parties against any and all such liabilities, claims, actions, damages, costs or expenses, including, but not limited to, attorney's fees.

The released parties are BSO, the Sheriff of Broward County, and his employees, agents and servants.

I understand that this release and indemnity agreement includes, to the extent permitted by law, any liabilities, claims, actions, damages, costs or expenses incurred as a result of the negligence, actions or inaction of any of the above released parties and covers bodily injury and property damage.

The entity has read the above provisions, fully understands the terms, and understands that it is giving up substantial rights by signing this document and has signed it freely and without any inducement or assurance of any nature and intends it to be a complete and unconditional release of such rights to the greatest extent allowed by law and agrees that, if any portion of this agreement is held to be invalid, the balance notwithstanding shall continue in full force and effect.

In entering this agreement, I represent that I have had a reasonable opportunity to seek and select legal advice and have relied upon the advice of my own legal representative,

who is an attorney of my own choice, or have voluntarily chosen not to seek the advice of an attorney, and that the terms of this agreement have been completely read and that those terms are fully understood and voluntarily accepted by me.

This Waiver and Release of Liability once executed by an individual authorized by the entity shall be deemed continuing in nature and shall remain in full force and effect for all purchases made by the entity under the program. This Waiver and Release of Liability shall be effective as of the date of execution as shown below.

Name of Entity	Name of Individual <i>I</i> Execute		
	[Print Name]	[Print Name]	
	Ву:		
Witnesses Signatures:	day of	, 20	
By:	Ву:	. <u></u>	



Title - TR13654 - Renaming the large dog area of the Gary B. Jones Park for People and Pups.

A Resolution of the City Commission of the City of Tamarac, Florida, renaming the large-dog area of the Gary B. Jones Park for People and Pups in honor of Dr. Michael Horbal; providing for conflicts; providing for severability; and providing for an effective date.

Commission District(s):

District 4

ATTACHMENTS:

Description	Upload Date	Туре
TR 13654 Renaming the large dog area MEMO	8/5/2021	Cover Memo
TR 13654 Renaming the large dog area RESO	8/5/2021	Resolution
TR 13654 Exhibit 1 City of Tamarac Reso R-2021-032	8/5/2021	Exhibit
TR 13654 Exhibit 2 Dr. Horbal Petition	8/5/2021	Exhibit
TR 13654 City of Tamarac Reso R-2008-077	8/5/2021	Exhibit

City of Tamarac Interoffice Memorandum City Manager's Office

To: Michael Cernech, City Manager

From: Greg Warner, Director or Parks and Recreation

Date: July 16, 2021

Re: Temp. Reso #TR 13654 Renaming the large dog area of the Gary B Jones

Park for People and Pups in honor of Dr. Michael Horbal

Recommendation:

A Resolution of the City Commission of the City of Tamarac, Florida, renaming the large dog area in the Gary B Jones Park for People and Pups.

Issue:

Renaming the large dog area in the Gary B Jones Parks for People and Pups.

Background:

On March 10, 2021, the City Commission approved Resolution No. R-2021-032 (Exhibit 1) approving the City of Tamarac policy for naming streets, parks and City-owned facilities. Within the policy, section III.A. it states the Mayor, a member of the City Commission, or any citizen of the City, may request to name or rename a street, park of City-owned facility. The request shall be placed on an agenda for review and discussion at a public meeting.

Parks and Recreation staff received a petition (Exhibit 2) from a Tamarac resident containing 155 names, with 51 of those being Tamarac residents, requesting that the City rename the large dog area in the Gary B Jones Park for People and Pups in honor of recently deceased Tamarac Veterinarian Dr. Michael Horbal. The current name of the large area is Tam-A-Bark Run. This name was approved by the City Commission by Resolution No. R2008-77 in May of 2008 (Exhibit 3) Tam-A-Bark Run has no significance related to a person or incident in history, rather it was a "fun" name for the area.

Dr. Horbal owned a Veterinary Clinic in the Tamarac Town Square Plaza from 2011 to his date of passing on April 29, 2021. Dr. Mike, as he was referred to by his customers, was a true pet lover. Licensed since 1995, Dr. Mike's reputation revolved around the idea that animals came first. To show the impact Dr. Mike has on our community's pets and pet owners, some comments gathered from the submitted petition include the following: 1) "Any animal under his care was treated with kindness and the very best clinical care. For his clients who were struggling financially, he charged them little to nothing. He wasn't in it for the money. He genuinely cared; 2) "This is a great way to honor a man who is clearly loved and respected by a very large number of people. Pet owners or not, a man who gave more to this community than he took"; and 3) "Dr. Horbal was an amazing human being. An example of love, compassion, caring, humility and is and example for all to follow.

Based upon the impact of Dr. Mike's unwavering service to the Tamarac dogs and dog owners, I recommend that the large dog area of the Gary B Jones Park for People and Pups be re-named in honor of Dr. Michael Horbal. He is truly deserving.

Fiscal Impact:

Expenses for the renaming would include new signage within the park with a cost estimated at \$750.00

Gregory Warner

Dugry Warm___

Attach.

CITY OF TAMARAC, FLORIDA RESOLUTION NO. R-2021-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, RENAMING THE LARGE DOG AREA OF THE GARY B JONES PARK FOR PEOPLE AND PUPS IN HONOR OF DR. MICHAEL HORBAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission has implemented a process to provide naming or re-naming of City parks and recreational facilities; and

WHEREAS, this process provides name identification for individual parks and recreation facilities owned by the City of Tamarac and ensures control for the naming of the parks and recreation facilities by the City Commission through the recommendation of the City Manager; and

WHEREAS, the large dog area of the Gary B Jones Dog Park for People and Pups named Tam-A-Bark Run which was adopted by Resolution No. R2008-77 in May of 2008; and

WHEREAS, the Director of Parks and Recreation has received a recommendation and a petition from the community for the re-naming of the large dog area, for review by the Parks and Recreation Board; and

WHEREAS, the Parks and Recreation Board has reviewed the submitted name for the re-naming of the large dog area of the Gary B Jones Dog Park for People and Pups and by majority vote, approved the submitted name; and

WHEREAS, it is the recommendation of the Director of Parks and Recreation, upon recommendation of the Parks and Recreation Board, and the City Manager that the City Commission approve the re-naming of the large area within the Gary B Jones Dog Park for People and Pups to the Dr. Michael Horbal Large Dog Area; and

WHEREAS, the City Commission of the City of Tamarac, Florida, deems it to be in the best interest of the citizens and residents of the City of Tamarac to re-name the large dog area "Dr. Michael Horbal Large Dog Area";

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA:

<u>SECTION 1</u>: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

SECTION 2: That the large dog area of the Gary B Jones Park for People and Pups, located at Southgate Boulevard, 8101 Southgate Blvd. in Tamarac, is hereby re-named "DR. MICHAEL HORBAL LARGE DOG AREA".

<u>SECTION 3:</u> All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Temp.Reso#13654 August 5, 2021

Page 3

SECTION 4: If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

 $\underline{\sf SECTION~5} :$ This Resolution shall become effective immediately upon adoption.

PASSED, ADOPTED AND APPROVED this day of , 2021.

MICHELLE J. GOMEZ

Mayor

ATTEST:

JENNIFER JOHNSON, CMC CITY CLERK

I HEREBY CERTIFY that I have approved this RESOLUTION as to form.

JOHN R. HERIN, JR. CITY ATTORNEY

Temp. Reso. #13577 03/10/2021 Page **1** of **3**

CITY OF TAMARAC, FLORIDA
RESOLUTION NO. R-2021 - 032

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, ESTABLISHING A POLICY FOR THE NAMING OR RENAMING OF STREETS, PARKS, AND CITY-OWNED FACILITIES; PROVIDING THE CITY MANAGER WITH THE AUTHORITY TO DO ALL THINGS NECESSARY TO EFFECTUATE THE POLICY; PROVIDING FOR THE REPEAL OF CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Tamarac seeks to honor individuals who have positively impacted the community or who have had outstanding achievement in public life by naming or renaming public streets, parks and City-owned facilities after them; and

WHEREAS, the City has a 2003 policy entitled "Parks and Recreation Facilities Naming Policy" and a 2004 policy entitled "Renaming of Street Policy" (respectively approved as Resolution Nos. 2003-253 and 2004-121), and there is a need to revise and update those policies by creating a new comprehensive policy which addresses the naming or renaming of public streets, parks and City-owned facilities within the City; and

WHEREAS, this Policy will establish a fair and equitable process for naming streets, parks, and City-owned facilities and the City Commission finds it to be in the best interests of the residents and citizens of the City to adopt the "Policy for the Naming or Renaming of Streets, Parks and City-owned Facilities," attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA THAT:

Temp. Reso. #13577 03/10/2021

Page 2 of 3

SECTION 1: The foregoing "WHEREAS" clauses are hereby ratified and confirmed as

being true and correct and are hereby made a specific part of this Resolution.

SECTION 2: The City Commission hereby adopts the "Policy for the Naming or Renaming

of Streets, Parks and City-owned Facilities," attached hereto as Exhibit A.

SECTION 3: The City Manager is hereby authorized to all things necessary to effectuate

the purpose and terms of the Policy.

SECTION 4: Resolution Nos. 2003-253 and 2004-121 are specifically repealed, and any

other resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of

such conflict.

SECTION 5: If any clause, section, other part or application of this Resolution is held by

any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall

not affect the validity of the remaining portions or applications of this Resolution.

SECTION 6: This Resolution shall become effective immediately upon adoption.

PASSED, ADOPTED AND APPROVED this 10th day of MARCH,

Michelle J. Gomez

MAYOR

ATTEST:

Jennifer Johnson, CMC

CITY CLERK

Temp. Reso. #13577 03/10/2021 Page **3** of **3**

RECORD OF COMMISSION VOTE:

MAYOR GOMEZ

DIST 1: COMM. BOLTON

DIST 2: COMM. GELIN DIST 3: V/M. VILLALOBOS

DIST 4: COMM. PLACKO

I HEREBY CERTIFY that I have approved this RESOLUTION as to form.

Hans Ottinot

INTERIM CITY ATTORNEY

Exhibit A of Temp. Reso. #13577 03/10/2021 Page 1 of 2

City of Tamarac

Policy for the Naming Streets, Parks and City-Owned Facilities

I. Purpose:

To establish guidelines and criteria for the naming or renaming of public streets, parks and City-owned facilities within the City of Tamarac, Florida.

II. Definitions:

- A. <u>Parks</u> Outdoor public spaces and areas of recreation that are owned by the City of Tamarac.
- B. <u>Facilities</u> Properties and buildings that are within City limits and which are owned by the City.
- C. <u>Streets</u> Those roads or thoroughfares that are owned or maintained by the City of Tamarac. County, State or Federally owned or maintained roads or thoroughfares may be eligible if approved for consideration by those entities, but are otherwise excluded from this Policy.

III. Procedure:

- A. The Mayor, a member of the City Commission, or any citizen of the City, may request to name or rename a street, park, or City-owned facility. The request shall be placed on an agenda for review and discussion at a public meeting. The request may or not be in the form of a resolution. Upon request, and in its discretion, the City Commission may seek additional input of the community, before making a determination.
- B. The City Commission shall approve or disapprove the request, and if approved, a formal resolution shall be prepared if not already prepared, and presented and voted upon at a public meeting.
- C. If approved, the City manager shall take all steps necessary to implement the naming or renaming of a street, park, or City-owned facility, including coordinating the name change with the County, State, or Federal government, if appropriate. The City Manager or designee shall, within a reasonable time, schedule a naming or renaming ceremony.

Exhibit A of Temp. Reso. #13577 03/10/2021 Page 2 of 2

IV. Criteria:

- A. The City Commission shall consider factors such as the historical and cultural significance, geographical location, distinctive natural or geological features, and any other factors deemed important by the City Commission when determining whether to name or rename a street, park, or City-owned facility.
- B. A street, park, or City owned facility may be named after a person who is alive or deceased.
- C. A proposed name should be of an individual who has positively impacted the community or who has had outstanding achievement in public life. An outstanding civic or community leader of local, state, or national repute may be considered. A current or former member of the City Commission may be considered so long as the current or former member has been elected to serve at least two terms.
- D. Proposed names that are deemed inappropriate by the City Commission shall not be considered.
- E. Proposed street names shall not duplicate any other street name in the City.

V. Miscellaneous Matters:

- A. The City recognizes that in some situations where numbered signs are being replaced, the City may need to erect street new signs that have the former numbered street and new name included on them.
- B. Renamed streets, parks, and City-owned facilities shall remain in perpetuity and are not eligible to be changed again unless the City Commission deems it necessary or desirable.
- C. Notwithstanding any other provision of this Policy, the City Commission may name a City-owned facility pursuant to a naming rights agreement, which provides compensation to the City for such rights.



Petition to Name the Large Dog Area Within The Gary B. Jones Park For People and Pups in Tamarac, FL in memory of beloved veterinarian, Dr. Michael Horbal.

https://www.thepetitionsite.com/takeaction/605/925/279/

Author: Stacy Karron

Recipient:

Petition:

Dr. Michael Horbal was an incredible veterinarian and human being. Any animal under his care was treated with kindness and the very best clinical care. For his clients who were struggling financially, he charged them little to nothing. He wasn't in it for the money... he genuinely cared.

Dr. Mike meant so much to me, to the thousands of pet parents he served, and to the countless animals he cared for. I would appreciate your signature so that a portion of the dog park by his veterinary clinic will be named in his honor and memory.

Resolution: We are working on a City Commission Resolution to name the Large Dog Area within the Gary B. Jones Park for People and Pups in memory of beloved veterinarian, Dr. Michael Horbal. This will be on the Commission agenda for approval at the August 25, 2021 commission meeting and we need 100 signatures to support this effort.

	Name	From	Comments
1.	Stacy K	TAMARAC, FL	
2.	Maria L C	Tamarac, FL	
3.	Terri U	Tamarac, FL	While Dr. Horbal was not my dogs\' vet, it is very apparent the love and support showed to all his patients. As part of the Tamarac community, I feel it is important to honor and remember those who shared so much with so many in this community.
4.	Mike P	Tamarac, FL	This is a great way to honor a man who is clearly loved and respected by a very large number of people - pet owners or not, a man who gave more to his community than he took.
5.	Lisa B	Coral Springs, FL	He was an exceptional man so caring! Had true passion and true love for animals! Not money hungry
6.	Annette L	Tamarac, FL	Dr Horbal was an amazing human being. An example of love, compassion caring humility and is an example for all to follow.
7.	Stacy S	TAMARAC, FL	
8.	Alice E	Fort Lee, NJ	
9.	Rehana P	Coral Springs, FL	It's important because Dr Horbal our beloved vet was the most caring and selfless person I ever met. His love for animals was extraordinary and to have this park named in his honor would be just wonderful
10.	Donna O	Tamarac, FL	He kept my kitty alive for 20yrs!!! He was a gentleman and a great person, I worked in the same Plaza at Publix, so I saw him everyday, he loved what he did, he took care of the fur babies before himself!
11.	Donna D	Tamarac, FL	This Vet was one of few. More interested in the health of our pets than the money in his pocket. Still can not find one close to the vet he was. Let us remember him.
12.	Dale O	Tamarac, FL	Cause he was an AMAZING vet & an AWESOME guy
13.	Beth S	Tamarac, FL	He was the best vet that cared so deeply for all is patients and their humans. No other like him.
14.	nick r	manchester, gb	
15.	Randy B	Tamarac, FL	Sounds like a very beloved Vet and person
16.	Jennifer T	Tamarac, FL	Dr. Mike was a truly kind and caring individual who always went above and beyond for his patients. He will be missed. He deserves to be remembered and honored in this way.
17.	Karen T	Little River, SC	
18.	Paul C	Tamarac, FL	
19.	Judith L	Tamarac, FL	Some people deserve to be honored.
20.	Michael P	Skovlunde, dk	

	Name	From	Comments
21.	Judy A	Tamarac, FL	
22.	Sara A	Tamarac, FL	Dr Horbal was an amazing vet. He truly cared for the animals he took care of. He had no breed judgement, he was as friendly with my 2 pit mixes as he was with my Shih Tzu. This would definitely be deserved to honor his memory.
23.	Janet E	Tamarac, FL	He was a very kind and caring vet. He truly loved animals and I feel naming the dog park after him is a wonderful tribute.
24.	Aj V	Coral Springs, FL	Dr Mike was an excellent vet & a better Humanitarian
25.	Meg H	Tamarac, FL	
26.	Elissa B	Tamarac, FL	Best Vet we ever knew
27.	JoAnn P	Saint Lazare, ca	
28.	Diane F	Clearwater, FL	
29.	Lisa M	Tampa, FL	
30.	Steve A	Tamarac, FL	Because he was the best
31.	Holly H	Tamarac, FL	
32.	Cathi O	Tamarac, FL	
33.	Stacy K	Tamarac, FL	
34.	Tamie E	Greensburg, PA	Because anyone who dedicates their life to saving animals is the best of the best and should be recognized for being the best of the best!!!
35.	Beverley S	Coral Springs, FL	
36.	Adam H	Toronto, ca	
37.	Sheryl O	Winter Park, FL	
38.	Rachel M	Tempe, AZ	
39.	Allison N	Middleboro, MA	
40.	Carolyn P	BRADENTON, FL	
41.	Lenette D	TAMARAC, FL	I used his services years ago and he was always nice and compassionate.
42.	Lisa H	Poulsbo, WA	
43.	Stephanie S	Tamarac, FL	Dr. Horbal gave so much of himself to help his patients and their owners.
44.	Elaine P	Coral Springs, FL	
45.	Alexis M	New York, NY	
46.	Paula K	Coral Springs, FL	
47.	Daphne A	West Palm Beach, FL	
48.	Alexandria D	Coplay, PA	
49.	Susan R	Pompano Beach, FL	
50.	Fran T	Bradley Beach, NJ	

	Name	From	Comments
51.	Susan P	Coral Springs, FL	
52.	David M	Tamarac, FL	Dr. Horbal was a great asset to the pets of Tamarac. Never did he put dollars in front of the care of my dog. I thought I was going to have to put my 20 year old dog down but he said let\'s\' try this I got 2 more months before she was ready to go. My new rescue dog was used as a breeder and did not have trust in many people he sat on the floor with her till she was ready for him to check her out. I still have not picked a new vet as I don\'t know who to use or trust. Thank god I have not needed a vet yet since Dr Mike passed. I think it would be great to add a statue of Dr Mike in side the park.
53.	Jeannie E	Marlow, NH	Remember a good person. Recognize how well they were appreciated
54.	Stacy G	Massapequa, NY	
55.	Irene Regina B	Herford, de	
56.	Nancy T	Maplewood, NJ	
57.	Ann C	San Bernardino, CA	
58.	Dyana U	Miami, FL	He was a great veterinarian that really care for animals especially dogs. This will really honor his work and all the good he did in his life.
59.	Elizabeth B	Pompano Beach, FL	
60.	Valentina A	Miami, FL	He should be remembered for his contributions, a true inspiration and reminder to love and support our community
61.	isabel e	Castelloli, es	
62.	Marina R	Sesvete, hr	
63.	Dianora A	Miami, FL	
64.	Jodi H	Coral Springs, FL	Dr. Horbel was our vet for several years. His kindness, compassion and love for animals deserves to be recognized!
65.	Rebecca M	Coral Springs, FL	He was so dedicated to his profession for the love of the animals and never turned anyone away for lack of payment, just an outstanding caring person to all
66.	Alice S	Coral Springs, FL	He was a wonderful vet and will be missed
67.	Julie B	Sunrise, FL	Dr. Mike was an amazing vet! He truly cared about the dogs and cats he took care of. I always liked him best when he was a vet at my original vet clinic. He took the time to explain things. To make sure you understood. Just a brilliant and amazing person.
68.	Stanley S	EVERGREEN PARK, IL	
69.	Cindy N	Palm City, FL	
70.	Faith D	Tamarac, FL	My husband, retired Mayor Harry Dressler was instrumental in establishing the Gary Jones dog park and it seems to be important to honor this special vetDr. Horbal.

71.	Name Judy A	From CLIFTON, NJ	Comments
72.	SHERRY R	Margate, FL	He was a truly dedicated veterinarian that lived his furry patients
73.	Maryann S	EVERGREEN PARK, IL	
74.	Paula G	Tamarac, FL	Dr. Mike was one of a kind. He was the most compassionate, caring and dedicated Vet that took time with every patient as if it was his own. There will never be another one like him.
75.	Steven H	Tamarac, FL	This vet was never motivated by making tons of money, only to help people with their beloved pets. This guy was loved by all and certainly deserves to be honored.
76.	jeymi r	miami, FL	
77.	Phyllis D	Coral Springs, FL	Man was a selfless and caring vetinarian and deserves recognition for has work with both animals and people.
78.	Theresa C	Sunrise, FL	
79.	Bryce S	Tamarac, FL	
80.	Liana A	Hubert, NC	
81.	whitney c	AVA, MO	
82.	Amy V	Tamarac, FL	He took loving care of so many pets
83.	Kathy G	Tamarac, FL	He was an amazing Vet and who is Gary B Jones anyways???
84.	Carolyn S	Tamarac, FL	There will never be a veterinarian like Dr.horbal and his staff Kashia and Danielle. Miss them dearly [?][?][?]
85.	Stephanie I	Miami, FL	Because he was an amazing man and loved his animals. He deserves this
86.	Doreen S	Coral Springs, FL	This man help many peope and their pets in the community for years. He should be named to the park
87.	Melissa P	Tamarac, FL	
88.	m k	shelby, MI	
89.	Amy J	Sunrise, FL	
90.	Max L	Fort Lauderdale, FL	He was a great man and fantastic Vet.
91.	Patricia B	Coral Springs, FL	
92.	Jeffrey F	TAMARAC, FL	Dr Horbal was one of the finest people I ever met. He was not only my veterinarian, but he was a friend that helped countless people in Tamarac with their animals, regardless of their ability to pay. I can\'t think of anyone who deserves this more, and I urge the adoption of this proposal
93.	Rhona T	Tamarac, FL	
94.	Mimoun B	N/A, fr	
95.	Audree K	Tamarac, FL	

	Name	From	Comments
96.	Laura C	Greenville, NC	
97.	Caren N	Pompano Beach, FL	
98.	Olga R	L'Hospitalet de Llobregat, es	
99.	nancy l	coral springs, FL	Dr Mike was a true blessing. He is missed by many.
100.	Mary W	Pompano Beach, FL	Michael Horbal was a consistent and relentless advocate for all animals. Not only in his words, but most importantly in his dedication, time, and effort. He truly dedicated his life to help so many of our beloved pets. And asked nothing in return.
101.	Donna R	Bronxville, NY	
102.	donna b	Fort Lauderdale, FL	He took care of my pet and many of my friends pets. He was caring, compassionate and did it for the love, not monetary gain
103.	Diane G	coral springs, FL	
104.	Rosie R	union mills, NC	Because it should be named to honor a Dr. That dedicated his like for the life of animals. This will be a token of appreciation in Michael\'s memory.
105.	Karrina H	Morton, WA	
106.	Anna B	PHOENIX, AZ	
107.	Loly B	Tamarac, FL	He was my vet for a long time and he was a good friend too
108.	Corey S	Tamarac, FL	Dr Mike was an amazing person , he loved my pets he tried to save my dexters life when he had kidney failure. Then my Jedi had a tic and got very sick he saved his live . It would mean a lot to all of us if there was some kind of memorial for dr Mike
109.	Stacey S	Pembroke Pines, FL	
110.	Sandy P	Tamarac, FL	
111.	Vickie W	Coral Springs, FL	Because Dr Horbal saved my dog\'s life. He was a passionate man and an excellent doctor. We never had to worry about costs. He was truly a pillar in our community and his memory should live on as heroes do.
112.	jennifer h	Coral Springs, FL	
113.	Dee H	Edinburgh, gb	
114.	Biene M	Roma, at	
115.	Linda E	Plantation, FL	
116.	Ericka Y	TAMARAC, FL	
117.	Annette B	Coral Springs, FL	
118.	amy k	tamarac, FL	Dr Horbal was a wonderful veterinarian and s wonderful human being. Having the dog park named after him would be a great memorial for such a caring and generous veterinarian.
119.	Georgette C	Tamarac, FL	

Page 6 - Signatures 96 - 119

	Name	From	Comments
120.	Betty Anne W	Tamarac, FL	
121.	Dawn B	Coral Springs, FL	He was a wonderful vet. Caring and loving to all animals. He deserves to be acknowledged
122.	Shannon M	Coral Springs, FL	Great veterinarian that served everyone in his community, was well loved and respected, employed amazing staff and deserves the recognition
123.	Audrey D	Sunrise, FL	This is important because We want a safe environment to take our dogs.
124.	Jane R	Coral Springs, FL	This man deserves much recognition because of his dedication to the compassionate care of living creatures, great and small.
125.	Chaim R	Coral Springs, FL	
126.	Randy E	Sunrise, FL	Beloved friend to animals, world class musician
127.	Joe T	Hollywood, FL	A kind soul, great vet, wonderful musician.
128.	Carlos A	Miami, FL	Over MULTIPLE decades, Dr. Horbal left a legacy of unparalleled generosity helping countless people of limited resources with the medical care of their beloved pets.
129.	Peter F	Miami, FL	Dr. Horbal was a fantastic veterinarian, beloved by the community, who put service to animals before anything else. I can\'t think of anyone better suited for this honor.
130.	Michael B	Sunrise, FL	Michael was a kind, selfless person who never demanded money from people who needed medical support for their animals and because he was my friend and fellow musician for 50 years
131.	Lynn J	Coral Springs, FL	
132.	Robert O	NOVATO, CA	
133.	Raleigh k	MINNEAPOLIS, MN	
134.	Robert S	Lexington, KY	
135.	Geisha G	La, es	
136.	Lisette P	Tamarac, FL	He was the doctor to most , if not all the dogs in the area. And what an amazing one he was.
137.	Tiana S	Coconut Creek, FL	
138.	Douglas M	Fort Lauderdale, FL	Dr.Horbal deserves this
139.	Jacqueline P	Tamarac, FL	He was my dogs vet. Very caring and compassionate about his work.
140.	Shakoo L	Columbia, MD	
141.	Judy C	Tamarac, FL	Although I never had the pleasure of meeting Dr Horbal the number of people and the way they spoke of his love for animals and the care he gave them, makes him worthy of being honored and remembered in this way.

	Name	From	Comments
142.	Sandy G	Tamarac, FL	He was an amazing and caring Vet who passed too soon. He deserves this for always going above and beyond for our pets.
143.	César P	Madrid, es	
144.	Allison W	Coral Springs, FL	He was my vet.
145.	ТАММІ В	Coral Springs, FL	He was a very loving amd caring man amd special kind hearted doctor and always there when we needed him. We love and miss Dr.Mike Horbal ????????
146.	Dorothy H	Tamarac, FL	Dr.Horbal was the most kind and gental Vet.I ever met. I live in Tamarac 43 years and have had dogs slways. Dr Horbal loved animals and went out of his way to help regardless of money. He deserves this honor.
147.	Victoria W	Coral Springs, FL	Dr Mike was a great man with a big heart!!
148.	Swastika S	Udaipur, in	
149.	James M	CLARKSTON, WA	
150.	Maria F	Tamarac, FL	He was my dogs vet ,always very caring.
151.	Marissa R	West miami, FL	
152.	Karen Rayne C	Orlando, FL	
153.	Linda A	Coral Springs, FL	
154.	Leslie C	Tamarac, FL	He was an great person and loved all animals!
155.	ken I	Toronto, ca	

Temp. Reso. #11406 May 6, 2008 Revision 1 – May 19, 2008 Revision 2 – May 27, 2008 Revision 3 – May 28, 2008 Page 1

CITY OF TAMARAC, FLORIDA

RESOLUTION NO. R-2008 - 77

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, NAMING THE TAMARAC DOG PARK PROJECT LOCATED ON SOUTHGATE BOULEVARD, WEST OF TAMARAC VETERANS' PARK, IN TAMARAC, "GARY B. JONES PARK FOR PEOPLE AND PUPS"; PROVIDING FOR THE NAMING OF ADDITIONAL PARK AMENITIES, TO BE DETERMINED BY STAFF, "WIGGLEY FIELD" AND "TAM-A-BARK RUN"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission has implemented a process to provide for citizen input into the naming of City parks and recreational facilities; and

WHEREAS, this process provides name identification for individual parks and recreation facilities owned by the City of Tamarac and ensures control for the naming of the parks and recreation facilities by the City Commission through the recommendation of the City Manager with input from the Parks and Recreation Board and City Staff; and

WHEREAS, the Director of Parks and Recreation has recommended a temporary working name of "Tamarac Dog Park" for the dog park project located on Southgate Boulevard, west of Tamarac Veterans' Park, in Tamarac; and

WHEREAS, the Director of Parks and Recreation has solicited and received naming applications from the community for review by the Parks and Recreation Board for the Tamarac Dog Park project; and

WHEREAS, the Parks and Recreation Board has reviewed the submitted names for the Tamarac Dog Park project and has selected their top three names for the park; and

Revision 1 – May 19, 2008

Revision 2 – May 27, 2008 Revision 3 – May 28, 2008

Page 2

WHEREAS, Public Notice of the recommended names was advertised in the Sun-Sentinel on April 13, 2008; and

WHEREAS, following the 30 day public notice period, the Director of Parks and Recreation, upon recommendation of the Parks and Recreation Board, submitted to the City Manager the top three recommended names, including 1) Gary B. Jones Dog Park 2) Wiggley Field, and 3) Tam-A-Bark Park; and

WHEREAS, it is the recommendation of the Director of Parks and Recreation and the City Manager that the City Commission select one of the top three recommended names submitted by the Parks and Recreation Board for the dog park; and

WHEREAS, the City Commission of the City of Tamarac, Florida, deems it to be in the best interest of the citizens and residents of the City of Tamarac to name the park "GARY B. JONES PARK FOR PEOPLE AND PUPS"; and providing for the naming of additional park amenities, to be determined by staff, "WIGGLEY FIELD" and "TAM-A-BARK RUN".

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA:

SECTION 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

SECTION 2: That the Tamarac Dog Park project, located on Southgate Boulevard, west of Tamarac Veterans' Park, in Tamarac, is hereby named "GARY B. JONES PARK FOR PEOPLE AND PUPS" and providing for the naming of additional park amenities, to be

Page 3

Temp. Reso. #11406 May 6, 2008 Revision 1 – May 19, 2008 Revision 2 – May 27, 2008 Revision 3 – May 28, 2008

determined by staff, "WIGGLEY FIELD" and "TAM-A-BARK RUN".

SECTION 3: All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 5: This Resolution shall become effective immediately upon adoption.

PASSED, ADOPTED AND APPROVED this &

, 2008.

ATTEST:

RECORD OF COMMISSION VOTE:

MAYOR

MAYOR FLANSBAUM-TALABISCO YOU

DIST 1: COMM PORTNER abserts

DIST 2: COMM ATKINS-GRAD DIST 3: V/M SULTANOF

DIST 4: COMM. DRESSLER

I HEREBY CERTIFY that I have approved this RESOLUTION as to form.

MARION SWENSON, CMC

CITY CLERK

SAMUÉL S. GOREN



Title - TR13667 - Authorization to deviate from Section 2-76(4)(e) and grant a reduction in the lien amount for property located at 6700 NW 74 Avenue/ Anthony Aidone to \$125,000.00

A Resolution of the City Commission of the City of Tamarac, Florida, approving and authorizing a deviation from Section 2-76 of the City of Tamarac Code of Ordinances entitled "Lien Reduction and Abatement Procedures", specifically Section 2-76 (4) (e), to allow for a reduction in the lien amount to the amount of one hundred and twenty five thousand dollars, for property located at 6700 NW 74 Avenue (Anthony Aidone); providing for conflicts; providing for severability; and providing for an effective date.

Commission District(s):

District 4

ATTACHMENTS:

Description	Upload Date	Туре
1 - TR 13667 MEMO	8/9/2021	Cover Memo
2 - TR13667 Resolution	8/9/2021	Resolution
3 - 2020-075 Memo - Estate of Aidone (00377734xC4B6A)	8/9/2021	Backup Material
4 - Final Order Authorizing Foreclosure	8/9/2021	Backup Material
5 - Sec. 2-76. Lien reduction and abatement procedures	8/9/2021	Backup Material
6 - Quit Claim Deed	8/9/2021	Backup Material
7 - BCPA	8/9/2021	Backup Material
8 - List of Cases - TABLE ANTHONY A	8/9/2021	Backup Material
9 - Settlement Check	8/9/2021	Backup Material
CASE # PR-C-19-0005645 ESTATE OF MADELINE AIDONE	8/9/2021	Backup Material

CITY OF TAMARAC INTEROFFICE MEMORANDUM - 21 08 001M COMMUNITY DEVELOPMENT DEPARTMENT

TO: Michael C. Cernech,

City Manager

THRU: Maxine Calloway, Director

FROM: Scott Krajewski

Code Manager

DATE: August 6, 2021

RE: TR 13667 - Authorization to deviate from Section 2-76(4)(e) and grant a

reduction in the lien amount for property located at 6700 NW 74 Avenue/

Anthony Aidone to \$125,000.00

RECOMMENDATION:

The Director of Community Development recommends that the Mayor and City Commission authorize a deviation from Section 2-76(4)(e) of the City of Tamarac Code of Ordinances, to allow for a reduction in the total amount of Fines currently at \$1,756,375.00 to the recommended \$125,000.00, at its August 25, meeting.

ISSUE:

City Commission approval and authorization is needed in order to deviate from Section 2-76(4)(e) of the City's Code of Ordinances and grant a reduction in the total amount of fines due to a recommended amount of One Hundred and Twenty Five Thousand (\$125,000.00) Dollars.

BACKGROUND:

On May 27, 2015, the City Commission adopted Ordinance No. O-2015-08, entitled Lien Reduction and Abatement Procedures, which outlines procedures by which property owners or respondents who has incurred financial penalties due to the article as a result of violations to the City Code of Ordinances, may request abatement or lien settlement of the fines imposed. The provision further provides for an administrative lien settlement process and prescribes certain limitations on staff's ability to settle a lien unless certain conditions are met. Specifically, Section 2-76 (4)(e) states in part that "A lien that the special magistrate has authorized the city to initiate foreclosure proceedings to enforce, or a lien that is the subject of pending litigation between the city and property owner/violator shall not be reduced or abated". Based on this provision, staff we will require City Commission approval in order to reduce the total amount of the current Fines and Fees to the recommended amount of \$125,000.00.

The Property located 6700 NW74 Ave, previously owned by Anthony Aidone for many years violated numerous City Ordinances. There were multiple cases generated throughout the years with Liens attached including eleven (11) that are still active with the City.

City Manager

Temp Resolution No. 13645 - Authorization to deviate from Section 2-76 (4)(e) of the City of Tamarac Code of Ordinances.

August 6, 2021 - Page 2

In early 2018 Mr. Aidone relocated his entire business to his residential address. This enabled the City to move for the request to the Special Magistrate to issue a Final Order Authorizing Foreclosure. The Magistrate agreed that the City could move forward as the property being Homesteaded was now in question as it was being used as a commercial enterprise. Following that, the City Commission in 2018 authorized the City Attorney to file a lawsuit in the Broward County Court system.

This process was lengthy, requiring many staff meetings and Hearings. The Court finally allowed the City to move forward with the foreclosure. The City was also authorized to abate the property and did so in May of 2019. This mitigated most or all the Public Nuisances at the location including the Commercial Vehicle storage, abandoned vehicles, overgrowth and debris.

Mr. Aidone passed away in late 2019 and the City filed a Statement of Claim in the probate case. Code and Building departments met with the representatives from the estate and worked with them in order to comply the remaining cases. The remaining property Maintenance issues were brought into compliance. The only case still accruing a fine is a Building Department case pertaining to altering bedroom windows into glass block.

In April of 2020 there was discussion as to settlement with the Estate. In conversations with the City Attorney's Office, Building Department and Code Compliance Division, an actual cost figure was determined of \$125,000.00. It was relayed to the Estate with the understanding that it would need City Commission approval. The Estate moved forward as to seeking Homestead status. Memo 2020-075 summarizes the status as to the unlikely collection of significant funds.

In March of this year the City obtain a settlement check for \$5,000.00 as to the sale of an attaching property owned by the estate. This was applied to three Citations and one Administrative case which now leave the current number of active cases at the indicated number of eleven (11). All cases remain active with recorded Liens.

In June of this year there was correspondence as to settlement and the City was informed that the property was moving towards a Tax Deed sale with the County later in the year. There was staff discussion as to moving forward with the City's foreclosure. In early July, the decision was to bring this to the Commission for guidance on moving forward with the foreclosure process.

On August 1st the property was put on the market to be sold as is, with an asking price of \$99,000.00. On August 3rd in the Broward County Public records, it was noticed that the personal representative had Quit Claimed the property to an LLC. The new owner is now responsible for complying the violation and it took title subject to all accrued fines and associated liens.

CONCLUSION:

There have been multiple Lien Settlement requests for this location, as such, the Director of Community Development is seeking the authorization to reduce lien amount for property located at 6700 NW 74 Avenue/ Anthony Aidone to \$125,000, which represents staffs collective time, attorney's fees and costs associated with the management of casefile for this property.

City Manager

Temp Resolution No. 13645 - Authorization to deviate from Section 2-76 (4)(e) of the City of Tamarac Code of Ordinances.

August 6, 2021 - Page 3

This item supports Goal #4 of the City of Tamarac's 2040 Strategic Plan, Tamarac is Vibrant.".

FISCAL IMPACT:

The collection of \$125,000.00 would be deposited into the General Fund for costs associated with the management of the casefile for the subject property.

Maxine Calloway,

Director of Community Development

Attachments: TR13667 Resolution

Sec. 2-76. Lien reduction and abatement procedures

Memo 2020-075

Final Order Authorizing Foreclosure

Settlement Check Quit Claim Deed

BCPA - Property Ownership

List of Cases

MAC:SK

CITY OF TAMARAC, FLORIDA

RESOLUTION NO. R-2021 - _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, APPROVING AND AUTHORIZING A DEVIATION FROM SECTION 2-76 OF THE CITY OF TAMARAC CODE OF ORDINANCES ENTITLED "LIEN REDUCTION AND **ABATEMENT** PROCEDURES", SPECIFICALLY SECTION 2-76 (4) (e), TO ALLOW FOR A REDUCTION IN THE LIEN AMOUNT TO THE AMOUNT OF ONE HUNDRED AND TWENTY FIVE THOUSAND DOLLARS, FOR PROPERTY LOCATED AT 6700 NW 74 AVENUE (ANTHONY AIDONE); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, On May 27, 2015, the City Commission adopted Ordinance No. O-2015-08, entitled Lien Reduction and Abatement Procedures, which outlines procedures by which property owners or respondents who has incurred financial penalties due to the article as a result of violations to the City Code of Ordinances, may request abatement or lien settlement of the fines imposed; and

WHEREAS, the provision further provides for an administrative lien settlement process, and prescribes certain limitations on staff's ability to settle a lien unless certain conditions are met; and

WHEREAS, Section 2-76 (4)(e) states in part that "A lien that the special magistrate has authorized the city to initiate foreclosure proceedings to enforce, or a lien that is the subject of pending litigation between the city and property owner/violator shall not be reduced or abated"; and

WHEREAS, the Anthony Aidone Property, located at 6700 NW 74 Avenue ("The Property") falls within this restriction, as the Special Magistrate has authorized the City to

initiate foreclosure proceedings to enforce; and

WHEREAS, The Property has been sold and the City is in receipt of several requests for an Administrative Lien Settlement; and

WHEREAS, City Commission approval and authorization to deviate from Section 2-76 (4) (e), and allow for a reduction in the lien amount to \$125,000.00 is required; and WHEREAS, the Director of Community Development recommends approval; and WHEREAS, the City Commission of the City of Tamarac, Florida deems it to be in the best interests of the citizens and residents of the City of Tamarac to deviate from Section 2-76 (4) (e) and authorize a settlement in the amount of One Hundred and Twenty Five Thousand (\$125,000) Dollars for the Anthony Aidone Property located at 6700 NW 74 Avenue, Tamarac, Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA:

SECTION 1: The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

All exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

SECTION 2: That the liens on The Property located at 6700 NW 74 Avenue,

Tamarac will be reduced to \$125,000.00.

SECTION 3: All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in

Temporary Resolution No. 13667 August 9, 2021 Page 3

Resol	ution.					
	SECTION 5:	This Resolution	shall become	e effective	immediately	upon its
adopt	ion.					
PASS	SED/FAILED, APPRO)VED/DENIED, A	AND ADOPTE	D this	day of	, 2021.
					E J. GOMEZ,	<u>.</u>
ATTE	ST:			IVI	ATOIX	
	IFER JOHNSON, CN CLERK	<mark>ИС</mark>				
have a	REBY CERTIFY that I approved this NANCE as to form.					
	I R. HERIN JR. ATTORNEY					
This F	Resolution was filed i	n the Office of th	e City Clerk o	n this	day of	_202

application, it shall not affect the validity of the remaining portions or applications of this

CITY OF TAMARAC

MEMORANDUM NO. 2020-075

TO: Mayor Michelle J. Gomez

Members of the City Commission

CC: Michael Cernech, City Manager

Kathleen Gunn, Assistant City Manager

Maxine Calloway, Community Development Director

Claudio Grande, Chief Building Director Scott Krajewski, Code Compliance Manager

FROM: Samuel S. Goren, City Attorney

Michael D. Cirullo, Jr., Assistant City Attorney Brian J. Sherman, Assistant City Attorney Danielle D. Schwabe, Assistant City Attorney

DATE: May 28, 2020

RE: The Estate of Anthony Aidone (Case No. PRC19-005664) and the Estate of

Madeline Aidone (Case No. PRC19-005645)

Property Address: 6700 NW 74th Ave, Tamarac, Florida ("Property")

Our File No.: 2704.9499540

This memorandum is intended to provide an update as to the code compliance and building enforcement liens associated with Property as it relates to the above listed probate proceedings.

Mr. Aidone owned the Property and for several years disregarded any concerns for the neighborhood and violated several City ordinances relating to the maintenance and use of the Property. Recall that the Property was littered with junk, while several large commercial, industrial, and inoperative vehicles were routinely parked on Property. Mr. Aidone ignored and avoided City's code enforcement efforts to bring Property into compliance which caused a significant adverse effect on the surrounding neighborhood.

In 2018, the City Commission authorized the City Attorney's Office to file a lawsuit against Anthony Aidone due to his failure to respond to fifteen (15) code compliance and building enforcement cases brought against Property. Our Office successfully obtained several orders requiring Mr. Aidone to remedy the longstanding and substantial violations. When Mr. Aidone did not comply with the Court's orders, the City obtained an order from the court finding him in contempt and authorizing the City to enter Property to remedy the violations for the benefit of the neighborhood.

As a result of the successful litigation, the City mitigated the violations and the Property is no longer a nuisance to the surrounding neighborhood. As of June 1, 2020 the total fines and costs due to City, which are still actively accruing equals approximately \$1,634,725.00.

Before the City could begin efforts to collect outstanding amounts, Mr. Aidone passed away, on or about October 27, 2019. Apparently, Mr. Aidone did not have a will. Sadly, Mr. Aidone's mother, Madeline Aidone, passed away shortly after Mr. Aidone's death. As a result, the Property is currently the subject of multiple probate proceedings, one for the Estate of Anthony Aidone, and one for the Estate of his Mother, Madeline Aidone.

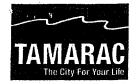
The Estate of Anthony Aidone filed a Petition to Determine Homestead Status of the Property. Our Office filed a Response to the Petition on behalf of the City on March 2, 2020. Our Office also filed a Statement of Claim in the probate case for the Estate of Anthony Aidone and the Estate of Madeline Aidone, in an effort to collect funds owed to the City.

Based upon the information currently in court files, neither estate has significant assets. Moreover, given that Mr. Aidone resided at the Property and claimed homestead status, the Property may pass to his heirs outside his estate, depending on how the court decides the pending Petition to Determine Homestead Status of the Property. Thus, although collection of significant funds from the respective Estates of Anthony and Madeline Aidone is unlikely, our Office will continue to take action to preserve the City's rights and to recover whatever it legally can obtain from each Estate respectively.

We will keep you updated as this matter progresses. In the meantime, please do not hesitate to contact our Office if you have any questions or if our Office can provide any additional information.

SSG:MDC:BJS:DS

COMMUNITY DEVELOPMENT



Maxine A. Calloway, Esq., AICP Director INSTR # 115149314

SPECIAL MAGISTRATE FINAL ORDER AUTHORIZING FORECLOSURE Broward County Commission

Recorded 06/19/18 at 02:41 PM 1 Page(s)

May 16th, 2018

ANTHONY AIDONE 6700 NW 74 AVE TAMARAC, FL 33321

MAIL # 7017-3380-0000-6371-3247 LOCATION: 6700 NW 74 AVENUE

17-10104251	PUBLIC NUISANCE AND MENACE - STANDING WATER
17-10103835	RESIDENTIAL PROPERTY MAINTENANCE - CLEAN/PAINT ROOF
17-10103834	RESIDENTIAL PROPERTY MAINTENANCE - RESTORE YARD AND MAINTAIN LANDSCAPING
17-10103269	UNREGISTERED VEHICLE: DISPLAY TAG & REGISTER ALL VEHICLES ON PROPERTY OR REMOVE
17-10100761	RESIDENTIAL PROPERTY MAINTENANCE, MAINTAIN & REMOVE ALL MECHANICAL EDUPMENT IN PUBLIC VIEW.
17-10100760	COMMERCIAL VEHICLE ON PROPERTY/ REPEAT VIOLATION PERMANETELY REMOVE ALL COMMERCIAL VEHICLES FROM PROPERTY
16-101051BO	FUBLIC NUSIANCE VIOLATION - REMOVE ALL ITEMS, JUNK, TRASH AND DEBRIS
6-10102057	COMMERCIAL VEHICLE- \$500.00 CITATION TM 0040 - 3 ^{ed} offense maintain & remove all mechanical equipment in public view.
16-10101394	JUNK, TRASH & DEBRIS: REPEAT VIOLATION, REMOVE TRAILER DISCARD ALL JUNK, BARBAGE, BUKETS ECT, ALL DISCARDED ITEMS SURROINDING PROPERTY INCLUDING FURNITURE.
15-10/04830	COMMERCIAL VEHICLE - REPEAT VIOLATION \$500,00 CITATION TMD037; REMOVE ALL COMMERCIAL VECHICLES.
15-10104308	COMMERCIAL VEHICLE - REPEAT VIOLATION \$250.00 CITATION IM DIDIG REMOVE ALL COMMERCIAL VEHICLES FROM PROPERTY
15-00000115	OCCUPATIONAL LICENSE VIOLATION; ALL AMERICAN & LANDSCAPING BUSINESS IN RESIDENCE LOCATION/ RESTRICTED USE
14-10200312	FLORIDA BUILDING CODE VIOLATION, PERMIT AND APPROVED INSPECTIONS REQUIRED FOR GLASS BLOCK.
(I-10Z00487	FLORIDA BUILDING CODE VIDLATION, PERMIT AND APPROVED INSPECTIONS REQUIRED FOR INTERIOR REMOVATIONS

This matter came before the Special Magistrate for the City of Tamarac. Florida on this date, 5-16-2018, after due notice to the violetor, and based upon the testimony given and the evidence received, the Special Magistrate enters the following:

FINDINGS OF FACT

- The City presented evidence and testimony to support that there are recorded liens against the subject property.
- 2. The City presented evidence and testimony to support that the subject liens have not been paid and remain due and owing to the City

The liens identified in this notice were duly recorded in the public records, remain unpaid, and more than three (3) months have elapsed since the City recorded its liens in the public records, Therefore, the statutory and code requirements to authorize foraclosure proceedings have been met.

ORDER - FORECLOSURE AUTHORIZATION

It is the Order of the Code Compliance Special Magistrate that the City of Temarac is hereby authorized to foreclose on the lieus identified in this notice and seek a monetary judgment t the violator Regarding the liens recorded against the property described below:

LOCATION OF VIOLATION: 6700 NW 74 Avenue, Tamarec, Florida

LEGAL DESCRIPTION: Lot 11, Block 241, The Mainland's of Tamarac Lakes, Unit Fifteen (15), according to the Plat thereof, as recorded in Play Book 71, Page 3, of the Public Records of Broward County.

PARCEL ID: 4941-10-05-1790

DONE AND DRDERED May 18th 2018

Special Magistrate

TAMARAC.ORGRG

7525 N.W. 88th Avenue | Tamarac, Florida 33321-2401 | P: 954.597.3530 | F: 954.597.3540

EQUAL OPPORTUNITY EMPLOYER

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY OF SIM HITHL ORDER A PORECLOSINE - 6700 NOW 74 AVE THE ORIGINAL OF WHICH IS ON FILE IN CITY HALL WITNESS MY HAND AND OFFICIAL SEAL OF THE CITY OF TAMARAC, FLORIDA.

Sec. 2-76. Lien reduction and abatement procedures.

A respondent who has incurred financial penalties pursuant to this article as a result of violations of the City's Code of Ordinances may request an abatement of the fines imposed, except as limited herein. Abatement requests may either be heard by the special magistrate at an abatement hearing; or may be resolved through the city's administrative lien settlement process, as further set forth herein.

- (1) Abatement of liens by the special magistrate.
 - a. Abatement hearings shall be scheduled periodically based on the volume of the requests, at the discretion of the city's director of community development, or his or her designee, but shall be held no less frequent than quarterly.
 - b. The following criteria must be satisfied prior to an abatement hearing before the special magistrate:
 - 1. The property in question must be in total compliance and an affidavit of compliance must be issued for the case for which the abatement is being requested. No other violations may exist on the property at the time of the abatement request;
 - 2. The subject property must be free of all other outstanding debts due to the city, including taxes;
 - 3. The respondent must pay an application fee. The amount of the application fee shall be established by the city commission by resolution and may be amended from time to time.
 - c. The special magistrate at an abatement hearing shall make one (1) of the following determinations: The lien shall be waived in full, reduced to a specified amount or shall be upheld in full. The special magistrate shall hear all the facts regarding the specific code or codes the respondent was in violation of, including but not limited to the date of the original hearing, the date the affidavit of noncompliance was issued, the date the affidavit of compliance was issued, the current lien amount and all pertinent information relating to the specific case, prior to making its determination and order.
 - d. The respondent, or his or her designee must be present at the abatement hearing for the special magistrate to consider the abatement request. If the respondent fails to attend the abatement hearing, he or she shall be required to submit a new application and application fee prior to the city placing the case on the docket for the next abatement hearing.
 - e. The determination of the special magistrate shall be final.
 - f. Unless a different time is ordered by the special magistrate, the respondent shall pay the total amount ordered by the special magistrate within thirty (30) days of the date of the abatement hearing.
 - g. Upon timely receipt of the total amount ordered by the special magistrate, the city will provide the respondent with a release of lien.
 - h. In the event the city does not receive full payment ordered by the special magistrate within the required time period, the fine will revert back to the original amount.
- (2) Administrative lien settlement—Full release of lien.
 - a. A party seeking reduction of fines accrued through a code enforcement lien, must submit a written application to the building department.
 - b. The applicant must pay an application fee. Application fees remitted pursuant to this section shall be non-refundable. The amount of the application fee shall be established by the city commission

- by resolution and may be amended from time to time. The application will not be considered by the city until the application fee is paid in full.
- c. Incomplete applications shall be returned to the applicant, and if not returned with all required information completed within thirty (30) days the application shall be considered withdrawn. If the applicant later seeks lien settlement, it shall be required to submit a new lien settlement application and fee in accordance with subsections a. and b. above.
- d. The applicant shall provide any documentation, which the applicant wishes to have considered as part of the request.
- e. Upon the city's receipt of a complete application and payment of the application fee, the community development director and the chief building official, or their department designee, shall review the city's records to ascertain whether there are outstanding violations existing at the property, and make a specific recommendation with regard to the amount to which the accrued fines set forth in the lien(s) should be reduced, if at all.
- f. When determining the recommended lien settlement amount, the community development director and the chief building official, or their department designee shall consider the following:
 - Statutory criteria:
 - i. The gravity of the violation;
 - ii. Efforts, if any, taken by the violator/property owner to come into compliance; and
 - iii. Any previous code violations by violator.
 - 2. May consider other factors they deem relevant, including, without limitation, the length the violation remained in place, any difficulties or unique circumstances affecting the ability to come into compliance, the level of investment necessary to bring the property into compliance, accrued amount of the lien, current property value compared to the accrued lien, time and incurred costs by city to bring the property into compliance, current ownership of the property, i.e., owner-occupied, real estate owned (REO) or investment property and any other relevant factors.
- g. The city's costs of enforcement, including, without limitation, any charges resulting from city's abatement of health and safety violations on the property and administrative costs shall not be mitigated or reduced.
- h. The community development director and the chief building official, or their department designee, shall also review the status of the violations on the property, and if the property is not in compliance, shall determine a reasonable amount of time for the owner/buyer to bring the property into compliance. This time shall be agreed upon by the city and owner/buyer, and as a condition of settlement, the city and owner/buyer shall enter into a stipulated agreement providing for a time certain to comply, and the recordation of a new lien against the property if the owner/buyer fails to bring the property into compliance.
- i. The city shall assess a fee for the preparation and recording of the stipulated agreement, and the necessary inspections to confirm compliance therewith. The amount of the fee shall be established by the city commission by resolution and may be amended from time to time.
- j. City staff shall then prepare and issue a lien settlement letter to the applicant. The lien settlement letter shall indicate the status of the violations on the property, the total fine accrual, the lien settlement amount, the administrative fees and costs incurred by the city, a provision stating that the city's agreement to settle the liens is conditioned upon the owner/buyer entering

into a stipulated agreement with the city to bring the property into compliance, and the fee for the stipulated agreement. The lien settlement letter shall be executed by the chief building official or his/her designee, and shall be valid for a period of thirty (30) days. Should the applicant accept the city's lien settlement proposal, the applicant shall submit payment and a fully executed stipulated agreement to the city within thirty (30) days and upon receipt and proof of payment of any other outstanding debts owed to the city, the city will deliver a release of lien to the applicant.

- k. If more than thirty (30) but less than sixty (60) days elapse from the date of the issuance of the city's lien settlement letter, the applicant shall submit an updated lien settlement application in accordance with paragraph a. above so the city may confirm whether the condition of the property has changed. Upon review, the city shall provide an updated lien settlement letter, valid for an additional thirty-day period. City staff may in its sole discretion waive this requirement if the property is scheduled to close within five (5) days of the expiration of the previously issued lien settlement letter. An extension granted pursuant to this section shall only be granted by the city one (1) time. If additional extensions are required, or if more than sixty (60) days have elapsed since the date of the issuance of the city's lien settlement letter, the applicant shall be required to submit a new application in accordance with subsections a. and b. above.
- I. Until such time that the city receives payment in full as outlined in the lien settlement letter, the city's lien shall remain valid and enforceable in full against the property.
- m. Due to the delay between the issuance of a lien settlement letter and the city's receipt of payment, there are times where circumstances have changed resulting in the overpayment of release of lien or partial release of lien fees paid to the city. In the event the city receives excess release of lien or partial release of lien fees, the city manager or designee shall be authorized to issue a refund of the overpayment. Refunds issued pursuant to this section shall be exempt from the fee refund provisions set forth in chapter 6, article II, section 6-36 of the City Code of Ordinances.
- (3) Administrative lien settlement—Partial release of lien.
 - a. In certain circumstances, the city may elect to issue a partial release of lien rather than a full release of a code enforcement lien. For purposes of this section, the term partial release of lien shall mean a release which releases a particular piece of property from the city's recorded code enforcement lien, while retaining the city's right to enforce the lien against other properties owned by the violator in accordance with F.S. Ch. 162. The following circumstances may give rise to the issuance of a partial release of lien rather than a full release of lien:
 - 1. If the city's lien was foreclosed;
 - 2. If the city's lien attaches to other properties owned by the violator, and is still secured by the original piece of property;
 - 3. If the city's lien is recorded against a condominium association or homeowner's association, and attaches to all properties owned within the association, the individual property owner may obtain a partial release of lien instead of a full lien settlement;
 - 4. Any other circumstance that the community development director and the chief building official in consultation with the city attorney's office determine warrants a partial release of lien rather than a full lien settlement.
 - b. A party seeking a partial release of a code enforcement lien must submit a written application to the building department.

- c. The applicant must pay an application fee. Application fees remitted pursuant to this section shall be non-refundable. The amount of the application fee shall be established by the city commission by resolution and may be amended from time to time. The application will not be considered by the city until the application fee is paid in full.
- d. Incomplete applications shall be returned to the applicant, and if not returned with all required information completed within thirty (30) days the application shall be considered withdrawn. If the applicant later seeks lien settlement, it shall be required to submit a new lien settlement application and fee in accordance with paragraphs b. and c. above.
- e. The applicant shall provide any documentation, which the applicant wishes to have considered as part of the request.
- f. Upon the city's receipt of a complete application and payment of the application fee, the community development director and the chief building official, or their department designee, shall review the city's records to ascertain whether there are outstanding violations existing at the property, and if the property is not in compliance, shall determine a reasonable amount of time for the owner/buyer to bring the property into compliance. This time shall be agreed upon by the city and owner/buyer, and as a condition of settlement, the city and owner/buyer shall enter into a stipulated agreement providing for a time certain to comply, and the recordation of a new lien against the property if the owner/buyer fails to bring the property into compliance.
- g. The city shall assess a fee for the preparation and recording of the stipulated agreement, and the necessary inspections to confirm compliance therewith. The amount of the fee shall be established by the city commission by resolution and may be amended from time to time.
- h. The city's costs of enforcement, including, without limitation, any charges resulting from city's abatement of health and safety violations on the property and administrative costs are due and payable in full in addition to the partial release of lien fee, and shall not be mitigated or reduced.
- i. City staff shall then prepare and issue a lien settlement letter to the applicant. The lien settlement letter shall indicate the status of the violations on the property, the administrative fees and costs incurred by the city, a provision stating that the city's agreement to provide partial releases of lien is conditioned upon the owner/buyer entering into a stipulated agreement with the city to bring the property into compliance, and the fee for the stipulated agreement. The lien settlement letter shall be executed by the chief building official or his/her designee, and shall be valid for a period of thirty (30) days. Should the applicant accept the city's lien settlement proposal, the applicant shall submit payment and a fully executed stipulated agreement to the city within thirty (30) days and upon receipt and proof of payment of any other outstanding debts owed to the city, the city will deliver a partial release of lien to the applicant.
- j. If more than thirty (30) but less than sixty (60) days elapse from the date of the issuance of the city's lien settlement letter, the applicant shall submit an updated lien settlement application in accordance with paragraph b. above so the city may confirm whether the condition of the property has changed. Upon review, the city shall provide an updated lien settlement letter, valid for an additional thirty-day period. City staff may in its sole discretion waive this requirement if the property is scheduled to close within five (5) days of the expiration of the previously issued lien settlement letter. An extension granted pursuant to this section shall only be granted by the city one (1) time. If additional extensions are required, or if more than sixty (60) days have elapsed since the date of the issuance of the city's lien settlement letter, the applicant shall be required to submit a new application in accordance with subsections b. and c. above.
- k. Until such time that the city receives payment in full as outlined in the lien settlement letter, the city's lien shall remain valid and enforceable in full against the property.

- I. Due to the delay between the issuance of a lien settlement letter and the city's receipt of payment, there are times where circumstances have changed resulting in the overpayment of release of lien or partial release of lien fees paid to the city. In the event the city receives excess release of lien or partial release of lien fees, the city manager or designee shall be authorized to issue a refund of the overpayment. Refunds issued pursuant to this section shall be exempt from the fee refund provisions set forth in chapter 6, article II, section 6-36 of the City Code of Ordinances.
- (4) Limitation of lien settlement/special magistrate abatement authority. Pursuant to F.S. Ch. 162, code enforcement liens run in favor of the city commission. The city commission has determined that the following liens may not be settled or abated unless certain conditions are met:
 - a. Costs incurred by the city to abate a nuisance, or health, safety and welfare violation at a property shall not be reduced or abated.
 - b. Invoices for costs incurred by the city to maintain a violator's property, and/or board up a violator's property shall not be reduced or abated.
 - c. Liens for which there are sufficient surplus funds, resulting from a tax deed sale, or foreclosure sale, to satisfy the city's lien in full or in part. In these circumstances, the city shall first collect the full amount of the surplus it is due, and apply the surplus to satisfy its lien. If the surplus amount is insufficient to satisfy the city's lien, then the remaining balance may be abated in accordance with subsections (1) and (2) herein.
 - d. Liens that are insured by an owner's title insurance policy. If a lien is insured by an owner's title insurance policy, the property owner shall first assert a claim against its insurance company. The city shall only consider reduction or abatement of the lien if an outstanding balance remains after the owner's title claim has concluded.
 - e. A lien that the special magistrate has authorized the city to initiate foreclosure proceedings to enforce, or a lien that is the subject of pending litigation between the city and property owner/violator shall not be reduced or abated.

(Ord. No. 91-20, § 6, 5-22-91; Ord. No. 2007-09, § 2, 4-25-07; Ord. No. O-2015-08, § 2, 5-27-15)

Editor's note(s)—Ord. No. O-2015-08, § 2, adopted May 27, 2015 changed the title of § 2-76 from "Abatement procedures" to read as set out herein.

Instr# 117472856 , Page 1 of 2, Recorded 08/03/2021 at 09:57 AM

Broward County Commission Deed Doc Stamps: \$61.60

Return To & After Recording Return To: Michele Diglio-Benkiran, Esquire Legal Counsel, P.A. 13330 W. Colonial Dr. #110 Winter Garden, FL 34787

Consideration: \$8,750.00 Parcel Id #49-41-10-05-1790

Space Above This Line for Recording

QUIT CLAIM DEED

THIS QUIT-CLAIM DEED, executed this 30th day of July, 2021, by Anthony Aidone a/k/a Anthony Aidone, Sr., a married man whose address is 156 West Tiana Road, Hampton Bays, NY 11946 (the "Grantor") to The 12 Names, LLC, a Florida limited liability company whose address is 13330 W. Colonial Drive, Unit 110, Winter Garden, FL 34787 (the "Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successor and assigns corporations, wherever the context so admits or requires.)

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ten and NO/100 Dollars (\$10.00), in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said Grantee forever, all the rights, title, interest, claim, and demand which the said Grantor has in and to the following described piece or parcel of land, situate, lying and being in the County of Broward, State of Florida, to-wit:

Lot 11, Block 241, The Mainlands of Tamarac Lakes, Unit Fifteen, according to map or plat thereof as recorded in Plat Book 71, Page 3, of the Public Records of Broward County, Florida.

Subject to conditions, restrictions, reservations and easements of record and taxes subsequent to 2020.

Together with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Grantor warrants that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor, either in law or equity, to the only proper use, benefit and behoof of the said Grantee forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

GRANTOR:

Print Name:

Print Name: Alaca m

Block A M. Gebbia

Anthony Aidone a/k/a Anthony

Aidone, Sr.

STATE OF NEW YORK) COUNTY OF SUFFOLK)

The foregoing instrument was acknowledged before me by means of [X] physical presence or [_] online notarization on this 29th day of July, 2021, by Anthony Aidone a/k/a Anthony Aidone, Sr. He is __ personally known to me, __ has produced a Florida driver's license as identification, or __ has produced the following as identification: \(\frac{1}{2} \). \(\frac{1}{2} \) \(\frac{1}{2} \)

Notary Public-State of New York

GLORIA M GEBBIA

NOTARY PUBLIC-STATE OF NEW YORK

No. 01GE5017046

Qualified In Suffolk County

My Commission Expires August 30, Zozs



Site Address	6700 NW 74 AVENUE, TAMARAC FL 33321	ID#	4941 10 05 1790			
Property Owner	12 NAMES LLC	Millage	3112			
Mailing Address	13330 W COLONIAL DR #110 WINTER GARDEN FL 34787	Use	01 *			
Abbr Legal Description	MAINLANDS OF TAMARAC LAKES UNIT 15 71-3 B LOT 11 BLK 241					

The just values displayed below were set in compliance with Sec. 193.011, Fla. Stat., and include a reduction for costs of sale and other adjustments required by Sec. 193.011(8).

Year	Land	Building / Improvemen		Just / Market it Value		Assessed / SOH Value		Тах	
2021*	\$28,130	\$233,	150	\$261,280		\$261,280			
2020	\$28,130	\$212,3	310	\$240,440)	\$240,440		\$5,909.38	
2019	\$28,130			\$209,420)	\$89,480		\$1,778.85	
•	2(21° Exemp	tíons and	Taxable Values	by Tax	xing Authori	ty		
		Co	unty	School Bo	pard	Munic	ipal	Inde	pendent
Just Value		\$261	,280	\$261	,280	\$261,	280	\$	261,280
Portability			0		0		0		0
Assessed/	soh	\$261	1,280 \$261,		,280	\$261,280		\$261,280	
Homestead	k		0		0	0		0	
Add. Homestead		0		0		0		0	
Wid/Vet/Dis			0	0			0		0
Senior	Senior		0		0		0		0
Exempt Ty	ре		0		0		0		0
Taxable		\$26	,280	\$261	,280	\$261,	280		261,280
	Sa	iles History				Land	Calcul	ations	
Date	Туре	Price	Book/	Page or CIN		Price	F	actor	Туре
7/29/202	1 QCD-D	\$8,800	11	7472856	,	\$3.00	9,375		SF
7/29/202	1 PRD-D	\$8,800	11	7472857					ļ
2/3/2021	ODH-T		11	117032959					
12/20/200	9 QCD-T	\$100	467	763 / 1147			<u> </u>		
12/17/200	9 QCD-T	\$100	467	763 / 1145	A d	j. Bldg. S.F.	(Card,	Sketch)	1784
						Units/Be	ds/Bath	ıs	1/2/2
						Eff./Act. Ye	ear Buil	t: 1973/197	72

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
31	Т			4 m		TM		
R	1		***					
1						1		

ALL CASES FOR 6700 NW 74TH AVENUE

CASE NUMER	STATUS	LIEN START DATE	DIVISION	VIOLATION	TOTAL AMOUNT		
18-0000024	ACTIVE LIEN	04-05-2018	OCCUPATIONAL LIC	LICENSE REQUIRED	\$256,675.00		
17-10104251	ACTIVE LIEN	10-03-2017	CODE COMPLIANCE	PUBLIC NUISANCE & MENANCE STANDING WATER	\$137,750.00		
17-10103835	ACTIVE LIEN	09-01-2017	CODE COMPLIANCE	RESIDENTIAL PROPERTY MAINT CLEAN AND PAINT ROOF	\$206,075.00		
17-10103834	ACTIVE LIEN	09-01-2017	CODE COMPLIANCE	RESIDENTIAL PROPERTY MAINT RESTORE YARD AND LANDSCAPING	\$208,075.00		
17-10103269	ACTIVE LIEN	07-28-2017	CODE COMPLIANCE	UNREGISTERED VEHICLE	\$133,075.00		
17-10100761	ACTIVE LIEN	02-16-2017	CODE COMPLIANCE	RESIDENTIAL PROPERTY MAINT MAINTENANCE EQUIPMENT IN PUBLIC VIEW	\$199,575.00		
17-10100760	ACTIVE LIEN	02-16-2017	CODE COMPLAINCE	COMMERCIAL VEHICLE	\$6,150.00		
16-10101394	ACTIVE LIEN	02-16-2017	CODE COMPLIANCE	JUNK, TRAHS & DEBRIS REPEAT VIOLATION	\$262,325.00		
15-00000115	ACTIVE LIEN	03-05-2016	OCCUPATIONAL LIC	OCCUPATIONAL LIC REQUIRED	\$44,875.00		
14-10200312	ACTIVE LIEN NOT IN COMPLIANCE	12-02-2014	BUILDING DEPARTMENT	FLORIDA BUILDING CODE PERMIT AND INSPECTION	\$198,000.00 AS OF 8-6-2021		
11-10200487	ACTIVE LIEN	05-24-2011	BUILDING DEPARTMENT	FLORIDA BUILDING CODE	\$103,800.00		
TOTAL LIEN AN		\$1,454,575.00					
TOTA LIEN AMOUNTS FOR BUILDING DEPARTMENT							

CITY OF TAMARAC INTEROFFICE MEMORANDUM CITY ATTORNEY'S OFFICE

TO: Scott Krajewski, Code Compliance Manager

CC: **Honorable Mayor and City Commission**

Michael C. Cernech, City Manager

Kathleen Gunn, Assistant City Manager

George Folles, Chief Building Official/Director **Christine Cajuste, Financial Services Director**

Hans Ottinot, City Attorney FROM:

Pamala Ryan Deputy City Attorney

DATE: March 26, 2021

RE: **Partial Payoff of City of Tamarac Liens**

Estate of Anthony Aidone, Jr. and Madeline Aidone

Attached please find check payable to the City in the amount of FIVE THOUSAND DOLLARS (\$5000,00) representing an expedited release fee in the Estate of Anthony Aidone, Jr. and Madeline Aidone relating to liens placed on property located at 6700 NW 74th Ave., Tamarac, FL.

The City was asked to partially release the lien to facilitate the sale on property located at 461 NW 76th Ave. #205, Margate, Florida which is outside of the jurisdiction of this City. The City Attorney negotiated a \$5000 fee to partially release the lien on the property located in Margate. It is important to note that the release lien relating to the property in Margate has no impact on the existing liens recorded on the property located in Tamarac.

The claim is an effort to recover any available money for the City. The Estate contains very few assets but for the respective real properties. Please note that the City's liens remain recorded against the property in Tamarac.

Should you have any questions or concerns regarding this matter, please do not hesitate to contact me.

\$5,000.00

DATE: 03/18/2028 EC CODED

CK #: 16438CITY OF PAMARAC CITY MANAGER

te Aidone and Tiara Maguire-Ramos 2071 MAR 24 PM 12: 50

e:

FL 330634887 205, Property Tax ID #484135-B7-0130

16438 i, INC. BB&T 7290 W. ATLANTIC BLVD. MARGATE, FL 33063 63-9138/2631 FILE #: 2020030 16438 03/18/2021 *\$5,000.00* a

53191387::1100003986193:

From: Brian J. Sherman

To: "Caryn Carvo"

Cc: Danielle Schwabe; Michael D. Cirullo, Jr.; Attorney - Sam Goren

Subject: RE: CASE # PR-C-19-0005645 ESTATE OF MADELINE AIDONE

Date: Tuesday, April 14, 2020 1:31:01 PM

Attachments: <u>image001.jpg</u>

image47c029.JPG

CONFIDENTIAL SETTLEMENT CORRESPONDENCE

Caryn:

Good afternoon. Please also be advised that any settlement is subject to final approval by the City Commission. Please feel free to call me if you have any questions.

Brian J. Sherman



3099 East Commercial Boulevard, Suite 200 Fort Lauderdale, Florida 33308

Telephone: (954) 771-4500 x 5026 | (561) 276-9400 x 5026 | Fax: (954) 771-4923

Email: BSherman@gorencherof.com | www.GorenCherof.com

Offices in Fort Lauderdale and Delray Beach, Florida.

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From: Brian J. Sherman

Sent: Tuesday, April 14, 2020 11:34 AM

To: 'Caryn Carvo'

Cc: Danielle Schwabe; Michael D. Cirullo, Jr.; Samuel S. Goren

Subject: RE: CASE # PR-C-19-0005645 ESTATE OF MADELINE AIDONE

CONFIDENTIAL SETTLEMENT CORRESPONDENCE

Caryn:

Good morning. As discussed at length this morning, please be advised that the City will be willing to settle the outstanding liens for \$125,000.00. This would be inclusive any required stimulated agreements for any remaining violations.

Be well and stay safe.

Brian J. Sherman



3099 East Commercial Boulevard, Suite 200 Fort Lauderdale, Florida 33308

Telephone: (954) 771-4500 x 5026 | (561) 276-9400 x 5026 | Fax: (954) 771-4923

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From: Caryn Carvo [mailto:caryn@carvolaw.com]

Sent: Monday, March 23, 2020 2:39 PM

To: Brian J. Sherman

Subject: CASE # PR-C-19-0005645 ESTATE OF MADELINE AIDONE

Importance: High

Brian:

Pursuant to our conversation, this will confirm that the Estate and its beneficiaries are interested in abating the liens and resolving and settling all outstanding obligations owed to the City of Tamarac. It is anticipated at this time that one of the beneficiaries will be the one to acquire the property at 6700 NW 74 Avenue which is subject to the City's lien. As to the timetable in which the settlement payment is to be made, we would request that it be no earlier than 180 days in order to allow the Estates to move forward toward conclusion and in consideration of the present state of the courts being closed until at a minimum almost May and businesses closed for a period of time as well. We appreciate all of your and your client's assistance to try to get this matter resolved.

Caryn Goldenberg Carvo, Esq.

Caryn Goldenberg Carvo P.A.
888 South Andrews Avenue, Suite 301
Fort Lauderdale, FL 33316
Tel (954) 524-4450
Fax (954) 524-4451
Cel (954) 254-8445
Caryn@CarvoLaw.com
carvoem@bellsouth.net

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Title - TO2479 - Amendment to the City's Comprehensive Plan to create a new Property Rights Element as required by Florida Statutes 177.3177(6)(i)/HB59

An Ordinance of the City of Tamarac, Florida, adopting an amendment to the City of Tamarac Comprehensive Plan, by and through procedures required for the expedited state review process pursuant to authority under state statutes Section 163.3184, specifically creating a new property rights element of the comprehensive plan entitled "Property Rights" attached hereto as Exhibit "A"; authorizing transmittal of the adopted property rights element comprehensive plan amendment to the Department of Economic Opportunity and other agencies as required by Florida Statutes 163.3184(3) providing for inclusion in the comprehensive plan; providing for conflict; providing for severability; and, providing for an effective date

Commission District(s):

Citywide

ATTACHMENTS:

Description	Upload Date	Туре
1 - Property Rights Memo	8/11/2021	Cover Memo
2 - TEMPORARY ORDINANCE NO. 2479	8/11/2021	Ordinance
2 - Exhibit A	8/4/2021	Exhibit
3 - House Bill No 59	8/4/2021	Backup Material

CITY OF TAMARAC INTEROFFICE MEMORANDUM 21-08-004M COMMUNITY DEVELOPMENT DEPARTMENT

TO: Michael C. Cernech

City Manager

FROM: Maxine A. Calloway,

Director of Community Development

DATE: August 11, 2021

RE: Comprehensive Plan Amendment – Property Rights Element

TEMP ORDINANCE NO. 2479

RECOMMENDATION: The Director of Community Development recommends that the Mayor and City Commission approve on First Reading the proposed amendment to the City of Tamarac Comprehensive Plan and authorize staff to transmit the proposed Property Rights Element to the Department of Economic Opportunity and reviewing agencies at its August 25, 2021, meeting (see attached Temporary Ordinance No. 2479).

ISSUE: City staff is requesting approval of a Comprehensive Plan Amendment to add a Property Rights Element to the City of Tamarac Comprehensive Plan and to transmit the proposed Property Rights Element to the Department of Economic Opportunity for inclusion in the City's Comprehensive Plan.

BACKGROUND: On June 29, 2021, the Governor of the State of Florida approved House Bill No. 59 (see attached House Bill No. 59). The bill requires all local governments to adopt a property rights element in their comprehensive plans. The bill provision instructs local governments to consider certain private property rights when regulating land and directs local governments to adopt a property rights element by the earlier of its next proposed comprehensive plan amendment initiated after July 1, 2021, or the date of its next comprehensive plan evaluation, as required by Florida Statues Section 163.3191.

Under current law, local governments create and adopt local comprehensive plans to control and direct land use and development within a county or municipality. However, the Department of Economic Opportunity oversees the local comprehensive plan system at the state level. Nevertheless, local governments in the state retain ample independence in the substance of land use regulation of private property within their jurisdiction.

ANALYSIS: Pursuant to Section 163.3167, Florida Statutes, local governments are required to adopt and maintain a comprehensive plan and prepare amendments to its existing Comprehensive Plan to comply with State Statute as amended from time to time. The City of Tamarac Comprehensive Plan ("Plan") was last adopted by Ordinance Number 2008-08, as amended, pursuant to State law in 2008. Since that time, several amendments have been made to the Plan, including the adoption of a new Economic Development Element in 2018. Section 163.3177, Florida Statutes, provides for required and optional Elements to be included in a local government's comprehensive plan. The City of Tamarac is including the required Property Rights Element in its Comprehensive Plan to ensure that private property rights are considered in local decision-making.

Local comprehensive plans must include principles, guidelines, standards, and strategies for orderly and balanced future land development. A comprehensive plan must reflect community commitments to

Comprehensive Plan Amendment – Property Rights Element Temporary Ordinance No. 2479 August 11, 2021 – Page 2

implement the Plan and identify procedures for monitoring, evaluating, and appraising its implementation. A comprehensive plan may include optional elements, but must include the following elements: Capital Improvements, Future Land Use Plan, Intergovernmental Coordination, Conservation, Transportation, Sanitary Sewer, Solid Waste, Drainage, Potable Water, And Aquifer Recharge, Recreation and Open Space, Housing, and now Property Rights.

Florida House Bill No. 59 requires a local government with a population of ten thousand (10,000) or more to include the property rights element in its comprehensive plan by the earlier of the adoption of its next proposed plan amendment or July 1, 2024. Given the pending Land Use Plan Amendments before the City, it was necessary to process the Comprehensive Plan Amendment Property Rights Element now, to avoid any delay in the processing of Comprehensive Plan Amendments with the State's Department of Economic Opportunity.

The Bill provides a model Statement Of Rights that may be adopted by local governments. Notwithstanding, if a local government adopts its own property rights element, the element may not conflict with the statement of rights provided in the Statutes. As such, staff is proposing that the City of Tamarac adopt the statement of rights listed in the Bill and Florida Statutes to satisfy the requirement. The goal of the Property Rights Element requires the City to respect judicially acknowledged and constitutionally protected private property rights, to ensure that private property rights are considered in local decision-making.

The following rights shall be considered in local decision-making:

- The right of a property owner to physically possess the property and control his or her interests in the property, including easements, leases, or mineral rights;
- The right of a property owner to use, maintain, develop, and improve the property for personal use or the use of another, subject to state law and local ordinances;
- The right of the property owner to privacy and to exclude others from the property to protect his or her possessions and property; and
- The right of a property owner to dispose of his or her property through sale or gift.

Amending the Comprehensive Plan is a matter committed to the legislative discretion of the City Commission. Section 10-5.4(B)(3), Code of Ordinances, identifies review standards the City Commission shall consider and weigh the relevance and the extent to which the proposed amendment is necessary. These review standards and the responses to each standard, as it applies to the subject petition, are shown below.

(a) A change in projections or assumptions from those on which the Comprehensive Plan is based: Are public facilities and services available for the proposed use.

Florida House Bill No. 59, approved on June 29, 2021, requires a local government with a population of ten thousand (10,000) or more to include a property rights element in its comprehensive plan by the earlier of the adoption of its next proposed plan amendment or July 1, 2024.

(b) Is the plan amendment suitable for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources of the site.

Comprehensive Plan Amendment – Property Rights Element Temporary Ordinance No. 2479 August 11, 2021 – Page 3

The plan amendment affords a property owner's right to use, maintain, develop, and improve the property for personal use or the use of another, subject to state law and local ordinances.

(c) Is the plan amendment the minimum amount of land needed to achieve the goals and requirements of the Comprehensive Plan.

The plan amendment affords a property owner's right to physically possess the property and control his or her interests in the property, including easements, leases, or mineral rights.

(d) A change in the policies, objectives, principles, or standards governing the physical development of the City or any other geographic areas addressed by the Comprehensive Plan.

Florida House Bill No. 59, approved on June 29, 2021, requires a local government with a population of ten thousand (10,000) or more to include the property rights element in its comprehensive plan by the earlier of the adoption of its next proposed plan amendment or July 1, 2024.

(e) Identification of errors or omissions in the Comprehensive Plan.

The goal of the Property Rights Element requires the City to respect judicially acknowledged and constitutionally protected private property rights, to ensure that private property rights are considered in local decision making.

It is the opinion of the Director of Community Development that the review standards for a comprehensive plan amendment, as outlined in Section 10-5.4(B)(3), Code of Ordinances, have been satisfied. The Director of Community Development supports the proposed Comprehensive Plan Amendment based upon the above analyses of the application.

CONCLUSION: This item supports Goal #1 of the City of Tamarac's 2040 Strategic Plan, "Tamarac is Home." The approval of the Compressive Plan Amendment will guarantee that private property rights are protected.

The Director of Community Development recommends that the Mayor and City Commission approve on First Reading the proposed amendment to the City of Tamarac Comprehensive Plan and authorize staff to transmit the proposed Property Rights Element to the Department of Economic Opportunity and reviewing agencies at its August 25, 2021, meeting.

FISCAL IMPACT: There will be no direct budgetary impact.

INTERVENING ACTION: At its August 4, 2021 meeting, the Planning Board voted 6-0 to forward a favorable recommendation for the proposed amendment to the City of Tamarac Comprehensive Plan and authorize staff to transmit the proposed Property Rights Element to the Department of Economic Opportunity and reviewing agencies at its August 25, 2021, meeting for First Reading.

Maxine A. Calloway

Comprehensive Plan Amendment – Property Rights Element Temporary Ordinance No. 2479 August 11, 2021 – Page 4

Director of Community Development

Attachments: Temporary Ordinance No. 2479
Exhibit "A" – Property Rights Element
House Bill No. 59

MAC:RWJ

CITY OF TAMARAC, FLORIDA

ORDINANCE N	O. 2021	-	

AN ORDINANCE OF THE CITY OF TAMARAC, FLORIDA, ADOPTING AN AMENDMENT TO THE CITY OF TAMARAC COMPREHENSIVE PLAN, BY AND THROUGH PROCEDURES REQUIRED FOR THE EXPEDITED STATE REVIEW PROCESS PURSUANT TO AUTHORITY UNDER STATE STATUTES SECTION 163.3184, SPECIFICALLY CREATING Α **NEW PROPERTY** RIGHTS OF ELEMENT THE PLAN ENTITLED COMPREHENSIVE "PROPERTY RIGHTS" ATTACHED HERETO AS EXHIBIT "A": AUTHORIZING TRANSMITTAL OF THE ADOPTED PROPERTY RIGHTS ELEMENT COMPREHENSIVE PLAN AMENDMENT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY AND OTHER AGENCIES AS REQUIRED BY FLORIDA STATUTES 163.3184(3) PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; **PROVIDING FOR** CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3167 requires local governments to adopt and maintain a comprehensive plan and prepare amendments to its existing comprehensive plan to conform it to the requirements of the Section; and

WHEREAS, the City of Tamarac Comprehensive Plan was last adopted by Ordinance Number 2008-08, as amended, pursuant to State law in 2008; and

WHEREAS, Section 163.3177 provides for required and optional Elements to be included in a local government's comprehensive plan; and

WHEREAS, House Bill No. 59 and Florida Statute Section 177.3177(6)(i) requires the City of Tamarac to include a Property Rights Element into its Comprehensive Plan to ensure that private property rights are considered in local decision-making; and

WHEREAS, in accordance with the requirements of Florida Statutes and the City of Tamarac Code of Ordinances, notice to the public of the transmittal public hearing to be held on August 25, 2021 was provided; and

WHEREAS, the Director of Community Development has reviewed the item and determines that the adoption of the Property Rights Element attached hereto as Exhibit "A" is consistent with House Bill No. 59, Florida Statutes 177.3177(6)(i) and the goals, objectives and policies of the City of Tamarac Comprehensive Plan as amended; and

WHEREAS, the Property Rights Element amendment to the Comprehensive Plan is being adopted conditionally upon the Broward County Planning Council recertification of same; and

WHEREAS, the City Commission finds it appropriate to amend the City of Tamarac Comprehensive Plan to insert a new Property Rights Element as a required Element to the Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISISON OF THE CITY OF TAMARAC, FLORIDA:

SECTION 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance. All exhibits attached hereto and referenced herein are hereby incorporated by this reference.

SECTION 2: That the City of Tamarac's Comprehensive Plan is hereby amended in accordance with Section 163.3184, Florida Statutes, to incorporate a new

Property Rights Element as shown in Exhibit "A" attached hereto and incorporated for

reference herein.

SECTION 3: That the Director of Community Development is further authorized

and directed to make the necessary textual changes to the City's Comprehensive Plan

in order to reflect the above-stated changes and transmit same to the reviewing

agencies.

SECTION 4: All Ordinances or parts of Ordinances, and all Resolutions or parts

of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: If any provision of this Ordinance or the application thereof to

any person or circumstance is held invalid, such invalidity shall not affect other

provisions or applications of this Ordinance that can be given affect without the invalid

provision or application, and to this end the provisions of this Ordinance are declared to

be severable.

SECTION 6: The effective date of this plan amendment, if the amendment

is not timely challenged, shall be 31 days after the state land planning agency notifies

the City that the plan amendment package is complete. If the amendment is timely

challenged, this amendment shall become effective on the date the state land planning

agency or the Administration Commission enters a final order determining this adopted

amendment to be in compliance. No development orders, development permits, or

become effective. day of PASSED, APPROVED, ON FIRST READING this , 2021. PASSED, APPROVED, ON SECOND READING this day of , 2021. MICHELLE J. GOMEZ, MAYOR ATTEST: JENNIFER JOHNSON, CMC CITY CLERK I HEREBY CERTIFY that I have approved this ORDINANCE as to form.

development dependent on this amendment may be issued or commence before it has

This Ordinance was filed in the Office of the City Clerk on this ____ day of _____ 202_.

JOHN R. HERIN JR. CITY ATTORNEY

PROPERTY RIGHTS ELEMENT

VOLUME I: GOALS, OBJECTIVES & POLICIES

City of Tamarac

PROPERTY RIGHTS ELEMENT

GOAL

The City of Tamarac will respect judicially acknowledged and constitutionally protected private property rights, to ensure that private property rights are considered in local decisionmaking.

Objective 1

The City intends to promote orderly growth and development through the adoption, maintenance and implementation of its Property Rights Element.

Monitoring and Evaluation:

- The efforts of the City to implement the statement of rights in accordance with Florida Statutes 163.3177(6)(i). This objective shall be implemented by its policies.
- Policy 1.1 The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
- Policy 1.2 The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
- Policy 1.3 The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
- Policy 1.4 The right of a property owner to dispose of his or her property through sale or gift.

CHAPTER 2021-195

Committee Substitute for Committee Substitute for Committee Substitute for House Bill No. 59

An act relating to growth management; amending s. 163.3167, F.S.; specifying requirements for certain comprehensive plans effective, rather than adopted, after a specified date and for associated land development regulations; amending s. 163.3177, F.S.; requiring local governments to include a property rights element in their comprehensive plans; providing a statement of rights which a local government may use; requiring a local government to adopt a property rights element by the earlier of its adoption of its next proposed plan amendment initiated after a certain date or the next scheduled evaluation and appraisal of its comprehensive plan; prohibiting a local government's property rights element from conflicting with the statement of rights contained in the act; amending s. 163.3237, F.S.; providing that the consent of certain property owners is not required for development agreement changes under certain circumstances; providing an exception; amending s. 337.25, F.S.; requiring the Department of Transportation to afford a right of first refusal to certain individuals under specified circumstances; providing requirements and procedures for the right of first refusal; amending s. 380.06, F.S.; authorizing certain developments of regional impact agreements to be amended under certain circumstances; providing retroactive applicability; providing a declaration of important state interest; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (3) of section 163.3167, Florida Statutes, is amended to read:

163.3167 Scope of act.—

(3) A municipality established after the effective date of this act shall, within 1 year after incorporation, establish a local planning agency, pursuant to s. 163.3174, and prepare and adopt a comprehensive plan of the type and in the manner set out in this act within 3 years after the date of such incorporation. A county comprehensive plan is controlling until the municipality adopts a comprehensive plan in accordance with this act. A comprehensive plan for a newly incorporated municipality which becomes effective adopted after January 1, 2016 2019, and all land development regulations adopted to implement the comprehensive plan must incorporate each development order existing before the comprehensive plan's effective date, may not impair the completion of a development in accordance with such existing development order, and must vest the density and intensity approved by such development order existing on the effective date of the comprehensive plan without limitation or modification.

- Section 2. Paragraph (i) is added to subsection (6) of section 163.3177, Florida Statutes, to read:
- 163.3177 Required and optional elements of comprehensive plan; studies and surveys.—
- (6) In addition to the requirements of subsections (1)-(5), the comprehensive plan shall include the following elements:
- (i)1. In accordance with the legislative intent expressed in ss. 163.3161(10) and 187.101(3) that governmental entities respect judicially acknowledged and constitutionally protected private property rights, each local government shall include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decisionmaking. A local government may adopt its own property rights element or use the following statement of rights:

The following rights shall be considered in local decisionmaking:

- 1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
- 2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
- 3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
- 4. The right of a property owner to dispose of his or her property through sale or gift.
- 2. Each local government must adopt a property rights element in its comprehensive plan by the earlier of the date of its adoption of its next proposed plan amendment that is initiated after July 1, 2021, or the date of the next scheduled evaluation and appraisal of its comprehensive plan pursuant to s. 163.3191. If a local government adopts its own property rights element, the element may not conflict with the statement of rights provided in subparagraph 1.
 - Section 3. Section 163.3237, Florida Statutes, is amended to read:
- 163.3237 Amendment or cancellation of a development agreement.—A development agreement may be amended or canceled by mutual consent of the parties to the agreement or by their successors in interest. A party or its designated successor in interest to a development agreement and a local government may amend or cancel a development agreement without securing the consent of other parcel owners whose property was originally subject to the development agreement, unless the amendment or

cancellation directly modifies the allowable uses or entitlements of such owners' property.

- Section 4. Subsection (4) of section 337.25, Florida Statutes, is amended to read:
 - 337.25 Acquisition, lease, and disposal of real and personal property.
- (4) The department may convey, in the name of the state, any land, building, or other property, real or personal, which was acquired under subsection (1) and which the department has determined is not needed for the construction, operation, and maintenance of a transportation facility. When such a determination has been made, property may be disposed of through negotiations, sealed competitive bids, auctions, or any other means the department deems to be in its best interest, with due advertisement for property valued by the department at greater than \$10,000. A sale may not occur at a price less than the department's current estimate of value, except as provided in paragraphs (a)-(d). The department may afford a right of first refusal to the local government or other political subdivision in the jurisdiction in which the parcel is situated, except in a conveyance transacted under paragraph (a), paragraph (c), or paragraph (e). Notwithstanding any provision of this section to the contrary, before any conveyance under this subsection may be made, except a conveyance under paragraph (a) or paragraph (c), the department shall first afford a right of first refusal to the previous property owner for the department's current estimate of value of the property. The right of first refusal must be made in writing and sent to the previous owner via certified mail or hand delivery, effective upon receipt. The right of first refusal must provide the previous owner with a minimum of 30 days to exercise the right in writing and must be sent to the originator of the offer by certified mail or hand delivery, effective upon dispatch. If the previous owner exercises his or her right of first refusal, the previous owner has a minimum of 90 days to close on the property. The right of first refusal set forth in this subsection may not be required for the disposal of property acquired more than 10 years before the date of disposition by the department.
- (a) If the property has been donated to the state for transportation purposes and a transportation facility has not been constructed for at least 5 years, plans have not been prepared for the construction of such facility, and the property is not located in a transportation corridor, the governmental entity may authorize reconveyance of the donated property for no consideration to the original donor or the donor's heirs, successors, assigns, or representatives.
- (b) If the property is to be used for a public purpose, the property may be conveyed without consideration to a governmental entity.
- (c) If the property was originally acquired specifically to provide replacement housing for persons displaced by transportation projects, the department may negotiate for the sale of such property as replacement

housing. As compensation, the state shall receive at least its investment in such property or the department's current estimate of value, whichever is lower. It is expressly intended that this benefit be extended only to persons actually displaced by the project. Dispositions to any other person must be for at least the department's current estimate of value.

- (d) If the department determines that the property requires significant costs to be incurred or that continued ownership of the property exposes the department to significant liability risks, the department may use the projected maintenance costs over the next 10 years to offset the property's value in establishing a value for disposal of the property, even if that value is zero.
- (e) If, at the discretion of the department, a sale to a person other than an abutting property owner would be inequitable, the property may be sold to the abutting owner for the department's current estimate of value.
- Section 5. Paragraph (d) of subsection (4) of section 380.06, Florida Statutes, is amended to read:
 - 380.06 Developments of regional impact.—
 - (4) LOCAL GOVERNMENT DEVELOPMENT ORDER.—
- (d) Any agreement entered into by the state land planning agency, the developer, and the local government with respect to an approved development of regional impact previously classified as essentially built out, or any other official determination that an approved development of regional impact is essentially built out, remains valid unless it expired on or before April 6, 2018, and may be amended pursuant to the processes adopted by the local government for amending development orders. Any such agreement or amendment may authorize the developer to exchange approved land uses, subject to demonstrating that the exchange will not increase impacts to public facilities. This paragraph applies to all such agreements and amendments effective on or after April 6, 2018.
- Section 6. The Legislature finds and declares that this act fulfills an important state interest.
 - Section 7. This act shall take effect July 1, 2021.

Approved by the Governor June 29, 2021.

Filed in Office Secretary of State June 29, 2021.



Title - TO2477 - Land Use map Change of 5601 N Hiatus Road to change the future land use designation of approximately 15.82 gross acres of land from "Commercial" to "Industrial"

An Ordinance of the City Commission of the City of Tamarac, Florida, adopting a Small Scale Land Use Plan Amendment to the City of Tamarac's Comprehensive Plan Future Land Use Map in accordance with Chapter 163, specifically Section 163.3187 of the Florida State Statutes, for said lands situated, lying, and being in Broward County, Florida, and located at 5601 N Hiatus Road, and more particularly described in the legal description shown in Exhibit "A" attached hereto, to change the future land use designation of approximately 15.82 gross acres of land from "Commercial" to "Industrial" to facilitate and allow for the development of an industrial use and provide consistency with the Land Development Code in accordance with the intent of the Comprehensive Plan of the City of Tamarac (Case No. 1-LUA-21); authorizing transmittal of the Small Scale Land Use Map Amendment to the Broward County Planning Council for recertification of the City of Tamarac Future Land Use Map; providing for amendment to the land use plan to reflect such change; providing for conflicts; providing for severability; and providing for an effective date

Commission District(s):

District 2

ATTACHMENTS:

Description	Upload Date	Туре
1 - 5601 LUPA Memo	8/11/2021	Cover Memo
2 - Temporary Ordinance No 2477	8/11/2021	Cover Memo
2 - Exhibit A - Legal Description	8/4/2021	Exhibit
3 - Land Use Plan Amendment – Justification Narrative	8/4/2021	Backup Material
4 - Location Map	8/11/2021	Cover Memo
5 - City of Tamarac Future Land Use Map	8/4/2021	Backup Material
6 - Application for Amendment to the City of Tamarac Land Use Plan	8/4/2021	Backup Material

CITY OF TAMARAC INTEROFFICE MEMORANDUM 21-08-002M COMMUNITY DEVELOPMENT DEPARTMENT

TO: Michael C. Cernech

City Manager

FROM: Maxine A. Calloway,

Director of Community Development

DATE: August 11, 2021

RE: 5601 N Hiatus Road Industrial Project – Small Scale Land Use Plan Amendment

TEMP ORDINANCE NO. 2477; CASE#:1-LUA-21; MF#:01-00;

RECOMMENDATION: The Director of Community Development recommends that the Mayor and City Commission approve on First Reading the proposed Small Scale Land Use Plan Amendment to allow for the redevelopment of the subject property into a distribution center at its August 25, 2021, meeting with a condition of approval (see attached Temporary Ordinance No. 2477).

ISSUE: Dennis Mele, Esq., for Greenspoon Marder, LLP, designated agent for the property owner, BOF FL 5601 Hiatus, LLC, c/o Bridge Investment Group, is requesting approval of a Small Scale Land Use Plan Amendment to change the future land use designation of the subject property from "Commercial" to "Industrial" to allow for the redevelopment of the subject property into a distribution center (see attached Land Use Plan Amendment – Justification Narrative).



Aerial Photograph

LOCATION: The developed subject property is located at 5601 N Hiatus Road and is bounded by N Hiatus Road to the east, W Commercial Boulevard to the south, and Madison Avenue to the west (see Aerial Photograph above and attached Location Map). The property is 15.82 gross acres in size that includes the half right-of-way width of N Hiatus Road, W Commercial Boulevard, and Madison Avenue, has a current City of Tamarac Future Land Use designation of "Commercial", has a Broward County Land Use Map designation of "Commerce", and a current zoning classification of MU-C (Mixed-Use Corridor) (see attached City of Tamarac Future Land Use Map).

Surrounding Land Use and Zoning:

North: Sonny's Enterprises, car wash equipment manufacturer, zoned BP (Business Park) with a

future land use designation of "Commercial."

South: Shell gasoline service station and vacant property in the City of Sunrise zoned I-1 (Light

Industrial) with a future land use designation of "Industrial."

East: Gold Coast Schools, real estate school, and Care Spot, urgent care facility, zoned MU-C

(Mixed-Use Corridor) with a City of Tamarac Future Land Use designation of "Commercial."

West: Hampton Inn and Suites and Wood Spring Suites hotels zoned MU-C (Mixed-Use Corridor)

with a future land use designation of "Industrial."

BACKGROUND: On September 27, 2000, the City Commission approved Resolution No. R-2000-261 granting New Development Site Plan approval to allow for the construction of a one hundred thousand (100,000) square foot, two-story office building with associated parking, landscaping, and infrastructure improvements, and on November 16, 2001, the new two-story office building received a Certificate of Occupancy. The building was home to the Convergy's Corporation, a telemarking sales business, until 2017.

The building was then vacant from 2017 until 2019 when it was occupied as a Federal Services Administrative Office that assisted with the 2020 U.S. Census. The Federal Services Administrative Office was removed in 2021, and the existing building is now currently vacant.

Accompanying this application is a request to change the zoning of the subject property from MU-C (Mixed-Use Corridor) to BP (Business Park). The current MU-C zoning of the subject property does not allow for industrial uses pursuant to the Table of Allowed Use, Section 10-3.2(H), Code of Ordinances. Therefore, the proposed Small Scale Local Land Use Plan Amendment and rezoning is required to allow for the distribution center.

On June 29, 2021, the Governor of the State of Florida approved House Bill No. 487 (see attached House Bill No. 487). The bill increases the maximum acreage of a small scale comprehensive plan amendment from ten (10) acres to fifty (50) acres. It also increases the maximum acreage for a small scale comprehensive plan amendment within a rural area of opportunity from twenty (20) acres to one hundred (100) acres. Thus, the proposed land use amendment to change 15.82 gross acres from "Commercial" to "Industrial" is small scale in nature. However, the proposed Small Scale Local Land Use Plan Amendment does not require review from the State Department of Economic Opportunity following

the approval of the City Commission on First Reading and second reading, and may proceed without notice from the State of Florida.

Additionally, the proposed Scale Local Land Use Plan Amendment will not require an amendment to the Broward County Land Use Plan, as the County's "Commerce" designation will support the industrial use. However, the proposed Small Scale Local Land Use Plan Amendment will require recertification of the City's Future Land Use Map through Broward County Planning Council. The City will require the applicant to complete the land use map recertification process as a condition of approval.

Furthermore, to legally substantiate the granting of the development requests, the applicant will be required to file the appropriate applications with the Broward County to officially amend the existing plat to allow for industrial use on the subject property.

Finally, an application for Site Plan Approval, Major, for the proposed distribution center has been submitted concurrently for review. The application for Site Plan Approval, Major, will be forwarded to the Planning Board and City Commission for review and decision following the review by the Development Review Committee.

ANALYSIS: Amending the Comprehensive Plan is a matter committed to the legislative discretion of the City Commission. Section 10-5.4(B)(3), Code of Ordinances, identifies review standards the City Commission shall consider and weigh the relevance and the extent to which the proposed amendment is necessary. These review standards and the responses to each standard, as it applies to the subject petition, are shown below.

(a) A change in projections or assumptions from those on which the Comprehensive Plan is based: Are public facilities and services available for the proposed use.

The proposed development is consistent with the existing surrounding land use and zoning designations, as well as with the City's Comprehensive Plan. The proposed amendment provides an additional location for an industrial land use in close proximity to major transportation facilities that includes urban principal arterial rights-of-way and the Sawgrass Expressway. Public facilities and services are available for the proposed distribution center. Finally, the proposed industrial land use represents a decrease in potable water, sanitary sewer, and traffic demand in comparison to the existing office use (see attached Application for Amendment to City of Tamarac Land Use Plan).

The Traffic Circulation Analysis within the attached Application for Amendment to City of Tamarac Land Use Plan is based on the most applicable Institute of Traffic Engineers (ITE) trip generation rates for the existing and proposed land use designations. The existing land use designation for the subject property is Commercial and it is the accepted practice of the Broward County Planning Council to utilize the ITE "Shopping Center" rate to analyze an amendment with a commercial land use designation.

The City's Traffic Consultant, Traf Tech, reviewed the Traffic Circulation Analysis within the attached Application for Amendment to City of Tamarac Land Use Plan for the proposed Land Use Plan Amendment from Commercial to Industrial.

Section 1 of the Traffic Circulation Analysis within the attached Application for Amendment to City of Tamarac Land Use Plan identifies the roadways impacted by the amendment, their configuration, and their levels of service. Traf Tech reviewed and confirmed that the daily and peak hour data to be consistent with the latest and most current traffic data reported by the Broward Metropolitan Planning Organization (Broward MPO).

Section 2 of the Traffic Circulation Analysis within the attached Application for Amendment to City of Tamarac Land Use Plan identifies the level of service for the impacted roadways for the long range planning horizon (2040). Traf Tech has reviewed and confirmed that the daily and peak hour data is consistent with the latest and most current traffic data reported by the Broward MPO for the 2040 planning horizon. It was acknowledged that several of the roadway segments within the project's area of influence are projected to operate at Level of Service (LOS) "F" in the 2040 horizon year.

Section 3 of the Traffic Circulation Analysis within the attached Application for Amendment to City of Tamarac Land Use Plan evaluates the traffic impacts of the proposed actions. This analysis is based upon the trip generation characteristics of the existing land use and the proposed land use. The trip generation calculations for the existing land use designation ("Commercial" – Shopping Center) have been reviewed and appear to be reasonable and accurate. Similarly, the trip generation calculations for the proposed land use ("Industrial" – High-Cube Parcel Hub Warehouse) designation have been reviewed and appear to be reasonable and accurate. The conclusion of the analysis is that the proposed land use designation of Industrial yields less daily and peak hour traffic than the current land use designation Commercial.

(b) Is the plan amendment suitable for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources of the site.

The plan amendment is suitable for the proposed distribution center in relation to the character of the land and the surrounding area. The subject property is currently developed with a vacant office building with associated parking, landscaping, and infrastructure. As a developed site, there are no natural resources of the site. Additionally, the subject property does not contain any historic resources.

(c) Is the plan amendment the minimum amount of land needed to achieve the goals and requirements of the Comprehensive Plan.

The proposed plan amendment is the minimum amount of land needed in order to achieve the goals and requirements of the Comprehensive Plan and redevelop subject property with the proposed distribution center. The applicant has not requested an amendment on any lands other than the subject property.

The proposed amendment is also consistent with the following policies Comprehensive Plan:

Future Land Use Element

Policy 10.8 - Facilitate the development of commercial, industrial, utilities, and other

nonresidential land uses to ensure they are located in a manner compatible with adjacent land uses and does not adversely affect the health, safety, welfare, or aesthetics of existing or future residential areas.

Policy 11.3 – Future industrial land uses shall be located with access to major transportation facilities including the arterial streets and the Sawgrass Expressway.

(d) A change in the policies, objectives, principles, or standards governing the physical development of the City or any other geographic areas addressed by the Comprehensive Plan.

The subject property contains an office building that is currently vacant. The subject property was utilized by the original commercial tenant until 2017. After being vacant for two (2) years, the subject property was then used on a temporary basis from 2019 until the beginning of 2021. The proposed land use plan amendment from Commercial to Industrial will provide a location for the proposed distribution center as the Industrial land use designation allows for light and heavy industrial uses.

(e) Identification of errors or omissions in the Comprehensive Plan.

The proposed amendment does not represent an error or omission in the Comprehensive Plan. The proposed amendment is needed to create a more sustainable development on the subject property.

It is the opinion of the Director of Community Development that the review standards for a comprehensive plan amendment, as outlined in Section 10-5.4(B)(3), Code of Ordinances, have been satisfied. The Director of Community Development supports the request for the proposed Small Scale Land Use Plan Amendment based upon the above analyses of the application.

CONCLUSION: This item supports Goal #4 of the City of Tamarac's 2040 Strategic Plan, "Tamarac is Vibrant." The approval of the small scale land use plan amendment will allow for the redevelopment of the subject property thereby providing an opportunity to revitalize the appearance, image, and attractiveness of the community.

This request also supports the following policies of the Future Land Use Element of the City of Tamarac 2007 Comprehensive Plan:

- Policy 1.4 The Community Development Department will continue to review land use plan amendments, zoning amendments, site plans, and plat approval requests for compatibility with adjacent land uses as currently required in the Code of Ordinances.
- Policy 7.4 Tamarac shall consider the impact of land use plan amendments on wetland resources and minimize those impacts to the maximum extent practicable.

Policy 10.8 – Facilitate the development of commercial, industrial, utilities, and other nonresidential land uses to ensure they are located in a manner compatible with adjacent land uses and does not adversely affect the health, safety, welfare, or aesthetics of existing or future residential areas.

Policy 11.3 – Future industrial land uses shall be located with access to major transportation facilities including the arterial streets and the Sawgrass Expressway.

Policy 16.1 - The compatibility of existing and future land uses shall be a primary consideration by the Community Development Department in the review and approval of amendments to the City Land Use Element.

The Director of Community Development recommends that the Mayor and City Commission approve on First Reading the proposed Small Scale Land Use Plan Amendment to allow for the redevelopment of the subject property into a distribution center at its August 25, 2021, meeting with the following condition of approval:

1. The applicant shall submit the appropriate applications to the Broward County Planning Council to recertify the City's Future Land Use Map and supply a copy of the approved recertified map to the Community Development Department prior to the issuance of a building permit.

FISCAL IMPACT: Construction value to be calculated during review Site Plan Approval, Major, of proposed distribution center.

INTERVENING ACTION: At its August 4, 2021 meeting, the Planning Board voted 5-1 to forward a favorable recommendation for the proposed Small Scale Land Use Plan Amendment to allow for the redevelopment of the subject property into a distribution center to the City Commission at its August 25, 2021, meeting for First Reading with the same condition of approval recommended by the Director of Community Development.

Maxine A. Calloway
Director of Community Development

Attachments: Temporary Ordinance No. 2477

Land Use Plan Amendment – Justification Narrative

Location Map

City of Tamarac Future Land Use Map

House Bill No. 487

Application for Amendment to City of Tamarac Land Use Plan

MAC:RWJ

CITY OF TAMARAC, FLORIDA

ORDINANCE	NO.	2021	-	

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF TAMARAC. FLORIDA. ADOPTING A SMALL SCALE LAND USE PLAN AMENDMENT TO THE CITY OF TAMARAC'S COMPREHENSIVE PLAN FUTURE LAND USE MAP IN ACCORDANCE WITH CHAPTER 163. SPECIFICALLY SECTION 163.3187 OF THE FLORIDA STATE STATUTES, FOR SAID LANDS SITUATED, LYING, AND BEING IN BROWARD COUNTY, FLORIDA, AND LOCATED AT 5601 N HIATUS ROAD, AND MORE PARTICULARLY DESCRIBED IN THE LEGAL DESCRIPTION SHOWN IN EXHIBIT "A" ATTACHED HERETO. TO CHANGE THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 15.82 GROSS ACRES OF LAND FROM "COMMERCIAL" TO "INDUSTRIAL" TO FACILITATE AND ALLOW FOR THE DEVELOPMENT OF AN INDUSTRIAL USE AND PROVIDE CONSISTENCY WITH THE LAND DEVELOPMENT CODE IN ACCORDANCE WITH THE INTENT OF THE COMPREHENSIVE PLAN OF THE CITY OF TAMARAC (CASE NO. 1-LUA-21); AUTHORIZING TRANSMITTAL OF THE SMALL SCALE LAND USE MAP AMENDMENT TO THE BROWARD COUNTY PLANNING COUNCIL FOR RECERTIFICATION OF THE CITY OF TAMARAC FUTURE LAND USE MAP: PROVIDING FOR AMENDMENT TO THE LAND USE PLAN TO REFLECT SUCH CHANGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, provisions of the Local Government Comprehensive Planning and Land Development Regulation Act of 1985 require adoption of a comprehensive plan; and

WHEREAS, the City of Tamarac, Florida, pursuant to the Local Government Comprehensive Planning Act, and in accordance with all of its terms and provisions, has prepared and adopted a Comprehensive Plan which has been submitted to, and reviewed by, the South Florida Regional Planning Council and the State of Florida Department of Economic Opportunity; and

WHEREAS, Section 163.3187(1), Florida Statutes, allows local governments to periodically make small scale land use amendments to their Comprehensive Plan Future Land Use Map, if the proposed amendment: (a) involves a use of fifty (50) acres or

fewer, (b) the proposed amendment does not involve a text change to the goals, policies, and objectives of the comprehensive plan, and (c) the property that is the subject of the proposed amendment is not located within an area of critical state concern; and

WHEREAS, the subject area, consisting of approximately 15.82 gross acres in size, located at 5601 N Hiatus Road and more particularly described in the legal description shown in Exhibit "A" is currently designated by the City Comprehensive Plan Future Land Use Map as "Commercial"; and

WHEREAS, the Broward County Land Use Map designation of the subject property is Commerce; and

WHEREAS, Dennis Mele, Esq., for Greenspoon Marder, LLP, designated agent for the property owner, BOF FL 5601 Hiatus, LLC, c/o Bridge Investment Group, has filed an application for a Small Scale Land Use Map Amendment to change the designated use of the 15.82 gross acres from Commercial to Industrial, to allow for the development of an industrial use;

WHEREAS, the Future Land Use Map amendment is being adopted conditionally upon Broward County recertification; and

WHEREAS, the Planning Board, after a duly noticed public hearing held on August 4, 2021, reviewed the Small Scale Land Use Plan Amendment and found the application to be consistent with the goals, policies and objectives of the Comprehensive Plan and recommended approval of the Small Scale Land Use Plan amendment to the Mayor and City Commission; and

WHEREAS, the City Commission of the City of Tamarac finds that the adoption of the proposed Small Scale Land Use Plan Amendment to the Future Land Use Map is consistent with the Comprehensive Plan and in the best interest of the citizens and residents of the City of Tamarac.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA:

SECTION 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of the Ordinance upon adoption hereof; all exhibits attached hereto are incorporated herein and made a specific part of this Ordinance.

SECTION 2: That the City of Tamarac's Future Land Use Map is hereby amended for the lands for which the legal description is hereto attached as Exhibit "A", from Commercial to Industrial subject to the following condition:

1. The applicant shall submit the appropriate applications to the Broward County Planning Council to recertify the City's Future Land Use Map and supply a copy of the approved recertified map to the Community Development Department prior to the issuance of a building permit.

SECTION 3: That the City Clerk is directed to transmit a certified copy of this Ordinance to the Broward County Planning Council with the City's amended Future Land Use Map for approval and recertification of same.

SECTION 4: All Ordinances or parts of Ordinances, and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given affect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6: This Ordinance shall not become effective until thirty-one (31)

TEMPORARY ORDINANCE NO. 2477 July 21, 2021 Page 4

days after adoption on second reading, if not otherwise challenged and the Broward County Planning Council recertifies the City's Future Land Use Map as consistent with the County Land Use Plan.

PASSED, APPROVED, ON FIRST READING this	day of	, 2021.
PASSED, APPROVED, ON SECOND READING this	day of	, 2021.
	MICHELLE J	J. GOMEZ.
	MAY	
ATTEST:		
JENNIFER JOHNSON, CMC CITY CLERK		
I HEREBY CERTIFY that I have approved this ORDINANCE as to form.		
JOHN R. HERIN JR. CITY ATTORNEY		

This Ordinance was filed in the Office of the City Clerk on this ____ day of _____ 202_.

Exhibit "A"

A parcel of land being a portion of Tract B and a portion of Tact C, Westpoint Section 7 Plat, according to the plan thereof recorded in Plat Book 162, Page 23, of the Public Records of Broward County, Florida, said parcel being more particularly described as follows:

Commence at the southeast corner of the southeast one-quarter (SE ¼) of Section 7, Township 49 South, Range 41 East, as shown on said plat;

Thence S. 89°06′50″ W., along the south line of said southeast one-quarter (SE ¼), a distance of 1094.63 feet, to a point of intersection with the centerline of Hiatus Road as shown on said plat;

Thence N. 01°07′32″ W., along said centerline a distance of 401.53 feet, to a point on the arc of a tangent curve concave to the west;

Thence northerly and northwesterly along the arc of said curve to the left, having: a radius of 1800.00 feet, a central angle of 05°38′03″, for an arc distance of 177.00 feet, to a point on a non-tangent line;

Thence west, a distance of 62.87 feet, to a point on the west right-of-way line of said Hiatus Road, said point also being the point of beginning;

Thence continue west, a distance of 1049.07 feet;

Thence S. 00°44′46″ E., a distance of 523.40 feet to a point on the south line of said Tract C and the northerly right of way line of Commercial Boulevard as shown on said plat;

Thence N. 89°06'50" E, a distance of 217.00 feet;

Thence S. 84°02'36" E, a distance of 100.72 feet;

Thence N. 89°06′50" E, a distance of 699.81 feet;

Thence N. 43°59'39" E., a distance of 49.59 feet. The previous four courses being coincident with the south line of Tract C and the northerly right of way line of Commercial Boulevard. The next five courses being coincident with the west right of way line for Hiatus Road and the easterly line for said Tract C;

Thence N. 01°07'32" W., a distance of 199.56 feet;

Thence S. 88°52'28" W., a distance of 12.00 feet;

Thence N. 01°07′32″ W., a distance of 106.53 feet to a point of curvature of a tangent concave to the west;

Thence northerly along arc of said curve, to the left, having a radius of 1716.00 fee, a central angle of 03°31′18″ for an arc distance of 105.47 feet to a point on a non-tangent line;

Thence N. 11°04'37" E., a distance of 74.22 feet to the point of beginning.

Said land situate within the City of Tamarac, Broward County, Florida.

Greenspoon Marder...

Shane Zalonis 200 East Broward Boulevard, Suite 1800 Fort Lauderdale, Florida 33301 Direct Phone: 954.527.6258 Direct Fax: 954.333.4009 Email: shane.zalonis@gmlaw.com

May 10, 2021

City of Tamarac Planning and Zoning Department 7525 NW 88 Avenue, Room 206 Tamarac, FL 33321

Re: 5601 Acquisitions, LLC - 5601 N. Hiatus Road

Land Use Plan Amendment – Justification Narrative

On behalf of 5601 Acquisitions, LLC (the "Applicant"), please accept this request for consideration of the proposed land use plan amendment application involving the property located at 5601 N. Hiatus Road ("Property") in the City of Tamarac ("City"). The Property is generally located at the Northwest corner of Commercial Boulevard and Hiatus Road and consists of approximately 12.5 acres. The Property is currently zoned Mixed-Use Corridor ("MU-C") with a Commercial land use designation.

The Applicant is requesting that the land use plan designation on the Property be changed from Commercial to Industrial to allow for the proposed distribution facility. The existing MU-C zoning district does not permit the distribution center use desired by the Applicant. The Applicant is also proposing a rezoning to the Business Park ("BP") zoning district to allow for the proposed distribution.

The Property is currently developed with a two-story 100,980 square feet office building. The Property provides a redevelopment opportunity for industrial development that is consistent with surrounding development and zoning, as well as both the City's Comprehensive Plan and Broward County Comprehensive Plan. A complete analysis of the proposed land use plan amendment and the impact on community facilities and services is provided with this application. The proposed development request meets the criteria outlined in section 10-5.4(B) of the City's Land Development Code as indicated below:

a. A change in projections or assumptions from those based on which the Comprehensive Plan is based: Are public facilities and services available for the proposed use;

The proposed development is consistent with the surrounding development and land use and zoning designations, as well as with the City's Comprehensive Plan and Broward County Comprehensive Plan. The proposed amendment provides a location for industrial development in an area with nearby access to major transportation facilities including the arterial streets and the Sawgrass Expressway, which will be advantageous to the proposed distribution center use. Additionally, when the City's Comprehensive Plan was prepared, it did not anticipate growth of e-commerce and the need for additional Industrial land needed to accommodate this market shift. Public facilities and services are available for the proposed distribution center use. The proposed use represents a decrease in potable water, sanitary sewer, and traffic demand in comparison to the existing office building.

b. Is the plan amendment suitable for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources of the site;

The plan amendment is suitable for the proposed distribution center for a number of reasons related to the character of the Property and the surrounding area. The Property is currently developed with a vacant office building that is in need of redevelopment. As a developed site, there are no environmental or natural resources on the Property that are in need of protection. The Property does not contain any historic sites or districts on the National Register of Historic Places or locally designated historical sites. Based upon a review of information on file with the State Historic Preservation Office, Division of Historical Resources Florida Master Site File, there are no previously recorded cultural resources within the Property.

c. Is the plan amendment the minimum amount of land needed to achieve the goals and requirements of the Comprehensive Plan;

The proposed amendment and development plan is the minimum needed in order to redevelop the underutilized Property with the proposed distribution facility. The Applicant is not requested an amendment on any lands other than the specific land included in the redevelopment plan. The Applicant is requesting that the land use plan designation on the Property be changed from Commercial to Industrial to allow for the proposed use. The proposed amendment is consistent with the surrounding development and land use and zoning designations as further described in the analysis provided by the Applicant. The proposed amendment is also consistent with the City's Comprehensive Plan and Broward County Comprehensive Plan. Specifically, the proposed amendment is consistent with the following policies of the City's Comprehensive Plan:

Policy 10.8 Facilitate the development of commercial, industrial, utilities, and other nonresidential land uses to ensure they are located in a manner compatible with adjacent land uses and does not adversely affect the health, safety, welfare, or aesthetics of existing or future residential areas.

Policy 11.3 Future industrial land uses shall be located with access to major transportation facilities including the arterial streets and the Sawgrass Expressway.

The proposed amendment is also consistent with the following policies of the Broward County Land Use Plan:

POLICY 2.3.1 Local governments shall employ their local land use plans, zoning ordinances and land development codes to establish differing intensities of commerce

development compatible with adjacent and surrounding land uses, including but not limited to lands designated "Commercial," "Industrial" or similar designations by the local land use plan.

POLICY 2.3.2 Local governments shall employ their local land use plans and development regulations to establish appropriate intensity standards for non-residential future land use categories compatible with adjacent existing and future land uses.

POLICY 2.1.2 The land use categories depicted on the Broward County Land Use Plan Map are intended to protect established residential areas and encourage economic development and redevelopment.

d. A change in the policies, objectives, principles, or standards governing the physical development of the City or any other geographic areas addressed by the Comprehensive Plan, or

The Property is currently underutilized with a vacant office building. The proposed amendment provides a location for industrial development in an area with nearby access to major transportation facilities including the arterial streets and the Sawgrass Expressway, which will be advantageous to the proposed distribution center use. The proposed use satisfies the increasing demand and trend toward e-commerce.

e. Identification of errors or omissions in the Comprehensive Plan.

The proposed amendment does not represent an error or omission in the Comprehensive Plan. The proposed amendment is needed to account for a change in market conditions and create a more sustainable development on the Property.

We respectfully request that you consider this proposed land use plan amendment application. Please contact me at (954) 527-6258 should you have any questions related to this request.

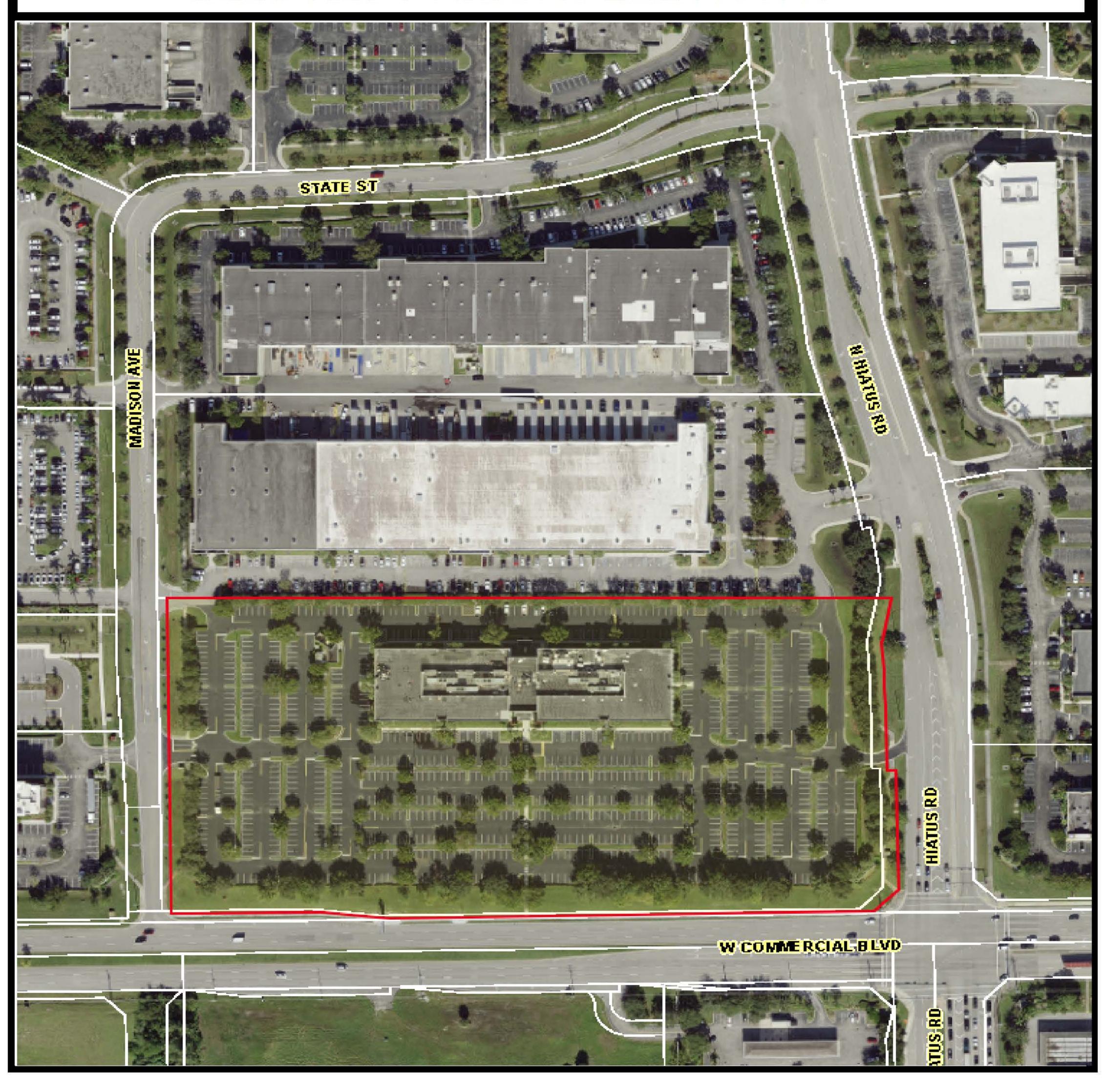
Sincerely,

GREENSPOON MARDER LLP

Shane Zalonis

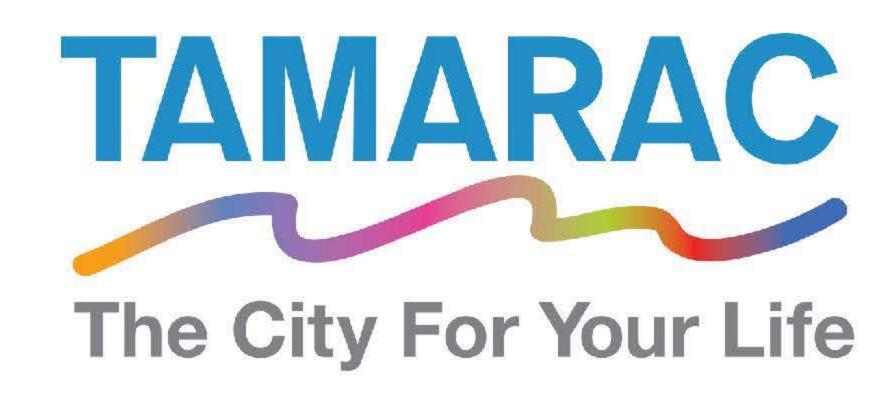
Shane Zalonis For the Firm

5601 N Hiatus Road Industrial Project Large Scale Land Use Plan Amendment and Rezoning Case No. 1-LUA-21 and 2-Z-21

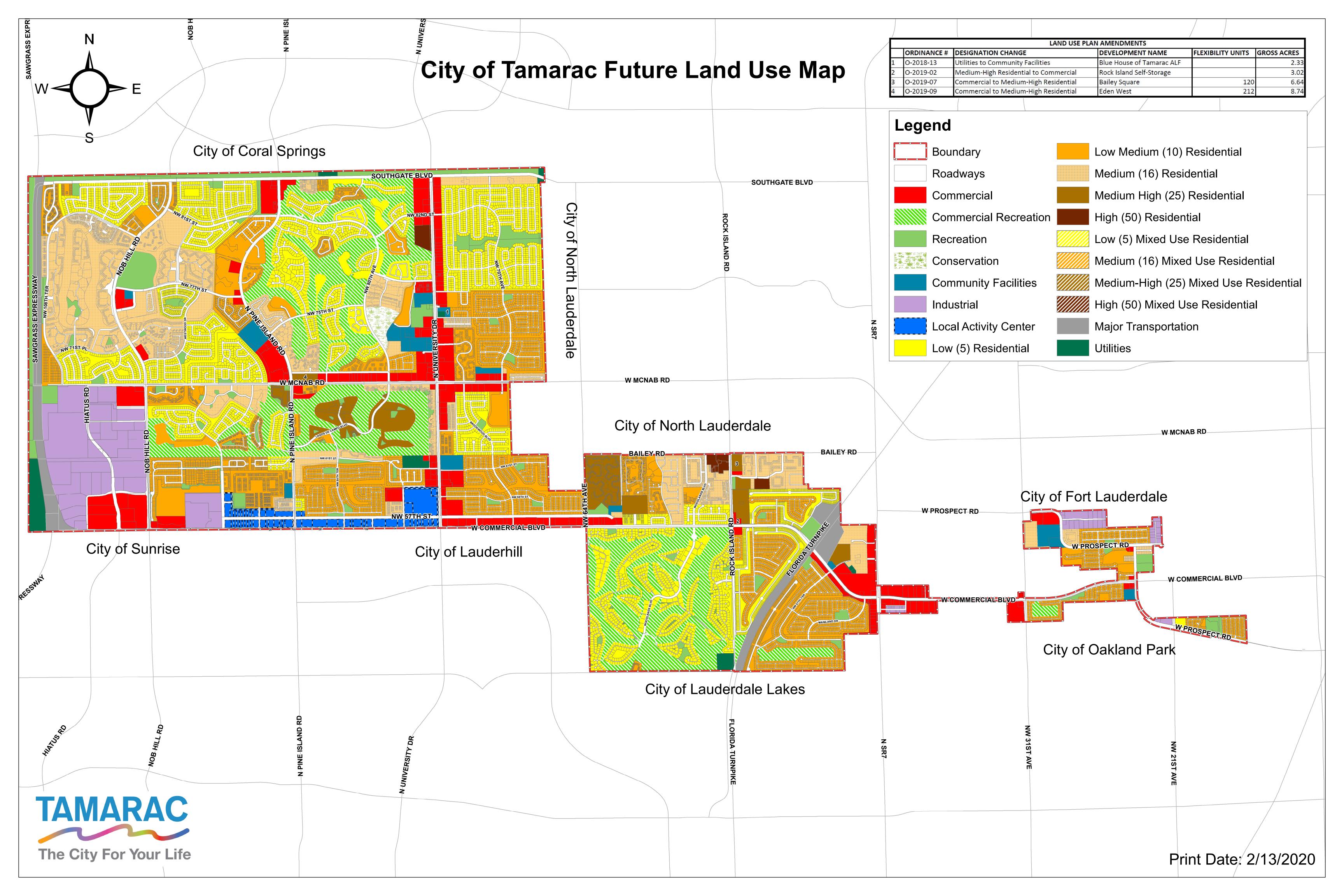




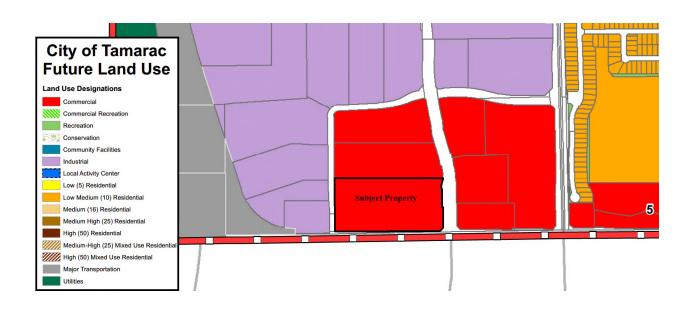




Maxine Calloway, Director Community Development 7525 NW 88 Avenue Tamarac, FL 33321 Telephone (954) 597-3530



APPLICATION FOR AMENDMENT TO CITY OF TAMARAC LAND USE PLAN



May 2021 Revised July 2021

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EXHIBITS

Exhibit A Exhibit B Exhibit C Exhibit D Exhibit E Exhibit F Exhibit G Exhibit H	Survey of Property Location Map Current Land Use Plan Designation Proposed Land Use Plan Designation Potable Water Service Letter Sanitary Sewer Service Letter Solid Waste Service Letter Drainage Service Letter
Exhibit E	
Exhibit F	Sanitary Sewer Service Letter
Exhibit G	Solid Waste Service Letter
Exhibit H	Drainage Service Letter
Exhibit I	Mass Transit Service Letter
Exhibit J	State of Florida Review
Exhibit K	Conceptual Site Plan

City of Tamarac 47755369v1 45549.0002

1. TRANSMITTAL INFORMATION

A. Letter of transmittal from municipal mayor or manager documenting that the local government took action by motion, resolution or ordinance to transmit a Proposed Amendment to the Broward County Land Use Plan, including the date that the local governing body held the transmittal public hearing. Please attach a copy of the referenced motion, resolution or ordinance. The local government's action to transmit must include a recommendation of approval, denial or modification regarding the Proposed Amendment to the Broward County Land Use Plan.

This amendment application is related only to the City of Tamarac Land Use Plan. The requested land use designation is consistent with the existing Broward County Land Use Plan designation and no amendment is required. Therefore, there is no need to transmit this amendment to Broward County.

B. Name, title, address, telephone number and e-mail address of the local government contact person.

Maxine A. Calloway, Esq., AICP Director of Community Development City of Tamarac 7525 NW 88 Avenue, Room 206 Tamarac, FL 33321

Telephone: (954) 597-3530

E-mail: maxine.calloway@tamarac.org

C. Summary minutes from both the local planning agency and the local government public hearings of the transmittal of the Broward County Land Use Plan Amendment.

This amendment application is only to the City of Tamarac Land Use Plan and will not be transmitted to Broward County.

D. Description of public notification procedures followed for the amendment by the local government, including notices to surrounding property owners, advertisements in local publications, signage at proposed site, etc.

According to the City of Tamarac Land Development Code, notice of the public hearings for a land use plan amendment is published at least seven (7) days prior to the first City Commission public hearing, and at least five (5) days before the second City Commission public hearing. In addition, a sign including the public hearing notice, will be placed on the Property and in the clubhouse or offices of the adjacent homeowners association(s) as applicable, at least ten (10) days before the date fixed for the meeting, in a form established by City staff. Individual notice will also be mailed a minimum of ten (10) days in advance of the meeting to the owner of the land subject to the application (if different from the applicant),

and any organization or person who has registered to receive notice of development application public hearings, and the owners of real property within 400 feet of the land subject to the application.

E. Whether the amendment is one of the following:

- *Development of Regional Impact
- *Small-scale development (per Chapter 163.3187 Florida Statutes)
- *Emergency (please describe on separate page)

This amendment does not qualify as any of the above amendment types. The amendment is a large scale amendment to the City of Tamarac Land Use Plan and does not require an amendment to the Broward County Land Use Plan.

2. <u>APPLICANT INFORMATION</u>

A. Name, title, address, telephone number and e-mail address of the applicant.

5601 Acquisitions, LLC 1776 Peachtree Street NW, Suite 100 Atlanta, GA 30309

Contact: Gene Buckley
Telephone: (770) 436-3400
E-mail: GBuckley@tpa-grp.com

B. Name, title, address, telephone number and e-mail address of the agent.

Greenspoon Marder LLP 200 East Broward Boulevard, Suite 1800

Fort Lauderdale, FL 33301 Contact: Dennis D. Mele, Esq. Telephone: (954) 527-2409 Facsimile: (954) 333-4009

E-mail: dennis.mele@gmlaw.com

C. Name, title, address, telephone number and e-mail address of the property owner(s).

BOF FL 5601 HIATUS LLC % BRIDGE INVESTMENT GROUP 5 Concourse Pkway, Ste 500

Atlanta, Georgia 30328-6101 Contact: Kelly Kuykendall Telephone: (407) 269-2125

E-mail: Kelly.Kuykendall@bridgeig.com

D. Applicant's rationale for the amendment. The Planning Council requests a condensed version for inclusion in the staff report (about two paragraphs).

The property that is the subject of this application is located at 5601 Hiatus Road ("Property") and is currently designated Commercial on the City of Tamarac ("City") Land Use Plan and Commerce on the Broward County Land Use Plan. The Property is currently developed with an office building that has been vacant for several years thereby providing very little public benefit to the City. Although the City obtains property tax revenues from the Property, no jobs, services, or sales tax revenues are generated from the vacant office building. This application will result in redevelopment of an underutilized property in a manner that will benefit the community.

The existing Commercial land use plan designation allows for a variety of office and commercial uses. Several factors in the economy have resulted in a decrease in the amount of commercial land needed to serve the population. The demand for brick and mortar retail stores that are permitted by the existing Commercial designation has slowed over the past several years due to the increase of ecommerce over the last decade. That trend was accelerated during the pandemic and is continuing on an upward trend. The demand for office space has declined due in part to heavy reliance on computer technology resulting in more people being able to work remotely. The pandemic has highlighted this trend and there may be even less demand for office space in the area moving forward. For these reasons, the Commercial land use plan designation does not provide for the best use of the Property.

The applicant is requesting that the City Land Use Plan designation on the Property be changed from Commercial to Industrial to allow for the redevelopment of the Property as a distribution center. The high demand and growing trend of e-commerce reinforces the need for the proposed use and the location of this Property is well suited for a distribution center. The Property is located with direct access to major transportation facilities including the arterial roadways and the Sawgrass Expressway, which will be advantageous to the proposed distribution center use. The distribution center will provide additional jobs for the residents of the City as well as increased sales tax revenues from the many employees shopping and eating in the nearby establishments in the City.

The Proposed Amendment will result in a development that is compatible with the surrounding area. The City and its neighbor to the south, City of Sunrise, have both established commerce centers that surround the Property. The parcels to the west and south are currently designated Industrial on the respective land use plans. The parcel immediately to the north is designated Commercial but the existing use is a heavy commercial/warehouse use. In addition, there are no residential uses in the immediate area of the Property.

This Property provides a redevelopment opportunity for industrial development that is consistent with surrounding development and zoning, as well as the City's

Comprehensive Plan. The Proposed Amendment supports the City's redevelopment objectives because it will result in a more sustainable development. The analysis in this application demonstrates that there is adequate capacity in the municipal infrastructure systems to accommodate the proposed development. In addition, when the traffic generated by the maximum allowable development under the existing land use plan designation is compared with the proposed distribution center, there is a reduction of traffic. Finally, the redevelopment will provide job opportunities for residents and increased tax revenues for the City.

3. AMENDMENT SITE DESCRIPTION

A. Concise written description of the general boundaries and gross acreage (as defined by BCLUP) of the Proposed Amendment.

The Property is located at the northwest corner of West Commercial Boulevard and Hiatus Road. The Property contains approximately 12.55 acres.

B. Sealed survey, including legal description of the area proposed to be amended.

A survey of the Property proposed to be amended is provided as **Exhibit A**. A more legible digital copy is also provided with this application.

C. Map at a scale clearly indicating the amendment's location, boundaries and proposed land uses.

A location map that identifies the boundaries of the Property is provided as **Exhibit B**. The proposed use of the Property is a distribution center with approximately 68,000+/- square feet of building area.

4. EXISTING AND PROPOSED USES

A. Current and proposed local and Broward County Land Use Plan designation(s) for the amendment site. If multiple land use designations, describe gross acreage within each designation. For Activity Center amendments, the proposed text indicating the maximum residential and non-residential uses must be included.

The existing and proposed land use plan designations on the Property are provided below.

	Broward County	City of Tamarac
Current	Commerce	Commercial
Proposed	Commerce	Industrial

The current City Land Use Plan designation for the Property is depicted on **Exhibit C**. The proposed City Land Use Plan designation is depicted on **Exhibit D**.

B. Indicate if the flexibility provisions of the Broward County Land Use Plan have been used for the amendment site or adjacent areas.

The flexibility provisions of the Broward County Land Use Plan have not been used for areas adjacent to the Property. This application does not include a request for allocation of flexibility provisions.

C. Existing use of amendment site and adjacent areas.

Amendment Site: Office

Adjacent Properties: North: Warehouse

South: Vacant, Gas Station (City of Sunrise)
East: Office, Retail, Restaurant, Urgent Care

West: Hotels

D. Proposed use of the amendment site including proposed square footage (for analytical purposes only) for each non-residential use and/or dwelling unit count. For Activity Center amendments, also provide the existing square footage for each non-residential use and existing dwelling unit count within the amendment area.

For analytical purposes, this application assumes that a 125,500 square foot distribution facility could be constructed on the property. This square footage number is based on a ratio of 10,000 square feet of building area per acre. Although the City Land Use Plan and Land Development Code may allow a larger building, this is the professionally accepted development intensity used for analyzing land use plan amendments.

E. Maximum allowable development per adopted and certified municipal land use plans under existing designation for the site, including square footage/floor area ratio/lot coverage/height limitations for each non-residential use and/or dwelling unit count.

The Property is currently designated Commercial and contains 12.55 acres. For the purposes of the analysis of the impacts of this requested amendment, the maximum allowable development on the Property is assumed to be 125,500 square feet of commercial/shopping center use.

5. ANALYSIS OF PUBLIC FACILITIES AND SERVICES

The items below must be addressed to determine the impact of an amendment on existing and planned public facilities and services. Provide calculations for each

public facility and/or service. If more than one amendment is submitted, calculations must be prepared on an individual and cumulative basis.

A. <u>Potable Water Analysis</u>

1. Provide the potable water level of service per the adopted and certified local land use plan, including the adoption date of the 10 Year Water Supply Facilities Plan.

The City's 10 Year Water Supply Facilities Work Plan is dated May 16, 2016, and was adopted on December 14, 2016. The adopted level of service for potable water service as specified in the Infrastructure Element of the City of Tamarac Comprehensive Plan is as follows:

- 110 gallons per capita per day in the Western Service Area (Tamarac Water Treatment Plant)
- 179 gallons per capita per day in the Eastern Service Area (Fort Lauderdale Water Treatment Plants)
- 115 gallons per capita per day in the BCU Service Area (Broward County Water Treatment Plants)
- 2. Identify the potable water facility serving the area in which the amendment is located including the current plant capacity, current and committed demand on the plant and planned plant capacity expansions, including year and funding sources. Identify the wellfield serving the area in which the amendment is located including the South Florida Water Management District (SFWMD) permitted withdrawal and expiration date of the SFWMD permit.

The City of Tamarac receives potable water from three separate water service providers. The Proposed Amendment is located in the region of the western service area, which receives potable water from the Tamarac Water Treatment Plant located at 7803 N.W. 61 Street.

The current plant accelerator treatment capacity is rated at 16 million gallons per day ("MGD") with a filtration capacity rated at 16 MGD. The plant draws water from 19 active raw water wells currently permitted by SFWMD to withdraw 7.58 MGD, not to exceed the monthly average of 8.04 MGD. The current average withdrawal rate of the plant is 6.72 MGD. A proposed commitment of 241,250 gallons per day ("GPD") is currently allocated to development projects within the City. The City's water treatment plant has sufficient capacity to meet the proposed water demands resulting from the proposed development. The City of Tamarac has a 20-year consumptive use permit (CUP No. 06-00071-W) with the

South Florida Water Management District ("SFWMD"). The expiration date of the permit is February 12, 2024.

3. Identify the net impact on potable water demand, based on the adopted level of service, resulting from the Proposed Amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.

Current Land Use Plan Designation: Commercial						
Development Intensity Generation Rate* Demand						
125,500 sq. ft. Commercial	42 GPD/1,000 sq. ft.	5,271 GPD				
Proposed Land Use Plan De	esignation: Industrial					
Development Intensity	Generation Rate*	Demand				
125,500 sq. ft. Warehouse	33 GPD/1,000 sq. ft.	4,141 GPD				
Net Change: -1,130 GPD						

^{*}Broward County Guidelines for Determining Ability to Provide Potable Water and Wastewater Service.

4. Correspondence from potable water provider verifying the information submitted in items 1-3 above. Correspondence must contain name, position and contact information of party providing verification.

See Exhibit E.

Mustafa Albassam, P.E. City Engineer City of Tamarac 6011 Nob Hill Road, 2nd Floor Tamarac, FL 33321 (954)597-3705 Mustafa.Albassam@tamarac.org

B. Sanitary Sewer Analysis

1. Provide the sanitary sewer level of service per the adopted and certified local land use plan.

The adopted level of service for sanitary sewer service in the City as specified in the Infrastructure Element of the City of Tamarac Comprehensive Plan is 124 gallons per capita per day in the Western Service Area (Broward County Wastewater Treatment Facilities) and 131 gallons per capita per day in the Eastern Service Area (Fort Lauderdale Wastewater Treatment Facilities).

2. Identify the sanitary sewer facility serving the area in which the amendment is located including the current plant capacity, current

and committed demand on the plant and planned plant capacity expansions, including year and funding sources.

The Property is located in the western service area, where wastewater generated is conveyed to Broward County's wastewater system and treated at the Broward County North Regional Wastewater Plant ("BCNRWP") at 2555 West Copans Road in the City of Pompano Beach. The City of Tamarac maintains an interlocal agreement with Broward County to treat all wastewater generated in the western service area. The agreement provides a maximum of 8.04 MGD reserve capacity at the North Regional Wastewater Treatment Plant ("NRWT"). The NRWT has a design capacity of 95 MGD. The current plus committed demand on plant capacity is 75.17 MGD. The available plant capacity is 19.83 MGD. The NRWT is presently servicing the Property and can provide sanitary sewer services to the Property from the existing facilities. There are no planned wastewater treatment plant capacity increases at this time. The plant capacity of 95 MGD is projected to serve the needs of all the large users including the City of Tamarac through the year 2040.

3. Identify the net impact on sanitary sewer demand, based on the adopted level of service, resulting from the Proposed Amendment. Provide calculations, including anticipated demand per square foot* or dwelling unit.

Current Land Use Plan Designation: Commercial						
Development Intensity	Generation Rate*	Demand				
125,500 sq. ft. Commercial	34 GPD/1,000sq. ft.	4,267 GPD				
Proposed Land Use Plan Designation: Industrial						
Development Intensity	Generation Rate*	Demand				
125,500 sq. ft. Industrial	27 GPD/1,000sq. ft.	3,388 GPD				
Warehouse						
Net Change: -879 GPD						

^{*}Broward County Guidelines for Determining Ability to Provide Potable Water and Wastewater Service.

4. Correspondence from sanitary sewer provider verifying the information submitted in items 1-3 above. Correspondence must contain name, position and contact information of party providing verification.

See Exhibit F.

C. Solid Waste Analysis

1. Provide the solid waste level of service per the adopted and certified local land use plan.

According to the City's Comprehensive Plan, the adopted level of service for solid waste is 8.9 pounds per capita per day at Broward County Disposal Facilities (BIC Landfill and Resource Recovery Facility). All solid waste collection is provided by City contracted service providers.

2. Identify the solid waste facility serving the service area in which the amendment is located including the landfill/plant capacity, current and committed demand on the landfill/plant capacity and planned landfill/plant capacity.

Waste Management, Inc. is responsible for solid waste collection services within the City limits. The City doesn't own or operate any solid waste processing facilities. The City contracts with Waste Management, Inc. for processing and transportation of all the City's municipal waste. Waste Management has adequate staff, fleet, and ability to continue collecting and transporting the City's solid waste through 2032. The solid waste facility servicing the disposal of solid waste for the subject area is the Wheelabrator South Broward facility located in the City of Fort Lauderdale. This facility has the capacity to process approximately 840,000 tons of waste per year. The capacity of the facility can process 840,000 tons of waste per year. Last year the facility processed 835,738 tons of waste per year.

3. Identify the net impact on solid waste demand, based on the adopted level of service, resulting from the Proposed Amendment. Provide calculations, including anticipated demand per square foot* or dwelling unit.

Current Land Use Plan Designation: Commercial					
Development Intensity Generation Rate Demand					
125,500 sq. ft. Commercial	1 lb./100 sq. ft./day	1,255 lbs./day			
Proposed Land Use Plan Designati	on: Industrial				
Development Intensity	Generation Rate*	Demand			
125,500 sq. ft. Warehouse	2 lbs./100 sq. ft./day	2,510 lbs./day			
NET CHANGE: +1,255 lbs./day					

^{*}Table 6-A Solid Waste Generation Rates, Broward County Comprehensive Plan, Solid Waste Element

4. Correspondence from the solid waste provider verifying the information submitted as part of the application in items 1-3 above. Correspondence must contain name, position and contact information of party providing verification.

See Exhibit G.

Bob Hely Wheelabrator Technologies Marketplace Manager 4400 S State Road 7 Fort Lauderdale, FL 33314 (954)581-6606 rhely@wtienergy.com

D. <u>Drainage Analysis</u>

1. Provide the drainage level of service per the adopted and certified local land use plan.

The adopted level of service standards for drainage facilities as contained in the City of Tamarac Comprehensive Plan are as follows:

- a. FEMA criteria for minimum floor elevation and protection of floodplains;
- b. Standards as established by the Broward County Department of Natural Resources, South Florida Water Management District, Broward County Water Management Division, and the City of Tamarac for off-site discharge, on-site retention, and best management practices for pollutant discharge; and
- c. Ten (10) year storm will produce a headwater no higher than four (4) inches above the lowest catch basin rim in parking lots or two (2) inches below the edge of pavement in subdivisions.
- 2. The elevation for the area depicted on the "100 Year Flood Elevation Map. "Identify the drainage district and drainage systems serving the amendment area.

The Broward County 100 Year Flood Map depicts the Property with elevation 9.5 NAVD. The Property is within the drainage jurisdiction of the Broward County Environmental Engineering and Permitting Division and South Florida Water Management District. The primary drainage system is the South Florida Water Management district, the secondary system is the City, and the tertiary system is the Westpoint Center. There is no local drainage district.

3. Identify any planned drainage improvements, including year, funding sources and other relevant information.

No improvements are planned by the City to serve this Property.

4. Indicate if a Surface Water Management Plan has been approved by, or an application submitted to, the SFWMD and/or any independent drainage district, for the amendment site.

Identify the permit number(s), or application number(s) if the project is pending, for the amendment site. If an amendment site is not required to obtain a SFWMD permit, provide documentation of same.

There is an existing Broward County Surface Water Management License for the Property SWM1998-002-10 and South Florida Water Management District Environmental Resource Permit ERP Application # 06-02068-S-05. These approvals will be modified for the new development.

5. If the area in which the amendment is located does not meet the adopted level of service and there are no improvements planned (by the unit of local government or drainage authority) to address the deficiencies, provide an engineering analysis which demonstrates how the site will be drained and the impact on the surrounding properties.

The information should include the wet season water level for the amendment site, design storm elevation, natural and proposed land elevation, one hundred year flood elevation, acreage of proposed water management retention area, elevations for buildings, roads and years, storage and runoff calculations for the design storm and estimated time for flood waters to recede to the natural land elevation.

The wet season water level for the Property is 4.5 NAVD. The design storm elevation for the 10 year 1 day, 25 year 3 day and 100 year 3 day events is 9.5 NAVD. The remainder of the information is unavailable at this time and will be provided after the storm drainage analysis is prepared after completion of the preliminary site plan.

6. Correspondence from local drainage district verifying the information submitted in items 1-5 above. Correspondence must contain name, position and contact information of party providing verification.

See Exhibit H.

E. Recreation and Open Space Analysis

1. Provide the recreation and open space level of service per the adopted and certified local land use plan.

The City has adopted a level of service for public parks, recreation, and open space of 3 acres per 1,000 population.

2. For amendments which will result in an increased demand for "community parks" acreage, as required by the Broward County Land Use Plan, an up-to-date inventory of the municipal community parks inventory must be submitted.

Not applicable to this application.

3. Identify the net impact on demand for "community parks" acreage, as defined by the Broward County Land Use Plan, resulting from this amendment.

Not applicable to this application.

4. Identify the projected "community parks" acreage needs based on the local government's projected build-out population.

Not applicable to this application.

5. As applicable, describe how the local government and/or applicant are addressing Broward County Land Use Plan Policies 2.5.4 and 2.5.5 (a. through e.), regarding the provision of open space.

Not applicable to this application. This Proposed Amendment does not result in a loss of open space.

F. Traffic Circulation Analysis

1. Identify the roadways impacted by the Proposed Amendment and indicate the number of lanes, current traffic volumes, adopted level of service and current level of service for each roadway.

The roadway network that will be most impacted by the Proposed Amendment includes one (1) east-west roadway and three (3) north-south roadways. These four (4) roadways include Commercial Boulevard (State Road 870), Hiatus Road, Nob Hill Road, and Pine Island Road.

The number of lanes, roadway capacity, current traffic volumes, adopted levels of service (LOS), and current operating conditions (LOS) of the roadway segments located within the study area are documented in Tables 1a and 1b. Table 1a shows existing conditions on all study roadway segments for daily conditions while Table 1b includes current conditions during the critical PM peak hour. As shown in these two tables, all study roadway segments are currently operating at acceptable levels of service (LOS).

Table 1a: Existing Traffic Conditions (Daily)

Roadway						
				2019	Level of Service	
From	То	Lanes	Capacity	AADT	Adopted	Current
Commercial Boulevard						
west	Hiatus Rd	6	59,900	37,000	D	С
Hiatus Rd	Nob Hill Rd	6	59,900	37,000	D	С
Nob Hill Rd	Pine Island Rd	6	59,900	38,500	D	С
Pine Island Rd	east	6	59,900	48,000	D	С
Hiatus Road						
south	Commercial Blvd	4	37,810	14,200	D	С
Commercial Blvd	McNab Rd	4	37,810	14,900	D	С
Nob Hill Road						
south	Commercial Blvd	4	37,810	30,500	D	С
Commercial Blvd	McNab Rd	4	37,810	31,000	D	С
McNab Rd	north	4	37,810	24,500	D	С
Pine Island Road						
south	Commercial Blvd	6	56,905	36,000	D	С
Commercial Blvd	McNab Rd	6	56,905	29,000	D	С
McNab Rd	north	4	37,810	28,500	D	С

Source: Broward Metropolitan Planning Organization (MPO).

Table 1b: Existing Traffic Conditions (PM Peak Hour)

Roadway						
				2019	Level of Service	
From	То	Lanes	Capacity	AADT	Adopted	Current
Commercial Boulevard						
west	Hiatus Rd	6	5,390	3,515	D	С
Hiatus Rd	Nob Hill Rd	6	5,390	3,515	D	С
Nob Hill Rd	Pine Island Rd	6	5,390	3,658	D	С
Pine Island Rd	east	6	5,390	4,560	D	С
Hiatus Road						
south	Commercial Blvd	4	3,401	1,349	D	С
Commercial Blvd	McNab Rd	4	3,401	1,416	D	С
Nob Hill Road						
south	Commercial Blvd	4	3,401	2,898	D	С
Commercial Blvd	McNab Rd	4	3,401	2,945	D	С
McNab Rd	north	4	3,401	2,328	D	С
Pine Island Road						
south	Commercial Blvd	6	5,121	3,420	D	С
Commercial Blvd	McNab Rd	6	5,121	2,755	D	С
McNab Rd	north	4	3,401	2,708	D	С

Source: Broward Metropolitan Planning Organization (MPO).

2. Identify the projected level of service for the roadways impacted by the Proposed Amendment for the long range planning horizon. Please utilize average daily and p.m. peak hour traffic volumes per Broward Metropolitan Planning Organization (MPO) plans and projections.

Tables 2a and 2b document the projected levels of service (LOS) for the primary roadways located near the Property. The 2040 projected daily traffic volumes (AADT) and PM peak hour volumes were obtained from the Broward MPO and their most recent Level of Service Spreadsheet (Broward County Roadway Capacity and Level of Service Analysis for 2019 and 2040).

Table 2a: Future Traffic Conditions (Daily)

Roadway						
				2040	Level of Service	
From	То	Lanes	Capacity	AADT	Adopted	Current
Commercial Boulevard						
west	Hiatus Rd	6	59,900	46,300	D	С
Hiatus Rd	Nob Hill Rd	6	59,900	46,300	D	С
Nob Hill Rd	Pine Island Rd	6	59,900	52,200	D	С
Pine Island Rd	east	6	59,900	57,500	D	С
Hiatus Road						
south	Commercial Blvd	4	37,810	50,600	D	F
Commercial Blvd	McNab Rd	4	37,810	46,800	D	F
Nob Hill Road						
south	Commercial Blvd	4	37,810	38,400	D	F
Commercial Blvd	McNab Rd	4	37,810	49,300	D	F
McNab Rd	north	4	37,810	42,900	D	F
Pine Island Road						
south	Commercial Blvd	6	56,905	63,800	D	F
Commercial Blvd	McNab Rd	6	56,905	49,100	D	С
McNab Rd	north	4	37,810	47,800	D	F

Source: Broward Metropolitan Planning Organization (MPO).

Table 2b: Future Traffic Conditions (PM Peak Hour)

Roadway						
				2040	Level of Service	
From	То	Lanes	Capacity	AADT	Adopted	Current
Commercial Boulevard						
west	Hiatus Rd	6	5,390	4,399	D	С
Hiatus Rd	Nob Hill Rd	6	5,390	4,399	D	С
Nob Hill Rd	Pine Island Rd	6	5,390	4,959	D	С
Pine Island Rd	east	6	5,390	5,463	D	F
Hiatus Road						
south	Commercial Blvd	4	3,401	4,807	D	F
Commercial Blvd	McNab Rd	4	3,401	4,446	D	F
Nob Hill Road						
south	Commercial Blvd	4	3,401	3,648	D	F
Commercial Blvd	McNab Rd	4	3,401	4,684	D	F
McNab Rd	north	4	3,401	4,076	D	F
Pine Island Road						
south	Commercial Blvd	6	5,121	6,061	D	F
Commercial Blvd	McNab Rd	6	5,121	4,665	D	С
McNab Rd	north	4	3,401	4,541	D	F

Source: Broward Metropolitan Planning Organization (MPO).

3. Planning Council staff will analyze traffic impacts resulting from the amendment. The applicant can provide a traffic impact analysis for the amendment – calculate anticipated average daily and p.m. peak hour traffic generation for the existing and proposed land use designations. If the amendment reflects a net increase in traffic generation, identify access points to/from the amendment site and provide a distribution of the additional traffic on the impacted roadway network for the long-range planning horizon.

The Daily and PM peak hour trip generation potential of the existing City Land Use Plan designation and the proposed City Land Use Plan designation (at maximum intensity) has been calculated using trip generation rates published by the Institute of Transportation Engineers (ITE) in the document Trip Generation, Tenth Edition. The trip generation comparison analysis was based on the following assumptions:

EXISTING LAND USE AND INTENSITY

• Retail: 125,500 square feet of retail space

PROPOSED LAND USE AND INTENSITY

• Warehouse: a 125,500 square foot facility

According to the subject ITE document, the most appropriate land use categories representing existing and future land use designations are Land Use #820 – Shopping Center and Land Use #156 – High-Cube Parcel Hub Warehouse, respectively. Trip generation rates and equations used to determine the vehicle trips associated with this analysis are shown below.

Shopping Center – ITE Land Use #820

O Weekday: T = 37.75 (X) where T = number of trips and X = 1,000 square feet gross leasable area

o AM Peak Hour: T = 0.94 (X)o PM Peak Hour: T = 3.81 (X)

High-Cube Parcel Hub Warehouse – ITE Land Use #156

O Weekday: T = 7.75 (X) where T = number of trips and X = 1,000 square feet gross floor area

o AM Peak Hour: T = 0.70 (X)o PM Peak Hour: T = 0.64 (X)

Table 3 presents the results of the trip generation comparison analysis.

Table 3: Trip Generation Comparison Analysis

			Number of Trips			
Land Use	Scale	Units	AM Peak	PM Peak	Daily	
APPR	OVED LAND U	SE				
Shopping Center (LUC 820)	125.50	ksf	118	478	4,738	
Total			118	478	4,738	
PROP	OSED LAND U	SE				
High-Cube Parcel Hub Warehouse (LUC 156)	125.50	ksf	88	80	973	
Total			88	80	973	

Source: ITE Trip Generation Manual (10th Edition)

Difference	-	-	(30)	(398)	(3,765)

4. Provide any transportation studies relating to this amendment, as applicable.

Additional traffic studies will be provided during the site plan review process.

G. Mass Transit Analysis

1. Identify the mass transit modes, existing and planned mass transit routes and scheduled service (headway) serving the amendment area within one-quarter of a mile.

According to the Broward County Transit ("BCT") Division, BCT Route 55 is located within one-quarter mile of the amendment site. Please refer to the table below for detailed information regarding Route 55.

As part of the 30 year Mobility Advancement Program, BCT plans to implement several fixed route bus improvements, including shorter headways, increased span of service, and route realignment to better meet passenger needs. New local service via McNab Road/Cypress Creek Boulevard, between Federal Highway and Hiatus Road, is currently prioritized for study as part of the Transit Development Plan. Capital improvements to existing or future bus stops located adjacent to the Property will be addressed during the project's development review process.

BCT has adequate capacity for current and planned services to meet additional service demand as described in this Proposed Amendment.

BUS	DAYS OF	SERVICE SPAN	SERVICE
ROUTE	SERVICE	A.M. – P.M.	FREQUENCY
BCT 55	Weekday	6:00a – 11:04p	30 Minutes
	Saturday	6:00a – 11:04p	30 Minutes
	Sunday	7:05a - 10:19p	45 Minutes

2. Describe how the Proposed Amendment furthers or supports mass transit use.

The Proposed Amendment will provide additional job opportunities along an existing mass transit route. Route 55 runs along Hiatus Road and Nob Hill Road and provides service into the Property and the northwest area of the City. Route 55 also runs along Commercial Boulevard from Nob Hill Road to A1A. This route provides residents in the City the opportunity to travel to numerous shopping and employment opportunities using mass transit.

3. Correspondence from transit provider verifying the information submitted in items 1-2 above. Correspondence must contain name, position and contact information of party providing verification.

See Exhibit I.

H. Public Education Analysis

1. Public School Impact Application.

Not applicable to this application.

2. The associated fee in the form of a check made payable to the SBBC.

Not applicable to this application.

3. Identify the existing school enrollment and permanent design capacity of the public elementary and secondary education facilities serving the area.

Not applicable to this application.

6. ANALYSIS OF NATURAL AND HISTORIC RESOURCES

Indicate if the site contains, is located adjacent to or has the potential to impact any of the natural and historic resource(s) listed below, and if so, how they will be protected or mitigated. Planning Council staff will request additional information from Broward County regarding the amendment's impact on natural and historic resources.

A. Historic sites or districts on the National Register of Historic Places or locally designated historic sites.

The Property is currently developed with an office building. The Property does not contain any historic sites or districts on the National Register of Historic Places or locally designated historical sites. In addition, no National Register historic sites are located adjacent to the Property.

B. Archaeological sites listed on the Florida Master Site File.

Based upon a review of information on file with the State Historic Preservation Office, Division of Historical Resources Florida Master Site File, there are no previously recorded cultural resources within the Property. Correspondence from the Florida Department of State, Division of Historical Resources confirming this information is provided as **Exhibit J.**

C. Wetlands.

According to the Broward County Wetlands Map dated December 31, 2017 there are no wetlands on the Property. Further, the Property is currently developed and no wetlands exist on the Property.

D. Local Areas of Particular Concern as identified within the Broward County Land Use Plan.

The Property is not identified as a Local Area of Particular Concern.

E. Priority Planning Area Map and Broward County Land Use Plan Policy 2.21.1 regarding sea level rise.

According to the map published by Broward County dated December 8, 2015, the Property is not located in a Priority Planning Area.

F. "Endangered" or "threatened species" or "species of special concern" or "commercially exploited" as per the Florida Fish and Wildlife Conservation Commission (fauna), the U.S. Fish and Wildlife Service (flora and fauna), or the Florida Department of Agriculture and Consumer Services (fauna). If yes, identify the species and show the habitat location on a map.

The Applicant is not aware of any endangered or threatened species or species of special concern on the Property.

G. Plants listed in the Regulated Plant Index for protection by the Florida Department of Agriculture and Consumer Services.

The Applicant is not aware of any listed plants located on the Property.

H. Wellfields – Indicate whether the amendment is located within a wellfield protection zone of influence as defined by Broward County Code, Chapter 27, Article 13 "Wellfield Protection." If so, specify the affected zone and any provisions which will be made to protect the wellfield.

According to the Broward County Wellfield Map, the Property is not located within a wellfield zone of influence.

I. Soils – Describe whether the amendment will require the alteration of soil conditions or topography. If so, describe what management practices will be used to protect or mitigate the area's natural features.

The Property is currently developed land. Additional soil may need to be added during the development to comply with current flood protection regulations.

J. Beach Access – Indicate if the amendment site fronts the ocean or would impact access to public beaches. If so, describe how public beach access will be addressed.

The Property is not an oceanfront property. Thus, the proposed development will not affect any beach access.

7. AFFORDABLE HOUSING

Describe how the local government is addressing Broward County Land Use Plan Policy 2.16.2, consistent with Article 5 of this Document.

Not applicable to this application.

8. LAND USE COMPATIBILITY

Describe how the amendment is consistent with existing and planned future land uses in the area (including adjacent municipalities and/or county jurisdictions). Identify specific land development code provisions or other measures that have or will be utilized to ensure land use compatibility.

The City of Tamarac Comprehensive Plan includes identifies specific policies that address land use compatibility including the following:

Policy 1.4: The Community Development Department will continue to review land use plan amendments, zoning amendments, site plans, and plat approval requests for compatibility with adjacent land uses as currently required in the Code of Ordinances. The Land Development Code revisions should address criteria to be used in reviews for determining whether there is compatibility among adjacent land uses. The Community Development Department will continue to review the Planning Commission Board of agendas of surrounding cities to identify land use proposals which might affect the City of Tamarac.

Explanation: The Property is located adjacent to the Commercial Boulevard corridor. The current land use plan designation is Commercial on the City Land Use Plan. The surrounding uses include a mixture of commercial and industrial uses. Specifically, there are hotels to the west, and a mixture of office, retail, and restaurant uses to the East. A warehouse is located to the north. South of the Property across Commercial Boulevard is within the municipal limits of the City of Sunrise and includes a gas station as well as vacant land zoned for industrial use. The Applicant is requesting a land use plan amendment to facilitate development of a distribution facility. The proposed Conceptual Site Plan for the Property is provided as **Exhibit K.** The proposed Industrial land use designation and distribution facility is consistent with the surrounding area, as it mirrors the industrial land use designation of the properties West and South.

Policy 15.3: The City of Tamarac shall coordinate its land use planning and implementation activities with those of adjacent cities in order to enhance consistency and compatibility among the cities' plans.

Explanation: The land located south of the Property across Commercial Boulevard is in the municipal limits of the City of Sunrise. The City of Sunrise Land Use Plan designation is Industrial in this area, and is currently zoned for Light Industrial uses. The Proposed Amendment and the resulting distribution facility is consistent and compatible with the land use plan and zoning designations in the City of Sunrise.

Policy 16.1: The compatibility of existing and future land uses shall be a primary consideration by the Community Development Department in review and approval of amendments to the City Land Use Element.

Explanation: The Proposed Amendment will result in a development that is compatible with the surrounding area. The City and its neighbor to the south, City of Sunrise, have both established commerce centers that surround the Property. The parcels to the west

and south are currently designated Industrial on the respective land use plans. The parcel immediately to the north is designated Commercial but the existing use is a heavy commercial/warehouse use. In addition, there are no residential uses in the immediate area of the Property. The Community Development Department will conduct a detailed review of the site plan to ensure that the site design elements such as setbacks and buffers are sufficient to maximize compatibility with the surrounding properties.

9. HURRICANE EVACUATION ANALYSIS

(Required for those land use plan amendments located in a hurricane evacuation zone as identified by the Broward County Emergency Management Division).

Provide a hurricane evacuation analysis based on the Proposed Amendment, considering the number of permanent and seasonal residential dwelling units (including special residential facilities) requiring evacuation, availability of hurricane shelter spaces, and evacuation routes and clearance times. The hurricane evacuation analysis shall be based on the best available data/modeling techniques as identified by the Broward County Emergency Management Division.

According to the Broward County Emergency Evacuation Map, the Property is not located within an evacuation zone.

10. REDEVELOPMENT ANALYSIS

Indicate if the amendment is located in an identified redevelopment area (i.e., Community Redevelopment Agency, Community Development Block Grant). If so, describe how the amendment will facilitate redevelopment and promote approved redevelopment plans.

The Property is not located within a Community Redevelopment Area.

11. <u>INTERGOVERNMENTAL COORDINATION</u>

Indicate whether the proposed amendment site is adjacent to other local governments. If so, please provide additional copies for the notification and/or review by adjacent local governments.

The land located south of the Property across Commercial Boulevard is located in the municipal limits of the City of Sunrise. An additional copy of this application will be provided to the City of Tamarac for distribution to the City of Sunrise.

12. <u>DESCRIBE CONSISTENCY WITH HIGHLIGHTED REGIONAL ISSUES AND</u> POLICIES OF THE BROWARD COUNTY LAND USE PLAN

Specifically the Proposed Amendment is consistent with the following policies of the County Land Use Plan:

POLICY 2.3.1 Local governments shall employ their local land use plans, zoning ordinances and land development codes to establish differing intensities of commerce development compatible with adjacent and surrounding land uses, including but not limited to lands designated "Commercial," "Industrial" or similar designations by the local land use plan.

POLICY 2.3.2 Local governments shall employ their local land use plans and development regulations to establish appropriate intensity standards for non-residential future land use categories compatible with adjacent existing and future land uses.

Explanation: The Proposed Amendment is compatible with the adjacent and surrounding land uses. The majority of the land in the area between the Sawgrass Expressway and Nob Hill Road and between Commercial Boulevard and McNab Road is designated for industrial land use. The areas located adjacent to the Property to the west, northwest, and south are also share the proposed Industrial land use designation. The proposed distribution center is consistent and compatible with the established development pattern in the area.

POLICY 2.1.2 The land use categories depicted on the Broward County Land Use Plan Map are intended to protect established residential areas and encourage economic development and redevelopment.

Explanation: The Proposed Amendment will promote redevelopment of an existing underutilized property that contains a vacant office building. Tax revenues will increase and additional job opportunities will be created through the redevelopment of the Property. The Property is in an ideal location for the proposed distribution center because it has direct access to major transportation facilities including the arterial streets and the Sawgrass Expressway. There are no residential uses in the immediate area of the Property.

POLICY 2.14.7 Broward County and its local governments shall consider the individual and cumulative impacts of land use plan amendments on the existing and planned transportation facilities within the County.

Explanation: The traffic study provided with this application demonstrates that when the maximum allowable development under the current land use plan designation is compared to the same for the proposed land use plan designation the amendment will result in a decrease in traffic.

13. <u>CONSISTENCY WITH GOALS, OBJECTIVES AND POLICIES WITH THE</u> <u>CITY OF TAMARAC LAND USE PLAN</u>

Policy 1.4 The Community Development Department will continue to review land use plan amendments, zoning amendments, site plans, and plat approval requests for compatibility with adjacent land uses as currently required in the Code of Ordinances. The Land Development Code revisions should address criteria to be used in reviews for determining whether there is compatibility among adjacent land uses. The Community

Development Department will continue to review the Planning Commission Board agendas for surrounding cities to identify land use proposals which might affect the City of Tamarac.

Explanation: The analysis provided in Section 8 of this application demonstrates that Proposed Amendment is consistent and compatible with the existing uses and land use plan designations in the surrounding area.

Policy 1.5 The City will continue to promote "quality development" in all land use categories by the establishment of design criteria and development standards in the Land Development Code (LDC) which promote the highest standards of urban development and community aesthetics.

Explanation: The Proposed Amendment promotes the industrial redevelopment of a currently underutilized vacant office building on the Property. The Community Development Department will review the proposed site plan and implement the City's Land Development Code and design criteria to develop a high quality distribution center that will be an asset to the community.

Policy 10.8 Facilitate the development of commercial, industrial, utilities, and other nonresidential land uses to ensure they are located in a manner compatible with adjacent land uses and does not adversely affect the health, safety, welfare, or aesthetics of existing or future residential areas.

Explanation: The Land Use Plan identifies a large area in the western portion of the City that is most appropriate for industrial development given the convenient access to the Sawgrass Expressway. This area ensures that industrial uses are separated from the predominately residential areas of the City and do not adversely affect existing or future residential areas. The Proposed Amendment will allow for a distribution center to be development in this nonresidential area of the city where it is consistent and compatible with the existing uses and land use plan designations in the surrounding area.

Policy 11.2 The City's Land Development regulations shall continue to require safe and convenient onsite traffic circulation and adequate off-street parking.

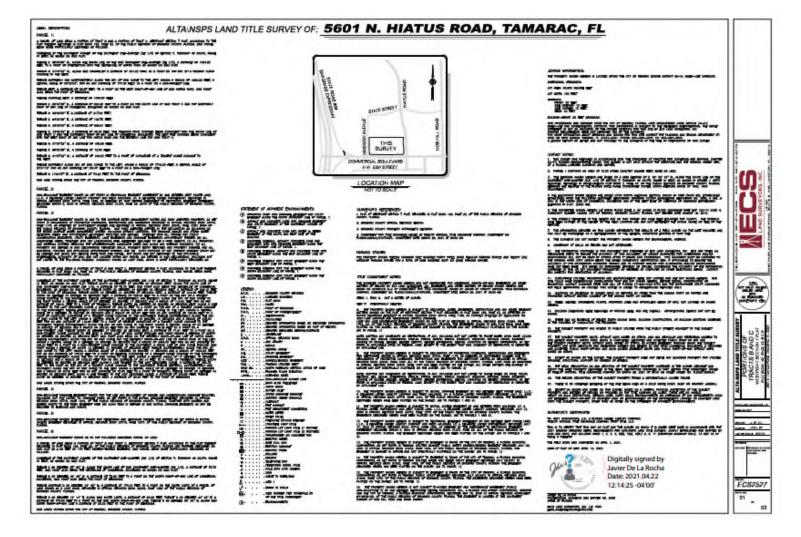
Explanation: The proposed Conceptual Site Plan for the Property is provided as **Exhibit K.** Safe and convenient traffic circulation is a necessity for a distribution facility and the plan is designed with priority given to onsite traffic circulation. Adequate off-street parking is also represented on the plan. City staff will review details of the access, circulation and parking during the site plan review process to determine the adequacy of these elements.

Policy 11.3 Future industrial land uses shall be located with access to major transportation facilities including the arterial streets and the Sawgrass Expressway.

Explanation: The Property is located within a half mile of the Sawgrass Expressway, and is adjacent to Commercial Boulevard, one of the City's main arterial roads. The Property provides for excellent access to major transportation facilities that are needed for a successful distribution facility.

EXHIBIT A

Survey of Property



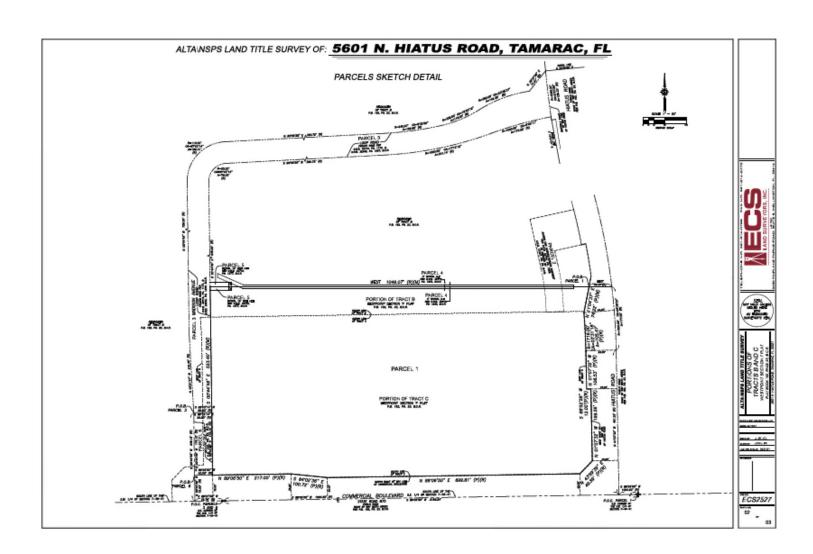


EXHIBIT B

Location Map



EXHIBIT C

Current Land Use Plan Designation

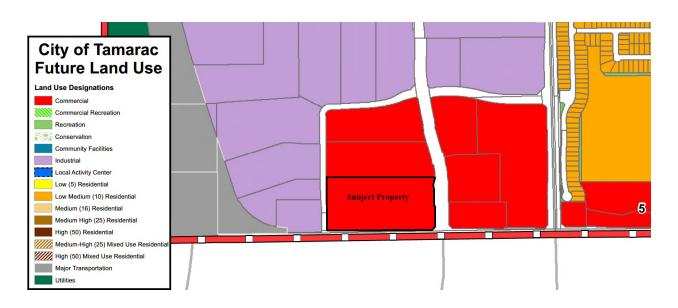


EXHIBIT D

Proposed Land Use Plan Designation



EXHIBIT E

Potable Water Service Letter



July 27, 2021

Shane Zalonis

GreenspoonMarder 200 East Broward Boulevard, Suite 1800 Fort Lauderdale, FL 33301

Re: Water and Sewer availability - WESTPOINT SECTION 7 PLAT 162-23 B A POR OF TR B & TR C DESC AS: COMM AT SE COR OF SE1/4 OF SEC 7-49-41, W 1094.63, N 401.53,NLY & NWLY AN ARC DIST 177, W 62.87

Mr. Zalonis,

Pursuant to your request, this letter is to inform you that the above referenced property is located within the City of Tamarac's water and wastewater service area. In addition, existing water and wastewater infrastructure is located within the vicinity of this property.

The current plant accelerator treatment capacity is rated at 16 MGD with a filtration capacity rated at 16 MGD. The City's water supply system is equipped and comes from 19 raw water wells, currently permitted by SFWMD to withdraw 7.58 MGD and must not exceed the monthly average of 8.04 MGD or 30,320 ERC's. The current average daily withdrawal rate of the plant is 6.72 MGD. There is a proposed commitment of 241,250 GPD (965 ERC's) allocated to development projects currently proposed to be constructed within the City. In addition, there are a number of LUPA's already in progress with a combined proposed allocation of 209,250 GPD (837 ERC's). Therefore, there is a surplus capacity of approximately 852,625 GPD (3,410.5 ERC's) available under the current SFWMD permit.

Based on the provided information and your projected additional demand of 4855 GPD (19.42 ERC's), the City's water treatment plant has sufficient capacity, at present, to meet the proposed additional potable water demands resulting from the above referenced project.

Should you have any questions or require any additional information, please do not hesitate to contact me at (954) 597-3705.

Sincerely,

Mustafa Albassam, P.E.

City Engineer

Cc: John Doherty, Assistance Director of Public Services Eric Woods, Engineer Review Technician/Inspector

7/27/21

6011 Nob Hill Rd., 2nd Floor 1 Tamarac, FL 33321 0: (954) 597-3737 1 F: (954) 597-3710

EXHIBIT F

Sanitary Sewer Service Letter

Shane Zalonis

From: Manrique, Mario < MMANRIQUE@broward.org>

Sent: Thursday, February 18, 2021 11:23 AM

To: Shane Zalonis
Cc: Cynthia Pasch

Subject: RE: Sanitary Sewer Service - Land Use Plan Amendment - Tamarac - Folio 494107100031

Hello Shane,

The following is our reply to your request. Thanks and have a nice day.

Broward County North Regional Wastewater Treatment Plant:

Current Plant Capacity: 95.0 MGD

Current plus committed demand on plant capacity: 75.17 MGD

Planned Plan Capacity: There are no planned wastewater treatment plant capacity increases at this time.

Available Plant Capacity: 19.83 MGD



Mario Manrique, E.I.

Broward County Water and WasteWater Services 2555 Copans Rd., Pompano Beach, FL 33069 Tel: 954-831-0968 Fax: 954-831-0925

mmanrique@broward.org

From: Shane Zalonis <Shane.Zalonis@gmlaw.com> Sent: Tuesday, February 16, 2021 5:34 PM

To: Manrique, Mario < MMANRIQUE@broward.org>
Cc: Cynthia Pasch < cynthia.pasch@gmlaw.com>

Subject: Sanitary Sewer Service - Land Use Plan Amendment - Tamarac - Folio 494107100031

External Email Warning: This email originated from outside the Broward County email system. Do not reply, click links, or open attachments unless you recognize the sender's **email address** (not just the name) as legitimate and know the content is safe. Report any suspicious emails to **ETSSecurity@broward.org**.

Good Evening,

EXHIBIT G

Solid Waste Service Response

Shane Zalonis

From: Robert Hely <rhely@wtienergy.com> Sent: Wednesday, March 31, 2021 10:14 AM

Shane Zalonis To:

Subject: RE; Land Use Plan Amendment Verification of Solid Waste Service - 5601 N. Hiatus Road

On behalf of Wheelabrator South Broward, please accept this email in response to your request for confirmation of adequate capacity to handle the solid waste anticipated to be generated by yourproposed development project in the City of Tamarac, Florida. We agree with your analysis and we have ample capacity to handle the solid waste needs for your project. Wheelabratorr South Broward process all of the solid waste generated in the City of Tamarac, and this project will have no adverse impact to our facility.

From: Shane Zalonis <Shane.Zalonis@gmlaw.com> Sent: Wednesday, March 31, 2021 10:00 AM To: Robert Hely <rhely@wtienergy.com>

Subject: Land Use Plan Amendment Verification of Solid Waste Service - 5601 N. Hiatus Road

*** EXTERNAL email. Please be cautious and evaluate before you click on links, open attachments, or provide credentials. *** Good Morning Mr. Hely,

Please see our attached request for verification of solid waste service in regard to a land use plan amendment application.

Please let me know if any additional information is needed to process our request.

Thank you,

GreenspoonMarder

Greenspoon Marder LLP Shane Zalonis, Legal Assistant

200 East Broward Boulevard, Suite 1800

Fort Lauderdale, FL 33301

Main Telephone: (954) 491-1120 ext. 1158

Direct Telephone: (954) 527-6258

Fax: (954) 333-4176 shane.zalonis@gmlaw.com

www.gmlaw.com

GREENSPOON MARDER LLP LEGAL NOTICE

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EXHIBIT H

Drainage Service Response





Public Works Department

WATER AND WASTEWATER SERVICES

2555 W. Copans Road • Pompano Beach, Florida 33069 • 954-831-0705 • FAX 954-831-0708

February 23, 2021

GreenspoonMarder, LLP 200 East Broward Boulevard, Suite 1800 Fort Lauderdale, FL 33301

via e-mail to: Shane.Zalonis@gmlaw.com

Attn: Shane Zalonis

RE: Land Use Plan Amendment Verification of Drainage Service

5601 N. Hiatus Road, Tamarac, FL

Dear Mr. Zalonis:

In reply to your letter of February 22, 2021 I offer the following comments.

Item 2. You are correct about the permitting authorities. However, the drainage systems are:

South Florida Water Management District: primary system

City of Tamarac: secondary system Westpoint Center: tertiary system

There is no local drainage district.

Item 5. Wet season water level

Broward County now uses the "Future Conditions Groundwater Elevation" map which can be found at this web site: https://geohub-bcgis.opendata.arcgis.com/app/future-conditionsgroundwater-elevation. As stated on the map, the elevation on the map or the local control elevation should be used for design purposes. The map elevation for this site is 4.5 NAVD. Please consult the City to find if a higher control elevation is used for the area.

The remainder of the information appears to be substantially correct. Please do not he sitate to contact me at 954-831-0778 or siuncosa@broward.org if you have further questions.

Sincerely,

Susan Juncosa

Susan Quncosa

Natural Resources Specialist Water Management Division

SUSAN JUNCOSA Date: 2021.02.23

Digitally signed by SUSAN JUNCOSA 10:36:24 -05'00'

Broward County Board of County Commissioners Mark D. Bogen • Lamar P. Fisher • Beam Furr • Steve Geller • Dale V.C. Holness • Nan H. Rich • Tim Ryan • Barbara Sharief • Michael Udine Broward org

EXHIBIT I

Mass Transit Service Letter



TRANSIT DIVISION- Service and Capital Planning

1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8382

VIA EMAIL

March 11, 2021

Shane Zalonis Legal Assistant Greenspoon Marder LLP PNC Building 200 East Broward Boulevard, Suite 1800 Fort Lauderdale, FL. 33301

RE: Transit Verification Letter - 5601 N. Hiatus Road LUPA

Dear Shane Zalonis:

Broward County Transit (BCT) has reviewed your correspondence dated February 17, 2021, regarding 5601 N. Hiatus Road Land Use Plan Amendment (LUPA) located in the City of Tamarac for current and planned transit service. The current transit service provided within a quarter mile of the amendment site includes BCT fixed route 55. Please refer to the following table for detailed information.

BUS	DAYS OF	SERVICE SPAN	SERVICE
ROUTE	SERVICE	A.M. – P.M	FREQUENCY
BCT 55	Weekday	6:00a - 11:04p	30 minutes
	Saturday	6:00a - 11:04p	30 minutes
	Sunday	7:05a - 10:19p	45 minutes

As part of the 30 year Mobility Advancement Program, BCT plans to implement several fixed route bus improvements, including shorter headways, increased span of service, and route realignment to better meet passenger needs. New local service via McNab Road/Cypress Creek Boulevard, between Federal Highway and Hiatus Road, is currently prioritized for study as part of the Transit Development Plan.

Please be advised that capital improvements to existing or future bus stops located adjacent or within the amendment site will be addressed during the project's development review process.

BCT has adequate capacity for current and planned services to meet additional service demand as described in this proposed LUPA. BCT recommends that any proposed (re)development on the amendment site be designed to provide safe movement for

Broward County Board of County Commissioners

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TRANSIT DIVISION- Service and Capital Planning

1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8382

pedestrians and bicycles including transit connectivity between the existing sidewalk / bicycle network and proposed future bus stops.

Please feel free to call me at 954-357-8387 or email me at Dimunoz@broward.org if you require any additional information or clarification on this matter.

Sincerely,

Diego B. Munoz

Diego B. Munoz **Planner** Service and Strategic Planning

EXHIBIT J

State of Florida Historic Preservation Review

Shane Zalonis

From: Vovsi, Eman M. < Eman.Vovsi@DOS.MyFlorida.com>

Sent: Thursday, February 18, 2021 8:59 AM

To: Shane Zalonis

Subject: RE: TRS Search Request Re: 5601 N. Hiatus Road, Tamarac

Attachments: Template_102.pdf

Completed; all "clear on docket" Regards,

Eman M. Vovsi, Ph.D.

Sr. Data Base Analyst – Florida Department of State

Bureau of Historic Preservation - Florida Master Site File - Tallahassee, FL 32399-0250 - Phone: 850.245.6377 - e-mail: Eman.Vovsi@DOS.MyFlorida.com

"Due the COVID 19 Pandemic, and depending on the requested information, work load and limited staffing, it may take longer than usual to get a response. Thank you for your patience and understanding during this time."

From: Shane Zalonis <Shane.Zalonis@gmlaw.com>
Sent: Wednesday, February 17, 2021 4:14 PM
To: FMSFILE <FMSFILE@dos.myflorida.com>
Cc: Cynthia Pasch <cynthia.pasch@gmlaw.com>

Subject: TRS Search Request Re: 5601 N. Hiatus Road, Tamarac

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Good Afternoon,

Please see our attached request regarding the property located at 5601 North Hiatus Road in the City of Tamarac.

Thank you,

GreenspoonMarder

Greenspoon Marder LLP

Shane Zalonis, Legal Assistant 200 East Broward Boulevard, Suite 1800 Fort Lauderdale, FL 33301

Main Telephone: (954) 491-1120 ext. 1158

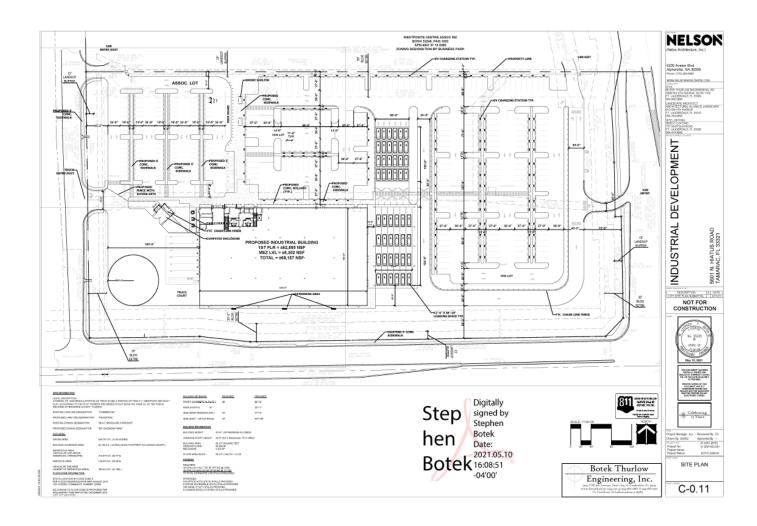
Direct Telephone: (954) 527-6258

Fax: (954) 333-4176 shane.zalonis@gmlaw.com

1

EXHIBIT K

Conceptual Site Plan





Title - TO2476 - Ordinance Extending the Woodlands Overlay District Termination Date to Sunset and Terminate, Nunc Pro Tunc, Four (4) Years After the Effective Date of the Land Development Code

An Ordinance of the City Commission of the City of Tamarac, florida extending the Woodlands Overlay District termination date, nunc pro tunc to July 12, 2022 by amending Chapter 10 of the City of Tamarac Code of Ordinances, entitled "Land Development Code" by amending Article 2, entitled "Zoning Districts" by specifically amending Section 10-2.7(C), entitled "Woodlands Overlay District", to sunset and terminate the woodlands overlay district four years after the effective date of the City of Tamarac Land Development Code, in conformity with the City of Tamarac Comprehensive Plan; providing for codification; providing for conflicts; providing for severability; and providing for an effective date.

Commission District(s):

District 2

ATTACHMENTS:

Description	Upload Date	Type
1 - TO2476 - Memo Woodlands Overlay District	6/29/2021	Cover Memo
2 - TO2476 - Ordinance Woodlands Overlay District Termination Extension	6/29/2021	Ordinance

CITY OF TAMARAC INTEROFFICE MEMORANDUM 21 06 009M COMMUNITY DEVELOPMENT

TO: Michael Cernech City Manager

FROM: Maxine Calloway

Community Development Director

DATE: June 17, 2021

RE: Ordinance Extending the Woodlands Overlay District Termination Date to Sunset

and Terminate, Nunc Pro Tunc, Four (4) Years After the Effective Date of the Land

Development Code - Temp. Ordinance No. 2476

Recommendation: The Director of Community Development recommends that the Mayor and City Commission adopt the proposed Ordinance extending the Woodlands Overlay District on First Reading at its July 14, 2021 meeting and on Second Reading at its August 25, 2021 meeting.

<u>Issue:</u> An extension of the sunset and termination date for the Woodlands Overlay District is needed to allow for sufficient time to develop an appropriate structure to replace the Woodlands Overlay (WO).

Background: Overlay zoning districts are superimposed over portions of one or more underlying base zoning districts in order to supplement generally applicable regulations with additional standards that address special area-specific conditions, features, or plans while maintaining the character and purposes of the underlying district. Some overlay districts include standards that modify or supersede standards applied by the underlying zoning district.

The purpose and intent of the Woodlands Overlay District is to create and establish specific regulations in addition to those requirements contained within the City Code of Ordinances that will serve to preserve the neighborhood character, promote its high quality and appearance, maintain property values and protect the public health, safety and welfare. The overlay district is not only intended to provide guidelines to ensure the preservation of the Woodlands community's visual integrity, but to also ensure that every property is maintained in accordance with the community standards.

The Woodlands Overlay District is intended to protect the existing aesthetics of the Woodlands community to ensure high-quality development compatible with the surrounding existing development. It contains general maintenance and construction standards for, carports, garages, parking, storage, buildings, additions, modifications, exterior paint colors, landscaping, and screening for residential properties within the community.

The City Commission took prior action to extend the Woodlands Overlay District as demonstrated by Ordinance No. 2432 on July 8, 2020. According to the previously adopted Ordinance, the Woodlands Overlay District was extended nunc pro tunc to sunset and terminate on July 12, 2021, three (3) years after the effective date of the Land Development Code. The Woodlands Development Agreement and Redevelopment Applications have been

City Manager Temp. Ordinance No. 2476 June 17, 2021 – Page 2

submitted and are pending approval beyond the existing Overlay District's termination date. The COVID-19 Pandemic has significantly delayed the applications review by external entities including Broward County. The external delays have significantly impacted the development's advancement to City level review further necessitating preliminary action.

As such, more time is needed to develop an appropriate structure or mechanism which provides the same benefits of an overlay zoning district to replace the existing Woodlands Overlay District. Staff has determined that an additional amendment is needed to provide for the extension of the Ordinance to allow sufficient time to gauge the outcome of the Woodlands Redevelopment Land Use Plan Amendment and accompanying Redevelopment Application(s) to determine whether any of the overlay requirements could be rolled into the new Woodlands Development Agreement. If the Woodlands Redevelopment Application fails, then the existing Woodlands Overlay District would sunset and terminate on July 12, 2022.

Analysis: The following summarizes the proposed Ordinance Amendment (attached):

The Ordinance amends the sunset and termination provision of the Code (Section 10-2.7(C)) by extending the sunset and termination date of the Ordinance to July 12, 2022 or sooner, should the Woodlands Development Agreement and accompanying Redevelopment Applications be approved and adopted prior to the termination date of the existing Overlay District. All other provisions remain the same.

<u>Summary of Recommendation:</u> Staff recommends that the Mayor and City Commission adopt the Ordinance on First Reading on July 14, 2021 and on Second Reading on August 25, 2021 to effectuate an extension of the Woodlands Overlay District termination date.

Fiscal Impact: There will be no direct budgetary impact.

Maxine A. Calloway,
Director of Community Development

akue Halloway

MAC/atj

Attachment: Temporary Ordinance No. 2476/ Draft Ordinance

CITY OF TAMARAC, FLORIDA

ORDINANCE NO. 2021 -

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA EXTENDING THE WOODLANDS OVERLAY DISTRICT TERMINATION DATE, NUNC PRO TUNC TO JULY 12, 2022 BY AMENDING CHAPTER 10 OF THE CITY OF TAMARAC CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT CODE" BY AMENDING ARTICLE 2, ENTITLED "ZONING DISTRICTS" BY SPECIFICALLY AMENDING SECTION 10-2.7(C), ENTITLED "WOODLANDS OVERLAY DISTRICT", TO SUNSET AND TERMINATE THE WOODLANDS OVERLAY DISTRICT FOUR YEARS AFTER THE EFFECTIVE DATE OF THE CITY OF TAMARAC LAND DEVELOPMENT CODE, IN CONFORMITY WITH THE CITY OF TAMARAC COMPREHENSIVE PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, overlay zoning districts are superimposed over portions of one or more underlying base zoning districts in order to supplement generally applicable regulations with additional standards that address special area-specific conditions, features, or plans while maintaining the character and purposes of the underlying district; and

WHEREAS, some overlay districts include standards that modify or supersede standards applied by the underlying district; and

WHEREAS, the purpose and intent of the Woodlands Overlay District is to create and establish specific regulations in addition to those requirements contained within the City Code of Ordinances that will serve to preserve the neighborhood character, promote its high quality and appearance, maintain property values and protect the public health, safety and welfare; and

WHEREAS, the Woodlands Overlay District is not only intended to provide

CODING: Words in strike through type are deletions from the existing law;

Words in <u>underscore</u> type are additions.

Temp. Ord. No.2476 June 17, 2021 Page 2 of 5

guidelines to ensure the preservation of the Woodlands community's visual integrity, but

to also ensure that every property is maintained in accordance with the community

standards; and

WHEREAS, the Woodlands Overlay District was set to sunset and terminate in

2019 and was extended via Ordinance 2420, nunc pro tunc to July 12, 2020, two years

after the effective date of the Land Development Code; and

WHEREAS, the current State of Emergency given the COVID-19 Pandemic has

significantly delayed the review of the Woodlands Development Agreement and

associated Redevelopment Applications by external entities including Broward County

thereby delaying the Applications advancement through the development review process;

and

WHEREAS, an additional extension of the Woodlands Overlay District was

therefore needed; and

WHEREAS, the City Commission adopted Ordinance #2436, to extend the

Woodlands Overlay District, which was set to sunset and terminate in 2020, nunc pro tunc

to July 12, 2021, three years after the effective date of the Land Development Code; and

WHEREAS, more time is still needed to develop an appropriate structure or

mechanism which provides the same benefits of an overlay zoning district to replace the

Woodlands Overlay District; and

WHEREAS, the City Commission of the City of Tamarac (the "City") desires to

further extend the termination date, of the Woodlands Overlay District to allow for the

development of an appropriate structure or mechanism to replace the Woodlands Overlay

District; and

CODING:

Words in strike through type are deletions from the existing law;

Words in underscore type are additions.

WHEREAS, the City Commission finds that amending the Code to extend the sunset and termination date of the Woodlands Overlay District, nunc pro tunc to July 12, 2022, four years after the effective date of the Land Development Code is in the best interests of the citizens and residents of the City of Tamarac.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, AS FOLLOWS:

SECTION 1. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. That Chapter 10, Article 2, Section 10-2.7(C), entitled "Woodlands Overlay District", of the City of Tamarac Code of Ordinances is hereby amended as follows:

10-2.7 - Overlay Zoning Districts

(C) Woodlands Overlay District

- (1) General Purpose of Woodlands Overlay District. The purpose and intent of the Woodlands Overlay District is to create and establish specific regulations in addition to those requirements contained within the City Code of Ordinances that will serve to preserve the neighborhood character, promote its high quality and appearance, maintain property values and protect the public health, safety and welfare. The overlay district is not only intended to provide guidelines to ensure the preservation of the Woodlands community's visual integrity, but to also ensure that every property is maintained in accordance with the community standards.
- (2) Woodlands Overlay (WO) District Established. The WO district is intended to protect the existing aesthetics of the Woodlands community to ensure high-quality development compatible with the surrounding existing development.
- (3) **Sunset and Termination of Overlay District.** This section shall sunset and the Woodlands Overlay District shall be terminated three-four years after the effective date of this Code, unless, prior to the sunset date, the City Commission shall pass legislation to extend the district.

Temp. Ord. No.2476 June 17, 2021 Page 4 of 5

SECTION 3. Codification. It is the intention of the City Commission of the City of

Tamarac that the provisions of this Ordinance shall become and be made a part of the Code

of Ordinances of the City of Tamarac, Florida, and that the Sections of this ordinance may

be renumbered, re lettered and the word "Ordinance" may be changed to "Section", "Article"

or such other word or phrase in order to accomplish such intention.

SECTION 4. Conflicts. That all Ordinances or parts of Ordinances, Resolutions or

parts thereof in conflict herewith, be and the same are hereby repealed to the extent of such

conflict.

SECTION 5. Severability. Should any section, provision, paragraph, sentence,

clause of word of this Ordinance or portion hereof be held or declared by any court of

competent jurisdiction to be unconstitutional or invalid, in part or application, it shall be

considered as eliminated and shall not affect the validity of the remaining portions or

applications of this Ordinance.

SECTION 6. Effective Date. This Ordinance shall become effective upon adoption.

THE REST OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.

CODING:

Words in strike through type are deletions from the existing law;

Words in underscore type are additions.

Temp. Ord. No.2476 June 17, 2021 Page 5 of 5

PASSED, FIRST READING this	day of	, 2021.
PASSED, SECOND READING this	day of	, 2021.
		MICHELLE J. GOMEZ, MAYOR
ATTEST:		
JENNIFER JOHNSON, CMC CITY CLERK		
I HEREBY CERTIFY that I have approved this ORDINANCE as to form.		
JOHN R. HERIN CITY ATTORNEY		



Title - TO2463 - Prohibition of Begging, Panhandling & Solicitation Ordinance

An Ordinance of the City of Tamarac, Florida, amending Chapter 14 of the City's Code of Ordinances entitled "Motor Vehicle and Traffic" by amending Article I, Section 14-3 Entitled "Activity Restricted on Streets"; Prohibiting Begging, Panhandling and Solicitation In and Upon Roadways and Rights-of-Way Within the City; providing for definitions; providing for findings and intent; providing for penalties; providing for codification; providing for conflicts; providing for severability; and providing for an effective date.

ATTACHMENTS:

Description	Upload Date	Туре
TO2463 - Prohibition of Begging, Panhandling, & Solicitation Memo	7/8/2021	Cover Memo
TO2463 - Prohibition of Begging, Panhandling, & Solicitation Ord	8/19/2021	Ordinance

City of Tamarac Interoffice Memorandum

To: Kathleen Gunn, Assistant City Manager, City of Tamarac

From: Lieutenant Jemeriah Cooper, Executive Officer, Broward Sheriff's Office

Date: July 8, 2021

Re: Right of Way Panhandler Solicitors Ordinance

Recommendation: The District Captain of the Broward Sheriff's Office Tamarac District recommends that the Mayor and City Commission adopt on First Reading the proposed text amendment to Chapter 14, Article I Section 14-3 of the City's Code of Ordinances, at its July 14, 2021 meeting and on Second Reading at its August 25, 2021 meeting.

Issue:

The Broward Sheriff's Office, Tamarac District, has received numerous complaints regarding members of the community panhandling, soliciting items, and obstructing the free movement and normal use of public streets or roadways by standing or approaching motor vehicles. The action of these individuals continues to cause danger to themselves, public health, and motorists.

Background:

In Spring 2015, The City Commission instructed staff to examine the adoption of a City Ordinance regarding solicitations on or about the City's roadways and corridors in light of the inherent danger such activity created. To ascertain whether there was in fact an issue concerning motor vehicle crashes and also motor vehicle vs. pedestrian incidents that rose to a level to create a safety concern for the public on specific major corridors, a traffic study was initiated by the Broward Sheriff's Office Tamarac District.

The traffic study conducted by the Broward Sheriff's Office determined that certain roadways, within the City posed the greatest threat to public safety and the free flow of traffic in connection with the activities of right-of-way solicitors and canvassers. As such, On July 8, 2015, the City Commission adopted Ordinance #2015-11, in an effort to protect the health, safety, and welfare of the pedestrians and drivers in the city, and to ensure the free flow of traffic on certain major corridors.

Since the Ordinance adoption, individuals have been observed panhandling or soliciting items, and obstructing vehicular traffic in the City of Tamarac. When observed, these violations were addressed by using Florida State Statute 316.2045(2) in conjunction with the City's Code. However, recent changes in Florida's Legislature has called for the Broward Sheriff's Office to discontinue the enforcement of section 316.2045(2). Since the enforcement of section 316.2045(2) ceased, the city of Tamarac has experienced an increase of violators obstructing vehicular traffic causing danger to themselves and motorists.

Summary Recommendation:

The Broward Sheriff's Office, Tamarac District, recommends the City of Tamarac update its ordinance to be consistent with State Statute and allow for the proper enforcement of panhandling, soliciting items, and obstructing vehicular traffic. It is not the intent of this recommendation to prohibit begging, panhandling, soliciting or selling items in public areas when such activities will not interfere with vehicular traffic.

Fiscal Impact:

The fiscal impact at this time is undetermined; however, staff is researching to determine the cost to prosecute these types of cases.

CITY OF TAMARAC, FLORIDA

AN ORDINANCE OF THE CITY OF TAMARAC, FLORIDA, AMENDING CHAPTER 14 OF THE CITY'S CODE OF ORDINANCES ENTITLED "MOTOR VEHICLES AND TRAFFIC" BY AMENDING ARTICLE I, SECTION 14-3 ENTITLED "ACTIVITY RESTRICTED ON STREETS"; PROHIBITING AGGRESSIVE BEGGING, PANHANDLING AND SOLICITATION IN AND UPON ROADWAYS AND RIGHTS-OF-WAY WITHIN THE CITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR FINDINGS AND INTENT; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Tamarac has a significant interest in protecting the health, safety and welfare of the pedestrians and drivers in the City, and ensuring the free flow of traffic within the City; and

WHEREAS, the City Commission finds that a dangerous condition exists when person(s) approach vehicles and vehicular travel lanes to solicit employment, business, or charitable contributions from drivers traveling on major streets and roadways; and

WHEREAS, on July 8, 2015, the City Commission adopted Ordinance O-2015-11, amending Chapter 14, Article 1, Section 14-3 of the Code of Ordinances prohibiting solicitations in and upon roadways and right-of-way within the City; and

WHEREAS, Ordinance O-2015-11 only covered the intersections of Commercial Boulevard, Nob Hill Road, McNab Road, Pine Island, and University Drive, or within 200 feet thereof; and

WHEREAS, City Staff and Broward Sherriff Office (BSO) find the current regulations of begging, panhandling and solicitations in the City's roads and rights-of-way insufficient to address aggressive begging, panhandling, solicitation or selling items in public areas when such activities interfere with vehicular traffic and cause traffic safety and traffic flow concerns; and

WHEREAS, the City Commission of the City of Tamarac finds that this amendment is not intended to limit any persons from exercising their constitutional right to beg, panhandle or solicit funds, picket, protest or engage in other constitutionally protected activity or any lawful activity permitted pursuant to the Florida Statutes. Its goal is instead to provide for pedestrian safety and protect residents and visitors from the fear and intimidation accompanying certain kinds of begging, panhandling or solicitation that have become an unwelcome and overwhelming presence in the City, and to prohibit aggressive begging, panhandling and solicitation in certain public places based upon significant governmental interests; and

WHEREAS, the City Commission deems it to be in the best interests of the residents and visitors of the City to prohibit aggressive begging, panhandling and solicitation in and upon roadways and rights-of-way within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, THAT:

Section 1. That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance. All exhibits attached hereto are expressly incorporated herein by reference and made a part hereof.

Section 2. Chapter 14 Article I entitled "Motor Vehicles and Traffic", Section 14-3, entitled "Activity Restricted on Streets" of the Code of Ordinances of the City of Tamarac, is hereby amended as follows:

Sec. 14-3. - Right-of-way solicitation restricted on certain streets.

(A) Definitions. For the purposes of this section, "beg, panhandle, right-of-way canvasser or solicitor" shall mean any person who sells or offers for sale anything or service of any kind. or who seeks any donation of any kind, or some other article of value, by words, bodily gestures, signs or other means, or who personally hands to or seeks to transmit by hand or receive by hand anything or service of any kind, whether or not payment in exchange is required or requested, to any person who operates or occupies a motor vehicle of any kind, which vehicle is engaged in travel on or within any portion of any of the streets or roadways in the City, whether or not such vehicle is temporarily stopped in the travel lanes of the road. The term shall not apply to any person who merely holds or displays a sign lawfully permitted to be displayed by a person as long as there is no entry by such person or sign into any portion of the roadway or its median. Further, this term shall not apply to official citations or notices provided pursuant to governmental authority.

(B) Prohibition of beggar, panhandler, right-of-way canvassers and solicitors.

(1) Findings; purpose; intent.

(a) The City Commission of the City of Tamarac desires to adopt an ordinance regulations restricting right-of-way beggars, panhandlers, canvassers and solicitors to certain streets and roadways located in the City because such beggars, panhandlers, canvassers and solicitors pose a danger to themselves and the public at large by interfering with the safe movement of normal vehicular traffic; and

(b) According to the Florida Department of

Highway Safety and Motor Vehicles 2007 Florida Traffic Crash Statistics Report, 530 pedestrians were killed on Florida roadways in 2007; 65 of those pedestrians were killed on roadways in Broward County; and

- (c) Based upon statistics collected by the Surface Transportation Policy Project, the Miami-Fort Lauderdale area is one of the most dangerous areas in the United States for pedestrians; and
- (d) According to the Florida Department of Highway Safety and Motor Vehicles in 2012 Broward County ranked first in Florida with 58 pedestrian fatalities.
- (e) For 2011 Broward County had 29 pedestrian fatalities ranking it fourth in the state, and 2010 saw 52 pedestrian fatalities in the county, placing Broward second in the state. Total crashes for the years 2010-2012 ranked Broward County second in the State of Florida
- (f) Numerous types of beggars, panhandlers, right-of-way canvassers and solicitors may seek to operate within the City of Tamarac, including, but not limited to, children, adolescents and adults who seek to collect money for school and community activities; vendors who sell flowers, newspapers and other products, and people who seek donations or distribute written information; and
- (g) Right-of-way beggars, panhandlers, canvassers and solicitors approach motorists and passengers in motor vehicles engaged in travel on roads, and are particularly susceptible and vulnerable to serious injury, or death due to the speed and number of motorists who operate vehicles on busy roads within the City; and

- (h) Roads are primarily designed for vehicular traffic and are not suited to safely accommodate right of way beggars, panhandlers, canvassers, and solicitors; and
- (i) The presence of right-of-way beggars, panhandlers, canvassers and solicitors interferes with the safe movement of normal vehicular traffic; and
- (j) The road network in the City is substantially burdened by a high volume of traffic, and road design frequently includes complex vehicle turn movements that demand a driver's strict attention; and
- (k) It is the intention of the City Commission to use the least restrictive means to advance the significant governmental interests of traffic safety and public safety and, consequently City staff analyzed each of the major roads within the City and determined that all the State roads and any road in Tamarac that joins a state road as listed in subsection (C), below, present an increased and significant danger for use by distracted drivers, pedestrians and right-of-way beggars, panhandlers, canvassers and solicitors and pose the greatest threat to traffic and public safety in reference to activities and use by beggars, panhandlers, right-of-way canvassers and solicitors, and therefore the City Commission has determined that such activities and use by right-of way vendors and solicitors shall be prohibited on the roads listed in subsection (C); and
- (l) It is the finding of the City Commission that many other alternative channels of communication (other than right-of-way canvassing and solicitation on the prohibited roadways) exist for persons who seek to exercise

their First Amendment freedoms, such as, but by no means limited to, solicitation of funds or distribution of literature through the mail or at alternate locations (such as houses of worship, shopping areas and special events); the sale and/or distribution of newspapers through home or office delivery, vending machines and retail stores; and the sale of goods and services at retail stores, through the internet and from vending machines; and

- (m) The City Commission desires to preserve and protect the personal safety and quality of life of its residents and of those who use streets within the City, both pedestrians and motorists alike; and
- (n) The City Commission has reviewed the proposed regulations provided by this section and finds that such regulations accomplish the purposes intended while utilizing the least restrictive means; and
- (o) The City Commission finds that it is in the best interests of the residents of the City to adopt this section.
- (C) Prohibited roadways Restrictions and Requirements.
 - (1) It shall be unlawful for any person to act as a right-of way beggar, canvasser, panhandler or solicitor, obstructing pedestrian or vehicular traffic and aggressively begging, panhandling, soliciting or offering to sell any items on any state road located in the City of Tamarac and any road in Tamarac that joins a state road. at or within 200 feet from the lateral curb or boundary line of any intersection located on the following roadways: Commercial Boulevard, McNab Road, Southgate Boulevard, Pine Island Road, State Road 7 (U.S. 441) and University Drive.

- (2) Beggars, panhandlers or solicitors are prohibited from begging, panhandling or soliciting from any operator or occupant of a vehicle that is in traffic on a public street.
- (3) No person shall stand on a traffic median, bicycle path, public street, or right of way to beg, panhandle, solicit or sale items when in use by vehicular traffic.
- (D) Chapter 316, Florida Statutes. The enforcement of this section shall not, in any way, preclude the enforcement of Section 316.130(5), Florida Statutes, as applicable.
- (E) Enforcement and Penalties.
 - (1) It shall be the duty of any police officer of the City to require any person seen begging, panhandling, soliciting or canvassing and who is not known by the officer to be duly permitted, to produce his solicitor's or canvasser's permit, and to enforce the provisions of this chapter against any person found in violation thereof.
 - (2) Any person who violates any terms or provisions of this article shall be prosecuted in accordance with the procedures set forth in Ch. 162, F.S., or before a court of competent jurisdiction and, upon conviction of such violation before the judge of the county court, shall be subject to the penalties prescribed by the county judge. Each day of violation of any term or provision of this article shall constitute a separate and distinct violation.
- (a) Legislative findings.
 - The city commission recognizes a constitutional right to beg, panhandle, solicit or offer for sale items in a peaceful and non-threatening manner. However, the city commission further finds that the activity of begging, panhandling, soliciting, or selling items creates significant public health, welfare, safety concerns and crowd control problems when such activities are conducted on or near public streets which are in use by vehicular traffic because these activities involve the process of a person requesting a donation or responding to solicitation from an occupant or operator of a vehicle which is in traffic,

that vehicle occupant or operator must consider the request or solicitation, and, if the vehicle occupant or operator decides to fulfill the request, that person must reach for a wallet, search for money, or write a check, all while that person and vehicle are located on a public street in use by vehicular traffic. Based on the foregoing, the city commission finds that the activity of begging, panhandling, soliciting or selling from or to occupants or operators of vehicles located on streets in use by vehicular traffic distracts drivers from their primary duty to watch traffic and potential hazards in the road, observe all traffic signals or warnings and move through the city's streets and intersections in a lawful and safe manner and creates a potential safety hazard and poses a substantial risk to the public, particularly pedestrians, and impedes the free flow of traffic on the streets within the city resulting in the delay and obstruction of the public's free flow of travel on the city's streets. The city commission further finds that the safety of beggars, panhandlers, solicitors, individuals selling items, pedestrians and operators and occupants of vehicles is at significant risk when such activities occur because the nature of these activities often entails beggars, panhandlers, solicitors, or individuals selling items by standing on traffic medians, bicycle paths and public streets and right of way in use by vehicular traffic, property only meant for the use and control of vehicular traffic and not begging, panhandling, soliciting or the sale of items.

- (2) It is not the purpose and intent of this section to prohibit begging, panhandling, soliciting or selling items in public areas when such activities will not interfere with vehicular traffic and cause traffic safety and traffic flow concerns or when such activities will not otherwise cause any public health, welfare and safety concerns.
- (3) This law is timely and appropriate because current city ordinances are insufficient to address these problems. The restrictions contained herein are

neither overbroad nor vague and are narrowly tailored to serve a substantial governmental interest. Moreover, this article only restricts begging, panhandling, soliciting and the sale of items in certain public places while preserving ample alternative areas for the valid exercise of First Amendment constitutional rights. Furthermore, in enacting this regulation, the city commission recognizes the availability of community service and other sentencing alternatives, which may be appropriate remedies for violations of this article.

- (4) This law is not intended to limit any persons from exercising their constitutional right to beg, panhandle or solicit funds, picket, protest or engage in other constitutionally protected activity or any lawful activity permitted pursuant to the Florida Statutes. Its goal is instead to provide for pedestrian safety and protect residents and visitors from the fear and intimidation accompanying certain kinds of begging, panhandling or solicitation that have become an unwelcome and overwhelming presence in the city, and to prohibit aggressive begging, panhandling and solicitation in certain public places based upon significant governmental interests.
- (5) The city commission also finds that any person who intentionally blocks the passage of another person or a vehicle, which requires another person to take evasive action to avoid physical contact, constitutes a threat to the public health, welfare and safety of the citizenry. The city commission further finds that any person who begs, panhandles, or solicits under circumstances where the person being solicited cannot readily escape from the undesired conduct constitutes a threat to the public health, welfare, and safety of the city's residents and visitors. The city commission also finds that any person begging, panhandling or soliciting from occupants or operators of vehicles while such vehicles are on the portion of a public street currently in use by vehicular traffic and any person begging, panhandling or

soliciting on traffic medians, bicycle paths or publics streets when such property is in use by vehicular traffic poses a threat to public safety and prevents the free flow of traffic on public streets.

(b) Definitions.

Except where the content otherwise requires, as used in this chapter:

- (1) Aggressively beg, panhandle or solicit means any request made in person for a donation of money or some other article of value from another person by an unwanted touching, detaining, impeding or intimidation.
- (2) <u>Beg, panhandle or solicit</u> means any request made in person for a donation of money or some other article of value, either by words, bodily gestures, signs or other means, from another person or to another person.
- (3) Beg, panhandle, solicit or offer to sale to or from any operator or occupant of a vehicle that is in traffic on a public street or to make an offer to sale any item or provide a service of any nature to any operator or occupant of a vehicle that is in traffic on a public street means any request made in person for a donation of money or some other article of value or an offer to sale an item or provide a service for value, either by words, bodily gestures, signs or other means, from any operator or occupant of a vehicle. coupled with an actual exchange of money or some other article of value between the person begging, panhandling or soliciting and any operator or occupant of a vehicle while that vehicle is on the portion of a public street currently in use by vehicular traffic.
- (4) Obstruct pedestrian or vehicular traffic means to walk, stand, sit, lie or place an object in such a manner as to block passage of another person or a vehicle, or to require another person or driver of a

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vehicle to take evasive action to avoid physical contact. Acts authorized as an exercise of one's constitutional right to picket or to legally protest, are not included within the definition of this term.

(5) <u>Beggar, panhandler or solicitor means any person</u> traveling either by foot, vehicle or other conveyance, from place to place, requesting in person a donation of money or some other article of value, either by words, bodily gestures, signs or any other means, from another person.

(c) Restrictions and requirements.

- (1) Beggars, panhandlers or solicitors are prohibited from obstructing pedestrian or vehicular traffic and aggressively begging, panhandling, soliciting or offering to sell any items on any state road located in the City of Tamarac and any road in Tamarac that joins a state road.
- (2) Beggars, panhandlers or solicitors are prohibited from begging, panhandling or soliciting from any operator or occupant of a vehicle that is in traffic on a public street.
- (3) No person shall stand on a traffic median, bicycle path, public street, or right of way to beg, panhandle, solicit or sale items when in use by vehicular traffic.
- (d) Enforcement and Penalties.

Any person convicted of violating any of the provisions of this Section shall be punished as provided in section 1-13 of this Code which provides, inter alia, that the county court may either impose a fine, a sentence of imprisonment for a term not to exceed ninety (90) days, or both. Nothing contained herein will prevent the city from taking such other lawful action in any administrative hearing, or court of competent jurisdiction to prevent or remedy any refusal to comply with, or violation of, this section. Such other lawful action includes, but is not limited to, an equitable action for

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injunctive relief or an action at law for damages.

Section 3. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby. In the event of a subsequent change in applicable law, so the provision which had been held invalid is no longer invalid, the provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding under this Ordinance.

Section 4. That any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 5. That it is the intention of the City Commission, and it is hereby ordained, that the provisions of this Ordinance shall become and made a part of the Code of the City of Tamarac; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6. That this Ordinance shall take effect immediately upon adoption.

PASSED, FIRST READING this day of	, 2021.
PASSED, SECOND READING this day of	, 2021.
BY: _	
	MICHELLE J. GOMEZ, MAYOR

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ATTEST:
JENNIFER JOHNSON, CITY CLERK
I HEREBY CERTIFY THAT I HAVE APPROVED THIS ORDINANCE
AS TO FORM AND SUFFICIENCY FOR THE SOLE USE OF THE CITY OF TAMARAC:
JOHN R. HERIN, JR., CITY ATTORNEY
RECORD OF COMMISSION VOTE: 1 ST Reading
MAYOR GOMEZ
DIST 1: COMM. BOLTON
DIST 2: COMM GELIN
DIST 3: VM. VILLALOBOS
DIST 4: COMM. PLACKO
RECORD OF COMMISSION VOTE: 2 ND Reading
MAYOR GOMEZ
DIST 1: COMM. BOLTON
DIST 2: COMM GELIN
DIST 3: VM. VILLALOBOS
DIST 4: COMM. PLACKO

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Title - TO2478 - Rezoning of 5601 N Hiatus Road from MU-C (Mixed-Use Commercial) zoning classification to BP (Business Park) zoning classification

An Ordinance of the City Commission of the City of Tamarac, Florida, amending the Official Zoning Map of the City of Tamarac referenced in Section 10-2.1(B) of Chapter 10 of the City of Tamarac Code of Ordinances for approximately 12.55 acres of land situated, lying, and being in Broward County, Florida, and legally described in Exhibit "A", from the current MU-C (Mixed-Use Corridor) zoning classification to BP (Business Park) zoning classification, to facilitate the development of a distribution center use and provide consistency with the Land Development Code in accordance with the intent of the Comprehensive Plan of the City of Tamarac; (Case No. 2-Z-21); providing for amendment to the official zoning map to reflect such change; providing for conflicts; providing for severability; and providing for an effective date

Commission District(s):

District 2

ATTACHMENTS:

Description	Upload Date	Туре
1 - 5601 Rezoning Memo 2-Z-21	8/11/2021	Cover Memo
2 - Temporary Ordinance No 2478	8/11/2021	Ordinance
2 - Exhibit A - Legal Description	8/4/2021	Exhibit
3 - Rezoning Justification Narrative	8/4/2021	Backup Material
4 - Location Map	8/11/2021	Cover Memo
5 - City of Tamarac Current Zoning Map	8/4/2021	Backup Material

CITY OF TAMARAC INTEROFFICE MEMORANDUM 21-08-003M COMMUNITY DEVELOPMENT DEPARTMENT

TO: Michael C. Cernech

City Manager

FROM: Maxine A. Calloway,

Director of Community Development

DATE: August 11, 2021

RE: 5601 N Hiatus Road Industrial Project – Rezoning

TEMP ORDINANCE NO. 2478; CASE#:2-Z-21; MF#:00-01;

RECOMMENDATION: The Director of Community Development recommends that the Mayor and City Commission approve on First Reading the proposed rezoning to allow for the redevelopment of the subject property into a distribution center at its August 25, 2021, meeting for First Reading with a condition of approval (see attached Temporary Ordinance No. 2478).

ISSUE: Dennis Mele, Esq., for Greenspoon Marder, LLP, designated agent for the property owner, BOF FL 5601 Hiatus, LLC, c/o Bridge Investment Group, is requesting approval of a Rezoning to change the current zoning of the subject property, approximately 12.55 acres from MU-C (Mixed-Use Corridor) to BP (Business Park) (see attached Rezoning Justification Narrative).



Aerial Photograph

LOCATION: The developed subject property is located at 5601 N Hiatus Road and is bounded by N Hiatus Road to the east, W Commercial Boulevard to the south, and Madison Avenue to the west (see Aerial Photograph above and attached Location Map). The property is approximately 12.55 acres in size, has a current City of Tamarac Future Land Use designation of "Commercial" and a current zoning classification of MU-C (Mixed-Use Corridor) (see attached City of Tamarac Current Zoning Map).

Surrounding Land Use and Zoning:

North: Sonny's Enterprises, car wash equipment manufacturer, zoned BP (Business Park) with a

future land use designation of "Commercial."

South: Shell gasoline service station and vacant property in the City of Sunrise zoned I-1 (Light

Industrial) with a future land use designation of "Industrial."

East: Gold Coast Schools, real estate school, and Care Spot, urgent care facility, zoned MU-C

(Mixed-Use Corridor) with a City of Tamarac Future Land Use designation of "Commercial."

West: Hampton Inn and Suites and Wood Spring Suites hotels zoned MU-C (Mixed-Use Corridor)

with a future land use designation of "Industrial."

BACKGROUND: On September 27, 2000, the City Commission approved Resolution No. R-2000-261 granting New Development Site Plan approval to allow for the construction of a one hundred thousand (100,000) square foot, two-story office building with associated parking, landscaping, and infrastructure improvements, and on November 16, 2001, the new two-story office building received a Certificate of Occupancy. The building was home to the Convergy's Corporation, a telemarking sales business, until 2017.

The building was then vacant from 2017 until 2019 when it was occupied as a Federal Services Administrative Office that assisted with the 2020 U.S. Census. The Federal Services Administrative Office was removed in 2021, and the existing building is now currently vacant.

Accompanying this application is a request for a Small Scale Local Land Use Plan Amendment to change the future land use designation of the subject property from "Commercial" to "Industrial" to allow for a proposed distribution center. The applicant will be required to guide this application through the City and State of Florida prior to Second and Final Reading for both the land use plan amendment and rezoning applications.

Finally, an application for Site Plan Approval, Major, for the proposed distribution center has been submitted concurrently for review. The application for Site Plan Approval, Major, will be forwarded to the Planning Board and City Commission for review and decision following the review by the Development Review Committee.

ANALYSIS: Amending the Zoning Map is a matter committed to the legislative discretion of the City Commission. Section 10-5.4(F)(3), Code of Ordinances, identifies review standards to be employed when considering an application for rezoning. In deciding the application, the City Commission shall consider and weigh the relevance of and the extent to which the proposed amendment:

(a) Is consistent with the Comprehensive Plan;

In conjunction with the rezoning petition, the applicant is requesting a small scale land use plan amendment from Commercial to Industrial to allow for the proposed distribution center. If the land use plan amendment is approved, the proposed rezoning to BP (Business Park) will be consistent with the proposed Industrial land use plan designation.

(b) Is consistent with any provisions of this Code or the Tamarac City Code;

Section 10-1.6.(B) of the Land Development Code requires consistency between development plans and the Comprehensive Plan. The applicant has submitted an application for a small scale land use plan amendment to change the land use designation on the subject property from Commercial to Industrial to allow for the proposed distribution center. The rezoning to BP (Business Park) will be consistent with the Comprehensive Plan following the approval of the land use plan amendment as the Business Park (BP) zoning district allows for distribution center uses.

(c) Addresses a demonstrated community need;

Consumers are increasingly purchasing goods through internet vendors. The pace of that trend has increased exponentially due to the COVID-19 virus. In addition to the increasing rate of online purchasing, consumers are expecting their products to be delivered in shorter timeframes. This demand results in a need for more localized distribution centers. The proposed distribution center use would address a demonstrated community need by allowing for quicker and more efficient deliveries of goods.

(d) Is required by changed conditions;

Major shifts in the economy have resulted in a decrease in the amount of office space needed to serve the population. This is due in part to computer technology resulting in employees being able to work remotely. The existing vacant office building on the subject property demonstrates this trend. This rezoning will allow for uses allowed in the Business Park (BP) zoning district such as the proposed distribution center by accounting for the decrease in the demand for office space.

(e) Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;

The proposed rezoning is consistent with the existing surrounding development, as well as the adjacent land use and zoning districts. The majority of the land in the Tamarac Commerce Park – Westpoint Centre is zoned BP (Business Park). This includes the adjacent parcel located immediately north of the subject property. The existing uses of the surrounding properties include a warehouse adjacent to the north of the Property, hotels to the west, office and retail uses to the east, and to the south across Commercial Boulevard in the City of Sunrise is vacant land zoned for industrial use as well as a gasoline service station. Therefore, the Business Park (BP) zoning is the appropriate zoning district for the land.

(f) Would result in a logical and orderly development pattern;

The proposed rezoning is consistent with the development pattern of the area. The majority of the land in the Tamarac Commerce Park – Westpoint Centre is zoned BP (Business Park). This includes the adjacent parcel located immediately north of the subject property. A logical and orderly development pattern would be created by extending the Business Park (BP) zoning district to include the subject property. Thus, the proposed rezoning will result in a logical and orderly development pattern.

(g) Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).

The proposed rezoning provides a location with adequate access to major transportation facilities for uses allowed within the Business Park (BP) zoning district such as the proposed distribution center. Additionally, the proposed use represents a decrease in potable water and sanitary sewer demand in comparison to the existing office use. The stormwater management system will accommodate the drainage from the subject property and will not have any negative impacts on the surrounding properties. Finally, the City contracts with Waste Management for solid waste collection and disposal, and adequate safety services are available.

(h) Would avoid significantly adverse impacts on the natural environment – including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

The land is currently developed with an existing office building, landscaping, parking, and infrastructure. The proposed rezoning will avoid significantly adverse impacts on the natural environment as the Business Park (BP) zoning district requires a maximum total impervious area of seventy (70) percent and a minimum landscape pervious area of thirty (30) percent. The City's Land Development Code also provides performance standards in relation to air and noise quality and requires that developments integrate stormwater and floodplain protection to enhance the environment, aesthetic qualities, and property values in the City.

(i) Would be consistent with the public interest and the purposes and intent of the Land Development Code.

The general purpose of the Land Development Code is to guide and manage the development of Tamarac in a way that takes into account present and future needs and resources while promoting the health, safety, prosperity, and general welfare of the City's citizens and property owners. The subject property is currently underutilized with a vacant office building. The Business Park (BP) zoning district allows for the proposed distribution center use. This use addresses present and future needs by accommodating the market trend toward internet commerce. The rezoning would promote the health, safety, prosperity, and general welfare of the City's citizens and property owners by allowing a use that will deliver goods to residents of the City in an expeditious manner. Therefore, the proposed rezoning is consistent with the public interest and the purpose and intent of the Land Development Code.

It is the opinion of the Director of Community Development that the review standards for a rezoning, as outlined in Section 10-5.4(F)(3), Code of Ordinances, have been satisfied. The Director of Community Development supports the request for the proposed rezoning based upon the above analyses of the application.

CONCLUSION: This item supports Goal #4 of the City of Tamarac's 2040 Strategic Plan, "Tamarac is Vibrant." The approval of the rezoning will allow for the redevelopment of the subject property thereby providing an opportunity to revitalize the appearance, image, and attractiveness of the community.

This request also supports Policy 1.4 of the Future Land Use Element of the City of Tamarac Comprehensive Plan which states, "The Community Development Department will continue to review land use plan amendments, zoning amendments, site plans, and plat approval requests for compatibility with adjacent land uses as currently required in the Code of Ordinances."

The Director of Community Development recommends that the Mayor and City Commission approve on First Reading the proposed rezoning to allow for the redevelopment of the subject property into a distribution center at its August 25, 2021, meeting with the following condition of approval:

1. The applicant shall submit the appropriate applications to the Broward County Planning Council to recertify the City's Future Land Use Map and supply a copy of the approved recertified map to the Community Development Department prior to the issuance of a building permit.

FISCAL IMPACT: Construction value to be calculated during review Site Plan Approval, Major, of proposed distribution center.

INTERVENING ACTION: At its August 4, 2021 meeting, the Planning Board voted 5-1 to forward a favorable recommendation for the proposed rezoning to allow for the redevelopment of the subject property into a distribution center to the City Commission at its August 25, 2021, meeting for First Reading with the same condition of approval as recommended by the Director of Community Development.

Maxine A. Calloway

Director of Community Development

Attachments: Temporary Ordinance No. 2478

Rezoning Justification Narrative

Location Map

City of Tamarac Current Zoning Map

MAC:RWJ

CITY OF TAMARAC, FLORIDA

ORDINANCE	NO.	2021	-	
ORDINANCE	INO.	202 I	-	

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF TAMARAC REFERENCED IN SECTION 10-2.1(B) OF CHAPTER 10 OF THE CITY OF TAMARAC CODE OF ORDINANCES FOR APPROXIMATELY 12.55 ACRES OF LAND SITUATED, LYING, AND BEING IN BROWARD COUNTY, FLORIDA, AND LEGALLY DESCRIBED IN EXHIBIT "A", FROM THE CURRENT MU-C (MIXED-USE CORRIDOR) ZONING CLASSIFICATION TO BP (BUSINESS PARK) ZONING CLASSIFICATION, TO FACILITATE THE DEVELOPMENT OF A DISTRIBUTION CENTER USE AND PROVIDE CONSISTENCY WITH THE LAND DEVELOPMENT CODE IN ACCORDANCE WITH THE INTENT OF THE COMPREHENSIVE PLAN OF THE CITY OF TAMARAC; (CASE NO. 2-Z-21); PROVIDING FOR AMENDMENT TO THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Dennis Mele, Esq., for Greenspoon Marder, LLP, designated agent for the property owner, BOF FL 5601 Hiatus, LLC, c/o Bridge Investment Group, is requesting approval of a Rezoning to change the current zoning of the subject property, approximately 12.55 acres from MU-C (Mixed-Use Corridor) to BP (Business Park); and

WHEREAS, in accordance with the Land Development Code, the purpose of the BP (Business Park) zoning district is intended to provide for a mixture of light industrial, office, manufacturing, and limited retail uses in a business park, industrial park, or campus setting with high-quality site and building design; and

WHEREAS, City administration believes the proposed rezoning is consistent with the Comprehensive Plan in that the proposed zoning designation will be consistent with the proposed underlying land use designation; and

WHEREAS, the Broward County Land Use Map designation of the subject property is Commerce; and

WHEREAS, pursuant to the provisions of the Code of Ordinances of the City of

Tamarac, Florida, public notice has been given of the time and place of the public hearing regarding the rezoning of the subject property and said public hearing has been held in accordance with the notice and the public has been given an opportunity to be, and has

been heard; and

WHEREAS, on August 4, 2021, the Planning Board held a duly advertised Public Hearing and found the rezoning application met the requirements of Article II, Section 10-5.4(F) of the Code of Ordinances, and is in harmony with the goals, objectives and policies of the Comprehensive Plan and recommends approval; and

WHEREAS, the Director of Community Development recommends approval of this rezoning; and

WHEREAS, the City Commission of the City of Tamarac, Florida, hereby accept the Planning Board's recommendation and find that the proposed rezoning is consistent with the City of Tamarac Comprehensive Plan and is therefore in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA:

SECTION 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of the Ordinance upon adoption hereof; all exhibits attached hereto are incorporated herein and made a specific part thereof.

SECTION 2: That the lands for which the legal description is hereto attached as Exhibit "A", (incorporated herein and made a specific part of this Ordinance) are hereby rezoned from MU-C (Mixed-Use Corridor) to BP (Business Park) subject to the following

TEMPORARY ORDINANCE NO. 2478 July 21, 2021

Page 3

conditions:

1. The applicant shall submit the appropriate applications to the Broward County

Planning Council to recertify the City's Future Land Use Map and supply a copy of the

approved recertified map to the Community Development Department prior to the issuance

of a building permit.

That the official Zoning Map of the City of Tamarac shall be SECTION 3:

changed to reflect such zoning designation upon the effective date of this Ordinance.

SECTION 4: All Ordinances or parts of Ordinances, and all Resolutions or

parts of Resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

If any provision of this Ordinance or the application thereof to SECTION 5:

any person or circumstance is held invalid, such invalidity shall not affect other provisions

or applications of this Ordinance that can be given affect without the invalid provision or

application, and to this end the provisions of this Ordinance are declared to be severable.

This Ordinance shall not become effective until thirty-one (31) SECTION 6:

days after the associated Land Use Plan Amendment becomes effective, if not otherwise

challenged.

PASSED, APPROVED, ON FIRST READING this day of , 2021.

PASSED, APPROVED, ON SECOND READING this day of . 2021.

MICHELLE J. GOMEZ,

MAYOR

ATTEST:

JENNIFER JOHNSON, CMC CITY CLERK		
I HEREBY CERTIFY that I have approved this ORDINANCE as to form.		
JOHN R. HERIN JR. CITY ATTORNEY		
This Ordinance was filed in the Office of the City Clerk on this	day of	202

Exhibit "A"

A parcel of land being a portion of Tract B and a portion of Tact C, Westpoint Section 7 Plat, according to the plan thereof recorded in Plat Book 162, Page 23, of the Public Records of Broward County, Florida, said parcel being more particularly described as follows:

Commence at the southeast corner of the southeast one-quarter (SE ¼) of Section 7, Township 49 South, Range 41 East, as shown on said plat;

Thence S. 89°06′50″ W., along the south line of said southeast one-quarter (SE ¼), a distance of 1094.63 feet, to a point of intersection with the centerline of Hiatus Road as shown on said plat;

Thence N. 01°07′32″ W., along said centerline a distance of 401.53 feet, to a point on the arc of a tangent curve concave to the west;

Thence northerly and northwesterly along the arc of said curve to the left, having: a radius of 1800.00 feet, a central angle of 05°38′03″, for an arc distance of 177.00 feet, to a point on a non-tangent line;

Thence west, a distance of 62.87 feet, to a point on the west right-of-way line of said Hiatus Road, said point also being the point of beginning;

Thence continue west, a distance of 1049.07 feet;

Thence S. 00°44′46″ E., a distance of 523.40 feet to a point on the south line of said Tract C and the northerly right of way line of Commercial Boulevard as shown on said plat;

Thence N. 89°06'50" E, a distance of 217.00 feet;

Thence S. 84°02'36" E, a distance of 100.72 feet;

Thence N. 89°06′50" E, a distance of 699.81 feet;

Thence N. 43°59'39" E., a distance of 49.59 feet. The previous four courses being coincident with the south line of Tract C and the northerly right of way line of Commercial Boulevard. The next five courses being coincident with the west right of way line for Hiatus Road and the easterly line for said Tract C;

Thence N. 01°07'32" W., a distance of 199.56 feet;

Thence S. 88°52'28" W., a distance of 12.00 feet;

Thence N. 01°07′32″ W., a distance of 106.53 feet to a point of curvature of a tangent concave to the west;

Thence northerly along arc of said curve, to the left, having a radius of 1716.00 fee, a central angle of 03°31′18″ for an arc distance of 105.47 feet to a point on a non-tangent line;

Thence N. 11°04'37" E., a distance of 74.22 feet to the point of beginning.

Said land situate within the City of Tamarac, Broward County, Florida.

Greenspoon Marder...

Shane Zalonis 200 East Broward Boulevard, Suite 1800 Fort Lauderdale, Florida 33301 Direct Phone: 954.527.6258 Direct Fax: 954.333.4009 Email: shane.zalonis@gmlaw.com

May 10, 2021

City of Tamarac Planning and Zoning Department 7525 NW 88 Avenue, Room 206 Tamarac, FL 33321

Re: 5601 Acquisitions, LLC - 5601 N. Hiatus Road

Rezoning – Justification Narrative

On behalf of 5601 Acquisitions, LLC (the "Applicant"), please accept this request for consideration of the proposed rezoning application involving the property located at 5601 N. Hiatus Road ("Property") in the City of Tamarac ("City"). The Property is generally located at the northwest corner of Commercial Boulevard and Hiatus Road and consists of approximately 12.5 acres. The Property is currently zoned Mixed-Use Corridor ("MU-C") with a Commercial land use designation.

The Applicant is proposing to redevelop the Property with a distribution facility, and the MU-C zoning district does not permit the distribution center use desired by the Applicant. As such, the Applicant is proposing a rezoning to the Business Park ("BP") zoning district. In conjunction with this rezoning application, the Applicant is also proposing the land use plan designation on the Property be changed from Commercial to Industrial to allow for the proposed use. The proposed rezoning is consistent with the proposed land use plan amendment for the Property.

The Property is currently developed with a two-story 100,980 square feet office building. The underutilized Property provides a redevelopment opportunity for industrial development that is consistent with surrounding development and zoning. A significant majority of the land in the area between the Sawgrass Expressway and Nob Hill Road north of Commercial Boulevard and south of McNab Road is currently zoned BP, including the parcel located immediately north of the Property. The proposed rezoning request meets the criteria outlined in Section 10-5.4(B) of the City's Land Development Code as indicated below:

a. Is consistent with the Comprehensive Plan;

In conjunction with this rezoning application, the Applicant is requesting that the land use plan designation on the Property be changed from Commercial to Industrial to

allow for the proposed use. If the land use plan amendment is approved, the proposed rezoning will be consistent with the proposed Industrial land use plan designation. Further, the proposed development plan is consistent with the surrounding development and land use and zoning designations. Specifically, the proposed rezoning and resulting industrial development are consistent with the following policies of the City's Comprehensive Plan:

Policy 10.8 Facilitate the development of commercial, industrial, utilities, and other nonresidential land uses to ensure they are located in a manner compatible with adjacent land uses and does not adversely affect the health, safety, welfare, or aesthetics of existing or future residential areas.

Policy 11.3 Future industrial land uses shall be located with access to major transportation facilities including the arterial streets and the Sawgrass Expressway.

The proposed rezoning is consistent with the following policies of the Broward County Land Use Plan:

POLICY 2.3.1 Local governments shall employ their local land use plans, zoning ordinances and land development codes to establish differing intensities of commerce development compatible with adjacent and surrounding land uses, including but not limited to lands designated "Commercial," "Industrial" or similar designations by the local land use plan.

POLICY 2.3.2 Local governments shall employ their local land use plans and development regulations to establish appropriate intensity standards for non-residential future land use categories compatible with adjacent existing and future land uses.

POLICY 2.1.2 The land use categories depicted on the Broward County Land Use Plan Map are intended to protect established residential areas and encourage economic development and redevelopment.

b. Is consistent with any provisions of this Code or the Tamarac City Code;

As mentioned above, the Applicant has also submitted an application for a City land use plan amendment to change the land use designation on the Property from Commercial to Industrial. With approval of this land use plan amendment, the rezoning will be consistent with the land use plan, which is a requirement in the Code. In conjunction with this rezoning, the Applicant is proposing a site plan for a 68,000+/- distribution facility. The Applicant will work with City staff during the land development approval process to ensure compliance with the applicable standards of the Code.

c. Addresses a demonstrated community need;

Prior to the COVID-19 pandemic, consumers were already moving at an increasing rate toward purchasing good via an online platform. The pace of that trend has increased exponentially due to COVID-19. In addition to the increasing rate of online purchasing, consumers are expecting their products to be delivered in shorter timeframes. This faster service results in a need for more localized distribution facilities. The proposed distribution center use would benefit the local community by allowing for quicker and more efficient deliveries of good, as well as creating an additional source of local jobs for residents.

d. Is required by changed conditions;

Major shifts in the economy have resulted in a decrease in the amount of office space needed to serve the population, due in part to heavy reliance on computer technology resulting in more people being able to work remotely. The existing vacant office building on the Property demonstrates this trend. This rezoning will allow for many of the uses that are currently permitted in the MU-C district, including Professional and Business Offices, but will also allow for the proposed distribution center. This distribution facility will help to improve delivery timeframes for those goods purchased via an online platform. This rezoning is required to account not only for the decrease in the demand for office space but also for the rise in the e-commerce sector of the economy.

e. Is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;

The proposed rezoning is consistent with the existing surrounding development, as well as the adjacent land use and zoning designations. The majority of the land in the area between the Sawgrass Expressway and Nob Hill Road north of Commercial Boulevard and south of McNab Road is currently zoned BP, including the parcel located immediately north of the Property. The parcels located to the northwest of the Property are also zoned BP. Therefore, the extension of the BP zoning district south and east to include the Property would be an appropriate zoning district for the Property because it is consistent with the existing zoning pattern in the area. The existing uses of the surrounding properties include a warehouse adjacent to the north of the Property, hotels to the west, office and retail uses to the east, and vacant land designated for industrial use as well as a gas station to the south across Commercial Boulevard in the City of Sunrise. The proposed rezoning is also consistent with the Broward County Commerce land use designation on the Property, which allows for the proposed distribution center use.

f. Would result in a logical and orderly development pattern;

The proposed rezoning is consistent with the development pattern of the area as well as the City's policies regarding industrial land. The majority of the land in the area

between the Sawgrass Expressway and Nob Hill Road north of Commercial Boulevard and south of McNab Road is currently zoned BP, including the parcel located immediately north of the Property. The properties immediately to the north and to the northwest are already zoned BP. A logical and orderly development pattern would be created by extending the BP district to include the Property. Extending the existing BP district is also consistent with Policy 11.3 of the City's Comprehensive Plan, which states, "Future industrial land uses shall be located with access to major transportation facilities including the arterial streets and the Sawgrass Expressway." The Property is adjacent to two (2) arterial roadways: Commercial Boulevard and Hiatus Road. It is also located just east of the Sawgrass Expressway. For these reasons, the proposed rezoning will result in a logical and orderly development pattern.

g. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities);

The proposed rezoning provides a location for industrial development in an area with nearby access to major transportation facilities including arterial streets and the Sawgrass Expressway, which will be advantageous to the proposed distribution center use. The land use plan amendment application for this Property documents that the public facilities and services are available and adequate for the proposed distribution center use. Specifically, the proposed use represents a decrease in potable water and sanitary sewer demand in comparison to the existing office use. The stormwater management system will accommodate the drainage from the Property and will not have any negative impacts on the surrounding properties. The security measures that will be in place for the proposed use will ensure that the need for police protection is minimized. The City contracts with Waste Management for solid waste collection and disposal for all properties in the City. The Applicant will coordinate with Waste Management to place appropriate solid waste collection containers on the Property so that the solid waste is managed properly. The proposed development plan will be reviewed by all the City departments to ensure that all facilities and services are adequate and in place prior to any construction on the Property.

h. Would avoid significantly adverse impacts on the natural environment – including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment, and;

The land is currently developed with an existing office building, and the proposed rezoning and resulting development will not alter the environmental character of the site. The Property does not contain any historic sites or districts on the National Register of Historic Places or locally designated historical sites. Based upon a review of information on file with the State Historic Preservation Office, Division of Historical Resources Florida Master Site File, there are no previously recorded cultural resources within the Property.

i. Would be consistent with the public interest and the purposes and intent of this Code.

The proposed rezoning is consistent with the City's Code, the City's Comprehensive Plan, and the Broward County Comprehensive Plan. The Property is currently underutilized with a vacant office building. The rezoning to BP and resulting distribution center use addresses the public interest by helping to accommodate the growing market trend toward e-commerce. The rezoning would benefit the local community by creating jobs and providing a local distribution center that will efficiently delivery supplies to local residents in this area of the City. This Property is an ideal location for the proposed use due to its location with respect to the arterial roadway network and the Sawgrass Expressway.

We respectfully request that you consider this proposed rezoning application. Please contact me at (954) 527-6258 should you have any questions related to this request.

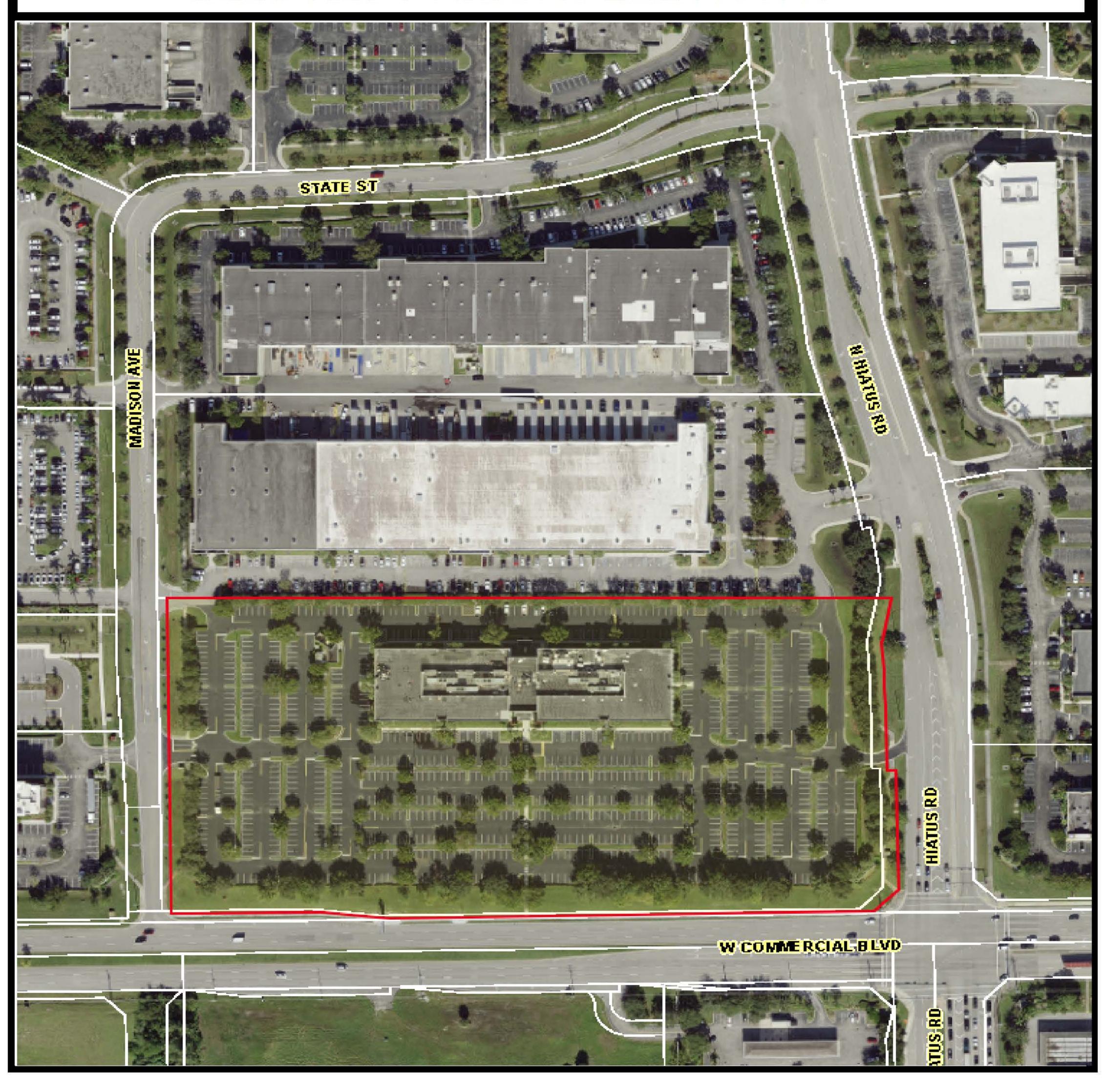
Sincerely,

GREENSPOON MARDER LLP

Shane Zalonis

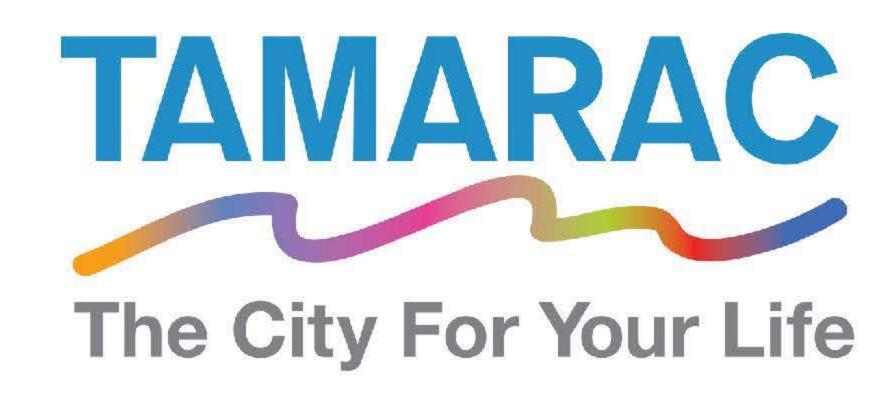
Shane Zalonis For the Firm

5601 N Hiatus Road Industrial Project Large Scale Land Use Plan Amendment and Rezoning Case No. 1-LUA-21 and 2-Z-21









Maxine Calloway, Director Community Development 7525 NW 88 Avenue Tamarac, FL 33321 Telephone (954) 597-3530

