

CITY COMMISSION REGULAR MEETING AGENDA
October 7, 2003 - 6:00 P.M.

Roll Call

Invocation: Reverend Grant Lynn Ford, Sunshine Cathedral/Metropolitan Community Church

Pledge of Allegiance

Approval of Minutes and Agenda: November 19, 2002, September 3, 2003 and
September 16, 2003

PRESENTATIONS

1. The Mayor and City Commissioners will demonstrate the proper way to test a ***smoke detector***.
2. The Mayor and City Commissioners will read aloud and present a Proclamation for ***“Young Adolescent Week”*** to be observed October 13-18, 2003.
3. The Mayor and City Commissioners will read aloud and present a Proclamation for ***“National Customer Service Appreciation Week”*** to be observed ***October 6-10, 2003***.
4. The Mayor and City Commissioners will read aloud and present a Proclamation for ***“Drive Safely to Work Week”*** being observed October 6-10, 2003.
5. The Mayor and City Commissioners will read aloud and present a Proclamation for ***“Lights On! After School! Day”*** to be observed October 9, 2003.
6. The Mayor and City Commissioners will recognize the ***Outstanding City Employees***.

CONSENT AGENDA

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – MS Challenge Walk

(M-1)

A motion authorizing the proper City officials to execute an event agreement with the **National Multiple Sclerosis Society** to indemnify, protect and hold harmless the City from any liability in connection with the **MS Challenge Walk** to be held **Friday, October 17, 2003 from 7:30 a.m. to 5:00 p.m.** from the northern city limits along the sidewalks of State Road A-1-A and continuing on to S.E. 17 Street.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1387 from City Manager.

CONSENT AGENDA

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Event Agreement – Race Fest

(M-2)

A motion authorizing the proper City officials to execute an event agreement with **Las Olas Riverfront Associates** to indemnify, protect and hold harmless the City from any liability in connection with **Race Fest** to be held **Thursday, November 13, 2003 from 12:00 noon to 11:00 p.m.** at Las Olas Riverfront and Huizenga Plaza; and further authorizing the closing of S.W. 1 Avenue from S.W. 2 Street to the valet driveway at One River Plaza from 7:00 p.m. on Thursday, November 13 to 5:00 a.m. on Friday, November 14, 2003; and the eastbound lanes only of East Las Olas Boulevard from Andrews Avenue to S.E. 1 Avenue from 9:30 a.m. Thursday, November 14 to 5:00 a.m. Friday, November 14, 2003.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1370 from City Manager.

Event Agreement – Miles for Smiles Inlet Challenge

(M-3)

A motion authorizing the proper City officials to execute an event agreement with **Kids In Distress** to indemnify, protect and hold harmless the City from any liability in connection with **Miles for Smiles Inlet Challenge** to be held **Sunday, December 7, 2003 from 7:00 a.m. to 1:00 p.m.** at South Beach Parking Lot and on State Road A-1-A north to the city limits.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1369 from City Manager.

Event Agreement – Red Ball 2003

(M-4)

A motion authorizing the proper City officials to execute an event agreement with **Red Ball Events, Inc.** to indemnify, protect and hold harmless the City from any liability in connection with the **Red Ball 2003** to be held **Sunday, October 19, 2003 from 3:00 p.m. to 10:00 p.m.** at the International Swimming Hall of Fame Panorama Room and the surrounding outdoor area.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1367 from City Manager.

Event Agreement – Get Downtown Office Party

(M-5)

A motion authorizing the proper City officials to execute an event agreement with **Riverwalk Fort Lauderdale Trust Inc.** to indemnify, protect and hold harmless the City from any liability in connection with the **Get Downtown Office Party** to be held **Friday, November 14, 2003 from 5:00 p.m. to 8:30 p.m.** at 333 East Las Olas Boulevard at Brasserie Las Olas and the adjoining courtyard.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1344 from City Manager.

CONSENT AGENDA

Event Agreement – Fall Family Festival**(M-6)**

A motion authorizing the proper City officials to execute an event agreement with **Saint Jerome Catholic Church** indemnify, protect and hold harmless the City from any liability in connection with the **Fall Family Festival** to be held **Wednesday and Thursday, November 19 and 20, 2003 from 6:00 p.m. to 10:00 p.m.; Friday, November 21, 2003 from 6:00 p.m. to 11:00 p.m.; Saturday, November 22, 2003 from 1:00 p.m. to 11:00 p.m.; and Sunday, November 23, 2003 from 1:00 p.m. to 10:00 p.m.** on Church property at 2601 S.W. 9 Avenue; and further authorizing the closing of S.W. 26 Street from S.W. 9 Avenue west to the 1000 Block (approximately one-quarter mile) from 8:00 a.m. Monday, November 17 to 12:00 midnight on Sunday, November 23, 2003.

Recommend: Motion to approve.**Exhibit:** Memo No. 03-1368 from City Manager.**Event Agreement – Broward Carnival****(M-7)**

A motion authorizing the proper City officials to execute an event agreement with **Broward Carnival Inc.** to indemnify, protect and hold harmless the City from any liability in connection with the **Broward Carnival** to be held **Sunday, October 12, 2003 from 1:00 p.m. to 11:00 p.m.** at Fort Lauderdale Stadium festival site; and further authorizing the closing of the following parade route from 11:00 a.m. to 7:00 p.m. on Sunday: N.W. 12 Avenue/Oriole Boulevard from Cypress Creek Road to N.W. 53 Street.

Recommend: Motion to approve.**Exhibit:** Memo No. 03-1340 from City Manager.**Event Agreement – Fall Carnival****(M-8)**

A motion authorizing the proper City officials to execute an event agreement with **Our Lady Queen of Martyrs Church** to indemnify, protect and hold harmless the City from any liability in connection with the **Fall Carnival** to be held **Thursday, November 6, 2003 from 6:00 p.m. to 10:00 p.m.; Friday, November 7, 2003 from 5:00 p.m. to 11:00 p.m.; Saturday, November 8, 2003 from 12:00 noon to 11:00 p.m.; and Sunday, November 9, 2003 from 12:00 noon to 10:00 p.m.;** and further authorizing the closing of S.W. 11 Court (Happy Hoyer Street) from S.W. 27 Avenue to S.W. 28 Avenue from 9:00 a.m. Monday, November 3 to 5:00 p.m. Monday, November 10, 2003.

Recommend: Motion to approve.**Exhibit:** Memo No. 03-1366 from City Manager.

CONSENT AGENDA

Event Agreement – Healthy Lifestyle Longer Life Health Fair**(M-9)**

A motion authorizing the proper City officials to execute an event agreement with the **Fort Lauderdale Seventh Day Adventist Church** to indemnify, protect and hold harmless the City from any liability in connection with the **Healthy Lifestyle Longer Life Health Fair** to be held **Sunday, November 2, 2003 from 12:00 noon to 5:00 p.m.** on Church property located at 850 West Davie Boulevard; and further authorizing the closing of S.W. 12 Court from S.W. 9 Avenue to the east end of Church property (approximately half a block) from 9:00 a.m. to 8:00 p.m.

Recommend: Motion to approve.**Exhibit:** Memo No. 03-1343 from City Manager.**Event Agreement – Monster Mash Halloween Bash****(M-10)**

A motion authorizing the proper City officials to execute an event agreement with **Covenant House Florida** to indemnify, protect and hold harmless the City from any liability in connection with the **Monster Mash Halloween Bash** to be held **Saturday, October 25, 2003 from 5:00 p.m. to 11:00 p.m.**; and further authorizing the closing of Sunrise Lane from N.E. 9 Street to the north end of the Parrot Lounge from 9:00 a.m. to 12:00 midnight Saturday, October 25, 2003.

Recommend: Motion to approve.**Exhibit:** Memo No. 03-1342 from City Manager.**Event Agreement – 21st Annual****Halloween Costume Contest and Party at Shooters/Caribbean Corner****(M-11)**

A motion authorizing the proper City officials to execute an event agreement with **Roscoe LLC** to indemnify, protect and hold harmless the City from any liability in connection with the **21st Annual Halloween Costume Contest and Party at Shooters/Caribbean Corner** to be held **Friday, October 31, 2003 from 6:00 p.m. to 12:00 midnight**; and further authorizing the closing of N.E. 32 Avenue from the south edge of the Shooters/Bridgeside Place Valet entrance to the south side of the Shooters/Caribbean Corner property line from 5:00 p.m. October 31 to 1:00 a.m. on November 1, 2003.

Recommend: Motion to approve.**Exhibit:** Memo No. 03-1341 from City Manager.**Transfer of Funds from the AT&T Broadband Trust Fund to****the General Fund for Fiscal Year 2003/2004 – Funding of Nonprofit Organizations****(M-12)**

A motion authorizing the proper City officials to transfer \$55,000 from the AT&T Broadband Trust account to the Other General Governmental account for funding of nonprofit organizations.

Funds: See Memo**Recommend:** Motion to approve.**Exhibit:** Memo No. 03-1406 from City Manager.

CONSENT AGENDA

Concession Agreement – Mark Roberts – Yoga Classes **(M-13)**

A motion authorizing the proper City officials to execute an agreement with Mark Roberts to conduct Yoga classes at Holiday Park Activity Center for a period of October 1, 2003 through March 31, 2004.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1074 from City Manager.

Concession Agreement – Peter Bernath, Inc. – Aikido Classes **(M-14)**

A motion authorizing the proper City officials to execute an agreement with Peter Bernath, Inc. to conduct Aikido classes at Holiday Park Activity Center for a period of October 1, 2003 through March 31, 2004.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1075 from City Manager.

Transfer of Law Enforcement Trust Funds (LEFT) and Program Agreement – FY 2003/2004 Youth Motivation Program An Alternative to Suspension (YMP) **(M-15)**

A motion authorizing the proper City officials to transfer \$50,000 from the LETF Fund 104 to Fund 129 effective October 1, 2003; and further authorizing the proper City officials to execute all documents necessary to receive and expend the FY 2003/2004 YMP program funds in the amount of \$352,363 in support of the YMP.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1084 from City Manager.

Agreement – Commission for Florida Law Enforcement Accreditation, Inc. (CFA) – Re-Accreditation of the Police Department **(M-16)**

A motion authorizing the proper City officials to execute an agreement with CFA for the three-year re-accreditation of the Police Department.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1374 from City Manager.

CONSENT AGENDA

**Rescind Contract Award to
SA Consultants, LLC and Contract Award to Miami Skyline
Construction Corporation - Project 10401 – Fire Station No. 3 Renovations (M-17)**

A motion authorizing the proper City officials to rescind the contract award to SA Consultants, LLC in the amount of \$213,500 and award to second low bidder, Miami Skyline Construction Corporation, in the amount of \$283,100 for the Fire Station No. 3 renovations project.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 03-1298 from City Manager.

Transfer from General Fund Contingencies – Recruitment of City Manager (M-18)

A motion authorizing the proper City officials to transfer \$57,000 from General Fund Contingencies to the City Manager's Office account to conduct a recruitment for the position of City Manager.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1419 from City Manager.

**Consultant Agreement – Architectural Alliance – Project 10476 -
Sailboat Bend Neighborhood Improvements – Master Plan Development (M-19)**

A motion authorizing the proper City officials to execute an agreement with Architectural Alliance in the amount of \$21,500 for consulting services related to the Sailboat Bend Neighborhood Improvements Master Plan Development.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1162 from City Manager.

**Change Order No. 2 – Astaldi Construction Corporation – Project 9766-B –
Progresso Sanitary Sewer/Storm Improvements Gravity Sewers and Water Mains (M-20)**

A motion authorizing the proper City officials to execute Change Order No. 2 with Astaldi Construction Corporation in the amount of \$149,600 for additional quantities associated with the Progresso Sanitary Sewer/Storm Improvements Gravity Sewers and Water Mains project. (Also see Item M-21 on this Agenda)

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 03-1303 from City Manager.

CONSENT AGENDA

**Change Order No. 2 – Astaldi Construction Corporation –
Project 10121 – Lauderdale Manors Phase I Utilities Improvements**

(M-21)

A motion authorizing the proper City officials to execute Change Order No. 2 with Astaldi Construction Corporation in the amount of \$199,683 for design modifications associated with the Lauderdale Manors Phase I Utilities Improvement project. (Also see Item M-20 on this Agenda)

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 03-1299 from City Manager.

**Amendment to Work Authorization 16724.14 –
Keith & Schnars, P.A. – Project 10372 – One Stop Shop at Lincoln Park**

(M-22)

A motion authorizing the proper City officials to execute an amendment to Work Authorization No. 16724.14 with Keith & Schnars, P.A. in the amount of \$4,600 for additional design services for the One Stop Shop at Lincoln Park.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1296 from City Manager.

Contract Award – Lambert Bros., Inc. – Project 10598 – Bass Park Playground

(M-23)

A motion authorizing the proper City officials to execute an agreement with Lambert Bros., Inc. in the amount of \$177,480 for the Bass Park playground project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1365 from City Manager.

PURCHASING AGENDA

Proprietary – Software Support and Maintenance – Sungard Pentamation (Pur-1)

An annual agreement to purchase software support and maintenance is being presented for approval by the Administrative Services, Information Technology Division.

Recommended Award: Sungard Pentamation
Bethlehem, PA
Amount: \$ 23,210.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 03-1331 from City Manager

The Procurement and Materials Management Division reviewed this item and recommends awarding the proprietary purchase.

State – Software Support and Maintenance - Informix (Pur-2)

An annual agreement to purchase software support and maintenance is being presented for approval by the Administrative Services, Information Technology Division.

Recommended Award: Kazar Corporation
Independence, MO
Amount: \$ 53,757.04
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 03-1330 from City Manager

The Procurement and Materials Management Division recommends approving purchase from the Florida State contract.

Proprietary – Software Support and Maintenance - Procurement (Pur-3)

An annual agreement to purchase procurement software support and maintenance is being presented for approval by the Administrative Services, Information Technology Division.

Recommended Award: Periscope Holdings, Inc.
Austin, TX
Amount: \$ 23,010.20 (not to exceed)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 03-1329 City Manager

The Procurement and Materials Management Division reviewed this item and recommends awarding the proprietary purchase.

PURCHASING AGENDA

Proprietary – Software License – GIS Software

(Pur-4)

An annual agreement to purchase software license renewals for GIS software is being presented for approval by the Administrative Services, Information Technology Division.

Recommended Award: Environmental Systems Research Institute, Inc.
 Redlands, CA
 Amount: \$ 20,300.00
 Bids Solicited/Rec'd: N/A
 Exhibits: Memorandum No. 03-1337 from City Manager

The Procurement and Materials Management Division reviewed this item and recommends awarding the proprietary purchase.

Proprietary – “Smart Park” in-car Parking Meters

(Pur-5)

An agreement to purchase “Smart Park” in-car parking meters, software, hardware and smart cards is being presented for approval by Administrative Services, Parking Services Division.

Recommended Award: Ganis Smart Park Systems, Inc.
 New Ziona, Israel
 Amount: \$ 19,300.00
 Bids Solicited/Rec'd: N/A
 Exhibits: Memorandum No. 03-1347 from City Manager

The Procurement and Materials Management Division reviewed this item and recommends awarding the proprietary purchase.

Proprietary – Software Support and Maintenance – Message Switch

(Pur-6)

An annual agreement to purchase message switch software support and maintenance is being presented for approval by the Police Department.

Recommended Award: Tiburon, Inc.
 Fremont, CA
 Amount: \$ 25,931.00
 Bids Solicited/Rec'd: N/A
 Exhibits: Memorandum No. 03-1379 from City Manager

The Procurement and Materials Management Division reviewed this item and recommends awarding the proprietary purchase.

PURCHASING AGENDA

Co-Op Contract – Fertilizer Products

(Pur-7)

A one-year contract for fertilizer products is being presented for approval by the Parks and Recreation Department.

Recommended Award:	Lesco Strongsville, OH Atlantic FL East Coast Chemical Homestead, FL Howard Fertilizer Groveland, FL Pro Source One Fort Myers, FL
Amount:	Per Unit Pricing
Bids Solicited/Rec'd:	22/4
Exhibits:	Memorandum No. 03-1149 from City Manager

The Procurement and Materials Management Division recommends awarding to the low responsive and responsible bidders.

MOTIONS

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

Beautification Agreement – Broward County – Infrastructure Improvements for N.E. 6 Street and N.E. 3 Avenue – JPI Residential Development (M-24)

A motion authorizing the proper City officials to execute a beautification agreement with Broward County for infrastructure improvements including landscaping, utilities and hardscaping within the rights-of-way of Broward County on N.E. 6 Street and N.E. 3 Avenue. (On September 30, 2003, the City Commission deferred this item to October 7, 2003.)

Recommend: Motion to approve.

Exhibit: Memo No. 03-1429 from City Manager.

THE CITY COMMISSION WILL NOW HEAR ITEM I-G FROM THE CONFERENCE AGENDA (CODE ADVISORY COMMITTEE)

(MOTIONS CONTINUED ON PAGE 17)

PUBLIC HEARINGS

**Proposed Use of
FY 2003-2005 Local Law Enforcement Block Grant (LLEBG) Funds (PH-1)**

A public hearing to consider the proposed use of LLEBG funds in the amount of \$325,683 for the period of October 1, 2003 through September 30, 2005; authorizing the transfer of \$32,568 from the Law Enforcement Trust Fund to be used as a cash match to Grant Account GLLEBG05 as revenue; and further authorizing for the proper City officials to accept such grant via the electronic Department of Justice Grants Management System account. Notice of public hearing was published September 25 and October 2, 2003.

Recommend: Open hearing; close hearing; motion to approve.
Exhibit: Memo No. 03-1082 from City Manager.

Certificate of Public Convenience and Necessity – B.C.’s Express, Inc. (PH-2)

A public hearing to consider a resolution authorizing the issuance of a Certificate of Public Convenience and Necessity to B.C.’s Express, Inc. to operate rental vehicles with chauffeurs pursuant to Sections 27-191 and 27-192 of the Code of Ordinances. Notice of public hearing was published September 25 and October 2, 2003.

Recommend: Open hearing; close hearing; introduce resolution.
Exhibit: Memo No. 03-1359 from City Manager.

**Appeal of Planning and Zoning Board’s
 Decision to Deny Rezoning from CR to B-1 –
 De Novo Hearing - Lauderdale Marine Center (PZ Case No. 5-Z-03) (PH-3)**

At the July 16, 2003 Planning and Zoning Board regular meeting, the following application was **denied** by a vote of 8-0.

Applicant: Lauderdale Marine Center
 Request: Appeal Planning and Zoning Board’s decision to deny rezoning from CR
 (Commercial Recreation) to B-1 (Boulevard Business)
 Location: 2001 S.W. 20 Street

Recommend: Motion to defer to Tuesday, October 21, 2003 at 6:00 p.m.
Exhibit: Memo No. 03-1408 from City Manager.

Note: Anyone wishing to speak on this item must be sworn in.

City Commissioners will announce any site visits, communications or expert opinions received, and make them part of the record.

ORDINANCES

**THERE ARE NO ORDINANCES
SCHEDULED ON THIS AGENDA**

CITIZEN PRESENTATIONS

Citizen Presentations appear on the Regular Agenda of the first meeting of the month and are limited to a maximum of three (3) minutes per presentation, for a total of not to exceed five (5) presentations per month.

1. **Tonya Sevalia** – Code enforcement
2. **P. J. Hardy** – Police Department
3. **George A. Jawde** – Peters Road water main project
4. **Elvira Williams** – Tennis Club 2

Exhibit: Applications for Citizen Presentations

RESOLUTIONS

**No Objection to Plat Note Amendment –
“6601 Corporation” – First Citizens Bank (PZ Case No. 7-P-03)**

(R-1)

A resolution expressing no objection to an amendment to a previously-approved plat as follows:

Applicant: First Citizens Bank
Request: Plat note amendment
Location: Northwest corner of N.E. 65 Street and Federal Highway (U.S. 1)

Recommend: Introduce resolution.

Exhibit: Memo No. 03-1350 from City Manager.

Note: Anyone wishing to speak on this item must be sworn in.

City Commissioners will announce any site visits, communications or expert opinions received, and make them part of the record.

Building Board-Up and Securing Charges

(R-2)

A resolution authorizing the proper City officials to impose liens against such properties for costs associated with boarding and securing the buildings.

Recommend: Introduce resolution.

Exhibit: Memo No. 03-1335 from City Manager.

Acting City Manager

(R-3)

A resolution appointing an Acting City Manager. (Also see Item I-B on the Conference Agenda)

Recommend: Introduce resolution.

Exhibit: Memo No. 03-1410 from City Clerk.

**Interlocal Agreement – City of Miami
Health Facilities Authority - Holy Cross Hospital Bond Financing**

(R-4)

A resolution authorizing the proper City officials to execute an interlocal agreement with the City of Miami Health Facilities Authority and approve the Authority’s issuance of bonds on behalf of the Holy Cross Hospital for the purpose of financing various capital improvements to its Fort Lauderdale facilities.

Recommend: Introduce resolution.

Exhibit: Memo No. 03-1413 from City Manager.

RESOLUTIONS

**Downtown Development Authority (DDA)
Budget and Millage Rates for Fiscal Year 2003/2004**

(R-5)

A resolution authorizing and approving the DDA's FY 2004 budget and millage rates for operations and debt service.

Recommend: Introduce resolution.

Exhibit: Memo No. 03-1414 from City Manager.

**Lauderdale Isles
Water Control District Assessment Rate for Fiscal Year 2003/2004**

(R-6)

A resolution authorizing and approving the Lauderdale Isles District FY 2004 budget and assessment rate for operations.

Recommend: Introduce resolution.

Exhibit: Memo No. 03-1415 from City Manager.

MOTIONS

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(CONTINUED FROM PAGE 11)

**Proposed Lien Settlements –
Special Master and Code Enforcement Board Cases**

(M-25)

A motion authorizing the proposed lien settlements for the following Special Master and Code Enforcement Board cases:

1. 433 S.W. 22 Terrace (CE02031037) – Keith Kotrady - \$4,350
2. 2726 N.E. 17 Street (CE02021711) – Manuel DeJesus Martinez & Delores S. Martinez - \$11,150
3. 1309 N.W. 4 Avenue (CE02121756) – Mildred Robinson - \$7,000
4. 1000 N.W. 51 Court (CE02070145) – Vito and Mary Croce - \$4,335
5. 814 N.E. 14 Place (CE98100643) – Ronald T. Spann, Rev. Living Trust - \$26,000
6. 2509 S.W. 9 Avenue (CE01010461 & CE00111371) – Ronald T. Spann, Rev. Living Trust - \$6,650 and \$11,780
7. 930 N.W. 8 Street (CE02102348) – Joseph D. Irby and Essie Jones - \$5,250

Recommend: Introduce motion.

Exhibit: Memo No. 03-1338 from City Manager.
