

**CITY COMMISSION REGULAR MEETING AGENDA
December 16, 2003 - 6:00 P.M.**

Roll Call

Invocation: Captain Stephen Morris, Area Commander, Salvation Army of Broward County

Pledge of Allegiance

Approval of Minutes and Agenda – November 19, 2002 and November 18, 2003

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| PRESENTATIONS |
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1. The Mayor and Commissioners will read aloud and present a Proclamation for “***Rick Case Bikes for Kids Day***” to be observed December 16, 2003.
2. The Mayor and City Commissioners will recognize the ***Community Appearance Board’s WOW Award***” for District III.
3. The **Fort Lauderdale Bridge Club** will make a presentation in appreciation of the Mayor and City Commissioners.
4. The Mayor and City Commissioners will read aloud and present a Proclamation for “***First United Methodist Church Day***” to be observed December 16, 2003.

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| CONSENT AGENDA |
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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 – Chanukah Fair

(M-1)

A motion authorizing and approving the execution of an Event Agreement with **Chabad Lubavitch of Fort Lauderdale** to indemnify, protect and hold harmless the City in from any liability in connection with the **Chanukah Fair**, to be held **Sunday, December 21, 2003 from 12:00 noon to 5:00 p.m.** at Huizenga Plaza.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1686 from Acting City Manager.

Event Agreement – Fun Under the Sun

(M-2)

A motion authorizing and approving the execution of an Event Agreement with **Gay Business Alliance of Greater Fort Lauderdale** to indemnify, protect and hold harmless the City from any liability in connection with the **Fun in the Sun**, to be held at South Beach on **Sunday, March 7, 2004 from 4:00 p.m. to 11:00 p.m.**

Recommend: Motion to approve.

Exhibit: Memo No. 03-1690 from Acting City Manager.

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| CONSENT AGENDA |
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Event Agreement – 24th Annual Sistrunk Historical Parade**(M-3)**

A motion authorizing and approving the execution of an Event Agreement with **Sistrunk Historical Festival Inc.** to indemnify, protect and hold harmless the City from any liability in connection with the **24th Annual Sistrunk Historical Parade** to be held **Saturday, February 7, 2004 from 9:00 a.m. to 12:30 p.m.**; and further authorizing the closing of the following portion of the parade route that is located in the City limits: beginning at Mount Olive Baptist Church at NW 9th Avenue and NW 4th Street; proceeding north on NW 9th Avenue to Sistrunk Boulevard (NW 6th Street); and west on Sistrunk Boulevard to NW 24th Avenue.

Recommend: Motion to approve.**Exhibit:** Memo No. 03-1689 from Acting City Manager.**Event Agreement – Greek Festival****(M-4)**

A motion authorizing and approving the execution of an Event Agreement with **Saint Demetrios Greek Orthodox Church** to indemnify, protect and hold harmless the City from any liability in connection with the **Greek Festival**, to be held on **Friday, February 6, 2004 from 12:00 noon to 11:00 p.m.**; Saturday, February 7, 2004 from 11:00 a.m. to 11:00 p.m.; and Sunday, February 8, 2004 from 12:00 noon to 7:00 p.m. on the church grounds located at 815 NE 15th Avenue.

Recommend: Motion to approve.**Exhibit:** Memo No. 03-1688 from Acting City Manager.**Event Agreement – Ocean Mile Swim****(M-5)**

A motion authorizing and approving the execution of an Event Agreement with **International Swimming Hall of Fame** to indemnify, protect and hold harmless the City from any liability in connection with the **Ocean Mile Swim**, to be held on **Saturday, January 3, 2004 form 6:30 a.m. to 11:00 a.m.** on the Beach

Recommend: Motion to approve.**Exhibit:** Memo No. 03-1687 from Acting City Manager.**Authorization for Litigation – Envirocycle, Inc. –
Contract ITB 792-8112 – Recycling and Disposal of Mixed Debris****(M-6)**

A motion authorizing the proper City officials to commence legal action against Envirocycle, Inc. to recover funds overpaid during the term of contract ITB 792-8112 for the disposal and recycling of mixed debris.

Recommend: Motion to approve.**Exhibit:** Memo No. 03-1776 from Acting City Manager.

CONSENT AGENDA

**Contract Award – B.K. Marine Construction, Inc. -
Project 10672 – 2003/2004 Annual Marine Facilities
Repair and Mooring Buoy Maintenance Contract**

(M-7)

A motion authorizing the proper City officials to execute an agreement with B.K. Marine Construction, Inc. in the amount of \$178,115 for the 2003/2004 Annual Marine Facilities Repair Mooring Buoy Maintenance Contract project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1651 from Acting City Manager.

**Contract Award – American Water Services Underground
Infrastructure, Inc -Project 10711 – Waterway Conveyance
System Long Term Remediation Program – Priority Sub-Basin A-27.3**

(M-8)

A motion authorizing the proper City officials to execute an agreement with American Water Services Underground Infrastructure, Inc., in the amount of \$1,854,745 for the Wastewater Conveyance System Long Term Remediation Program – Priority Sub-Basin A.27.3 project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1765 from Acting City Manager.

**Contract Award – Tenex Enterprises, Inc. –
Project 10398 – Executive Airport Construct Roads and Drainage Improvements**

(M-9)

A motion authorizing the proper City officials to execute an agreement with Tenex Enterprises, Inc. in the amount of \$159,555 for the construction of Executive Airport access roads and drainage improvement project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1657 from Acting City Manager.

**Contract Award – Paramount Engineering, Inc.–
Project 10613 – Harbour Isles Median Sculptures**

(M-10)

A motion authorizing the proper City officials to execute an agreement with Paramount Engineering, Inc. in the amount of \$7,057.50 for the Harbour Isles Median Sculptures project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1655 from Acting City Manager.

CONSENT AGENDA

**Task Order 01-01, Amendment No. 2 –
Hazen and Sawyer, P.C.– Project 10532 – Fiveash Well
Abandonment and Relocation Phase 2 Construction Services (M-11)**

A motion authorizing the proper City officials to execute Task Order 01-01, Amendment 2 with Hazen and Sawyer, P.C. in the amount of \$91,711 for additional engineering services for the Fiveash Well Abandonment and Relocation Phase 2 Construction Services project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1775 from Acting City Manager.

**Task Order No. 37 – Camp Dresser and McKee, Inc.–
Project 10751 – Design and Construction Services for the
East Las Olas/Seven Isles Water and Wastewater Infrastructure Improvements (M-12)**

A motion authorizing the proper City officials to execute Task Order No. 37 with Camp Dresser and McKee, Inc. in an amount not to exceed \$429,301 for the provision of consulting engineering and construction administration services associated with the East Las Olas/Seven Isles Water and Wastewater Infrastructure Improvements project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1757 from Acting City Manager.

**Change Order No. 2 –
Arrow Directional Boring, Inc. – Project 10171-A -
Force Main Replacement/S.W. 4 Avenue Directionally Drilled River Crossing (M-13)**

A motion authorizing the proper City officials to execute Change Order No. 2 with Arrow Directional Boring, Inc. in the amount of \$77,900 for additional work under the Force Main Replacement/S.W. 4 Avenue Directionally Drilled River Crossing project.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 03-1773 from Acting City Manager.

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| CONSENT AGENDA |
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Amendment to Work Authorization 16724.14 –**Keith and Schnars, P.A.- Project 10372 – One Stop Shop at Lincoln Park****(M-14)**

A motion authorizing the proper City officials to execute an amendment to Work Authorization 16724.14 with Keith & Schnars, P.A. in the amount of \$8,020 for additional design services for the One Stop Shop at Lincoln Park project. (Also see Item M-15 on this Agenda)

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1779 from Acting City Manager.

Change Order No. 1 – Hewett-Kier**Construction, Inc. – Project 10372 – One Stop Shop at Lincoln Park****(M-15)**

A motion authorizing the proper City officials to execute Change Order No. 1 with Hewett-Kier Construction, Inc. in the amount of \$57,556.72 for additional design costs associated with the One Stop Shop at Lincoln Park. (Also see Item M-14 on this Agenda)

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 03-1780 from Acting City Manager.

De-obligation of Florida Department of Law Enforcement Grant**Funds in Support of Project PACT and Approval and Appropriation of****Grant Funds in Support of the Friends and Family Program and Project Ecstasy****(M-16)**

A motion approving de-obligation of the \$43,831 Florida Department of Law Enforcement (FDLE) grant (\$35,831 federal - \$8,000 City cash match) in support of PACT; approving appropriation of \$30,000 as revenue and authorize its transfer to the FF program budget; approving appropriation of \$13,831 as revenue and authorize its transfer to the Project Ecstasy program budget; and authorize the proper City officials to amend the program agreement between the City, MODCO and 4th Avenue Church of God for implementation.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1697 from Acting City Manager.

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| CONSENT AGENDA |
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Grant Acceptance – U.S. Department of Homeland Security - Office of Domestic Preparedness – Florida Department of Emergency Management – Project Liberty Shield

(M-17)

A motion approving acceptance of reimbursement funds and authorizing reimbursement to the Police Department accounts POL020401 in the amount of \$3,945.45, POL020406 in the amount of \$3,450 and to Administrative Services Department account ADM030708 in the amount of \$4,620 effective October 27, 2003.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1696 from Acting City Manager.

Agreement – Todd Whitney Kraft d/b/a Tennis Management Group, Inc. – Tennis Program Director

(M-18)

A motion authorizing the proper City officials to execute an agreement with Todd Whitney Kraft, d/b/a Tennis Management Group, Inc., to serve as Director of the Fort Lauderdale Tennis Program for a three year term expiring on December 1, 2006.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1770 from Acting City Manager.

Lease Agreement – Flotilla Two, Inc./U.S. Coast Guard Auxiliary Building

(M-19)

A motion authorizing the proper City officials to execute a lease agreement with Flotilla Two, Inc. for use of the U.S. Coast Guard Auxiliary building and property located at Seabreeze Boulevard for a term of one year from January 1, 2004 through December 31, 2004.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1769 from Acting City Manager.

Lease Agreement – Dania Farms, Inc.

(M-20)

A motion authorizing the proper City officials to execute a one-year agreement with Dania Farms, Inc., for use of a portion of the City's tree nursery for horticultural purposes from August 1, 2003 through July 31, 2004.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1680 from Acting City Manager.

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| CONSENT AGENDA |
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**Lease Agreement – Medical Therapeutic
Massage Clinic, Inc. - Shop No. 128 at City Park Mall**

(M-21)

A motion authorizing the proper City officials to execute a lease agreement with Medical Therapeutic Massage Clinic, Inc for the operation of a pain and stress relief facility in Shop No. 128 at City Park Mall.

Recommend: Motion to approve.
Exhibit: Memo No. 03-1653 from Acting City Manager.

North Broward Hospital District Participation Agreement

(M-22)

A motion authorizing the proper City officials to execute a Participation Agreement with North Broward Hospital District effective January 1, 2004, including a contract term to coincide with the City's benefit plan and an increase in the fee schedule and termination clause from existing contract.

Recommend: Motion to approve.
Exhibit: Memo No. 03-1795 from Acting City Manager.

Fire Education Trust Fund – Surcharges for FY 2003/2004

(M-23)

A motion authorizing the proper City officials to approve the use of the Fire Education surcharges in the amount of \$15,717 for FY 2003/2004.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 03-1792 from Acting City Manager

Exception Request – Essie Reed Replacement Housing Unit

(M-24)

A motion allowing Essie Reed to act as owner/builder for replacement housing at 2130 NW 8th Street increasing price of replacement housing product from \$72,000 to \$85,000.

Recommend: Motion to approve.
Exhibit: Memo No. 03-1701 from Acting City Manager.

**Authorization to Release Payment to Certain
Housing Opportunities for Persons With AIDS (HOPWA),
Community Development Block Grant (CDBG) and Home
Investment Partnerships Program (HOME) Service Providers**

(M-25)

A motion authorizing proposed payments to certain HOPWA, CDBG and HOME Service Providers prior to the execution of the City's Agreements.

Recommend: Motion to approve.
Exhibit: Memo No. 03-1790 from Acting City Manager.

CONSENT AGENDA

Purchase of Police Gun Range Equipment and Fund Transfer

(M-26)

A motion authorizing the proper City officials to approve the transfer of \$35,950 from Police Infrastructure funds to Police Station Improvement Funds.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1590 from Acting City Manager.

PURCHASING AGENDA

Proprietary – Sewer Pump Parts **(Pur-1)**

An agreement to purchase sewer pump parts is being presented for approval by the Public Services Department.

Recommended Award: Ellis K. Phelps & Company
Apopka, FL
Amount: \$ 11,957
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 03-1763 Acting City Manager

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

442-8969 – Reject Single Bid - Polymer **(Pur-2)**

Request to reject single bid for color removal polymer and issue a re-bid is being presented for approval by the Public Services Department.

Vendor: Polydyne, Inc.
Riceboro, GA
Bids Solicited/Rec'd: 15/1
Exhibits: Memorandum No. 03-1762 from Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends rejecting single bid and issuing a re-bid.

442-8967 – Liquid Oxygen **(Pur-3)**

An agreement to purchase liquid oxygen is being presented for approval by the Public Services Department.

Recommended Award: Air Liquide America, L.P.
Orlando, FL
Amount: \$ 59,400.00 (estimated)
Bids Solicited/Rec'd: 9/4
Exhibits: Memorandum No. 03-1764 Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends awarding to the low responsive and responsible bidder.

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.

FY 2003-2004 Budget Amendment

(M-27)

A motion to approve an amendment reflecting revisions to the FY 2003-2004 adopted Budget.

Recommend: Introduce motion.

Exhibit: Memo No. 03-1805 from Acting City Manager.

**Proposed Speed Humps – NE 26th Avenue-
(from NE 51st Street to NE 55th Street) – North Golf Estates Neighborhood**

(M-28)

A motion approving installation of speed humps on NE 26th Avenue (from NE 51st Street to NE 55th Street) in the North Golf Estates Neighborhood.

Funds See Memo

Recommend: Introduce motion.

Exhibit: Memo No. 03-1658 from Acting City Manager.

**Approve Settlement of Outstanding Code Liens and
Orders Against the Properties located at 700 and 712 SW 2nd Court**

(M-29)

A motion accepting settlement offer of code liens and orders against the properties located at 700 and 712 SW 2nd Court, owned by Las Olas Courts Limited, Inc. (Also see Item II-A on Conference Agenda)

Recommend: Introduce motion.

Exhibit: Memo No. 03-2539 from City Attorney.

(MOTION ITEMS ARE CONTINUED ON PAGE 18)

PUBLIC HEARINGS

**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-1)

At the July 16, 2003 Planning and Zoning Board regular meeting, the following application was **denied** by a vote of 8-0; on October 7, 2003, the City Commission deferred first reading to October 21, 2003 by a vote of 5-0; and on October 21, 2003, the City Commission deferred first reading to November 18, 2003 by a vote of 5-0; and on November 18, 2003 the City Commission deferred first reading to December 16, 2003 by a vote of 5-0.

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 first reading to Wednesday, January 21, 2004 at 6:00 p.m.

Exhibit: Memo No. 03-1796 from Acting 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.

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| ORDINANCES |
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**Rezone RS-8 to CF-H –
Saint John United Methodist Church (PZ Case No. 17-Z-03)**

(O-1)

At the October 15, 2003 Planning and Zoning Board regular meeting, the following application was approved by a vote of 8-0. Ordinance No. C-03-43 was published November 20 and 27, 2003, and passed on first reading on December 2, 2003 by a vote of 5-0.

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| Applicant: | Saint John United Methodist Church |
| Request: | Rezone property from RS-8 to CF-H |
| Location: | 1520 N.W. 5 Street |

Recommend: Introduce ordinance on second reading.
Exhibit: Memo No. 03-1766 from Acting City Manager.
 Memo No. 03-1565 from Acting 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.

**Amendment to the Pay Plan – Unpaid Furlough Days
 for Nonbargaining Unit Employees (Management and Confidential)**

(O-2)

An ordinance amending Schedules I and II of the Pay Plan by establishing unpaid furlough days for certain employees; providing for proration of the number of furlough days and deduction of prorated unused furlough days from vacation leave balance, sick leave balance and final termination pay balance for certain employees; providing for reimbursement of a prorated portion of the furlough days taken in excess of employee's allotment of furlough days as to certain employees; providing for nonapplicability of furlough days as to certain employees; and providing for effective date and sunset date. Notice of proposed Ordinance No. C-03-44 was published November 22, 2003 and passed on first reading by a vote of 5-0. (Also see Item R-5 on this Agenda)

Recommend: Introduce ordinance on second reading.
Exhibit: Memo No. 03-1768 from Acting City Manager.
 Memo No. 03-1677 from Acting City Manager.

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| ORDINANCES |
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**Amend ULDR - Section 47-2 Measurements, Section 47-35 Definitions
and Section 47-19 Accessory Uses – Building Structures (PZ Case No. 2-T-03)**

(O-3)

At the May 28, 2003 Planning and Zoning Board special meeting and November 19, 2003 Planning and Zoning Board regular meeting, the following application was recommended by a vote of 7-1. Notice of proposed ordinance was published December 6, 2003.

Applicant: City of Fort Lauderdale
Request: Amend ULDR Section 47-2 Measurements, Section 7-35 Definitions, to revise the definition of front, side, and rear yards and add a definition for corner yard and Section 47-19 Accessory Uses – Building and Structures to make accessory structures provisions consistent with the definition

Recommend: Motion to defer first reading to Tuesday, January 6, 2004 at 6:00 p.m.
Exhibit: Memo No. 03-1814 from Acting City Manager.

**Amend ULDR Sections 47-35.1, 47-2.2, 47-19.5, 47-20.5,
47-21.8, 47-19.1, 47-20.22, 47-22.3 and 47-23 – Reformat and
Clarify Regulations Governing Sight Triangles - (PZ Case No. 5-T-03)**

(O-4)

At the May 28, 2003 Planning and Zoning Board special meeting and November 19, 2003 Planning and Zoning Board regular meeting, the following application was recommended by a vote of 8-0. Notice of proposed ordinance was published December 6, 2003.

Applicant: City of Fort Lauderdale
Request: Amend the following ULDR Sections: 47-35.1 Definitions, to revise the definition of a sight triangle and place the definition in the appropriate ULDR section; 47-2.2 Measurements, to place the method of measuring sight triangles into the appropriate ULDR Section; 47-19.5 Fences, walls and hedges, 47-20.5 General design of parking facilities site circulation, 47-21.8 Landscape and tree preservation maintenance, and Section 47-22.3 Sign requirements general regulations to delete obsolete references and move site triangle definitions and requirements to the appropriate sections, and to provide technical clarification for the regulation relating to fences, wall and hedges; 47-19.1 Accessory uses , Buildings and structures general requirements , 47-20.22, Temporary parking lot standards, references to sight triangles in a particular section; and 47-23, Specific Location Requirements to consolidate sight triangle regulations as they apply to building in all zoning districts, and such other sections required to make the ULDR consistent.

Recommend: Motion to defer first reading to Tuesday, January 6, 2004 at 6:00 p.m.
Exhibit: Memo No. 03-1814 from Acting City Manager.

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| ORDINANCES |
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**Amend ULDR - Section 47-2 Measurements, Section 47-35
Definitions and Section 47-19 Accessory Uses – Building Structures –
Height and Width of Awnings in Public Right-of-Way - (PZ Case No. 4-T-03) (O-5)**

At the May 28, 2003 Planning and Zoning Board special meeting, the following application was recommended by a vote of 4-3. Notice of proposed ordinance was published December 6, 2003.

Applicant: City of Fort Lauderdale
Request: Amend Code of Ordinances, Volume I, Section 25-22, Height and width of awnings in the public right-of-way; Sections 47-13.20, Height of awnings on RAC Pedestrian Streets, and 47-19.2, Height of Awnings on private property adjacent to streets, to bring these regulations into consistency with the Florida Building Code.

Recommend: Motion to defer first reading to Tuesday, January 6, 2004 at 6:00 p.m.

Exhibit: Memo No. 03-1814 from Acting City Manager.

**Amend Section 10-46 - Naming of Trustee of
Funds; Investments Funds; Annual Financial
Statement and Section 10-47 – Municipal Cemetery System Funds (O-6)**

An ordinance amending Section 10-46 of the code of ordinances, entitled "Naming of Trustee of Funds; Investments Funds; Annual Financial Statement", and Section 10-47 of the code of ordinances, entitled "Municipal Cemetery System Funds", consolidating the General Reserve Trust fund with the Perpetual Care Trust fund and requiring 19% of applicable cemetery sales proceeds be deposited into the Perpetual Care Trust Fund. Notice of proposed ordinance was published December 6, 2003.

Recommend: Introduce ordinance on first reading.

Exhibit: Memo No. 03-1693 from Acting City Manager.

Audit Advisory Board (O-7)

An ordinance establishing an Audit Advisory Board. Notice of proposed ordinance was published December 6, 2003.

Recommend: Introduce ordinance on first reading.

Exhibit: Memo No. 03-1793 from Acting City Manager.

Amendment to Chapter 4 - Alarm Systems (O-8)

An ordinance amending Chapter 4 of the Code of Ordinances entitled "Alarm Systems," providing a definition of customer information and requirement that alarm monitoring companies provide their customer information databases to the Police Department and a penalty for failure to provide customer information as required, deleting moot provisions, and providing for severability, repeal of conflicting ordinance provisions and effective date. Notice of proposed ordinance will be published December 27, 2003.

Recommend: Introduce ordinance on first reading.

Exhibit: Memo No. 03-1772 from Acting City Manager.

RESOLUTIONS

**City Commission Request for Review –
Site Plan Level III/Conditional Use/RAC-UV – Tamatsu and Maizel
Kobayashi and Charles March - Flagler Junction (PZ Case No. 130-R-02) (R-1)**

A resolution to consider an application filed by T. Kobayashi and C. March for approval of a Site Plan Level III/Conditional Use/RAC-UV. On October 21, 2003, the City Commission deferred consideration of the following item to November 18, 2003 by a vote of 5-0, and on November 18, 2003 the City Commission deferred consideration to December 16, 2003 by a vote of 5-0.

Applicant: Tamatsu and Maizel Kobayashi, and Charles March
Request: Site plan level III/conditional use/RAC-UV approval
Location: 721 N.E. 4 Avenue

Recommend: Motion to defer to Tuesday, February 17, 2004 at 6:00 p.m.
Exhibit: Memo No. 03-1794 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.

**Transmission of Small Scale Amendment to
the Broward County Land Use Plan Map and Future
Land Use Plan Map of the City of Fort Lauderdale – (PZ Case No. 6-T-03) (R-2)**

A resolution transmitting a proposed small scale land use amendment to Broward County and requesting that Broward County amend its Land Use Plan Map.

Recommend: Introduce resolution.
Exhibit: Memo No. 03-1684 from Acting City Manager.

**Transmission of Regular Amendments to the City of
Fort Lauderdale Comprehensive Plan (PZ Case Nos. 7-T-03 and 8-T-03) (R-3)**

A resolution transmitting proposed text and future land use plan map amendments to State Department of Community Affairs (DCA) and requesting DCA review the proposed amendments.

Recommend: Introduce resolution.
Exhibit: Memo No. 03-1685 from Acting City Manager.

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| RESOLUTIONS |
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**Beautification Agreement with Broward County and Developer
Agreement with Zom Fort Lauderdale, Ltd. - The Waverly – (PZ Case No. 39-R-01) (R-4)**

A resolution Authorizing proper City officials to execute an agreement with Broward County to provide and maintain improvements on Broward Boulevard; and further authorizing the proper City officials to execute an agreement with Zom Fort Lauderdale, Ltd. to assign costs and indemnify the City.

Applicant: Zom Fort Lauderdale, Ltd.
 Request: Roadway Improvement Agreements
 Location: Eastern intersection of Broward Boulevard and Federal Highway

Recommend: Introduce resolution.
Exhibit: Memo No. 03-1761 from Acting City Manager.

Amendment to Personnel Rules (R-5)

A resolution amending Personnel Rule XI, Section 3, entitled "Vacation Leave" to provide that the placing of employees on unpaid furlough leave due to the financial condition of the City will not impact the accrual of vacation leave. Also, amending Personnel Rule XI, Section 4, entitled "Sick Leave" to provide that the placing of employees on unpaid furlough leave due to the financial condition of the City will not impact the accrual of sick leave. Further amending Personnel Rule XI, Section 1, entitled "Hours of Work" to provide that during the 2003/2004 fiscal year, the requirement that hourly rate employees must work (be paid status) days immediately before and after a holiday in order to receive pay for the holiday, will be waived for hourly rate employees that take an unpaid furlough day either immediately before of after a legal City holiday. (Also see Item O-2 on this Agenda)

Recommend: Introduce resolution.
Exhibit: Memo No. 03-1678 from Acting City Manager.

**Vacation of Drainage Easement –
 Estate of James B. Fazio/Il Lugano (DRC Case No. 2-M-03) (R-6)**

A resolution authorizing the vacation, subject to relocation, of a drainage easement as follows:

Applicant: Estate of James B. Fazio/Il Lugano
 Request: Vacate drainage easement
 Location: 3333 NE 32 Avenue

Recommend: Introduce resolution.
Exhibit: Memo No. 03-1741 from Acting City Manager.

RESOLUTIONS

Financing for Purchase of the Institutional Network (INET) – SunTrust Leasing Corporation

(R-7)

A resolution authorizing the proper City officials to execute all documents necessary to borrow \$315,000 from the SunTrust Leasing Corporation to fund the purchase of the Institutional Network (INET), as approved by the City Commission on November 4, 2003.

Recommend: Introduce resolution.

Exhibit: Memo No. 03-1810 from City Manager.

Issuance of (Not to Exceed \$11,000,000) Tax Increment Revenue Bonds – Northwest-Progresso-Flagler Heights Community Redevelopment Area

(R-8)

A resolution approving the issuance of, not to exceed \$11,000,000, Community Redevelopment Agency Tax Increment Revenue Bonds, Series 2003 (Northwest-Progresso-Flagler Heights Community Redevelopment Area Project) for purposes of Section 147(F) of the Internal Revenue Code of 1986, as amended; providing for an effective date.

Recommend: Introduce resolution.

Exhibit: Memo No. 03-1798 from Acting City Manager.

Lease Agreement – Florida Department of Transportation (FDOT) - Top of Henry E. Kinney Tunnel – South Side of New River

(R-9)

A resolution authorizing the proper City officials to execute a twenty (20) year no-rent lease between the City and FDOT for the right-of-way over the Henry E. Kinney Tunnel on the south side of the New River.

Recommend: Introduce resolution.

Exhibit: Memo No. 03-1821 from Acting City Manager.

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.

(CONTINUED FROM PAGE 10)

Lien Settlements for Special Master and Code Enforcement Board Cases

(M-30)

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

1. 1155 NW 15 Street (9212462 & 9515737) – Linval H. Ayton - \$51,875.00 and \$8,450
2. 1522 SW 30 Street (CE03031747) – Humberto Davila - \$3,575
3. 2209 NE 54 Street (CE03011545) – Rankila Nanayakkara Plantation Inc. - \$1,110
4. 1729 NW 18 Street (CE03011005) – Stuart Pester and Sammy Brown - \$8,200
5. 1317 NW 1 Avenue (CE01062013) – Belizaire and Oliane Prophete - \$2,700
6. 1324 NW 5 Avenue (CE03021925) – Anthony Evans - \$7,875
7. 1810 NW 9 Street (CE99081436) – RKH Investments Inc. - \$71,200

Recommend: Introduce motion.

Exhibit: Memo No. 03-1735 from City Manager.
