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FORT LAUDERDALE CITY COMMISSION
FEBRUARY 4, 2003**

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2/4/03 - 3

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION**

**CITY COMMISSION MEETING ROOM
CITY HALL
FORT LAUDERDALE, FLORIDA**

FEBRUARY 4, 2003

Meeting was called to order at approximately 6:04 p.m. by Mayor Naugle on the above date.

Roll call showed:

Present: Commissioner Gloria Katz
Commissioner Tim Smith
Commissioner Carlton B. Moore (6:10 P.M.)
Commissioner Cindi Hutchinson
Mayor Jim Naugle

Absent: None

Also Present: City Manager, F. T. Johnson
City Attorney, Harry Stewart
City Clerk, Lucy Kisela
Sergeant At Arms - Sgt. Suess

Invocation was offered by Father Happy Hoyer, Our Lady Queen of Martyrs Church, followed by the recitation of the Pledge of Allegiance.

Note: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

Presentations

1. Expressions of Sympathy

The Mayor and City Commissioners presented an Expression of Sympathy to the family of Robert Cardamone.

Commissioner Moore entered the meeting at approximately 6:09 p.m.

2. Smoke Detector Demonstration

Commissioner Katz showed the proper way to test a smoke detector.

3. "Black History Month"

The City Manager presented a proclamation in honor of "Black History Month" being observed during the month of February to Commissioner Carlton Moore. Commissioner Moore thanked the Commission for the honor.

4. South Florida Ironworkers Local Union No. 272 JATC

Commissioner Smith presented a Commendation to the South Florida Ironworkers Local Union No. 272 JATC. Mr. Hughes Tyler thanked his co-workers and trainers who provided his training in order

to make it possible for him to achieve the award that had been bestowed upon him. Mr. Dewey Tyler accepted the award and introduced their Board Members.

5. "First Call for Help"

Commissioner Hutchinson stated that Susan Byrd was the President and CEO of First Call for Help and presented a proclamation to her honoring their organization. Ms. Byrd stated they were proud to be "211" which was the new national telephone number in the Nation for information and referrals, and she proceeded to thank the City for giving the citizens resources to better their lives. She introduced the Chairman of their Board, Mr. Fred Murray. Mr. Murray thanked the City and hoped that many residents would avail themselves of the services available through 211.

Commissioner Moore left the meeting at approximately 6:18 p.m. and returned at 6:21 p.m.

6. Outstanding City Employees

Ms. Faye Outlaw, Community and Economic Development, honored employee Farida Mohammed as employee of the month.

Greg Kisela, Assistant City Manager, honored Kenny Smith, Public Services, as their employee of the month who had aided a person who was being robbed.

Chief Bruce Roberts, Police Department, honored Marianne Wilson as their Civilian Employee of the Month who helped to develop material for the FBI's JTTF program.

Chief Roberts then proceeded to honor Detective Charles Morrow and Officer Robert Boharic of the Police Department in their hard work and efforts in apprehending fugitives and criminals. Chief Roberts added that Detective Morrow had been recognized for the past 6-7 years as the Fugitive Detective for the most arrests in Broward County.

Consent Agenda

(CA)

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

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 - Langerado Music Festival

(M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Brown Coffee Productions, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with the **Langerado Music Festival** to be held **Saturday, March 8, 2003 from 11:00 a.m. to 11:00 p.m.** at Fort Lauderdale Stadium Festival Site.

Recommend: Motion to approve.

Exhibit: Memo No. 03-138 from City Manager.

Event Agreement - 17th Street Causeway Run**(M-2)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Hospice Care of Southeast Florida** to indemnify, protect, and hold harmless the City from any liability in connection with the **17th Street Causeway Run** to be held **Saturday, April 12, 2003 from 8:00 a.m. to 10:00 a.m.**; and further authorizing the closing of the following route from 8:00 a.m. to 9:30 a.m.; beginning on the west side of the Intracoastal Waterway at the bottom of the eastbound span of the E. Clay Shaw (17th Street Causeway) Bridge and continuing east in the eastbound lanes to State Road A-1-A; proceeding north in the northbound lanes of State Road A-1-A to Mayan Drive, east on Mayan Drive to South Ocean Drive, north on South Ocean Drive to Harbor Beach Parkway, west to Seabreeze Boulevard, south to join up with 17th Street and continue over the E. Clay Shaw Bridge to the start/finish line.

Recommend: Motion to approve.

Exhibit: Memo No. 03-123 from City Manager.

Event Agreement - Spring Carnival**(M-3)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Our Lady Queen of Martyrs Church, a Parish of the Archdiocese of Miami, Inc., a Florida Non-Profit Corporation** to indemnify, protect, and hold harmless the City from any liability in connection with the **Spring Carnival** to be held **Thursday, March 6, 2003 from 6:00 p.m.; Friday, March 7, 2003 from 5:00 p.m. to 11:00 p.m.; Saturday, March 8, 2003 from 12:00 noon to 11:00 p.m.; and Sunday, March 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, March 3 to 5:00 p.m. Monday March 10, 2003.

Recommend: Motion to approve.

Exhibit: Memo No. 03-140 from City Manager.

Event Agreement - St. Patrick's Day Street Party**(M-4)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Downtowner Saloon Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with the **St. Patrick's Day Street Party** to be held **Sunday, March 16, 2003 from 12:00 noon to 11:00 p.m. and Monday, March 17, 2003 from 9:00 a.m. to 11:00 p.m.**; and further authorizing the closing of South New River Drive from east of the Andrews Avenue Bridge to the circle at S.E. 1 Avenue (½ block immediately in front of the Downtowner) from 8:00 a.m. Sunday, March 16 to 12:00 midnight Monday, March 17, 2003.

Recommend: Motion to approve.

Exhibit: Memo No. 03-139 from City Manager.

Event Agreement - Clueless on Las Olas

(M-5)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Partners in Education, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with **Clueless on Las Olas** to be held **Thursday, April 24, 2003 from 5:30 p.m. to 10:00 p.m.**; and further authorizing the closing of S.E. 9 Avenue from East Las Olas Boulevard to S.E. 4 Street from 12:00 noon to 11:00 p.m.

Recommend: Motion to approve.

Exhibit: Memo No. 03-198 from City Manager.

Transfer from General Fund Contingencies - Broward Urban River Trails, Inc. (BURT)

(M-6)

A motion authorizing the transfer of \$20,000 from General Fund Contingencies to an account in the Parks and Recreation Department in order to contribute to BURT in support of its preservation and improvement of waterways in the City of Fort Lauderdale.

Funds: Transfer \$20,000 from General Fund Contingencies to
PKR010101/4299 (Other Contributions)

Recommend: Motion to approve.

Exhibit: Memo No. 03-208 from City Manager.

Program Service Contract - Michael Bennett, Assistant Tennis Instructor

(M-7)

A motion authorizing the proper City officials to execute an extension to the agreement with Michael Bennett through April 30, 2003, for services as an Assistant Tennis Instructor, and further authorizing the reimbursement at a rate of 75 percent to Mr. Bennett for services rendered on providing tennis lessons.

Recommend: Motion to approve.

Exhibit: Memo No. 03-137 from City Manager.

Authorization to Negotiate with Top-Ranked Firm - Competitive Consultant Negotiation Act (CCNA) - Design Build Services - Seawood Builders, Inc. - Project 15245 - Riverland Park

(M-8)

A motion approving the CCNA Committee's ranking for Project 15245, Riverland Park, and further authorizing the proper City officials to negotiate with the top-ranked firm, Seawood Builders, Inc.

Recommend: Motion to approve.

Exhibit: Memo No. 03-145 from City Manager.

Disbursement of Funds - Joint Investigation -
O.R. No. 01-51299 - \$5,532.94 U.S. Currency

(M-9)

A motion authorizing the equitable disbursement of funds in the amount of \$5,532.94, with each of the 15 participating law enforcement agencies to receive \$368.86.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1-1 from City Attorney.

Disbursement of Funds - Joint Investigation -
O.R. No. 01-104544 - \$2,436.28 U.S. Currency

(M-10)

A motion authorizing the equitable disbursement of funds in the amount of \$2,436.28, with each of the 14 participating law enforcement agencies to receive \$174.02.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1-2 from City Attorney.

Disbursement of Funds - Joint Investigation -
O.R. No. 01-104544 - \$2,232.34 U.S. Currency

(M-11)

A motion authorizing the equitable disbursement of funds in the amount of \$2,232.34, with each of the 14 participating law enforcement agencies to receive \$159.45.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1-3 from City Attorney.

Disbursement of Funds - Joint Investigation -
O.R. No. 01-104544 - \$444 U.S. Currency

(M-12)

A motion authorizing the equitable disbursement of funds in the amount of \$444, with each of the 14 participating law enforcement agencies to receive \$31.71.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1-4 from City Attorney.

Disbursement of Funds - Joint Investigation -
O.R. No. 01-20384 - \$1,677.98 U.S. Currency

(M-13)

A motion authorizing the equitable disbursement of funds in the amount of \$1,677.98, with each of the 14 participating law enforcement agencies to receive \$119.85.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1-5 from City Attorney.

**Disbursement of Funds - Joint Investigation -
O.R. No. 01-20384 - \$3,312.33 U.S. Currency**

(M-14)

A motion authorizing the equitable disbursement of funds in the amount of \$3,312.33, with each of the 14 participating law enforcement agencies to receive \$236.59.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1-6 from City Attorney.

**Disbursement of Funds - Joint Investigation -
O.R. No. 01-20384 - \$74.35 U.S. Currency**

(M-15)

A motion authorizing the equitable disbursement of funds in the amount of \$74.35, with each of the 14 participating law enforcement agencies to receive \$5.31.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1-7 from City Attorney.

**Easement - Florida Power and Light (FPL) -
Project 15200-E - Holiday Park Underground Duct Bank**

(M-16)

A motion authorizing the proper City officials to execute an easement to FPL to allow for the installation of an underground duct bank at Holiday Park for the provision of underground service to the Gymnasium, Social Center and roller hockey rinks.

Recommend: Motion to approve.

Exhibit: Memo No. 03-103 from City Manager.

**Task Order Amendment - Keith and Schnars, P.A.
(Professional General Civil Engineering Consultant) -
Project 10372 - One Stop Shop at Lincoln Park**

(M-17)

A motion authorizing the proper City officials to execute an amendment to the Task Order with Keith and Schnars, P.A. in the amount of \$33,325 for additional design work for the One Stop Shop project at Lincoln Park.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-105 from City Manager.

**Task Order Amendment - Keith and Schnars, P.A.
(Professional General Civil Engineering Consultant) -
Project 10057 - Swing Bridge at S.W. 11 Avenue (Waverly
Road/S.W. 5 Place)**

(M-18)

A motion authorizing the proper City officials to execute an amendment to the Task Order with Keith and Schnars, P.A. in the amount of \$428,945 for design services associated with the Swing Bridge at S.W. 11 Avenue project, between Waverly Road and S.W. 5 Place.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-109 from City Manager.

**Task Order Amendment - Keith and Schnars, P.A.
(Professional General Civil Engineering Consultant) -
Project 10443 - Sunset Memorial Gardens**

(M-19)

A motion authorizing the proper City officials to execute a Task Order with Keith and Schnars, P.A. in the amount of \$26, 980 for engineering design services for the Sunset Memorial Gardens project. (Also see Item M-20 on this Agenda)

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-101 from City Manager.

**Task Order - Bailey Engineering Consultants
Project 10443 - Sunset Memorial Gardens**

(M-20)

A motion authorizing the proper City officials to execute a Task Order with Bailey Engineering Consultants in the amount of \$12,000 to provide mechanical, electrical and plumbing design services for the Sunset Memorial Gardens project. (Also see Item M-19 on this Agenda)

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-102 from City Manager.

**Task Order No. 7 - CH2M Hill, Inc. - City Design
Team Support**

(M-21)

A motion authorizing the proper City officials to execute Task Order No. 7 with CH2M Hill, Inc. in the amount of \$38,500 to provide engineering design assistance with the development of Lauderdale Manors Phases II and III sanitary sewer improvement projects.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-108 from City Manager.

**Change Order No. 4 - F & L Construction, Inc. -
Business Capital Improvement Project (BCIP)
P09901 - Poinciana Park Curbing and Landscaping**

(M-22)

A motion approving the proper City officials to execute Change Order No. 4 of the City's annual concrete contract with F & L Construction, Inc. in the amount of \$21,765 for the Poinciana Park concrete curbing and landscaping along existing median islands BCIP project.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 03-183 from City Manager.

**Change Order No. 6 (Final Adjusting) - APAC - Florida,
Inc. - Project 9831 - Executive Airport Way and
Drainage Swale Improvements**

(M-23)

A motion authorizing the proper City officials to execute Change Order No. 6 (Final Adjusting) with APAC-Florida, Inc., in the amount of \$60,052.53 for the construction of the Airport access road and drainage swale project.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 03-104 from City Manager.

Change Order No. 3 - Whiting-Turner Contracting Company - Project 10222 - City Park Garage Rehabilitation

(M-24)

A motion authorizing the proper City officials to execute Change Order No. 3 with Whiting-Turner Contracting Company in the amount of \$48,252.08 for additional work associated with the City Park Garage Rehabilitation Project.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 03-112 from City Manager.

Local Agency Program (LAP) Agreement - Florida Department of Transportation (FDOT) - State Road 84 Enhancement Project

(M-25)

A motion authorizing the proper City officials to execute an LAP Agreement with FDOT for the State Road 84 Enhancement Project, from I-95 to U.S. 1 (Federal Highway).

Recommend: Motion to approve.

Exhibit: Memo No. 03-110 from City Manager.

Lease Agreement - Bank of America, N.A. - Automatic Teller Machine (ATM) at City Park Mall

(M-26)

A motion authorizing the proper City officials to execute a one-year lease agreement with Bank of America, N.A. for the operation of an ATM at City Park Mall.

Recommend: Motion to approve.

Exhibit: Memo No. 03-100 from City Manager.

Task Order - CH2M Hill, Inc. - Lime Sludge Removal and Disposal

(M-27)

A motion authorizing the proper City officials to execute a Task Order with CH2M Hill, Inc. in the amount of \$60,000 for the provision of inspection services in conjunction with the Soil Tech Industries lime sludge and disposal contract.

Funds: See Memo.

Recommend: Motion to approve

Exhibit: Memo No. 03-157 from City Manager.

PURCHASING AGENDA

**622-8671 - Emergency Repair - One Elevator, .
City Park Garage**

(Pur-1)

An agreement for the emergency repair of one elevator at the City Park Garage is being presented for approval by the Administrative Services, Parking Services Division.

Recommended Award: Florida East Coast Elevator, Inc.
Fort Lauderdale, FL
Amount: \$ 32,750.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 03-169 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve emergency repair.

**422-8733 - Increase Expenditure - Turf
Grass Maintenance**

(Pur-2)

An agreement to increase expenditure for additional turf grass maintenance services is being presented for approval by the Parks and Recreation Department.

Recommended Award: Stiles Landscape
Amount: \$ 9,084.00 (estimated)
Bids Solicited/Rec'd: 3/3
Exhibits: Memorandum No. 03-186 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve additional expenditure.

The following items were removed from the Consent Agenda as recommended:

Commissioner Katz recommended removal of Items M-8, and M-17. Commissioner Hutchinson recommended removal of Item M-2.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to remove the above-listed items from tonight's Consent Agenda.

Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

Event Agreement - 17th Street Causeway Run

(M-2)

Commissioner Hutchinson stated that she had pulled this item. She stated that Harbor Inlet had some concerns about being blocked in their neighborhood for a time span of about 1 ½ hours. The plan used last year had worked well, and she encouraged the City to get in touch with Genia Ellis to coordinate the event. She further stated that 23rd Avenue, Myan Avenue, and Harbor Beach Parkway were the only exits from the neighborhood.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to approve this item.

Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

**Authorization to Negotiate with Top-Ranked Firm -
Competitive Consultant Negotiation Act (CCNA) -
Design Build Services - Seawood Builders, Inc. -
Project 15245 - Riverland Park**

(M-8)

Commissioner Katz that she had pulled this item and suggested that this be approved at the same time funding was available. She explained that land acquisition had been approved for \$3 Million, and development and the bond issue had been approved for \$675,000. She stated they were now being asked to approve \$5,900,000 for the development of the park. She felt this was way over the \$675,000 figure. She further stated they were asked to approve this "on faith" so money could be used from the CDBG funds and possibly find other monies somewhere else. She further stated that in order to use CDBG monies, you would have to shift funds from already approved CDBG projects. Therefore, she suggested that unless they knew where the money was coming from, they should approve what was in the original bond (\$675,000), and when other funds were available, then proceed to approve the remaining portion.

Greg Kisela, Assistant City Manager, stated that part of the challenge they had was that they did not know what the funding gap was until they got authorization to negotiate with the contractor. At this point, they had available approximately \$2.5 Million, with the original fund balances, and the Swim Central Grant of \$1.5 Million plus the State grant. He explained that would allow them to construct the base bid, but what they did not know was how much of the alternate bid they could construct because they had not had an opportunity to meet with the contractor to begin negotiations. Once they negotiated, they would appear before the Commission with the funding approach. He further stated that the gap could be as high as \$2.5 Million, but could be less.

Commissioner Katz asked if it would be too late then to pull out of the deal. Mr. Kisela stated that the Commission would not be awarding anything, and would only be authorizing them to negotiate a contract.

Commissioner Moore clarified it was only an authorization to negotiate, but he also wanted the negotiations to go well because they were able to get State money to assist them in developing this park. He also stated that they had been able to get the Swim Central Grant in the amount of \$1.5 Million, and the land acquisition had been less than anticipated. He further stated that the project was going to be done in phases.

Commissioner Hutchinson asked if they had received FR DAP money for this park. Mr. Kisela stated they had not received those funds yet, but would get them in the next funding cycle. He explained that when Palm Aire was completed, they could then get in line.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve this item.

Commissioner Katz stated that they needed to be fair to all areas of the cities regarding available funds for such projects.

Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

**Task Order Amendment - Keith and Schnars, P.A.
(Professional General Civil Engineering Consultant) -
Project 10372 - One Stop Shop at Lincoln Park**

(M-17)

Commissioner Katz stated that she had pulled this item. She asked if the clean-up costs would only be on the trash transfer station and the park.

Greg Kisela, Assistant City Manager, stated the samples taken on the school portion showed there were no materials present to cause concern. Therefore, they believed they could proceed with the construction of the One Stop facility as planned.

Commissioner Katz asked if they needed to set monies aside for the park clean-up since it was in close proximity to the school site. Mr. Kisela stated that they would not know what those numbers would be until about December, 2003, and the monies would have to come out of the Sanitation Fund because it was the City's first incinerator back in the '20's to '40's. If there were any economic ramifications, they would look first to the Enterprise Fund.

Commissioner Katz asked if they had planned to put the Community Planning Offices in the new building. Mr. Kisela stated that Community Planning and Comprehensive Planning were in Community and Economic Development and were not part of the relocation plan to Lincoln Park. They were now part of that plan and they needed to redesign the plans to accommodate those facilities.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve the item.

Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

**Installation of Speed Humps - N.W. 16 Street from
N.W. 9 Avenue (Powerline Road) to Andrews Avenue -
South Middle River Neighborhood**

(M-28)

A motion approving the installation of speed humps on N.W. 16 Street, from N.W. 9 Avenue (Powerline Road) to Andrews Avenue, in the South Middle River Neighborhood.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve the installation of speed humps as recommended.

Commissioner Moore stated that the backup material had stated that the trips and speed were the reasons for the speed humps. He proceeded to ask if they took into account the speed and the number of cars, or did they just consider the speed of the cars traveling the roadway.

Peter Partington, Traffic Engineer, explained that the main criteria was based on speeding, but volume numbers were also considered.

Commissioner Moore continued to ask if it met the three thresholds which were the traffic volumes, speed, and length of the roadway. Mr. Partington stated it had met the first two thresholds, and the length of the roadway was not in the criteria. He stated that speed and traffic volume were considered.

Commissioner Smith remarked that the type of roadway was considered because it needed to be a collective road or smaller. Mr. Partington confirmed.

Commissioner Katz asked what else was in line for speed humps and how much money was left in the

fund. Mr. Partington replied that a contract had just been awarded for \$90,000 and there were 5 more which met the criteria. Separate from those, there were the NCIP projects and speed humps funded by the neighborhoods themselves. He further explained that the \$90,000 exhausted the fund.

Commissioner Moore reiterated that he was under the impression there had to be 3 items to be met in order to be eligible for speed humps. He asked if the length of the roadway was ever considered.

Mr. Partington explained they never had the length of the roadway as part of the criteria. He stated it worked out because if you met the speed criteria you were usually on a long road, but it was not listed specifically in the criteria. He explained that the type of speed hump was different on a collector street, than from a residential road.

Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

Proposed Lien Settlements for Special Master and Code Enforcement Board Cases

(M-29)

1. 1124 N.W. 17 Street - CE01040779 - Nathan and Margo Powell - \$2,171.25.

Margo Powell stated they had some financial problems and asked if the fine could be reduced further.

Commissioner Moore asked if the property was presently in compliance.

John Simmons, Assistant Director Community Inspections, stated the property was in compliance.

Ms. Powell remarked that they resided at this property,

Commissioner Moore asked that they give consideration to the amount in connection with a pay-out plan.

Motion made by Commissioner Moore seconded by Commissioner Smith to approve a pay-out plan in connection with the amount liened on this property. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

2. 1112 S.W. 20 Street - CE981000588 - Ron Kurzman - \$4,000.

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith to approve the settlement as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

3. 3171 N.W. 63 Street - CE00090976 - R. and Joan D. Butterweck - \$10,080.

Ray Butterweck, owner, stated the problem regarding his property centered around a motor home he had parked on the premises.

Motion made by Commissioner Katz and seconded by Commissioner Smith to approve 10% of the recommended amount for settlement. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

4 & 5. 3023 Davie Boulevard - CE98030329 - Markatia Equities, Inc. - \$37,382.50 and 3031 Davie Boulevard - CE97081437 - Markatia Equities, Inc. - \$6,555.

Motion made by Commissioner Moore and seconded by Commissioner Katz to approve the settlement as recommended.

Mohammed Markatia stated he was an absentee owner and requested the fines be reduced. He explained that one of the tenants had left flags on the rooftop of the building.

Commissioner Hutchinson asked what type of business was located at this site.

John Simmons, Assistant Director of Community Inspections, stated that the business had changed at the premises and he was not sure what type of business was being conducted. Previously, there had been a pawn shop at the site.

Mr. Markatia explained there was a communications store, a restaurant, and a beauty salon at the site.

Commissioner Smith stated there were 18 violations at the 3031 property site and asked why he had not been managing the property.

Mr. Markatia stated he recently hired a full-time maintenance person and it had been his fault to not manage the properties correctly.

Mr. Simmons stated that the property was improving in its looks.

Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

6. 2112 N.W. 7 Street - CE01050691 - Willie M. Jones Estate - \$2,250.

Commissioner Moore stated that the matter had been tabled from the previous meeting since the owner had not been present, and he wanted the owner to understand that the City was considering this gift and asked if the site had been cleaned up.

Gloria Burnell stated that the site had been maintained and asked if the fines could be further reduced or forgiven. She stated that the City had been notifying the wrong person, and 30 days after she received notice the matters were taken care of.

John Simmons, Assistant Director of Community Inspections, stated that it appeared there had been a problem and he verified the matter at the property appraiser's site.

Motion made by Commissioner Moore to reduce the fine to \$250. Motion died for lack of a second.

Commissioner Smith asked if Ms. Burnell had owned the property at the time of the violations. Ms. Burnell confirmed and stated that notices were given regarding the driveway not being paved. She thought that was not a problem and due to the confusion of the notices, she was not being contacted. Commissioner Smith proceeded to read the violations on the property. He reiterated that the property had been a problem for the community and he felt she had the responsibility, as owner, to maintain the property.

Motion made by Commissioner Smith to approve the settlement as recommended by staff. Motion died for lack of a second.

Ms. Burnell stated that many problems stemmed from burglaries and when she was contacted she did attempt to correct the violations. She continued stating that there was a junk yard in the rear which caused her problems.

Motion made by Commissioner Moore to reduce the fine to \$500. Motion died for lack of a second.

Motion made by Commissioner Moore to reduce the fine to \$1,000. Motion died for lack of a second.

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith to approve the settlement at 10% of the recommended amount.

Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

7. 839 N.W. 14 Way - CE01020351 - Spenser Thompson, Jr. - \$16,650.

Mary Thompson stated that this was an income producing property, and when she had first been cited she explained that she was in the process of remodeling the entire building.

Commissioner Moore asked why the trash and debris had not been moved for over a year. Ms. Thompson stated that the trash and debris were washers and dryers which were in use by the tenant and were not debris.

John Simmons, Assistant Director of Community Inspections, stated that they had photographs of other trash on the property. He explained that unless the washers and dryers were in an enclosure, they were not permitted by Code.

Motion made by Commissioner Moore and seconded by Commissioner Katz to reduce the fine to 50% of the recommended settlement. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

8. 1125 N.W. 2 Street - CE02040997 - Therese Allen - \$4,620.

Chanel Gutierrez, Trustee for the Trust, stated that this property was currently being held in trust until she could purchase the property. She explained that she had taken over the property on November 18, 2002, and on November 19, 2002 the property had been brought into compliance. She reiterated that until the matter of the fines were settled, she could not close on the property. She explained the property was in foreclosure and the owner was 73 years old. She further explained that her purchase offer supplied nothing to the owner except for the fact that she would not be foreclosed upon. She further requested that the fines be reduced to 15% of the amount.

Motion made by Commissioner Moore and seconded by Commissioner Smith to reduce the fine to 50% of the recommended settlement. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, and Moore. NAYS: Mayor Naugle.

9. 1701 N.W. 15 Avenue - United Pathway - CE99120333 (\$,805) and CE00060929 (\$5,850); and CE991200004 (\$28,215)

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve the settlement as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore,

and Mayor Naugle. NAYS: None.

Mayor Naugle announced that due to an error Item M-22 (Change Order for the Poinciana Park BCIP project of curbing and landscaping), the correct Project No. was P09901. He further stated that for Item M-24 a typographical error appeared in the Memorandum and Item A was incorrectly listed as \$4,703 and the correct number was \$4,730.

PUBLIC HEARINGS

**Vacate Alley - Fort Lauderdale Nissan, Inc. and
City/County Credit Union (PZ Case No. 16-P-02)**

(PH-1)

A public hearing to consider an ordinance approving the vacation an alley, which was approved by the Planning and Zoning Board on December 18, 2002 by a vote of 5-4. Notice of public hearing was published January 23 and 30, 2003.

Applicant: Fort Lauderdale Nissan, inc. and City/County Credit Union
Request: Vacate alley
Location: South of S.E. 13 Street, between Federal Highway and Miami Road

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to defer first reading to Tuesday, March 4, 2003 at 6:00 p.m. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

**Public Purpose Use/Site Plan Approval - City of
Fort Lauderdale - Riverside Park (PZ Case No. 85-R-02)**

(PH-2)

A public hearing to consider an ordinance approving a public purpose use, which was approved by the Planning and Zoning Board on December 18, 2002 by a vote or 9-0. Notice of public hearing was published January 23 and 30, 2003.

Applicant: City of Fort Lauderdale
Request: Public purpose use
Location: 1130 S.W. 5 Place

Motion made by Commissioner Smith and seconded by Commissioner Moore to close the public hearing.

Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

Commissioner Smith introduced the following ordinance on first reading:

ORDINANCE NO. C-03-8

AN ORDINANCE APPROVING A PUBLIC PARK THAT DOES NOT MEET THE PARKING OR LIGHTING REQUIREMENTS IN A PARKS, RECREATION AND OPEN SPACE (P) ZONING

DISTRICT, WHICH PARK IS MORE FULLY DESCRIBED AS LOTS 1 THROUGH 5 INCLUSIVE AND LOTS 22 THROUGH 30 INCLUSIVE, BLOCK 2, OF THE AMENDED PLAT OF "RIVERSIDE ADDITION TO FT. LAUDERDALE FLORIDA", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 13 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED BETWEEN SOUTHWEST 5TH PLACE AND SOUTHWEST 6TH STREET, BETWEEN SOUTHWEST 11TH AVENUE AND SOUTHWEST 12TH AVENUE; AND GRANTING RELIEF FROM THE PARKING AND LIGHTING REQUIREMENTS PURSUANT TO SECTION 47-18.26 OF THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA.

Which ordinance was read by title only.

Mayor Naugle disclosed that he had been to the site. Commissioner Hutchinson stated that she had been to the site and spoke to everyone in the neighborhood. She proceeded to ask if they were still on target for the March 3, 2003 demolition. Commissioner Smith disclosed that he had also been to the site.

Greg Kisela, Assistant City Manager, confirmed.

Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

Certificate of Public Convenience and Necessity - MAD Investments, Inc.

(PH-3)

A public hearing to consider a resolution authorizing the application of MAD Investments, Inc. to operate two taxicabs within the City. Notice of public hearing was published January 23 and 30, 2003.

THIS ITEM HAD BEEN WITHDRAWN FROM THE AGENDA

Certificate of Public Convenience and Necessity - Castro's Airport Shuttle and Limousine Service

(PH-4)

A public hearing to consider a resolution authorizing the application of Castro's Airport Shuttle and Limousine Service to operate four vehicles with chauffeurs over irregular routes within the City, pursuant to Section 27-191 and 27-192 of the City Code of Ordinances. Notice of public hearing was published January 23 and 30, 2003.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to defer consideration of this item to Tuesday, March 4, 2003 at 6:00 p.m. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

Conveyance of Public Property to the Fort Lauderdale Community Redevelopment Agency (CRA) - Las Olas Intracoastal Municipal Parking Lot

(PH-5)

A public hearing to consider a resolution approving the conveyance of certain portions of the Las Olas

Intracoastal Municipal Parking Lot to the CRA upon certain terms and conditions; and further authorizing the proper City officials to execute and deliver the deed of conveyance to the proper CRA officials. Notice of public hearing was published January 10 and 17, 2003.

Motion made by Commissioner Smith and seconded by Commissioner Moore to close public hearing. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

Commissioner Smith introduced the following resolution:

RESOLUTION NO. 03-15

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CONFIRMING RESOLUTION NO. 02-222, WHICH DETERMINED AND DECLARED THE CITY'S INTENTION TO CONVEY CERTAIN PUBLIC PROPERTIES TO THE FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY FOR RE-DEVELOPMENT WITHIN THE CENTRAL BEACH COMMUNITY REDEVELOPMENT AREA, AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DEED OF CONVEYANCE TO THE FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

Amendment to Pay Plan

(O-1)

An ordinance amending the Pay Plan of the City to provide for a new class in Schedule I. Ordinance No. C-03-7 was published January 12, 2003, and was approved on first reading January 22, 2003 by a vote of 5-0.

ORDINANCE NO. C-03-7

AN ORDINANCE AMENDING THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR A NEW CLASS IN SCHEDULE I OF THE CITY'S PAY PLAN.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

Rezone from Community Facility (CF) to Planned Unit Development (PUD) - School Board of Broward County/ Lennar Homes (PZ Case No. 1-ZPUD-02)

(O-2)

A public hearing to consider an application approved by the Planning and Zoning Board on December 18, 2002 by a vote of 5-4. Ordinance No. C-03-2 was published January 10 and 17, 2003, and was approved on first reading January 22, 2003 by a vote of 5-0. (Also see Item Nos. O-3, O-4 and O-5 on this Agenda)

Applicant: School Board of Broward County/Lennar Homes
Request: Rezone from CF to PUD to construct a 271-unit residential development
Location: 1320 S.W. 4 Street

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to defer second reading to Tuesday, February 18, 2003 at 6:00 p.m Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

Vacate a Portion of S.W. 14 Avenue - Charles Willard
(PZ Case No. 22-P-02)

(O-3)

A public hearing to consider the vacation of a portion of the south 130 feet of S.W. 14 Avenue, immediately north of the New River, and located adjacent to 425 S.W. 14 Avenue, which was approved by the Planning and Zoning Board on December 18, 2002 by a vote of 7-2, with the condition that an access easement be provided as approved by the City Engineer. Ordinance No. C-03-3 was published January 10 and 17, 2003, and was approved on first reading January 22, 2003 by a vote of 5-0. (Also see Item Nos. O-2, O-4 and O-5 on this Agenda)

Applicant: Charles Willard
Request: Vacate a portion of the south 130 feet of S.W. 14 Avenue, immediately north of New River
Location: Adjacent to 425 S.W. 14 Avenue

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to defer second reading to Tuesday, February 18, 2003 at 6:00 p.m. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

Vacate Portion of Right-of-Way at S.W. 14 Avenue -
School Board of Broward County/Lennar Homes
(PZ Case No. 13-P-02)

(O-4)

A public hearing to consider an application approved by the Planning and Zoning Board on December 18, 2002 by a vote of 7-2, with the condition that an access easement be provided as approved by the City Engineer. Ordinance No. C-03-4 was published January 10 and 17, 2003, and was approved on first reading January 22, 2003 by a vote of 5-0. (Also see Item Nos. O-2, O-3 and O-5 on this Agenda)

Applicant: School Board of Broward County/Lennar Homes
Request: Vacate a portion of a right-of-way
Location: The eastern one-half of the cul-de-sac on S.W. 14 Avenue, immediately north of the North Fork of New River

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to defer second reading to Tuesday, February 18, 2003 at 6:00 p.m. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

**Vacate Portion of Right-of-Way at S.W. 4 Street -
School Board of Broward County/Lennar Homes
(PZ Case No. 14-P-02)**

(O-5)

A public hearing to consider an application approved by the Planning and Zoning Board on December 18, 2002 by a vote of 8-1. Ordinance No. C-03-5 was published January 10 and 17, 2003, and was approved on first reading January 22, 2003 by a vote of 5-0. (Also see Item Nos. O-2, O-3, and O-4 on this Agenda)

Applicant: School Board of Broward County/Lennar Homes
Request: Vacate a portion of a right-of-way
Location: A portion of the cul-de-sac at the west end of S.W. 4 Street at S.W. 13 Avenue

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to defer second reading to Tuesday, February 18, 2003 at 6:00 p.m. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

**Rezone from RM-15 to RMs-15; RMM-25 to RMs15;
CB to RMs-15; and CB to RM-15 - Community Redevelopment
Agency/Northwest-Progresso Flagler Heights Redevelopment
Area (NPF CRA) (PZ Case No. 11-Z-02)**

(O-6)

A public hearing to consider an application approved by the Planning and Zoning Board on December 18, 2002 by a vote of 9-0 for the rezoning of RM-15 to RMs-15, RMM-25 to RMs-15, and CB to RMs-15; with denial by a vote of 2-7 of the rezoning from CB to RM-15. Ordinance No. C-03-6 was published January 10 and 17, 2003, and was approved on first reading January 22, 2003 by a vote of 5-0.

Applicant: CRA
Request: Rezone from RM-15 to RMs-15, RMM-25 to RMs-15, and CB to RMs-15 for the Sweeting Estates redevelopment project.
Location: Ara bounded to the north by Sistrunk Boulevard (N.W. 6 Street); to the south by the North Fork of New River; to the west by N.W. 24 Avenue; and to the east by the Railroad right-of-way and I-95.

(a) Motion made by Commissioner Smith and seconded by Commissioner Moore to approve the City as co-applicant with CRA to rezone the property as described in PZ Case No. 11-Z-02, ratify the application submitted by the agency for such rezoning, and approve the application for rezoning as described in PZ Case No. 3-Z-03. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

Commissioner Katz stated that part of this had been deferred. Commissioner Moore explained there were three commercial properties which were no longer part of this discussion, and they were only dealing with the residential properties to the south of Sistrunk Boulevard. He emphasized there was full consensus of those properties.

Don Morris, Planning and Zoning, stated that the heading of the ordinance was in error. He explained they intentionally left out the portion referred to by Commissioner Moore. He explained further those properties would not be reviewed at this hearing and would be reheard at the Planning and Zoning Board.

(b) Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-03-6

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RM-15 TO RMs-15, LOTS 4 THROUGH 25, BLOCK 1; LOTS 8 THROUGH 25, BLOCK 2; LOTS 1 THROUGH 8 AND LOTS 18 THROUGH 25; BLOCK 3; LOTS 1 THROUGH 16, BLOCK 4; LOTS 1 THROUGH 12, BLOCK 5; LOTS 8 THROUGH 25, BLOCK 6 AND LOTS 2 THROUGH 7, BLOCK 7, "RIVER GARDENS", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 19, PAGE 23 AND LOT 4, "RIVIERA HACIENDA", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 58, PAGE 25, BOTH OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AND TO REZONE FROM RMM-25 TO RMs-15, LOTS 9 THROUGH 17, BLOCK 3, "RIVER GARDENS", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 19, PAGE 23, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AND TO REZONE FROM CB TO RMs-15; THE SOUTH 50 FEET OF LOT 1, BLOCK 7, "RIVER GARDENS", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 19, PAGE 23, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; ALL OF THE ABOVE LANDS LOCATED BETWEEN NORTHWEST 24TH AVENUE AND I-95, SOUTH OF SISTRUNK BOULEVARD AND THE NORTH FORK NEW RIVER, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: None.

Amend Chapter 6 - Sea Turtles - Restriction of Artificial Lighting to Beach Lighting Activities

(O-7)

An ordinance creating Article III of Chapter 6 entitled "Sea Turtles," of the City's Code of Ordinances relating to the protection of sea turtles; providing for the restriction of artificial lighting to beach lighting activities on the beach and exceptions thereto. Notice of proposed ordinance will be published February 8, 2003.

Commissioner Smith introduced the following ordinance on first reading:

ORDINANCE NO. C-03-9

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE CREATING ARTICLE III OF CHAPTER 6, SEA TURTLES, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, RELATING TO THE PROTECTION OF SEA TURTLES; PROVIDING FOR THE RESTRICTION OF ARTIFICIAL LIGHTING TO BEACH

LIGHTING ACTIVITIES ON THE BEACH AND EXCEPTIONS
THERETO; PROVIDING A PURPOSE AND PROVIDING
DEFINITIONS; PROVIDING STANDARDS FOR LIGHTING
FOR NEW AND EXISTING DEVELOPMENT AND PROVIDING
A PENALTY; PROVIDING FOR MONITORING.

Which ordinance was read by title only.

Commissioner Smith asked if this matter had gone before the Beach Redevelopment Advisory Board.

Greg Kisela, Assistant City Manager, stated it had not gone before that Board.

Commissioner Smith stated that he wanted this matter to go before that Board before the second reading.

Mr. Kisela stated that the commitment that had been made stated that it would be presented to the Commission at their first and second meetings in February as part of the package for beach renourishment.

Commissioner Katz asked how much leeway there was to adjust some of the issues. She stated that after speaking with some of the people on the Galt Ocean Mile, some of the requests appeared to go overboard.

Cecelia Hollar, Director of Construction Services, stated that basically they had to be in compliance with State law and the leeway was very restricted.

Commissioner Katz asked if the State was requiring that single-family and multi-family structures lights would be restricted. Ms. Hollar explained that basically whatever attracted the turtles to the light would be restricted. Commissioner Katz stated that she had been informed that an all-terrain vehicle picked up the turtle eggs. Ms. Hollar reiterated that the law stated that any lighting on the beach in the area where the turtles were supposed to be protected must not attract them. She stated they would continue to work with code enforcement on the matter. She stated that this was something that all the coastal communities had commented on to the legislature. Commissioner Katz asked if they were speaking to their Lobbyist to address the ridiculous requests that were being made.

The City Manager stated that it had been mentioned to the Lobbyist, but more importantly they had tried directly to influence this matter. He stated this was unfunded and perhaps ill-founded in terms of what they were attempting to accomplish with the onerous requirements, and it was with reluctance that it had been brought before the Commission. He further stated that beach renourishment money was being held hostage in regard to this matter, and unless the City moved forward with some type of effort in this matter, the prospect of laying claim to the funds would be slim to none.

Commissioner Moore left the meeting at approximately 7:22 p.m. and returned at 7:24 p.m.

Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: None.

Utility Advisory Committee

(R-1)

A resolution formally establishing the Utility Advisory Committee in the City of Fort Lauderdale. On January 7, 2003, the City Commission deferred consideration of this item to January 22, 2003 by a vote of 5-0; on January 22, 2003, the City Commission deferred consideration of this item to February 4, 2003 by a vote of 5-0.

Commissioner Smith introduced the following resolution:

RESOLUTION NO. 03-17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ESTABLISHING THE UTILITY ADVISORY COMMITTEE; PROVIDING THE PURPOSE AND DUTIES OF THE COMMITTEE; PROVIDING FOR THE NUMBER OF COMMITTEE MEMBERS; PROVIDING CRITERIA FOR COMMITTEE MEMBERSHIP AND PROVIDING FOR LENGTH OF TERM OF THE COMMITTEE.

Which resolution was read by title only.

Commissioner Hutchinson stated that this Committee had been formed originally to discuss the 17th Avenue project, and she proceeded to ask if that had been discussed as of this time.

Greg Kisela, Assistant City Manager, stated that the Committee had discussed this matter but no consensus had yet been reached, and that was why it had not been brought before the Commission. He explained that field trips had been conducted to look at the alternate corridors, changes were made to the plans, and they were now working with the respective neighborhood associations.

Mayor Naugle asked if they had assurance that no work would be done, and no permits would be issued until the matter came before the Commission. Mr. Kisela confirmed and stated that FPL had reached out to the associations to present proposed alternatives.

Commissioner Hutchinson remarked that it was her understanding that substations had dominated this Committee's time. Mr. Kisela stated there had been three issues. One was a substation issue, the other was the 17th Avenue undergrounding issue, and lastly tree trimming.

Commissioner Smith reiterated that residents of the community had received a letter from FPL which essentially stated that discussions were held, but they were going to erect some new poles, and cut trees. He stated they needed some assurance that the matter was not settled because the neighborhoods were not happy with the heavy-handed approach used by the utility company, and he wanted to hear from the neighborhood representatives.

Mr. Kisela stated the letters he had seen had been ones in which FPL had reached out to the respective neighborhood associations to communicate the proposed plan. Commissioner Smith reiterated that the neighborhood was not happy with the proposed plan. Commissioner Hutchinson stated it was a plan they had walked the streets for one year ago. Mr. Kisela reiterated that the plan had changed from what had originally been proposed. Commissioner Smith reiterated that it appeared very similar. Mr. Kisela emphasized it had been changed and modified.

Mayor Naugle asked Mr. Kisela if he was certain that no work would be done until the matter was resolved by the Commission. Mr. Kisela stated that FPL was not going to move forward until they worked through the process. He stated the goal was to bring forward a plan that was agreed upon by all the stakeholders.

Commissioner Smith asked Mr. Kisela once again that no work would be done until it was scheduled before the Commission. Mr. Kisela stated no work would be done unless there were emergency repairs required.

Ted Fling, President of Victoria Park Civic Association, proceeded to distribute resolutions from Victoria

Park and Colee Hammock Associations which had been distributed over one year ago, and stated they were once again requesting that the Commission do something in regard to this issue. He reminded the Commission that in November, 2001, they discovered FPL was coming into their neighborhood, and since that time they had pleaded with FPL to give the neighborhood specific information regarding certain topics, especially how they arrived at the percentage amounts the new line was going to provide to the areas. The answers received were proprietary and FPL had refused to give any specific information as requested. At the last CAC meeting, they gave another alternative, which included 14th Avenue between 8th Street and Broward Boulevard. He stated they were going to remove 60-70 trees and erect utility poles in front of homes on the west side of 14th Avenue. Mr. Fling stated that the original plan indicated that this was made known to the City in May, 2001. The plan did not change except for the undergrounding of space between 3rd Court and 1st Street in Victoria Park. It did nothing for the people who were going to have trees removed and utility poles erected in their yards. He further stated that FPL had stopped saying they were going to erect 65' concrete poles, but instead were going to install 85' wooden poles.

Mr. Fling stated that today he had received another letter from FPL stating they were willing to negotiate. He reiterated that their doors had been opened from day one, and the only reason they did not do anything was because they did not feel comfortable with FPL's lies. He further stated that every time questions were asked, different answers were given. He reiterated that it was a "quagmire" out there. He felt they made a tactical error by permitting and not arguing against the new substations and enlargement of the substations which had been approved. He stated that FPL had gotten everything they wanted and not one word had been said about 17th Avenue and they had no concern regarding the tree canopy. Mr. Fling reiterated that they were very frustrated and many discussions were held regarding civil disobedience.

Buddy Lochrie, member of Colee Hammock Civic Association, stated that Mr. Fling had said it all, but added that their Association had received on January 29th a letter from the Public Information Office stating: "Efforts to replenish the City's tree canopy." He stated that he commended the City for attempting to replace the trees taken away through the canker epidemic, but the way FPL was moving along 17th, there wouldn't be a tree canopy any longer and it was the oldest tree canopy in the City, except possibly for a small section in Rio Vista. He stated that they had invited FPL to attend their meeting when they received a letter stating that work was to commence in March and be completed in June.

Mayor Naugle once again reiterated that work would not be done until this matter came before the Commission. He stated that the Associations would be notified at that time.

Mr. Lochrie stated they did support this Committee being a permanent one.

Bob Hord, Chairman, FPL Citizens Advisory Committee, stated that they had not made any recommendations regarding the 17th Avenue or alternative projects as of this time. As a committee, they had reviewed many issues such as tree trimming, substations, and the 17th Avenue project. He stated that the transmission and distribution of electricity was an extremely technical process, and the committee had developed an appreciation for everything that was involved in such a process, and understanding the scope of where they worked within the confines of the Public Service Commission. He explained that representatives had come down from Tallahassee to understand the issues involved.

Mr. Hord stated this committee had gone through a very substantial learning curve and even met twice a month and on Saturdays to develop a professional appreciation for what they had been charged to do. They had been told by FPL there was an immediate need for the establishment of substations due to construction time needed, and they prioritized their efforts to help them determine where to place such substations in the communities. He further stated they had worked with the neighborhood associations in order to help them understand the magnitude and design of the projects.

Mr. Hord stated further that they had been told by FPL that the 17th Avenue project would get under way no later than March. He reiterated that a recommendation had not yet been made by this committee, and

they had intended to do so at their meeting on February 25, 2003. Thereafter, a report would be delivered to the Commission.

George Hunter stated that he felt some of the committee members had lost faith. He believed that FPL had been devious in how they were presenting their information and many truths had been distorted. He felt that obviously beauty, safety, health and morality were not the priorities of FPL.

Commissioner Katz stated that it was her understanding that the Public Service Commission had come down and gave their input and volunteered to work with the City in dealing with FPL on this matter, and she proceeded to ask if it was possible to take advantage of their offer.

Mr. Kisela stated that about 7-8 months ago PSC had participated in a workshop with the committee and from a resource standpoint offered their assistance. Commissioner Katz reiterated that she believed they should take advantage of that offer. She also stated that the County had recently passed a law in regard to tree trimming, and asked if they could support the County and do what had to be done in order to assure the safety and continued growth of the trees.

Commissioner Hutchinson left the meeting at approximately 7:43 p.m. and returned at 7:44 p.m.

Mr. Kisela stated that the committee had broken into subcommittees and there was a tree and landscaping one, which had reviewed the matter and made some specific recommendations included in the report provided to the Commission in January. He reiterated that it was the methodology of how the companies trimmed the trees that the committee had been working on. Commissioner Katz reiterated that they should review the law passed by the County and support it.

Commissioner Moore stated that people criticized FPL, but he never saw them "step up to the plate" and defend their positions. He asked if a representative of FPL was present at tonight's meeting. Mr. Kisela replied they were present.

Commissioner Moore asked if consideration had been given to the undergrounding of lines in order to have a lesser impact on the tree canopy.

Lynn Shatas, FPL, stated that matter was presented and was discussed as an alternative.

Commissioner Moore asked if there would be a sharing of the cost of the undergrounding of the wires. Ms. Shatas stated that the cost would have to be borne by the individuals requesting the undergrounding. She reiterated that this was a tariff-related item. She stated the approximate cost would be about \$10,000 per household. She further stated they could talk to the homeowners regarding that matter, along with another issue of putting the service wire that went across the street. Commissioner Moore asked how many homeowners would be involved. Ms. Shatas stated she did not know, but would attempt to find out the information.

Mr. Kisela clarified that the \$10,000 figure was an estimate which had been prepared about 3-4 months ago when they attempted to assess what it would cost the impacted customers. He further stated that the other challenge was the location of the switch gears and transformers because even if it was undergrounded, they would have to find locations for those items. He explained that those boxes were approximately 8' x 8' and required an 8' zone around them, and therefore, involved various technical issues.

Ms. Shatas stated that in order to go underground, the service to each of the homes would have to be changed from overhead to underground, and therefore, costs would be on each individual homeowner for the conversion.

Commissioner Moore asked if such information had been shared with the affected property owners. Ms.

Shatas stated it had been shared with the Committee and they had spoken with the Homeowner Association which attended the meeting on January 28, 2003. She explained they now wanted to meet with the individual homeowners in order to discuss the matter.

Commissioner Moore asked when the Committee had discussed the 17th Avenue project and the substations and generation of the power, he understood that there had been some discussion as to where the substations were to be placed. Mr. Hord stated that the Committee had embraced the idea that the City needed to establish a master plan for the ultimate undergrounding of all utilities in the City. He further stated that if there was a master plan, FPL could identify potential plans for substations, acquire the necessary property, have it zoned properly, and then build them in due course instead of doing a "one-off tail chase" every time they discovered more energy was needed. One of the primary aspects of this Committee if it was to become a permanent entity was to work and develop a master plan from which any new development would be required to underground all power, and then have a methodology through which major arterials could be undergrounded.

Commissioner Moore further stated that they were not talking about the placement of the substations because if they could underground things and identify the substations in areas FPL would find more affordable in terms of acquisition of the land, or less intrusive to the communities which had political clout, there could still be substations being built in areas which were not generating power for other new developments and the wiring would connect on the ground. Commissioner Moore stated that he agreed that this matter could be brought forward on the 25th if the committee was agreeable to having FPL share the concept of their plan with the individual homeowners along with its alternatives, and then approaching the Commission before a recommendation would be made. Mr. Hord confirmed that was the Committee's intent.

Commissioner Smith stated he was glad that Mr. Hord had laid the facts on the table because he felt the real answer was that a comprehensive plan was needed regarding undergrounding. He further stated that he knew Victoria Park would never accept transmission lines running through the area when only 18% of the power would service their neighborhood. He felt the concern was that FPL was going to proceed no matter what. Commissioner Smith further stated that he wanted to hear from FPL and Mr. Kisela that this matter was not going forward until reasonable conclusions were reached among everyone involved, and proper discussions held.

Ms. Shatas stated that they were not talking about transmission lines, but distribution lines that currently ran throughout 17th Avenue which needed replaced.

Commissioner Smith stated that he was under the impression that transmission lines moved power from a substation into an area. Ms. Shatas explained there were transmission and distribution lines, and distribution lines had lower voltage. She explained further that the lines which would be going through the 17th Avenue project were distribution lines. Commissioner Smith asked if they were present in order to meet the needs of Victoria Park. Ms. Shatas stated that the distribution lines would increase the capacity within the area, while some capacity would go to Las Olas Isles and some would be for reserved power. Commissioner Smith stated that the residents understood the matter of supplying power to Victoria Park and Colee Hammock and that undergrounding could be too expensive, but they were not going to sit back and allow lines to run through their community in order to serve another community.

Commissioner Smith stated the only answer was to arrive at a comprehensive solution which would take the power lines down US1 and other corridors. He asked if FPL was willing to state that they had no intention of moving forward until a solution had been reached.

Ms. Shatas stated they agreed to work with the Committee, which was what they had been doing. She stated they were also willing to work with the homeowners. She further stated that the lines in the area now needed to be upgraded. Commissioner Smith stated that the community understood that issue and

were willing to accept those facts or be willing to discuss the matter of them paying for undergrounding. He reiterated that they were not going to accept lines coming through their neighborhood which were destined for other areas. He stated that FPL needed to work with the Committee and the residents and arrive at a different solution.

Commissioner Smith asked if there was going to be an ordinance change that would be presented to the Commission.

Mr. Kisela stated there was no ordinance change being proposed at this time, but the Committee would discuss such issues.

Tom Chancey stated that the County ordinance was partially what was needed, but this situation was unique and in some cases was an overlap. He stated they needed to save the historic trees. The power lines serving the community were impacting the trees, and the new lines would go above them slightly. Therefore, he stated there was a debate whether the trees would be impacted. He stated that he did not want to see the two issues conflicting with one another. He stated you could go over the trees or underground, but if you went underground you needed to do additional studies to protect the 200 year old trees from being destroyed at their roots. Mr. Chancey stated this was not a light issue in his opinion. He further stated that they needed to protect the trees and he also felt the neighbors should not be upset. He continued stating that the recommendations for a master plan and taking the trees back were his suggestions. He stated further that trees could be cut properly without damaging them.

Commissioner Smith reiterated that later on there would be some recommendations from the subcommittee as to whether the ordinance needed revising or not. Mr. Chancey stated that he had made such a recommendation to the Commission previously.

Commissioner Hutchinson stated that the City was very fortunate to have Mr. Chancey as part of the committee bringing forth tremendous knowledge regarding trees and the quality of life they offer, especially the historic canopy in Colee Hammock.

Commissioner Moore left the meeting at approximately 7:58 p.m.

Commissioner Hutchinson reiterated that she was going to hold her ground and force the Commission to hold their ground regarding 17th Avenue. She stated that she was not convinced that FPL had a plan, other than what was stated when they first met in the library one year ago. She further stated that before it had gotten to the CAC, FPL should have met with the community and arrived at a consensus, but that had not yet happened. She felt the Committee would be "spinning their wheels" if the community had not bought into this yet, and she reiterated that she was not buying into it now either. She felt FPL had to have a plan and show how this project would benefit the two communities who were going to suffer consequences from the plan. She reiterated that as of this time, she was not giving her support to the project.

Mr. Hord clarified that there currently were two distribution lines in Victoria Park and Colee Hammock. He stated that this was going to be a third line. The current lines come up from the South Side Station, and the second group of lines come from the Sistrunk Station. He stated this third line would be new and would come from the new Progresso Station.

Commissioner Moore returned to the meeting at 8:02 p.m.

Mr. Hord further stated that if they undergrounded the distribution line through Victoria Park and Colee Hammock to the Isles and pull no power off it, they would still have overhead service as it existed today. He reiterated that undergrounding this distribution line, they would underground all electric service because there would still be overhead lines. Part of this project was intended to pull the power poles up 5' to 7', and pull the power lines out of the tree canopy.

Commissioner Hutchinson reiterated that recently she had heard they wanted to put in the higher poles, but leave the existing ones. Mr. Hord replied they would not leave the existing poles. He stated that one of their goals was to have a coordinated CAC Committee for all utilities.

Cindy Stoddart, Area Director of Public and Government Affairs for Comcast, stated that she felt it was important to remind the Commission that it was not until 2 months ago that Comcast became aware that the Committee had concerns and wanted to include all utility companies with the formation of community oversight and regulation. Since that time they had attended all meetings held and listened to everyone's concerns. She believed they embraced and shared the concerns of the Committee and their concerns to preserve the beautification of the right-of-ways and easements. She stated at the last meeting there were two resolutions submitted to the Committee. The first was the resolution drafted by City staff, and the second was one the industry had prepared with less onerous language and did not duplicate current regulations they were bound by.

Ms. Stoddart stated that Cable Television was regulated not only at the Federal level and local level by customer service standards and franchise requirements, but also by right-of-way ordinances and a master cable television ordinance. She hoped they understood that they were very receptive and even visited sites where they had done tree trimming that should not have been done, and restitution had been made. She felt they all shared the same common goal, but she was concerned that it was not reflected in the language being presented to the Commission. She continued stating that the Committee might not be ready to adopt the language proposed by the industry, but she felt it encompassed everything she had been hearing. She continued stating that they were embarking on a major aggressive upgrade for the City. She requested that the Commission consider deferring this resolution and reconsidering some of the proposed language from the industry.

Vic Beninate, Bell South, stated that one flaw in the plan to date was that all the parties involved needed to put requests in writing. He also stated that the price given of \$10,000 did not include telephone or cable TV. Generally, the cost of going from aerial to underground for a phone was less than the power lines, but he felt all utilities needed to be included for the residents. He also stated that the pricing should then be reviewed by the PSC. He stated that they did not have a problem with what the Committee said they wanted to do and stated they did it everyday, but the problem was that the ordinance as written went way beyond this.

Gene Ingles stated that two weeks ago he attended a meeting that was held where they were attempting to reach a resolution. He stated that FPL had been asked if there was a hurricane would their poles withstand the weather, and they stated they would not. Another problem was to give one price for undergrounding per home was impossible due to the fact that each home had different circumstances. He also stated that in digging around the trees some would be damaged irreparably. The substations also presented some other problems. He felt they needed more time due to the complexity of the matter.

Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: None.

Demolition of Building - 505 N.W. 20 Avenue**(R-2)**

At the December 19, 2002 Unsafe Structures and Housing Appeals Board meeting, it was recommended the City Commission adopt a resolution authorizing the demolition of the following building, and assessing the property with associated costs.

Commissioner Smith introduced the following resolution:

RESOLUTION NO. 03-18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ORDERING THE DEMOLITION OF THE BUILDING OR BUILDINGS UPON EACH PROPERTY LEGALLY DESCRIBED IN THE ATTACHED SCHEDULE "A", BECAUSE OF NON-COMPLIANCE WITH THE FLORIDA BUILDING CODE.

Which resolution was read by title only.

Sheila Ford stated that her brother was mentally incompetent and she had been attempting to get in contact with the heirs of the property. She further stated that Legal Aid had offered her assistance in this matter, but the issue was not resolved with the heirs. She asked if she could have some additional time because offers had been made for the property.

Motion made by Commissioner Moore and seconded by Commissioner Smith that the property at 505 N.W. 20 Avenue be demolished after 30 days. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: None.

Roll call was then taken regarding the resolution. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: None.

Lot Clearing and Cleaning Charges

(R-3)

A resolution authorizing the imposition of liens against certain properties for costs associated with clearing and removal of debris located thereon.

Commissioner Smith introduced the following resolution:

RESOLUTION NO. 03-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF CLEARING LOTS FOUND TO HAVE AN UNLAWFUL OR EXCESSIVE ACCUMULATION OF RUBBISH, DEBRIS OR TRASH UNDER CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA AND IMPOSING SPECIAL ASSESSMENT LIENS AGAINST SUCH PROPERTIES FOR THE COST AND EXPENSE INCURRED IN CLEANING AND CLEARING SAME; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD A NOTICE OF SPECIAL ASSESSMENT LIEN IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: None.

Sale of Konover Property - Use of Proceeds for Acquisition of Sweeting Estates**(OB)**

Commissioner Katz asked if normally this money would go back into the CIP fund. The City Manager confirmed. Commissioner Katz asked if there normally would be a process to determine what would happen with the \$6 Million when it went back to the CIP fund. The City Manager stated that this concept first arose about 2-3 years ago, and the idea was to preserve the property from being sold in chunks, and make it more attractive for development. If they were able to realize a return once this was completed, they would pay back the cash, and if it was going to be used for other allocations to be determined by this Commission, it would be made available because it was an asset of the General Fund of the City. He further explained that whether it found itself as part of a CIP allocation would depend upon the Commission. He stated it did not necessarily have to be for capital improvements.

Mayor Naugle stated that at any time there was a certain amount of cash that was waiting to be spent for a variety of projects, and that money could be put into any type of investment instrument and receive a return. He further stated that they had decided to take some money from the CIP and hold it in property at the Konover Site. He explained it was done in a prudent way because the property was valuable and the money would be recoverable. Mayor Naugle stated he did not have a problem with this recommendation as long as they made sure that money would only be allocated equal to the value of the property.

Damon Adams, Director of Finance, stated he wanted to address the mechanics of this matter. He explained that the money had to go back into the CIP General Fund to complete the transaction because this was where the money originally came from. He stated if they wanted to do this again, it would be a completely new transaction and proceeds were not being used from the sale.

Commissioner Katz asked if they had passed a \$30 Million bond from the CRA for the purchase of properties.

Kim Jackson, Director of CRA, stated they had passed an \$8.9 Million bond which was currently being sold, and a portion of that (\$6 Million) was determined for acquisition. She explained that the memo was not referring to those funds or the property being targeted for those funds, but this was in addition to it.

Mayor Naugle stated they were not approving a specific purchase and were only approving the concept at tonight's meeting so if there was land that was needed to be purchased in the future, they could use this as the instrument and it would be presented to the Commission at that time. Ms. Jackson confirmed.

Commissioner Katz reiterated that she wanted to make sure that when the money went back to the CIP fund, it could be used in other areas of the City.

Bud Bentley, Assistant City Manager, stated that if they had a \$1 Million CIP, and the funds were budgeted for a variety of projects to be built over the next 3 years. Therefore, the cash had to be there when the projects were built, but since it would be over 3 years, you could take some of the cash to purchase property as part of a redevelopment project. That property could then be sold and the cash would go back to the CIP to fund the already approved projects.

Commissioner Smith stated that a major commitment had been made to this area, and he felt this would make the project even more successful.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve this item. Roll call showed: YEAS: Commissioners Hutchinson, Smith, Moore and Mayor Naugle. NAYS: Commissioner Katz.

Tri-Rail Wall - Bridge Over South Fork of New River

(OB)

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 03-20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, REQUESTING THAT THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND TRI-RAIL CONSTRUCT AN EIGHT FOOT HIGH WALL ON THE WEST SIDE OF THE PROPOSED TRI-RAIL BRIDGE OVER THE SOUTH FORK OF THE NEW RIVER.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: None.

Advisory Board/Committee Appointments

(OB)

The City Clerk announced the appointees/reappointees who were the subjects of this resolution:

- | | |
|---|---|
| Beach Redevelopment Advisory Board | Joanne Johnsen
Stephen Tilbrook
Brad Fitzgerald
Shirley Smith
Michael Grimme
Ina Lee
Pamela A. Adams
Al Miniachi
Eileen G. Helfer |
| Cemeteries Board of Trustees | Sharron Navarro
Sandy Casteel
Robert Powers
Franci Bindler
Joe M. Goldberg
Mary Boyd
Richard Kurtz
Mark Van Rees
Susan Telli |
| Code Enforcement Board
(Alternate) | Bud Schneider |
| Community Services Board | Chas Brady |
| Insurance Advisory Board | Alan A. Silva |
| Northwest-Progresso-Flagler Heights
Redevelopment Advisory Board | Ella Phillips |
| Nuisance Abatement Board | Helen Surovek
Caldwell Cooper |

Rita Jackson
Harry MacGrotty
Douglas H. Reynolds
David C. Svetlick

Urban Design Core Steering
Committee

Doug Eagon
Jack Loos
Charlie Ladd, Alternate
Alan C. Hooper, Alternate
Peter Feldman

Historic Preservation Board

Deirdre Hardy

RESOLUTION NO. 03-21

A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF FORT LAUDERDALE, FLORIDA, APPOINTING BOARD
MEMBERS AS SET FORTH IN THE EXHIBIT ATTACHED
HERETO AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: None.

Employee Recognition

(OB)

The City Manager stated that he wanted to publicly apologize to Commissioner Hutchinson in response to her suggestion that the City was behind in the award recognitions. He stated that he had been signing those all along, but he was advised that they were not being presented to him in a timely fashion. He stated that the matter would be corrected.

Citizen Input

(OB)

Gene Ingles stated that during a Commission meeting one month ago, Commissioner Smith stated that there would be time allotted for concerned citizens to speak. He believed this would be enacted at tonight's meeting.

Mayor Naugle remarked that there had been a process where it was on the Commission agenda previously, and discussion was held regarding bringing this item back.

Commissioner Smith stated that it was discussed that this matter would be once again brought back for the public.

The City Clerk stated that after elections, the matter would be brought back at the first meeting in April, thereby giving her sufficient time to notice it so it could be more successful in the future.

Mr. Ingles stated that since December he had been attempting to bring before the City a proposal for a moratorium on the DDA and Central Beach Area. He stated that this was a very important matter because there was a tremendous problem in the City with the adding of additional units to the downtown area. He felt this issue needed to be addressed.

Mayor Naugle stated that there was a process that items were placed on the agenda and advertised so

the public would have the opportunity to be aware of the matter. Therefore, he asked that Mr. Ingles contact a Commissioner to have it properly noticed and placed on the agenda.

Mr. Ingles further stated that all the Commissioners had refused his request.

There being no further business to come before the Commission, the meeting was adjourned at 8:31 p.m.

Jim Naugle
Mayor

ATTEST:

Lucy Kisela
City Clerk