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FORT LAUDERDALE CITY COMMISSION  
MARCH 18, 2003**

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**MINUTES OF A REGULAR MEETING  
CITY COMMISSION**

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

**MARCH 18, 2003**

Meeting was called to order at approximately 6:17 p.m. by Mayor Naugle on the above date.

Roll call showed:

Present: Commissioner Dean J. Trantalis  
Commissioner Christine Teel  
Commissioner Carlton B. Moore  
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, Sergeant Furdon

Invocation was offered by Chaplain Rick Braswell, 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**

**OB**

1. Expressions of Sympathy

The Mayor and City Commissioners presented an Expression of Sympathy to the families of Jeanine M. Marrinson, Estelle Guthrie, and Julie Tech.

2. Elections 2003

Miriam Oliphant, Supervisor of Elections, stated that the partnership which had been created in this last municipality election was a unique and important one. She further stated that she wanted to express her appreciation to the City for their assistance and services rendered by Lucy Kisela, City Clerk, and other staff members. She proceeded to present a Certificate of Commendation to the City of Fort Lauderdale for their hard work which was accepted by Lucy Kisela.

Lucy Kisela stated that the success of the elections could not have been possible without the tremendous assistance of Tim Edkin and the Information Technology Staff, Leslie Backus of Public Information; and Jeff Modarelli, Assistant City Clerk. She thanked City staff who had "stepped up to the plate," and also the City Manager who was very supportive to the staff throughout this process.

3. Bass Park Swim Team

Steve Person, Recreation Superintendent, introduced the Bass Park Swim Team. He explained

that last month 41 children from ages 6 to 18 traveled to Washington, D.C. to participate in the 17<sup>th</sup> Annual Black History Invitational Swim Meet which was the largest meet for minority swimmers in the world. He stated that over 500 children had participated. He then proceeded to introduce Barbara Barber, Recreation Program Coordinator, and Shay Roundtree, Recreation Programmer.

Ms. Barber proceeded to introduce the coaching staff and swim team and awarded trophies to the children for their endeavors.

4. “WOW Award”

Commissioner Moore asked that James and Maxine Maxwell to come up to the podium and receive the “WOW” Award for the month of March. He stated that this home was located at 2008 NW 3 Court, Dorsey Riverbend. He further stated that the Maxwells had lived in their home for seven years and during that time had made extensive improvements to the property, including a new circular driveway and Spanish tile roof.

Steve Hillberg, Community Appearance Board Chairman, presented the Maxwells with a sign to be displayed in their yard for the next month showing the community that they had been winners of the WOW Award. The sign was sponsored by Lennar Homes, AMAR Hardware and R&S Realty.

Mr. Maxwell thanked the City, along with Commissioner Moore, for their award.

5. Paul Costanzo

Commissioner Hutchinson presented a commendation to Paul Costanzo, Interim Community Development Manager, for coordinating the efforts on the City’s redistricting process for City Commission boundaries.

Commissioner Moore left the meeting at approximately 6:45 p.m.

Paul Costanzo thanked Lucy Kisela, Chaz Adams, and Kerry Cunningham for all their hard work.

**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 - Ocean Festival Dive and Adventure Sports Expo****(M-1)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Greater Fort Lauderdale Chamber of Commerce** to indemnify, protect, and hold harmless the City from any liability in connection with the **Ocean Festival Dive and Adventure Sports Expo** to be held **Friday, May 16, 2003 from 5:00 p.m. to 11:00 p.m.; Saturday, May 17, 2003 from 10:00 a.m. to 11:00 p.m.; and Sunday, May 18, 2003 from 10:00 a.m. to 6:00 p.m.** at South Beach.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-439 from City Manager.

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**Event Agreement - Evangelebration 2003****(M-2)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification and Hold Harmless Agreement with **PMP Group Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with **Evangelebration 2003** to be held **Saturday June 7, 2003 from 4:00 p.m. to 11:00 p.m.** at the Fort Lauderdale Stadium festival site.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-438 from City Manager.

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**Event Agreement - Spring Get Downtown Office Party****(M-3)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification and Hold Harmless Agreement with **Riverwalk Fort Lauderdale Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with the **Spring Get Downtown Office Party** to be held **Friday, April 11, 2003 from 5:00 p.m. to 8:30 p.m.** at The Brasserie Las Olas, 333 East Las Olas Boulevard, and adjacent courtyard.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-345 from City Manager.

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**Event Agreement - Great Strides****(M-4)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification and Hold Harmless Agreement with the **Florida Chapter of the Cystic Fibrosis Foundation** to indemnify, protect, and hold harmless the City from any liability in connection with **Great Strides** to be held **Saturday, May 17, 2003 from 7:30 a.m. to 12:30 p.m.** at Las Olas Riverfront and downtown sidewalks.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-395 from City Manager.

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**Interlocal Agreement - Broward County  
Acceptance of Homeland Security Pass  
Through Funding****(M-5)**

A motion authorizing the proper City officials to execute an interlocal agreement with Broward County to accept the \$50,000 Homeland Security Pass Through Funding; and further authorizing the proper City officials to execute all documents necessary to receive and expend such funding.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-417 from City Manager.

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**Purchase of Property - The Anthony Family Limited  
Partnership, A Florida Limited Partnership -  
825 East Sunrise Boulevard - Replacement of Fire Station 29****(M-6)**

A motion authorizing the proper City officials to execute an agreement with The Anthony Family Limited Partnership, a Florida Limited Partnership, for the purchase of property located at 825 East Sunrise Boulevard for \$570,000, plus reasonable related costs, for the replacement of Fire Station 29. (Also see Item R-4 on this Agenda)

**Funds:** See Memo

**Recommend:** Motion to approve

**Exhibit:** Memo No. 03-55 from City Manager.

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**Disbursement of Funds - Joint Investigation -  
O.R. No. 02-108517 - \$34,123.88 U.S. Currency****M-7)**

A motion authorizing the equitable disbursement of funds in the amount of \$34,123.88, with each of the 12 participating law enforcement agencies to receive \$2,843.65.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-2-8 from City Attorney.

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**Lease Agreement - Broadway Pizzeria, Inc. -  
Shop Nos. 108/112 at City Park Mall****(M-8)**

A motion authorizing the proper City officials to execute lease agreement with Broadway Pizzeria, Inc. for the operation of an Italian-style restaurant located in Shop Nos. 108/112 at City Park Mall.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-378 from City Manager.

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**Amendment to the Lincoln Park Proper  
Management Agreement - Economic  
Development Administration**

**(M-9)**

A motion authorizing the proper City officials to execute an amendment to the Lincoln Park Property Management Agreement with the Economic Development Administration to allow for construction of the City's One Stop Shop; and further authorizing the proper City officials to execute all documents necessary to effect this change in use.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 03-270 from City Manager.

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**Cable Television Service Agreement - Comcast of  
Florida, LP - Marine Facilities**

**(M-10)**

A motion authorizing the proper City officials to execute an agreement with Comcast of Florida, LP, for bulk cable television services at the City's marine facilities, for a period of retroactive from January 12, 2003 through January 11, 2008.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 03-317 from City Manager.

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**Submerged Land Lease Renewal - Board of Trustees  
of the Internal Improvement Trust Fund of the State of  
Florida - New River Dockage Facilities**

**(M-11)**

A motion authorizing the proper City officials to execute a submerged land lease renewal with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, for the New River dockage facilities for a term retroactive from January 1, 2003 through January 1, 2008.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 03-327 from City Manager.

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**Submerged Land Lease Renewal - Board of Trustees  
of the Internal Improvement Trust Fund of the State of  
Florida - Las Olas Bight Mooring Facility**

**(M-12)**

A motion authorizing the proper City officials to execute a submerged land lease renewal with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, for the Las Olas Bight mooring facility for a term retroactive from January 1, 2003 through January 1, 2013.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 03-328 from City Manager.

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**Task Order - Walter H. Keller, Inc. -  
Comprehensive Plan's Transportation  
Element Update**

**(M-13)**

A motion authorizing the proper City officials to execute a task order with Walter H. Keller, Inc. in the amount of \$24,800 to update the Transportation Element of the City's Comprehensive Plan.

**Funds:** See Memo

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-393 from City Manager.

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**Contract Award - Imperial Electrical of Fort Lauderdale  
Project 10624 - Fort Lauderdale Stadium Grounds -  
Festival Site Electric**

**(M-14)**

A motion authorizing the proper City officials to execute an agreement with Imperial Electric of Fort Lauderdale in the amount of \$57,857 for the Fort Lauderdale Stadium Grounds festival site electric.

**Funds:** See Memo

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-380 from City Manager.

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**Contract Award - MBR Construction, Inc. -  
Project 10253 - Holiday Park Gymnasium Renovations**

**(M-15)**

A motion authorizing the proper City officials to execute an agreement with MBR Construction in the amount of \$248,000 for the Holiday Park Gymnasium renovation project.

**Funds:** See Memo

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-377 from City Manager.

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**Change Order No. 1 - Weekley Asphalt Paving, Inc. -  
Project 10273 - N.E. 18 Avenue Roadway Improvements**

**(M-16)**

A motion authorizing the proper City officials to execute Change Order No. 1 with Weekley Asphalt Paving, Inc. in the amount of \$32,045.15 for the installation of additional medians on N.E. 18 Avenue between Commercial Boulevard and the city limit line (C-14 canal).

**Funds:** See Change Order

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-451 from City Manager.

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**Change Order No. 2 - PRM Engineering and Contracting  
Inc. - Project F-2300 - Riverwalk at New River Village Phase II**

**M-17)**

A motion authorizing the proper City officials to execute Change Order No. 2 with PRM Engineering and Contracting, Inc. in the amount of \$130,910.45 for additional work related to the Riverwalk at New River Village Phase II project.

**Funds:** See Change Order

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-383 from City Manager.

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**Task Order No. 21 - Camp, Dresser and McKee, Inc. (CDM) -  
Project 10510 - Pump Station Rehabilitation for A-2, A-17,  
A-18, A-19 and A-21**

**(M-18)**

A motion authorizing the proper City officials to execute Task Order No. 21 with CDM in the amount of \$196,429 for engineering services associated with the rehabilitation of Pump Station A-2, A-17, A-18, A-19 and A-21.

**Funds:** See Memo

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 03-379 from City Manager.

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**PURCHASING AGENDA**

**702-8247 - Food and Beverage Concession,  
Mills Pond Park**

**(Pur - 1)**

A one-year contract extension for food and beverage concession at Mills Pond Park is being presented for approval by the Parks and Recreation Department.

Recommended Award: Professional Concessions, Inc.

Fort Lauderdale, FL

Amount: \$70,000.00 (estimated revenue)

Bids Collected/Rec'd: N/A

Exhibits: Memorandum No. 03-344 from City Manager

The Procurement and Materials Management Division recommends to approve the contract extension.

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**232-8818 - Contract for Police Uniforms**

**(Pur-2)**

A two-year contract for Police uniforms is being presented for approval by the Police Department.

Recommended Award: Harrison Uniforms  
Miami, FL  
Jules Brothers Uniforms  
Miami, FL  
Ten-8 Fire Equipment  
Bradenton, FL  
Gold Nugget/Argo Uniforms  
Hallandale, FL

Amount: \$ 61,279.00 (estimated annual)  
Bids Solicited/Rec'd: 95/10 with 10 no bids  
Exhibits: Memorandum No. 03-421 from City Manager

The Procurement and Materials Management Division recommends award to the lowest responsive and responsible bidders.

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**Proprietary - Maintenance, Forensic Image Tracking System**

**(Pur-3)**

An annual agreement to purchase forensic image tracking system maintenance is being presented for approval by the Police Department.

Recommended Award: PC Professionals, Inc.  
Lakewood, WA  
Amount: \$ 11,232.00 (estimated)  
Bids Solicited/Rec'd: N/A  
Exhibits: Memorandum No. 03-083 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to award the proprietary purchase.

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**Proprietary/Contracts - Ruggedized Laptops, Software,  
Computer Mount****(Pur-4)**

An agreement to purchase 75 Panasonic ruggedized laptop computers with VRM/GPS computer mount and report writing software is being presented for approval by the Police Department.

Recommended Award: Insight

Lake Wales, FL

Motorola, Inc.

Fort Lauderdale, FL

HTE-USC, Inc.

Fort Lauderdale, FL

Amount: \$ 838,760.30 (estimated)

Bids Solicited/Rec'd: N/A

Exhibits: Memorandum No. 03-013 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to award the proprietary purchase and approve purchase from Florida State and Broward County contracts.

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**Co-Op - Industrial Supplies and Equipment****(Pur-5)**

An annual agreement for the purchase of industrial supplies and equipment is being presented for approval citywide.

Recommended Award: Grainger Industrial Supplies, Inc.

Fort Lauderdale, FL

Amount: \$ 95,000.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibits: Memorandum No. 03-431 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve purchase from School Board of Broward County and Florida States Contracts.

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**Co-Op - Electrical Supplies****Pur-6)**

A three-year contract for the purchase of electrical supplies is being presented for approval citywide.

Recommended Award: Graybar Electric

Fort Lauderdale, FL

Amount: \$ 50,000.00 (estimated annual total)

Bids Solicited/Rec'd: N/A

Exhibits: Memorandum No. 03-432 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve purchase from Co-Op contract.

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**562-7405 - All Risk Property Insurance****(Pur-7)**

Annual renewal of all risk property insurance for various city facilities is being presented for approval by the Finance, Risk Management Division.

Recommended Award: The Beacon Group  
Boca Raton, FL  
FM Global  
Alpharetta, GA  
Amount: \$ 813,525.00 (estimated)  
Bids Solicited/Rec'd: N/A  
Exhibits: Memorandum No. 03-444 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve the annual contract renewal.

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Motion made by Commissioner Hutchinson and seconded by Commissioner Trantalis that Consent Agenda Item Nos. M-6, M-9, M-11, M-12 and M-16 be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended. Roll call showed: YEAS: Commissioners Teel, Trantalis, Hutchinson, and Mayor Naugle. NAYS: None.

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**Purchase of Property - The Anthony Family Limited Partnership, A Florida Limited Partnership - 825 East Sunrise Boulevard - Replacement of Fire Station 29****(M-6)**

Commissioner Hutchinson stated that she had pulled this item and acknowledged that she had not had the opportunity to participate in the relocation of Station 2, but stated that certain parts of her district were affected by response times and that was why they were looking to build another station south of the River. She asked if this matter was time sensitive and stated that she would prefer to have them come back before the Commission at their next meeting and supply a comfort level to her that 1.7 of a mile would not affect other areas this current station serviced as it related to response times.

Commissioner Moore returned to the meeting at approximately 6:48 p.m.

Otis Latin, Chief of Fire-Rescue, stated that he could provide the necessary information at tonight's meeting. He explained that he had a computer program whereby he could run models on the areas and identify locations in those areas where it would be prudent to move the station to, and according to the models which he ran the site discussed would be an ideal location. He explained further that even if he moved a station from one block to the next, it would affect response times in the immediate area, but it would still be within the response profile and goal for the area. She stated that if this would not affect the response times greatly, then she would agree to move things forward. Chief Latin reiterated that the immediate areas would be affected by the relocation of a station, but they would still be within their response profile.

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

Commissioner Trantalis asked why the Fire Department had chosen a commercial site for their fire station, and if it had been due to a cost factor. Chief Latin stated they had checked on various sites in the area, and explained that this would be a good location for the station. He also stated that residents did not like a station in their immediate neighborhoods due to the noise factor involved. He continued stating that

from an economic standpoint, this property was cheaper, and he further explained that it was hard to find property especially where it could be in a good response location. Chief Latin also stated that one feature at this site was a traffic light.

Commissioner Trantalis further asked if there would be any zoning requests in connection with this purchase. Chief Latin stated that as far as he knew there would be no requests for a change of zoning.

Commissioner Hutchinson stated that she did not think there was a curb cut on Sunrise Boulevard and suggested they check. She further stated that they had done a "public purpose" on a lot of City property, and asked if this was something they might come back with in relation to this parcel of land.

Horace McHugh, Assistant to City Manager, stated that they might come before the Commission to change the zoning to a Community Facility since it was now zoned as Business and RM. He continued stating that they had not gotten into the design of this facility as of this time, and depending on its design they might be able to take advantage of the traffic light and then go east and west on Sunrise, as well as using Federal Highway which would increase the accessibility into the downtown area. Mr. McHugh also stated that they had ran a profile and targeted various areas which would give them a desired response profile.

Commissioner Hutchinson stated that she was concerned if the area was rezoned to Community Facility due to the obnoxious uses that were permitted, and encouraged them to look at the public purpose use.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

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**Amendment to the Lincoln Park Property Management Agreement - Economic Development Administration**

**(M-9)**

Commissioner Hutchinson stated that she had pulled this item and asked if the environmental issues had been resolved.

Greg Kisela, Assistant City Manager, stated that for the most part the issue had been resolved and they had received a letter from DEP last week, and except for some ground glass in the southwest corner of the site, they had given the City a green light to proceed.

**Motion** made by Commissioner Hutchinson and seconded by Commissioner Moore to approve this item. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

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**Submerged Land Lease Renewal - Board of Trustees of the Internal Improvement Trust Fund of the State of Florida - New River Dockage Facilities**

**(M-11)**

Commissioner Hutchinson stated that she had pulled this item and if this matter went to an advisory board, she wanted to have a copy of the minutes before it came before the Commission.

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

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

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**Submerged Land Lease Renewal - Board of Trustees of the Internal Improvement Trust Fund of the State of Florida - Las Olas Bight Mooring Facility**

**(M-12)**

Commissioner Hutchinson stated that she had pulled this item and reiterated that before the matter came before the Commission, she wanted to have a copy of the minutes from the advisory board which had reviewed the matter.

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

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

**Change Order No. 1 - Weekley Asphalt Paving, Inc. Project 10273 - N.E. 18 Avenue Roadway Improvements**

**(M-16)**

The City Manager stated that he had pulled this item in order to bring to the Commission's attention that a correction need to be made regarding the amount for this item. He further stated that they wanted to apply for \$30,312.00 as opposed to the \$32,045.15 shown on the agenda.

**Motion** made by Commissioner Hutchinson and seconded by Commissioner Moore to approve this item with the added amendment.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

**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.

**Proposed Lien Settlement - CE94-03261 (Scott Schlesinger) - 533 S.W. 4 Avenue**

**(M-19)**

A motion authorizing the settlement of CE94-03261 (Scott Schlesinger) for property located at 533 S.W. 4 Avenue in the amount of \$5,000.

**Motion** made by Commissioner Hutchinson and seconded by Commissioner Teel to approve the lien settlement as recommended.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

Mayor Naugle asked if the procedure had been corrected in connection with the filing of liens.

The City Attorney explained that the mistake had been something which had been a practice and the matter had been corrected.

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<b>PUBLIC HEARINGS</b>
------------------------

**Certificate of Public Convenience and Necessity -  
SARJU Tour Limo Van Transportation Service****(PH-1)**

A public hearing to consider a resolution approving the application of SARJU Tour Limo Van Transportation Service to operate two rental vehicles with chauffeurs over irregular routes within the City, pursuant to Sections 27-191 and 27-192 of the Code of Ordinances. Notice of public hearing was published March 6 and 13, 2003.

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

Commissioner Moore introduced the following resolution:

## RESOLUTION NO. 03-44

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SARJU TOUR LIMO VAN TRANSPORTATION SERVICE, TO OPERATE TWO RENTAL VEHICLES WITH CHAUFFEURS PURSUANT TO SECTIONS 27-191 AND 27-192 OF THE CODE OF ORDINANCES.

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

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**Public Purpose Use/Site Plan Approval - City of Fort  
Lauderdale - Executive Airport (PZ Case No. 146-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 January 15, 2003 by a vote of 8-1. Notice of public hearing was published March 6 and 13, 2003.

Applicant: City of Fort Lauderdale  
Request: Public purpose use/site plan approval  
Location: 6000 N.W. 21 Avenue

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

Commissioner Moore introduced the following resolution:

## ORDINANCE NO. C-03-15

AN ORDINANCE APPROVING A FENCE AT AN AIRPORT



THAT DOES NOT MEET THE FENCE AND LANDSCAPING REQUIREMENTS IN GAA, PARKS, AIP AND CC ZONING DISTRICTS, WHICH AIRPORT IS LOCATED ON LANDS KNOWN AS THE "FORT LAUDERDALE EXECUTIVE AIRPORT" AND BEING DESCRIBED AS TRACTS 1, 2 AND 4, "F-X-E PLAT", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 119, PAGE 4, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED SOUTH OF NORTHWEST 62<sup>ND</sup> STREET, NORTH OF COMMERCIAL BOULEVARD, EAST OF NORTHWEST 31<sup>ST</sup> AVENUE AND WEST OF NORTHWEST 12<sup>TH</sup> AVENUE; AND GRANTING RELIEF FROM THE 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. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

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**City Charter Ordinance Initiative - Establishment and Designation of Land as "The Common"**

**(PH-3)**

A public hearing to consider a proposed ordinance submitted by a committee as provided in Section 3.15 City Charter by initiative to establish "The Common," provide a definition, provide an initial designation of land as The Common, providing a method of adding lands to The Common, providing a method of voter review, providing severability, repealing ordinances in conflict, and providing an effective date. Notice of public hearing on ordinance proposed by initiative was published February 6 and 13, 2003. On February 18, 2003, the City Commission deferred first reading by a vote of 5-0.

The City Attorney stated that previously when this matter was on the agenda, this was a petition from a committee who had obtained 1,000 signatures, and the action had been deferred until this evening. He further stated that the Chairman of the committee had taken the deferral as a denial. The Charter required his office and the City Clerk to prepare a petition to obtain the requisite number of signatures, which totaled about 14,000 at this time, to require this to be adopted. He believed there was nothing for the Commission to do at the present time.

Commissioner Hutchinson stated that she had spoken with the City Attorney in regard to this matter, and she believed there were some alternatives. She stated that in looking at the response from the voters, it was obvious that they wanted something done not just about Hardy Park, but about all the parks. She asked for the Commission's support and stated that she felt the City needed to pro-actively protect the parks, and she asked that the City Attorney draft such appropriate language and possibly return in 30 days with something to review. She felt something needed to be done now

Mayor Naugle asked what about the proposal mentioned at the State of the City. Commissioner Hutchinson stated that was terrific, but she was concerned that it would take a long time and that is something which could be done in 2004. Mayor Naugle stated that in order to amend the Charter, a special election had to be held and March, 2004 had been mentioned so there would not be an expense of a special election. Commissioner Hutchinson stated that she agreed, but she was concerned as to what should be done in the meantime.

Mayor Naugle stated that normally when anything was done in regard to the Charter, the Charter Revision Board would discuss the matter and then advise the Commission.

Commissioner Moore stated that he wanted to second the Vice-Mayor's recommendation that there be an ordinance designed. He stated that this could be overridden, but felt it would be good due to the straw poll to show that the members of this Commission wanted to hold in abeyance any park until the matter went before the Charter Revision Board. He felt that would send a signal that the Commission was being consistent with the process.

Commissioner Hutchinson remarked that she realized that the City Attorney had been uncomfortable with the proposed language, and that was the reason she asked for him to return with language he would be comfortable with for the City. She further stated that she also wanted this sent to the Charter Revision Board for review.

**Motion** made by Commissioner Hutchinson and seconded by Commissioner Moore that the Commission recommended that City staff present the idea of an ordinance to the Charter Revision Board with the idea that something else could be done in the future, and then schedule two readings before the City Commission.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

**Vacate a Portion of N.E. 17 Terrace - East Side  
Village LLC and Archways Inc. (PZ Case No. 21-P-02)**

**(PH-4)**

A public hearing to consider an ordinance approving the vacation of a portion of N.E. 17 Terrace, which was approved by the Planning and Zoning Board on January 15, 2003 by a vote of 9-0. Notice of public hearing was published March 6 and 13, 2003.

Applicant: East Side Village LLC and Archways Inc.  
Request: Vacate portion of N.E. 17 Terrace  
Location: N.E. 17 Terrace, just south of N.E. 11 Street

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

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-03-16

AN ORDINANCE VACATING, ABANDONING AND CLOSING A PORTION OF THE RIGHT-OF-WAY FOR NORTHEAST 17<sup>TH</sup> TERRACE (PLATTED AS 4<sup>TH</sup> STREET), AS SHOWN ON THE PLAT OF "PROGRESSO", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING BETWEEN BLOCK 167 AND BLOCK 168 AND BOUNDED ON THE SOUTH BY THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 23 OF BLOCK 167 AND BOUNDED ON THE NORTH BY THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID BLOCK 167, LOCATED SOUTH OF NORTHEAST 11<sup>TH</sup> STREET, NORTH OF SUNRISE BOULEVARD, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

**Historic Designation - Larry and Caroline Groshart  
1336 Seabreeze Boulevard (HPB Case No. 3-H-03)**

**(PH-5)**

A public hearing to consider a resolution granting historic designation for landmark status to the property located at 1336 Seabreeze Boulevard, which was approved on February 10, 2003 by the Historic Preservation Board by a vote of 9-0.

Applicant: Larry and Caroline Groshart  
Request: Historic designation (landmark) status  
Location: 1336 Seabreeze Boulevard

Caroline King Groshart stated that one of the purposes for pushing this matter forward was that they were having their 50<sup>th</sup> anniversary of living in that house in April.

Mayor Naugle thanked the Grosharts for coming forward for designation and stated that he hoped more residents would recognize the architecture in this City and do likewise.

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

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-45

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DESIGNATING THE BUILDING AND PROPERTY DESCRIBED AS LOT 14, BLOCK 2, "HARBOR BEACH UNIT ONE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGE 6 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND LOCATED AT 1336 SEABREEZE BOULEVARD, FORT LAUDERDALE, AS A HISTORIC LANDMARK PURSUANT TO SECTION 47-24.11 OF THE UNIFIED LAND DEVELOPMENT REGULATIONS.

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

**Rezone RD-15 and RS-8 to PUD - La Preserve LLC -  
La Preserve (PZ Case No. 2-ZPUD-02)**

**(PH-6)**

A public hearing to consider an ordinance approving the rezoning of property from RD-15 and RS-8 to PUD for the construction of 67 single-family detached homes, which was approved by the Planning and Zoning Board at a special meeting on January 29, 2003 by a vote of 8-1. Notice of public hearing was published March 6 and 13, 2003. (Also see Item R-2 on this Agenda)

Applicant: La Preserve LLC  
Request: Rezone RD-15 and RS-8 to PUD  
Location: South of S.W. 20 Street, north of State Road 84, east  
of S.W. 15 Avenue and west of S.W. 12 Avenue

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

Commissioner Trantalis disclosed that he had spoken with Donald Hall regarding this matter. Commissioner Hutchinson disclosed that she had spoken with everyone connected with this matter. Commissioner Moore disclosed that he had spoken with Donald Hall. Commissioner Teel disclosed that she had met with Donald Hall, Courtney Crush, Heidi Davis, the developer, and someone from the design staff.

Commissioner Hutchinson stated that there had been some discussion at the Planning and Zoning meeting relating to the Land Preservation Board, and in June, 2001 they had pursued that parcel for a park, but there had not been a willing seller as of January, 2002.

Mayor Naugle asked how many times the design would be repeated in the project.

Don Hall, attorney, explained that there were 5 models with 11 different elevations, and the designs would be driven by the consumer. He explained further there was 1 one-story home, and 4 two-story homes in the project.

Mayor Naugle asked how many different elevations there would be for the designs. Mr. Hall replied there was the possibility of 11 elevations. Mayor Naugle further stated that this same developer had constructed homes in his area and everyone looked the same.

Commissioner Hutchinson remarked that was not the biggest topic of conversation at the meetings she had attended, and continued stating that discussions were regarding the ingress and egress of the particular parcel and the preservation of the trees. She stated that out of 1,100 trees, 710 were going to be saved.

Mayor Naugle asked what type of guaranty would be given regarding the trees, and if there was a time period for them.

Mr. Hall explained that there was a condition in the PUD ordinance to protect the trees. Commissioner Hutchinson stated that what was comforting to the neighborhood was that 5 acres or 33% of the property was set aside for open space. She further explained that the open space was not just for the people who lived in the area, but for the public.

Commissioner Moore left the meeting at approximately 7:15 p.m.

Don Morris, Planning and Zoning, stated that Code required if trees died after being relocated, they had to be replaced with the same caliber trees. He explained that in staff's report they had made a recommendation stating that any trees damaged as a result of construction would have to be replaced with the same species and size tree.

Mayor Naugle asked if there was a time period that the trees had to survive. Commissioner Hutchinson felt there needed to be a time frame.

Greg Brewton, Zoning Administrator, stated that the Code was not specific in terms of a time period, but there was a requirement that the landscaping had to be maintained and was done on an inspection basis. He suggested that if the Commission wanted to see a specific time frame placed on these trees, they would have to place that as a condition on their approval.

Commissioner Moore returned to the meeting at approximately 7:17 p.m.

Mayor Naugle proceeded to give an example of new property owners being cited regarding tree abuse and asked if the trees should not have been inspected before the issuance of the CO.

Mr. Brewton stated that he would look into this specific matter, but felt this was a timing issue and stated that the previous owner could not be cited.

Mr. Hall stated that staff's recommendation that trees designated to be saved which were damaged during construction and marked for replacement were not yet included in the PUD ordinance, and that it could be included in Section 3D(1)(a).

Commissioner Trantalis asked what would happen if the tree was not in a common area, but on an individual's lot. Mayor Naugle stated that the new owner would be cited. Commissioner Hutchinson asked if this was built into the PUD would they not then be able to hold the developer responsible for the trees. Commissioner Moore stated that he felt that the one-year time frame being discussed would still come under the developer's ownership.

Mayor Naugle reiterated that in reference to the construction at 11<sup>th</sup> Court, old trees had been abused during construction and the new owner had the burden of resolving the matter. He asked if there was a requirement that an arborist be involved in the relocation of the trees, and possibly some of the problems could be avoided.

Don Hall stated that they had an arborist on site for their project.

Mayor Naugle asked how long the arborist had been working for the developer.

John Sutton, arborist, stated that he had been brought to the site before any work had begun, and then he had inspected and marked the trees for relocation. He explained that barriers would be set up to protect the trees, which were remaining on site, from the equipment. He added that he would be on site during the construction of the project.

Commissioner Trantalis remarked that it appeared there was no way to enforce this matter once the developer left the project. He stated that there were not many old trees left in the City, and felt there had to be a way to protect them better.

Commissioner Moore suggested that in his agreement it be stated that he would maintain the trees for one year, and asked if the developer would be agreeable to such language. Mr. Hall remarked that would not be a problem if all trees died due to how they had been replanted, but once the lot was sold it was up to the homeowner to maintain the trees and the developer no longer had control. He felt there would be a difficult situation in determining cause. He stated that the greatest protection the City could have in this regard was Mr. Sutton's expertise, and further suggested that at final inspection the City's landscape people should inspect the trees and then things could be corrected at that point in time.

Commissioner Moore agreed this suggestion could be a good compromise, and proceeded to ask the time line for this project. Mr. Hall stated that construction would probably begin in the fall of 2003, and estimated build out time was 18 months.

Commissioner Hutchinson stated that staff had made a recommendation that trees damaged during

construction were to be replaced with comparable size and species, but it was not listed as an actual condition.

Don Morris stated that there were 6 conditions from Planning and Zoning, and there were additional staff conditions. He explained that after this project had gone before Planning and Zoning, they had realized there were no provisions for trees damaged during construction and staff felt it was important enough to be described in a special condition.

The City Manager asked if the posting of a bond would serve the same purpose as giving the guaranty that these issues were addressed even if it was one-year after completion. He believed that the Commission was interested in preservation of the tree canopy, along with the non-abuse of trees.

Commissioner Trantalis asked for clarification as to whether the one-year was from the date of the issuance of the CO for a particular house, or the last house sold in the project.

Mr. Hall stated that he requested they be allowed to work with staff between the first and second readings, and then return to the Commission with a joint proposal regarding this issue.

The Commission agreed.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-03-17

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY REZONING A 15.4363 ACRE PARCEL OF PROPERTY KNOWN AS LA PRESERVE NURSERY LOCATED IN THE CITY OF FORT LAUDERDALE WITHIN AN AREA GENERALLY BOUNDED BY SOUTHWEST 20<sup>TH</sup> STREET ON THE NORTH, STATE ROAD 84 ON THE SOUTH, SOUTHWEST 12<sup>TH</sup> AVENUE ON THE EAST AND SOUTHWEST 15<sup>TH</sup> AVENUE ON THE WEST FROM RS-8 AND RD-15 TO PLANNED UNIT DEVELOPMENT (PUD); APPROVING A DEVELOPMENT PLAN; ESTABLISHING THE DEVELOPMENT STANDARDS FOR THE PROPERTY INCLUDING BUT NOT LIMITED TO USES, DENSITY, LOT SIZE, HEIGHT, YARD, SETBACK, PARKING, OPEN SPACE AND LANDSCAPING; AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE THE PROPERTY.

Which ordinance was read by title only.

Commissioner Teel stated she voted in favor with the understanding that the conditions suggested by Planning and Zoning and staff be included. It was agreed. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

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<b>ORDINANCES</b>
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**Vacate Alley - Fort Lauderdale Nissan, Inc. and City/  
County Credit Union (PZ Case No. 16-P-02)****(O-1)**

An ordinance approving the vacation of an alley, which was approved by the Planning and Zoning Board on December 18, 2002 by a vote of 5-4. Ordinance No. C-03-13 was published January 23 and 30, 2003. On February 4, 2003, the City Commission deferred first reading to March 4, 2003 by a vote of 5-0; on March 4, 2003, the City Commission approved this ordinance on first reading by a vote of 4-1 (Katz).

Commissioner Moore introduced the following ordinance on second reading:

## ORDINANCE NO. C-03-13

AN ORDINANCE VACATING, ABANDONING AND CLOSING ALL OF THE ALLEY EAST OF AND ADJACENT TO PARCEL "A" "A RE-PLAT OF A PORTION OF BLOCK 6 EVERGLADE LAND SALES COMPANY'S FIRST ADDITION TO LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 66, PAGE 34, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AND THE PORTION OF THE EAST TO WEST ALLEY LYING IN BLOCK 6, "EVERGLADE LAND SALES COMPANY'S FIRST ADDITION TO LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 15, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LYING NORTH OF AND ADJACENT TO LOTS 7, 8 AND 9 OF SAID BLOCK 6, LOCATED SOUTH OF SOUTHEAST 13<sup>TH</sup> STREET, NORTH OF SOUTHEAST 14<sup>TH</sup> STREET, BETWEEN FEDERAL HIGHWAY AND MIAMI ROD, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

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**Amend Section 25-192 of Ordinance No. C-97-27 -  
Designate Two Additional Areas as "Newsrack  
Enhancement Areas"****(O-2)**

An ordinance amending Section 25-192 of Ordinance No. C-97-27 of the Code of Ordinances in order to designate two additional areas of Fort Lauderdale as "Newsrack Enhancement Areas" (Harbor Isles/Inlet Neighborhood and the rights-of-way in the area bounded by N.E. 29 Court to the north, N.E. 19 Street alley to the south, the Intracoastal Waterway to the west and N.E. 33 Avenue to the east, inclusive). Ordinance No. C-03-14 was published February 22, 2003, and passed on first reading March 4, 2003 by a vote of 5-0.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-03-14

AN ORDINANCE AMENDING SECTION 25-192 OF ORDINANCE NO. 97-27 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, IN ORDER TO DESIGNATE TWO ADDITIONAL AREAS OF FORT LAUDERDALE AS "NEWSRACK ENHANCEMENT AREAS."

Which ordinance was read by title only.

Commissioner Teel remarked that some of the newsracks had gotten to the point where they were not being properly maintained, and she asked if there was any mechanism in place to handle this matter.

The City Manager stated there was a mechanism in place, and recently the City had demanded they be upgraded and maintained. He explained if they were not properly maintained they could be cited, and eventually removed.

Greg Kisela, Assistant City Manager, stated that during the last 3-6 months some newsracks had been removed from the beach area.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

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**Amendment to the Pay Plan**

**(O-3)**

An ordinance amending the Pay Plan of the City to provide for new classes, delete classes, adjust the pay range of classes and the title change of a class, all in Schedule I. Notice of proposed ordinance was published March 8, 2003.

Commissioner Moore introduced the following ordinance on first reading::

ORDINANCE NO. C-03-18

AN ORDINANCE AMENDING THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR NEW CLASSES, THE DELETION OF CLASSES, THE ADJUSTMENT OF THE PAY RANGE OF A CLASS AND THE TITLE CHANGE OF A CLASS, ALL IN SCHEDULE I.

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

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**RESOLUTIONS**

**Executive Airport - Assignment of 1001 Executive Park Associates, Ltd. Lease for Lots 32 and 33 to Dettman Revocable Trust and Collateral Assignment to American National Bank for a Leasehold Mortgage** **(R-1)**

A resolution authorizing the proper City officials to consent to the assignment of 1001 Executive Park Associates Ltd. for Lots 32 and 33 to Dettman Revocable Trust and to consent to the collateral assignment of 1001 Executive Park Associates Ltd. Lease for Lots 32 and 33 to American national Bank for a leasehold mortgage.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-46

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONSENT TO ASSIGNMENT OF LEASE AGREEMENT FROM 1001 EXECUTIVE PARK ASSOCIATES, LTD. TO THE DOUGLAS R. DETTMAN REVOCABLE TRUST; AND AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONSENT TO COLLATERAL ASSIGNMENT OF LEASE AGREEMENT WITH DOUGLAS R. BETTMAN REVOCABLE TRUST AND AMERICAN NATIONAL BANK OF FORT LAUDERDALE, EACH PERTAINING TO LOTS 32 AND 33 AT FORT LAUDERDALE INDUSTRIAL AIRPARK, SECTION 2.

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

**Plat Approval - La Preserve LLC - "River Oaks Plat"** **(R-2)**  
**(PZ Case No. 23-P-02)**

At the Planning and Zoning Board special meeting of January 29, 2003, it was recommended by a vote of 8-1 that the following application be approved (also see Item PH-6 on this Agenda):

Applicant: La Preserve LLC  
Request: Plat approval  
Location: South of S.W. 20 Street, north of State Road 84, east of S.W. 15 Avenue and west of S.W. 12 Avenue

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-47

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA APPROVING A PLAT KNOWN AS "RIVER OAKS".

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

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**Vacate Utility Easement - Michael Egan - 1575 Ponce de Leon Drive (DRC Case No. 1-M-03)**

**(R-3)**

A resolution authorizing the vacation of a utility easement for the following application (Tract 1 of River Shores, plat book 15, page 61):

Applicant: Michael Egan  
Request: Vacate utility easement  
Location: 1575 Ponce de Leon Drive

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-48

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THE UTILITY EASEMENT OVER THE NORTHWEST 10.00 FEET OF TRACT 1, "RIVER SHORES", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 15, PAGE 61, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED BETWEEN THE CUL-DE-SAC OF PONCE DE LEON DRIVE AND THE NEW RIVER, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

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**Intent to Sell Surplus Property - Fire Training Bureau Facility and Fire Station 29 - 2000 and 2002 N.E. 16 Street**

**(R-4)**

A resolution declaring the City's intent to sell surplus property no longer needed for public purpose, known as the Fire Training Bureau Facility and Fire Station 29 located at 2000 and 2002 N.E. 16 Street, in accordance with Section 8.04 of the City Charter; and further setting May 20, 2003 as the date the City Commission shall consider proposals for sale of such property. (Also see Item M-6 on this Agenda)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-49

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DETERMINING AND DECLARING THAT CERTAIN PROPERTY LOCATED AT 2000 AND 2002 N.E. 16<sup>TH</sup> STREET AND KNOWN AS FIRE TRAINING BUREAU AND FIRE STATION 29 IS NOT NEEDED FOR PUBLIC USE; DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE CITY THAT SUCH LAND AND FACILITIES BE SOLD IN ACCORDANCE WITH SECTION 8.04 OF THE CITY CHARTER; DESCRIBING THE

IMPROVEMENTS ON SAID PROPERTY AND THE TERMS  
AND CONDITIONS OF SALE.

Which resolution was read by title only.

Commissioner Hutchinson stated that she had a problem with this. She stated that she had voted for 825 E. Sunrise Boulevard, but stated if a training facility was going to be built at the north side of the City, and engines were to be taken out of service and placed at that location, she felt this did not make sense. She stated she was not in favor of selling this property, but she was not in favor of building such a facility at the northern end of the City when the units needed to be closer to the City.

Otis Latin, Chief Fire-Rescue Department, stated that training facilities throughout the country were normally far from the City. He stated that if they needed units out of service during training, they made sure there were units to cover the area during that time period. He reiterated that if there was a big emergency, they still would have time to put the units back in service. He stated there would be additional areas for training, and they would not just be using the northern facility.

Mayor Naugle stated that it was his impression this property was to be sold to raise money for a new station. Chief Latin confirmed.

Commissioner Hutchinson asked what was the value of this property.

Horace McHugh, Assistant to City Manager, stated that this property had been appraised at \$1,250,000. He stated that about one year ago they had received direction from the Commission to move forward on this matter.

Commissioner Teel asked if Station 29 serviced Coral Ridge. Chief Latin confirmed. Commissioner Teel remarked that was a distance to where the station would be relocated for that area. Chief Latin stated that Stations 35 and 54 also serviced the area. He stated there was also a station in Wilton Manors which was used for response to this area. Commissioner Teel asked if that was the furthest area they went to from Station 29. Chief Latin replied that Station 29 went up to the Bayview area which serviced up to the Oakland Park area.

Mayor Naugle suggested that the Commission see the computer model since it took many things into consideration such as bridges, railroads and the like. Chief Latin stated that when the Commissioners came to visit he would show them how this was done.

Commissioner Trantalis stated that he had a problem with selling City-owned property that contained open green space, and believed keeping such property as a resource that should not be squandered. He suggested that possibly the money could be obtained from another location for the training building, and asked if the department could accept such a proposal.

Chief Latin stated he did not have a problem accepting a decision of the Commission, but he wanted to build Station 29, the Airport station, and a training facility. He stated that he attempted to present options to the Commission, and then get their recommendations and direction.

The City Manager stated that they had competing interests in this matter. There was the need to try to move forward with the program which had been set in motion, which included the project at the Airport, and they were trying to optimize their assets. He stated that absent some infusion of major cash which they envisioned to do for long-range programs, they did not presently have the resources for the building, and they felt this was a resource which could assist with the building program adopted by the Commission. If they chose to wait, he felt they would be putting the program in peril which had been established. He urged the Commission to let them put the property for sale to see what type of response

would be received, and meantime, if other alternatives developed, then they would respond to those. He felt nothing would be lost in seeing what the market might bring.

Commissioner Hutchinson asked what the City's share was regarding the Airport training facility. Chief Latin stated that the Airport was contributing \$1.2 Million and the remainder would be the City's portion which could range from \$2.6 Million or \$3 Million. He explained that they were combining two stations at the Airport which were the training facility and the EOC.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

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**Appointment of Mayor Jim Naugle to Serve as City  
Commission Representative for Tourist Development Council**

**(R-5)**

A resolution appointing Mayor Jim Naugle to serve as the City Commission's representative on the Tourist Development Council.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-50

A RESOLUTION OF THE CITY COMMISSION OF THE CITY  
OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE  
APPOINTMENT OF MAYOR JIM NAUGLE AS THE CITY  
COMMISSION'S REPRESENTATIVE ON THE TOURIST  
DEVELOPMENT COUNCIL.

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

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**Amendment to Park Rules - Section 7.0 "Beach  
Regulations" - Prohibit Fencing and Canopies**

**(R-6)**

A resolution approving the amendment to the City's Park Rules to amend Section 7.0 entitled "Beach Regulations," to include fencing and canopies.

Commissioner Hutchinson stated there was a lot of discussion last night at her district meeting regarding this matter. She stated that Dr. Elizabeth Hayes had some questions regarding umbrellas, and according to Earnest Jones's response was that it would be up to the Beach Patrol to determine whether it was a canopy.

Ernest Burkeen, Director of Parks and Recreation, stated that this was primarily instituted due to the Air and Sea Show because people would arrive and fence off areas with canopies in the sand for the event.

Commissioner Hutchinson asked if the major problems were in south beach where the picnic areas were or just for the special events. Mr. Burkeen stated it was mostly for the special events.

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 03-51

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF  
FORT LAUDERDALE, FLORIDA, AMENDING THE DEPARTMENT

OF PARKS AND RECREATION RULES AND REGULATIONS  
SECTION 7.0 "BEACH REGULATIONS", RULE 7.4(i) "DIGGING  
HOLES OR ERECTING TENTS IS PROHIBITED," TO INCLUDE  
FENCING AND CANOPIES.

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

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**Utility Easements - Florida Power and Light (FPL) -  
Bahia Mar Property**

**(R-7)**

A resolution granting a series of utility easements to FPL and dedicating a series of general utility easements on and across the Bahia Mar property in accordance with the "as-built" conditions.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-52

A RESOLUTION OF THE CITY COMMISSION OF THE CITY  
OF FORT LAUDERDALE, FLORIDA, AUTHORIZING  
EXECUTION AND DELIVERY OF AN EASEMENT DEED  
GRANTING FLORIDA POWER AND LIGHT COMPANY  
UTILITY EASEMENT RIGHTS OVER CERTAIN LANDS,  
DESCRIBED BELOW, WHICH LANDS ARE OWNED BY  
THE CITY OF FORT LAUDERDALE AND LEASED TO RAHN  
BAHIA MAR, LTD., SUCH GRANT OF EASEMENT RIGHTS  
BEING SUBJECT TO CERTAIN TERMS AND CONDITIONS;  
AND FURTHER DEDICATING CERTAIN LANDS, DESCRIBED  
BELOW, OWNED BY THE CITY OF FORT LAUDERDALE AND  
LEASED TO RAHN BAHIA MAR, LTD. SUCH DEDICATION  
BEING FOR GENERAL PUBLIC UTILITY USE AND ACCEPTING  
SUCH DEDICATION ON BEHALF OF THE PUBLIC.

Which resolution was read by title only.

Hector Castro, City Engineer, stated that he needed to make a correction and clarification before the Commission considered this resolution. He stated that the intent of this was to provide utility easements in favor of FPL and other franchise utilities across City owned property commonly referred to as Bahia Mar for the purpose of providing services to new docks being built by the lessee of the resort. He stated that the memorandum was correct and the intent due to the complexities of building and redeveloping these docks, staff had suggested that the easements be granted after the construction of the actual utilities. He stated that only the northern portion of the facilities had been built. He stated that the sketch showed the entire site which included proposed easements on the southern end. He further stated that if the Commission approved this resolution this evening, they would only be granting easements only across the northern end. He explained that the surveyors agreed to provide a corrected sketch and legal.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

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**Authorization for Use of Facsimile Signature by the Director of Finance for Checks, Drafts and Other Financial Instruments**

**(R-8)**

A resolution authorizing the use of a facsimile signature by the City's new Director of Finance, Terry L. Sharp, for checks, drafts, and other financial instruments, in accordance with the requirements of the City's designated depository, Bank of America.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-53

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE BANK OF AMERICA TO HONOR CHECKS, DRAFTS OR OTHER INSTRUMENTS FOR THE ORDER OF PAYMENT OF MONEY DRAWN ON CITY OF FORT LAUDERDALE ACCOUNTS WHEN BEARING A FACSIMILE SIGNATURE OF THE CITY'S FINANCE DIRECTOR, TERRY L. SHARP.

Which resolution was read by title only.

Commissioner Teel asked what amounts required two signatures.

Terry Sharp, Director of Finance, stated that none of the City's checks required two signatures, but the signature on the check was the last thing that was done. There were some requirements that purchases over a certain amount had to be approved by the Commission, and the Department authorized to spend the money by the Commission had to have various people sign the check request forms. He explained that it was only at the end of the process where the facsimile signature would be placed on the check.

Commissioner Teel asked if there were any risks being taken by using the facsimile signature. Mr. Sharp stated they did not believe there were any risks, and he stated that the next resolution spoke about a fidelity bond coverage regarding signatures on checks. Commissioner Teel asked if there were safeguards in place as the check moved through the system. Mr. Sharp confirmed.

Commissioner Moore clarified that Mr. Sharp's name was being put in place of Damon Adams's name. Mr. Sharp confirmed.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

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**Amend Authorization to Sign Checks on Behalf of the City of Fort Lauderdale and Requirement for Fidelity Bond Coverage**

**(R-9)**

A resolution authorizing Bud Bentley, Assistant City Manager; Terry L. Sharp, Director of Finance; and Joanne Rizi, Controller, to sign checks on certain City accounts and further requiring such employees to be covered under a fidelity bond in the amount of \$500,000.

Commissioner Moore asked if Mr. Bentley was presently a signatory. Mr. Sharp replied he was not. Commissioner Moore asked if Ms. Rizi was presently a signatory. Mr. Sharp confirmed. He stated that they needed 3 people who could sign manual checks which would be ones not using the facsimile signature.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-54

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING RESOLUTION NO. 98-112, AS AMENDED, AUTHORIZING SPECIFIC CITY EMPLOYEES TO SIGN CHECKS FOR THE PAYMENT OF MONEY ON BEHALF OF THE CITY AND PRESCRIBING THAT ALL SUCH EMPLOYEES SHALL BE UNDER FIDELITY BOND IN THE MINIMUM AMOUNT OF \$500,000.

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

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**Grant Application - Florida Inland Navigation District  
(FIND) Assistance Program - Replacement of Fire Boat**

**(R-10)**

A resolution authorizing the proper City officials to submit an application to the FIND 50 percent matching grant program for replacement of the City's fire boat; and further authorizing the proper City officials to execute all documents necessary to accept such grant funds.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-55

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE CITY TO SUBMIT AN APPLICATION FOR ASSISTANCE UNDER THE FLORIDA INLAND NAVIGATION DISTRICT (FIND) ASSISTANCE PROGRAM FOR REPLACEMENT OF THE CITY'S FIRE BOAT; AND FURTHER AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL DOCUMENTS TO ACCEPT SUCH GRANT FUNDS.

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

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**Grant Application - Florida Inland Navigation District  
(FIND) Assistance Program - Dredging of Middle River**

**(R-11)**

A resolution authorizing the proper City officials to apply for grant funding in the amount of \$75,000 from FIND for a joint project with the City of Wilton Manors to dredge a portion of the Middle River from just west of Powerline Road to N.E. 15 Avenue; and further authorizing the proper City officials to execute all documents necessary to accept such grant funds.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-56

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE

PROPER CITY OFFICIALS TO APPLY FOR GRANT FUNDING IN THE AMOUNT OF \$75,000 FROM THE FLORIDA INLAND NAVIGATIONAL DISTRICT (FIND) FOR A JOINT PROJECT WITH THE CITY OF WILTON MANORS TO DREDGE A PORTION OF THE MIDDLE RIVER FROM JUST WEST OF POWERLINE ROAD TO N.E. 15<sup>TH</sup> AVENUE; AND FURTHER AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL DOCUMENTS TO ACCEPT SUCH GRANT FUNDS.

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

**Grant Application - Florida Inland Navigation District  
(FIND) Assistance Program - Riverwalk Connector/  
Stranahan House Phase III**

**(R-12)**

A resolution authorizing the proper City officials to apply for grant funding for the Riverwalk Connector/Stranahan House Phase III project; and further authorizing the proper City officials to execute all documents necessary to accept such grant funds.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-57

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR A GRANT WITH THE FLORIDA INLAND NAVIGATIONAL DISTRICT (FIND) FOR IMPROVEMENTS TO THE STRANAHAN AREA; AND FURTHER AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL DOCUMENTS TO ACCEPT SUCH GRANT FUNDS.

Which resolution was read by title only.

Hector Castro, City Engineer, stated that he had a correction to make in this matter. He stated that the total project budget for this was \$290,000 and not \$250,000 as stated in the back-up material. He explained that they would be applying for a FIND grant up to \$145,000.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

**Grant Application - Florida Inland Navigation District  
(FIND) Assistance Program - S.E. 15 Street  
Public Marina Improvements**

**(R-13)**

A resolution authorizing the proper City officials to apply for grant funding for the S.E. 15 Street Public Marina Improvements; and further authorizing the proper City officials to execute all documents necessary to accept such grant funds.



Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-58

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR A GRANT WITH THE FLORIDA INLAND NAVIGATIONAL DISTRICT (FIND) FOR IMPROVEMENTS TO THE S.E. 15<sup>TH</sup> STREET MARINE FACILITY; AND TO EXECUTE ALL DOCUMENTS NECESSARY TO RECEIVE SUCH GRANT FUNDING.

Which resolution was read by title only.

Mayor Naugle remarked that this looked like a great plan and asked if it had been presented to the Marine Advisory Board.

Hector Castro, City Engineer, stated that a presentation regarding Marshall's Point seawall had been presented and this item had been mentioned in passing, but no details were given. Therefore, he stated they would do so. He remarked that they already had a conceptual design.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

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**Designation of Public Right-of-Way and Development Agreement - B and L Communications, Inc. - S.E. 18 Street "Harbor Shops"**

**(R-14)**

A resolution approving the designation of City-owned lands as new S. E. 18 Street public right-of-way; and further authorizing the proper City officials to execute a development agreement with B and L Communications, Inc.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-59

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DEDICATING CERTAIN LANDS DESCRIBED BELOW AS MUNICIPAL RIGHT OF WAY, SUBJECT TO CERTAIN TERMS AND CONDITIONS, AND ACCEPTING SUCH DEDICATION ON BEHALF OF THE PUBLIC AND FURTHER AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A DEVELOPMENT AGREEMENT WITH B & L COMMUNICATIONS, INC. REGARDING THE DEDICATION OF THE FOREGOING MUNICIPAL RIGHT OF WAY.

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

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**Advisory Board Appointments**

**(OB)**

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

Code Enforcement Board (Alternate)	Richard Mancuso (Note: Mr. Mancuso declined appointment)
Economic Development Advisory Board	Gwen Watson

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 03-60

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 Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

**SUPPORT FOR THE ARMED FORCES**

**(OB)**

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 03-61

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SUPPORTING THE MEMBERS OF THE ARMED FORCES OF THE UNITED STATES OF AMERICA WHO ARE SERVING OUR COUNTRY DURING THE PRESENT CONFLICT; AND RECOGNIZING THE TREMENDOUS SACRIFICES AND CONTRIBUTIONS MADE BY OUR RESIDENTS WHO SERVE AND THEIR FAMILIES WHO STAND BY THEM.

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

The City Manager stated that since the Country was in a heightened sense of security, they would be sending instructions to all employees and the Commission to make everyone aware of what would be happening at each level. He announced that he was wearing his new ID card and all employees would obtain them very shortly.

There being no further business to come before the Commission, the meeting was adjourned at approximately 8:02 p.m.

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Jim Naugle  
Mayor

ATTEST:

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Lucy Kisela  
City Clerk