

**INDEX OF A REGULAR MEETING
FORT LAUDERDALE CITY COMMISSION
JULY 15, 2003**

<u>Agenda Item</u>	<u>Reso/Ord. No.</u>	<u>Page(s)</u>
	<u>Presentations</u>	
	1. Expression of Sympathy	1
	2. Community Appearance Board's "WOW" Award	2
	3. Recognized Neighborhoods	2
	4. "Employer Support of the Guard and Reserve Day"	2
	5. "50 th Anniversary of the End of the Korean War	2
	Consent Agenda	3
M-1	Event Agreement – Making Strides Against Breast Cancer	3
M-2	Event Agreement – Viva Broward 2003 Blues	4
M-3	Event Agreement – Family Fitness Weekend	4
M-4	Event Agreement – Barefoot Mailman Festival	5
M-5	Event Agreement – Seduction Under The Stars	5
M-6	Agreement – Goodwill Industries of Broward County, Inc. – Computer Classes at The Beach Community Center	5
M-7	Disbursement of Funds – Joint Investigation O.R. No. 03-78119 - \$2,000 U.S. Currency	6
M-8	Disbursement of Funds – Joint Investigation O.R. No. 02-133655 - \$2,215.78 U.S. Currency	6
M-9	Disbursement of Funds – Joint Investigation O.R. No. 02-133654 - \$647.30U.S. Currency	6
M-10	Amendment to Agreement – Benefit Management Company (BMC) – Third Party Claims Administrator for Preferred Provider Option (PPO) Self-Insured Health Plan	6, 19
M-11	Public Hearing Dates for Fiscal Year 2003/2004 Budget	7
M-12	Tripartite Agreement – Performing Arts Center Authority (PACA) and Broward County – Fiscal Responsibilities For Fiscal Year 2003/2004	7, 2`
M-13	Short-Term Trial Rehabilitation Program - Housing Authority of the City of Fort Lauderdale – Step-Up Program	7

M-14	Emergency Purchase – Molloy Brothers, Inc. – Water Main Repair at N.E. 38 Street and N.E. 6 Avenue	7, 22
M-15	Contract Award – Kimley-Horn and Associates, Inc. Project 10548 – Executive Airport and Downtown Helistop Aviation Consulting Services	8, 18
M-16	Task Order No. 1– Kimley-Horn and Associates, Inc. – Project 10422 – Executive Airport Pavement Evaluation And Rehabilitation Design of Runway 8-26 and Realignment of Taxiway Hotel	8, 18
M-17	Contract Award – Architects Design Group, Inc. – Project 10583 – Police Department Detailed Needs Assessment/Facility Replacement Study Project Phase I	8
M-18	Contract Award – F.R. Aleman and Associates, Inc. – 10528 – Annual Point Excavation (Potholing) and Utility Designation Services	9, 23
M-19	Consultant Competitive Negotiation Act (CCNA) – Authorization to Negotiate with Top-Ranked Firm of Counsilman/Hunsaker and Associates For Project 10648 – Fort Lauderdale Aquatic Center	9, 26
M-20	Contract Award – Welch Tennis Courts, Inc. - Project 10144-B – Resurfacing of Clay Tennis Courts at Holiday Park	9
M-21	Contract Award – S A Consultants, LLC - Project 10401 – Fire Station No. 3 (2801 S.W. 4 Avenue) Renovations	10, 27
M-22	Contract Award – Florida Blacktop, Inc. - Project 10618 – Riverland Brick Paver Crosswalks	10
M-23	Contract Award – Florida Design Contractors, Inc. Project 10532 – Fiveash Well Abandonment and Relocation	10
M-24	Change Order No. 2 – Merkury Development - Project 10307 – Policy Department Gun Range Renovation	11
M-25	Change Order No. 2 – Maison Saint-Antoine LLC – project 9766 – Sanitary Sewer Improvements for Old Progresso Village (Progresso A)	11
M-26	Change Order No. 1 – Tenex Enterprises, Inc. Project 9849 – Storm Drainage Improvements, Idlewyld Neighborhood	11
M-27	Change Order No. 10 – Whiting-Turner Contracting Company – Project 10222 – City Park Mall Garage Rehabilitation	12

M-28	Amendment No. 3 to Task Order No. 16724.41 - 12, 28 Keith and Schnars, P.A. – Project 10507 – Professional Services for Additional Engineering Design Services For the River Run/Flamingo/Oak River (Septic Area 4) Sanitary Sewer Improvement Project	
M-29	Task Order – Keith and Schnars, P.A. - Project 10491 – N.W. 19 Street Landscaped Median Construction	12
M-30	Contract Award – Astaldi Construction Corporation – Project 10515 – Lauderdale Manors Utilities Improvements, Phase 2	13, 29
M-31	Project Funding – WaterWorks 2011	13
M-32	Agreement – Broward County – Right-of-Way Improvements for the Ergon- Whiddon Two Plat	13
M-33	Purchase Order – Florida Power and Light (FPL) – Project 10121 – Lauderdale Manors Phase I Utilities Improvements	14
M-34	Task Order No. 26 – Camp, Dresser, and McKee, Inc. (CDM) – Project 10671 – Harbor Beach Infrastructure Improvements – Design, Permitting and Construction Services	14
M-35	Task Order No. 03-06, Amendment No. 2 to Task Order No. 8, Amendment No. 1 to Task Order No. 01-05, and Amendment No. 1 to Task Order No. 02-06 – Hazen and Sawyer, P.C. – Consolidation Of Projects and Engineering Services Fiveash Water Treatment Plant Consolidated Phase 1 Construction Services	15
Pur-1	332-8923 – Jail Inmate Phone System	15
Pur-2	222-8663 – Amend Contract – Jail Inmate Healthcare Services	16
Pur-3	Miami-Dade – Safety Shoes	16
Pur-4	Proprietary – Additional Programming Services (Utility Billing)	16
Pur-5	232-8906 – Development of Continuation of Operations Plan	17, 30
Pur-6	232-8846 – Data Collection Emergency Medical	17
Pur-7	532-8895 – Lease of Digital Copier	17
M-36	Settlement of General Liability File No. GL 01-827 (Julia Ann Moore)	31
M-37	Settlement Agreement – Advocating Disability Rights, Inc. v. City of Fort Lauderdale	31
PH-1	Temporary Road Closures – N.E. 5 Street and N.E. 3 Avenue and N.E. 5 Street and North Andrews Avenue	32

PH-2		Fiscal Year 2003/2004 Federal Department Of Housing and Urban Development (HUD) Annual Action Plan – Entitlement Programs for Community Development Block Grants (CDBG); HOME Investment Partnerships Program (HOME); Emergency Shelter Grant (ESG); and Housing Opportunities for Persons with Aids (HOPWA)	36
O-1	C-03-24	Rezone RMM-25 to X-P and Site Plan Approval Anthony's Coal Fired Pizza (PZ Case No. 9-ZR-02)	37
O-2	C-03-25	Rezone RML-25 to B-1 – City of Fort Lauderdale (Konover Property) (PZ Case No. 8-Z-03)	38
O-3	C-03-26	Amendment to Section 26-161 – Parking Rates and Hours for On and Off- Street Parking and Reduction of Parking Fees for Events of Direct Public Benefit to the City	39
O-4	C-03-26	Amendment to Chapter 20 – Eligibility Of Employees in the General Employees Retirement System (GERS) Removal of Age Restriction	40
O-5	C-03-28	Amendment to Pay Plan	41
R-1		Tentative Annual Budget for Fiscal Year 2003/ 2004	41
R-2	03-120	Maintenance Memorandum of Agreement (MOA) – Florida Department of Transportation (FDOT) – Landscaping And Irrigation Improvements – State Road 5 (Federal Highway/U.S.1) – Commercial Boulevard to N.E. 65 Street	42
R-3	03-121	Grant Application – Florida Department of Environmental Protection (DEP), Florida Recreation Development Assistance Program (FRDAP) – Development of Riverland Park	42
R-4		Site Plan Level IV Approva/IOA – Royal Atlantic LLC (PZ Case No. 135-R-02)	43
R-5		Plat Approval for "Royal Atlantic" Plat – Royal Atlantic LLC (PZ Case No. 31-P-02)	43
R-6	03-122	No objection to Amendment to Plat Note - "6601 Corporation" – First Citizen's Bank (PZ Case No. 7-P-03)	44
R-7	03-123	Utility Easements – Florida Power and Light (FPL) – Bahia Mar Resort Expansion, Phase 4	44
R-8	03-124	Preliminary Fire-Rescue Special Assessment For Fiscal Year 2003/2004	45
R-9	03-125	Demolition of Buildings	46
M-38		Proposed Lien Settlements – Special Master And Code Enforcement Board Cases	48

Commission Regular Meeting Index

07/15/03 - 5

OB	City Commission Request for Review – Site Plan Level II – Pavilion, Ltd. (DRC Case No. 19-R-03)	50
OB	Eckerd Expansion	50
OB	Advisory Board /Committee Appointments	51
	City Commission Reports	52

**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
JULY 15, 2003**

Meeting was called to order at 6:05 p.m. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Christine Teel
Commissioner Dean J. Trantalis
Commissioner Cindi Hutchinson
Commissioner Carlton B. Moore
(arrived at 6:10 p.m.)
Mayor Jim Naugle

Absent: None

Also Present: City Manager, F. T. Johnson
City Attorney, Harry A. Stewart
City Clerk, Lucy Kisela
Sergeant At Arms, Sergeant M. Roddy

Invocation was offered by Dr. Aryn Rojiani, Shia Ismaili Muslim Community, 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).

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel to approve the agenda and minutes of the July 1, 2003 meeting. Roll call showed: YEAS: Commissioners Teel, Trantalis, Hutchinson and Mayor Naugle. NAYS: None.

Presentations

OB

1. Expressions of Sympathy

The Mayor and City Commissioners presented an Expression of Sympathy to the families of Jonah Duty, Jr., Fred Calvarese, and Damian Clasby.

2. Community Appearance Board's "WOW" Award

Commissioner Trantalis recognized Eric Hammonds for winning the Community Appearance Board's "WOW" Award for District II. He purchased his home in 1997, and applied for the City's Neighborhood Beautification Program Grant to install new windows. He had continually improved the property by adding paint, landscaping, and the palm tree stencil painted on the shutters which gave the home character.

Mr. Hammonds thanked the Commission for the award.

3. Recognized Neighborhoods

Commissioner Hutchinson presented the certificates to the Recognized Neighborhoods in the City of Fort Lauderdale.

Amy Jones Hamilton thanked the Commission for this recognition, and handed out souvenir sunglasses in honor of her neighborhood "shining."

4. "Employer Support of the Guard and Reserve Day"

Commissioner Teel presented a proclamation for "Employer Support of the Guard and Reserve Day" to be observed July 15, 2003. Ken Haiko accepted the proclamation and thanked everyone for the support that has been given to the National Guard and Reservists who are on active duty. He explained there was a banner in the back of the room that they were having people sign that would be presented to the Fort Lauderdale Zone 43rd Maintenance Company, State Road 84 Armory. He stated they appreciated all the support shown to the military. He explained further that 51% of the military was made up of the Guard and Reservist component and that 204,000 troops were still on active duty. He proceeded to acknowledge the committee that worked with him.

The City Manager thanked the organization for attending tonight's meeting and stated that the City was very proud of the men and women who were currently serving on active duty. He reiterated that this was more of a "family" war than an "individual" one because men and women were both serving the Country.

5. "50th Anniversary of the End of the Korean War"

Commissioner Moore presented a Proclamation for the "50th Anniversary of the End of the Korean War" which would be observed on July 15, 2003.

Jerry Bey, President of the Eddie Lyon Chapter of the Korean War Veterans; along with Joe Fiorillo, Immediate Past President of the Eddie Lyon Chapter

of the Korean War Veterans, and Reg Cawley, Member of the Eddie Lyon Chapter of the Korean War Veterans, accepted the Proclamation.

Mr. Bey thanked everyone for the award. He stated that Reg Cawley had brought the bell back from Korea which was displayed tonight, and proceeded to ask for a moment of silence while the bell would be rung 3 times signifying the 3 years that the War had lasted in honor of those who had given their lives.

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 – Making Strides Against Breast Cancer

(M-1)

A motion authorizing the proper City officials to execute an event agreement with the **American Cancer Society Florida Division, Inc.** to indemnify, protect and hold harmless the City from any liability in connection with **Making Strides Against Breast Cancer** to be held **Saturday, October 25, 2003 from 7:00 a.m. to 1:00 p.m.** at Huizenga Plaza, Riverwalk, and downtown area sidewalks.

Recommend: Motion to approve.

Exhibit: Memo No. 03-996 from City Manager.

Event Agreement – Viva Broward 2003**(M-2)**

A motion authorizing the proper City officials to execute an event agreement with **Latin Power, Inc.** to indemnify, protect and hold harmless the City from any liability in connection with **Viva Broward 2003** to be held **Friday, October 10, 2003 from 5:00 p.m. to 11:00 p.m.; Saturday, October 11, 2003 from 11:00 a.m. to 11:00 p.m., and Sunday, October 12, 2003 from 12:00 noon to 7:00 p.m.** to be held in Huizenga Plaza, Las Olas Riverfront and along the Riverwalk (including the use of Esplanade as well); and further authorizing the closing of East Las Olas Boulevard from Andrews Avenue to S.E. 1 Avenue beginning at 7:00 a.m. Thursday, October 9, 2003; the closing of East Las Olas Boulevard from S.E. 1 Avenue to S.E. 2 Avenue, and S.E. 1 Avenue from S.E. 2 Street to East Las Olas Boulevard beginning at 7:00 a.m. on Friday, October 10, 2003, with all roads reopened by 1:00 p.m., Monday, October 13, 2003.

Recommend: Motion to approve.

Exhibit: Memo No. 03-995 from City Manager.

Event Agreement – Family Fitness Weekend**(M-3)**

A motion authorizing the proper City officials to execute an event agreement with the **Good Speed Foundation** to indemnify, protect and hold harmless the City from any liability in connection with the **Family Fitness Weekend** to be held **Saturday, July 26, 2003 from 6:00 a.m. to 11:00 p.m. and Sunday, July 27, 2003 from 7:00 a.m. to 2:00 p.m.** to be held at Birch State Park, on Fort Lauderdale Beach, and on Sunrise Lane; and further authorizing the closing of the following route for the bicycle portion of the event, beginning at 7:10 a.m. on Saturday, July 26, 2003; exit Birch State Park onto Sunrise Boulevard; proceed east in the eastbound median lane to State Road A-1-A; continue south in the southbound median lane of State Road A-1-A to Mayan Drive; turn around and head north in the northbound curb lane of State Road A-1-A to N.E. 20 Street; turn around, heading south in the southbound curb lane to Sunrise Boulevard; and continue in the westbound curb lane to return to Birch State Park; and further authorizing the closing of Sunrise Lane from N.E. 9 Street to the north edge of The Parrot property from 8:00 a.m. to 12:00 midnight Saturday, July 26, 2003 for the post-race party.

Recommend: Motion to approve.

Exhibit: Memo No. 03-992 from City Manager.

Event Agreement – Barefoot Mailman Festival**(M-4)**

A motion authorizing the proper City officials to execute an event agreement with the **International Swimming Hall of Fame, Inc.** to indemnify, protect and hold harmless the City from any liability in connection with the **Barefoot Mailman Festival** to be held **Friday, August 29, 2003 from 11:00 a.m. to 8:00 p.m.; Saturday and Sunday, August 30 and 31, 2003 from 8:00 a.m. to 3:00 p.m.; and Monday, September 1, 2003 from 7:30 a.m. to 3:00 p.m.** at the following locations: South Beach, D.C. Alexander Park, New River, and the Intracoastal Waterway.

Recommend: Motion to approve.

Exhibit: Memo No. 03-994 from City Manager.

Event Agreement – Seduction Under The Stars**(M-5)**

A motion authorizing the proper City officials to execute an event agreement with the **Dan Marino Foundation, Inc.** to indemnify, protect and hold harmless the City from any liability in connection with **Seduction Under The Stars** to be held **Friday, October 3, 2003 from 6:30 p.m. to 11:00 p.m.** at Huizenga Plaza.

Recommend: Motion to approve.

Exhibit: Memo No. 03-993 from City Manager.

Agreement – Goodwill Industries of Broward County, Inc. – Computer Classes at the Beach Community Center**(M-6)**

A motion authorizing the proper City officials to execute an agreement with Goodwill Industries of Broward County, Inc. to provide instructional computer classes at the Beach Community Center retroactive from July 1, 2003 through June 30, 2004.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1019 from City Manager.

Disbursement of Funds – Joint Investigation - (M-7)
O.R. No. 03-78119 - \$2,000 U.S. Currency

A motion authorizing the equitable disbursement of funds in the amount of \$2,000, with each of the 12 participating law enforcement agencies to receive \$166.66.

Recommend: Motion to approve.
Exhibit: Memo No. 03-6-12 from City Attorney.

Disbursement of Funds – Joint Investigation - (M-8)
O.R. No. 02-133655- \$2,215.78 U.S. Currency

A motion authorizing the equitable disbursement of funds in the amount of \$2,215.78, with each of the 12 participating law enforcement agencies to receive \$184.64.

Recommend: Motion to approve.
Exhibit: Memo No. 03-6-14 from City Attorney.

Disbursement of Funds – Joint Investigation - (M-9)
O.R. No. 02-133654- \$647.30 U.S. Currency

A motion authorizing the equitable disbursement of funds in the amount of \$647.30, with each of the 12 participating law enforcement agencies to receive \$53.94.

Recommend: Motion to approve.
Exhibit: Memo No. 03-6-15 from City Attorney.

Amendment to Agreement – Benefit Management (M-10)
Company (BMC) – Third Party Claims Administrator
For Preferred Provider Option (PPO) Self-Insured Health Plan

A motion authorizing the proper City officials to execute an amendment to the agreement with BMC for the City's PPO self-insured health plan.

Recommend: Motion to approve.
Exhibit: Memo No. 03-997 from City Manager.

Public Hearing Dates for Fiscal Year 2003/2004 Budget (M-11)

A motion setting the hearing date to consider the proposed millage rate and the City's fiscal year 2003/2004 tentative budget on September 3, 2003 at 6:00 p.m.; and setting the hearing date to consider the final millage rate and the City's fiscal year 2003/2004 final budget on September 16, 2003.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1013 from City Manager.

Tripartite Agreement – Performing Arts Center Authority (PACA) and Broward County – Fiscal Responsibilities for Fiscal Year 2003/2004 (M-12)

A motion authorizing the proper City officials to execute a tripartite agreement with PACA and Broward County to delineate fiscal responsibilities for fiscal year 2003/2004.

Recommend: Motion to approve.

Exhibit: Memo No. 03-913 from City Manager.

Short-Term Trial Rehabilitation Program – Housing Authority of the City of Fort Lauderdale – Step-Up Program (M-13)

A motion approving a short-term Trial Rehabilitation Program with the City of Fort Lauderdale Housing Authority's Step-Up Program for a term expiring the end of September 2003.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1034 from City Manager.

Emergency Purchase – Molloy Brothers, Inc. – Water Main Repair at N.E. 38 Street and N.E. 6 Avenue (M-14)

A motion approving the payment of \$72,616.59 to Molloy Brothers, Inc. for emergency repair services associated with the June 21, 2003 water main rupture at the intersection of N.E. 38 Street and 6 Avenue.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-960 from City Manager.

Contract Award – Kimley-Horn and Associates, Inc. (M-15)
Project 10548 – Executive Airport and Downtown
Helistop Aviation Consulting Services

A motion authorizing the proper City officials to execute an agreement with Kimley-Horn and Associates, Inc. to provide aviation consulting services for Executive Airport and the Downtown Helistop. (Also see Item M-16 on this Agenda)

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-971 from City Manager.

Task Order No. 1 – Kimley-Horn and Associates, Inc. - (M-16)
Project 10422 – Executive Airport Pavement Evaluation
And Rehabilitation Design of Runway 8-26 and
Realignment of Taxiway Hotel

A motion authorizing the proper City officials to execute a Task Order with Kimley-Horn and Associates, Inc. in the amount of \$372,010 to provide pavement evaluation and rehabilitation design services for Runway 8-26 and realignment of Taxiway Hotel. (Also see Item M-15 on this Agenda)

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-972 from City Manager.

Contract Award – Architects Design Group, Inc. - Project (M-17)
10583 – Police Department Detailed Needs Assessment/
Facility Replacement Study Project Phase I

A motion authorizing the proper City officials to execute an agreement with Architects Design Group, Inc. in the amount of \$76,584 to perform a detailed needs assessment and facility replacement study for the Police Department Facility Replacement Project.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 03-984 from City Manager.

Contract Award – F.R. Aleman and Associates, Inc. - (M-18)
10528 – Annual Point Excavation (Potholing) and Utility
Designation Services

A motion authorizing the proper City officials to execute an agreement with F.R. Aleman and Associates, Inc. in the estimated amount of \$251,000 for the annual point excavation (potholing) and utility designation services project.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 03-975 from City Manager.

Consultant Competitive Negotiation Act (CCNA) - (M-19)
Authorization to Negotiate with To-Ranked Firm of Councilman/
Hunsaker and Associates for Project 10648 – Fort Lauderdale
Aquatic Center

A motion authorizing the proper City officials to accept the Consultant Selection and Negotiation Committee's recommendation of ranking short-listed firms for the Fort Lauderdale Aquatic Center Project; and further authorizing the proper City officials to commence negotiations with the top-ranked firm of Councilman/Hunsaker and Associates or successively ranked firms if such negotiations become necessary.

Recommend: Motion to approve.

Exhibit: Memo No. 03-981 from City Manager.

Contract Award – Welch Tennis Courts, Inc. - (M-20)
Project 10144-B – Resurfacing of Clay Tennis
Courts at Holiday Park

A motion authorizing the proper City officials to execute an agreement with Welch Tennis Courts, Inc. in the amount of \$60,510 for the resurfacing of 18 clay tennis courts at Holiday Park.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 03-974 from City Manager.

Contract Award – S A Consultants, LLC - (M-21)

Project 10401 – Fire Station No. 3 (2801 S.W. 4 Avenue) Renovations

A motion authorizing the proper City officials to execute an agreement with S A Consultants, LLC in the amount of \$213,500 for the renovations at Fire Station No. 3 located at 2801 S.W. 4 Avenue.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 03-779 from City Manager.

Contract Award – Florida Blacktop, Inc. - (M-22)
Project 10618 – Riverland Brick Paver Crosswalks

A motion authorizing the proper City officials to execute an agreement with Florida Blacktop, Inc. in the amount of \$75,938.90 for the Riverland brick paver crosswalks.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 03-936 from City Manager.

Contract Award – Florida Design Contractors, Inc. - (M-23)
Project 10532 – Fiveash Well Abandonment and Relocation

A motion authorizing the proper City officials to execute an agreement with Florida Design Contractors, Inc. in the amount of \$1,928,560 for the Fiveash Well Abandonment and Relocation project.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 03-973 from City Manager.

Change Order No. 2 – Merkury Development – Project (M-24)
10307 – Policy Department Gun Range Renovation

A motion authorizing the proper City officials to execute Change Order No. 2 with Merkury Development in the amount of \$51,577.17 for additional work related to the Police Department Gun Range Renovation project.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 03-983 from City Manager.

Change Order No. 2 – Maison Saint-Antoine LLC - (M-25)
Project 9766 – Sanitary Sewer Improvements for Old
Progresso Village (Progresso A)

A motion authorizing the proper City officials to execute Change Order No. 2 with Maison Saint-Antoine LLC in the amount of \$74,924.91 for additional costs associated with the construction of sanitary sewer and other utility improvements in the Progresso A area.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 03-1028 from City Manager.

Change Order No. 1 – Tenex Enterprises, Inc. (M-26)
Project 9849 – Storm Drainage Improvements,
Idlewyld Neighborhood

A motion authorizing the proper City officials to execute Change Order No. 1 with Tenex Enterprises, Inc. in the amount of \$440,936.15 for the installation of an additional water main on Poinciana Drive and Hibiscus Place, in the Idlewyld Neighborhood.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 03-986 from City Manager

Change Order No. 10 – Whiting-Turner Contracting Company – Project 10222 – City Park Mall Garage Rehabilitation (M-27)

A motion authorizing the proper City officials to execute Change Order No. 10 with Whiting-Turner Contracting Company in the amount of \$44,500 for additional work related to the City Park Mall Garage rehabilitation project. (Also see Item I-E on the Conference Agenda.)

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 03-1024 from City Manager.

Amendment No. 3 to Task Order No. 16724.41 – Keith And Schnars, P.A. - Project 10507 – Professional Services For Additional Engineering Design Services for the River Run/Flamingo/Oak River (Septic Area 4) Sanitary Sewer Improvement Project (M-28)

A motion authorizing the proper City officials to execute Amendment No. 3 to Task Order No. 16724.41 with Keith and Schnars, P.A. in the amount of \$480,010 for the provision of professional engineering services associated with design and construction of additional design and construction related services within Septic Area 4 (River Run/Flamingo/Oak River).

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1027 from City Manager.

Task Order – Keith and Schnars, P.A. – Project 10491 - N.W. 19 Street Landscaped Median Construction (M-29)

A motion authorizing the proper City officials to execute a Task Order with Keith and Schnars, P.A. in the amount of \$40,000 for the design services related to the N.W. 19 Street landscaped median construction project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-980 from City Manager.

Contract Award – Astaldi Construction Corporation - (M-30)
Project 10515 – Lauderdale Manors Utilities Improvements,
Phase 2

A motion authorizing the proper City officials to execute an agreement with Astaldi Construction Corporation in the amount of \$9,814,866 for the Lauderdale Manors Utilities Improvements, Phase 2 project.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 03-1025 from City Manager.

Project Funding – WaterWorks 2011 (M-31)

A motion approving project funding from the Water and Sewer Revenue Bonds (Bond Program) for the WaterWorks 2011 projects.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-977 from City Manager.

Agreement – Broward County – Right-of-Way (M-32)
Improvements for the Ergon-Whiddon Two Plat

A motion authorizing the proper City officials to execute an agreement with Broward County, which requires specific right-of-way improvements on South Andrews Avenue including closure of curb openings and access to property that will be restricted by non-vehicular access lines designed by the County in relation to the Ergon-Whiddon Two Plat.

Recommend: Motion to approve.

Exhibit: Memo No. 03-901 from City Manager.

Purchase Order – Florida Power and Light (FPL) - (M-33)
Project 10121 – Lauderdale Manors Phase I Utilities
Improvements

A motion approving the payment of \$20,150 to FPL for the installation of a three-phase electrical service for the operation of a proposed sewage pump station for the Lauderdale Manors Phase I Utilities Improvement project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-976 from City Manager.

Task Order No. 26 – Camp, Dresser, and McKee, Inc. (M-34)
(CDM) – Project 10671 – Harbor Beach Infrastructure
Improvements – Design, Permitting and Construction
Services

A motion authorizing the proper City officials to execute Task Order No. 26 with CDM in the amount of \$356,832 for consulting engineering and construction administration services associated with the Harbor Beach Infrastructure Improvements. (On June 3, 2003, the City Commission tabled consideration of this item.)

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1021 from City Manager.

Task Order No. 03-06, Amendment No. 2 to Task Order No. 8, Amendment No. 1 to Task Order No. 01-05, and Amendment No. 1 to Task Order No. 02-06 – Hazen and Sawyer, P.C. – Consolidation of Projects and Engineering Services – Fiveash Water Treatment Plant Consolidated Phase 1 Construction Services (M-35)

A motion authorizing the proper City officials to execute Task Order No. 03-06 with Hazen and Sawyer, P.C. in the amount of \$1,385,055 for engineering services during construction of the Fiveash Water Treatment Plant Consolidated Phase 1 construction services project; and further authorizing the proper City officials to amend and close out task orders associated with the original projects now in the consolidated project: Amendment No. 2 to Task Order No. 8 (\$43,095); Amendment No. 1 to Task Order No. 01-05 (\$754,500); and Amendment No. 1 to Task Order No. 02-06 (\$153,640).

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-637 from City Manager.

PURCHASING AGENDA

332-8923 – Jail Inmate Phone System (Pur-1)

A three-year contract to provide a jail inmate phone system is being presented for approval by the Administrative Services, Information Technology Division.

Recommended Award:	T-Netix, Inc. Coconut Grove, FL
Amount:	\$ 18,000.00 (estimated revenue)
Bids Solicited/Rec'd:	61/5 with 5 no bids
Exhibits:	Memorandum No. 03-919 from City Manager

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

**222-8663 – Amend Contract – Jail Inmate
Healthcare Services****(Pur-2)**

An agreement to amend the contract for jail inmate healthcare services is being presented for approval by the Police Department.

Recommended Award: Prison Health Services, Inc.
Brentwood, TN
Amount: \$ 373,373.10 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 03-956 from City Manager

The Procurement and Materials Management Division reviewed this item and recommends approving contract amendment.

Miami-Dade – Safety Shoes**(Pur-3)**

An agreement to purchase safety shoes for citywide use is being presented for approval by the Finance, Risk Management Division.

Recommended Award: Iron Age Corporation
Fort Lauderdale, FL
Amount: \$ 73,000.00 estimated annual)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 03-950 from City Manager

The Procurement and Materials Management Division reviewed this item and recommends approving purchases from Miami-Dade County Contract.

**Proprietary – Additional Programming Services
(Utility Billing)****(Pur-4)**

An agreement to purchase additional programming services, utility billing and special assessment support and maintenance is being presented for approval by the Finance, Treasury Division.

Recommended Award: SunGard Pentamation, Inc.
Bethlehem, PA
Amount: \$ 4,700.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 03-991 from City Manager

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

232-8906 – Development of Continuation of Operations Plan**(Pur-5)**

An agreement to purchase the development of a continuation of operations plan is being presented for approval by the City Manager's Office.

Recommended Award: All Hands Consulting (WBE)
Columbia, MD
Amount: \$ 50,000.00
Bids Solicited/Rec'd: 53/4
Exhibits: Memorandum No. 03-988 from City Manager

The Procurement and Materials Management Division reviewed this item and recommends awarding to the first ranked proposer.

232-8846 – Data Collection Emergency Medical Software**(Pur-6)**

An agreement to purchase data collection/emergency medical software is being presented for approval by the Fire-Rescue Department

Recommended Award: Medusa Medical Technologies, Inc.
Halifax, Nova Scotia
Amount: \$ 132,426.00
Bids Solicited/Rec'd: 236/4
Exhibits: Memorandum No. 03-1000 from City Manager

The Procurement and Materials Management Division reviewed this item and recommends awarding to the first ranked proposer.

532-8895 – Lease of Digital Copier**(Pur-7)**

A three-year lease of a high-speed/high-volume digital black and white copier is being presented for approval by the Administrative Services, Central Services Division.

Recommended Award: Copy Corp. d/b/a Delta Business Solutions
Miramar, FL
Amount: \$ 20,808.00 (estimated annual total)
Bids Solicited/Rec'd: 30/5 with 5 no bids and 1 late bid
Exhibits: Memorandum No. 03-990 from City Manager

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

Mayor Naugle announced that there was an amendment to Item M-29 which was that the amount should have been \$33,620 instead of \$40,000. Also, in Item M-34, the amount should be \$415,112 instead of \$356,000.

Commissioner Moore left the meeting at approximately 6:25 p.m.

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel that Consent Agenda Item Nos. M-10, M-12, M-14, M-15, M-16, M-18, M-19, M-21, M-28, M-30 and Pur-5 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.

Contract Award – Kimley-Horn and Associates, (M-15)
Inc. – Project 10548 – Executive Airport and Downtown
Helistop Aviation Consulting Services

Task Order No. 1 – Kimley-Horn and Associates, (M-16)
Inc. – Project 10422 – Executive Airport Pavement
Evaluation and Rehabilitation Design of Runway
8-26 and Realignment of Taxiway Hotel

Commissioner Teel stated that she had pulled this item, along with Item M-16. She stated that she had met with Clara Bennett and had received a full explanation of the effort of what was taking place at the Executive Airport. She asked if a brief explanation could be given to the public.

Clara Bennett, Interim Manager, Executive Airport, stated that Item M-15 was a recommendation for a new general consulting services contract. She stated they had gone through a process to choose the top 3-ranked firms and at a previous Commission meeting, a recommendation had been presented that they enter into negotiations with Kimley-Horn.

Commissioner Moore returned to the meeting at approximately 6:27 p.m.

Ms. Bennett stated further that the consulting services were in regard to security enhancements, consulting services in connection with the Noise Abatement Program, noise studies, and if they decided to do a Part 161 Restriction Study, this firm would provide their services, along with services regarding their ongoing capital improvement program.

Ms. Bennett explained that Item M-16 related to the first of the task orders which would fall under their contract, if approved, which was to rehabilitate the main runway 8-26. She explained further that the project was to do an overlay of the runway as part of normal maintenance. Generally, the

pavement lasted about 20 years and the last time that work had been done was in 1978. She explained the master plan process was presently on hold.

Commissioner Teel asked if this work would then permit heavier or larger planes to use the airport. Ms. Bennett replied it was for the purpose of bringing it to the current standards which was 60,000 lbs. per wheel.

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel to approve Item M-15. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to approve Item M-16. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

**Amendment to Agreement – Benefit Management (M-10)
Company (BMC) – Third Party Claims Administrator
For Preferred Provider Option (PPO) Self-Insured
Health Plan**

Commissioner Moore stated that he had pulled this item and he felt that this should be done, but he preferred that the 10% fee should be lowered to 5%.

Perry Goodman, President of Benefit Management Company, stated that the reason for the amendment to the Administrative Service Agreement was for compensation regarding the run-out claims for employees who had migrated from the self-insured program into the Av-Med HMO Program. He explained the 10% was their standard fee, and had waived a portion of the fee when they had come in May, 2002 in light of the budding partnership they were entering into with the City. He stated that at that time they had incurred enormous costs to clean up a “messy situation,” and had hired additional employees, along with acquiring additional software. He further explained they had then attempted to clean-up a backlog of 3-6 months of claims to bring things to their current status of 5 working days. Effective on March, 2003, they had 67% of the employee population migrate into the Av-Med Program, and had discussed at that time the 10% fee with staff. He stated that the 10% fee was reasonable because at the time of their inception back in May, 2002, the agreement was not for a 5% run-in fee, but 3 months of administrative fees set against the 5% minimum. He explained if they had applied the same terms on the run-out, they would be talking about approximately \$70,000 of run-out fees compared to the 10% which was \$88,000. He explained further they were not discussing a 5% cut because it actually was a 20% reduction. He stated they had made the exception on the run-in and took far less from what was appropriate to handle the situation,

and the fact that there were 3-6 months of backlog claims, they believed the 10% with 5-7 days of turn-around time was appropriate.

Motion made by Commissioner Moore to approve a 5% run-in fee.

Mayor Naugle asked what was the typical fee and had they checked with other cities as to what they paid.

Terry Sharp, Director of Finance, stated that in checking with Lloyd Rhodes, the City's health consultant, stated that 10% was a reasonable standard in the market. He stated that when he compared the claims which had been processed, and the current fee they paid BMC which was a flat dollar amount, per employee, per month, they fell within the 10% range, and was consistent with what the City had been paying for this type of work.

Mayor Naugle stated that he was uncomfortable arbitrarily saying it should be 5%, and did not feel enough information had been provided for such a determination.

Commissioner Hutchinson stated that she could not support Commissioner Moore's motion, since she also felt she did not have enough information. She asked if this matter could be discussed in September.

Mr. Sharp stated that he had hoped to do this tonight, and asked if this could be added to next week's agenda. Commissioner Hutchinson replied that next week's meeting was strictly for the budget, and she did not want items added to that agenda.

Commissioner Moore stated that they had gone into the market and selected this particular company, and they had not bid in the process. He stated further that they had chosen someone through a bid process, but felt that person did not "step-up to the plate" in order to make the program work efficiently. He stated that this entity had started at 5% for the run-in costs, and he believed it should remain the same since they had agreed to that amount at the beginning of the contract.

Mr. Goodman explained that the 5% was not a flat fee on the run-in and had been set against 3 months of administrative expenses with the 5% as a maximum. If they applied the same 3 months of expenses on the tail, they were talking about approximately \$70,000 compared to the \$88,000 which had been processed in the first quarter. He stated they were diminishing rapidly and few claims existed. He explained that the differential was about \$18,000 compared to the \$14 Million health plan cost, and was a minor number. He felt they had produced great efforts in light of the reduced fee up front, and asked that the Commission honor the 10% request.

Motion died for lack of a second.

Mayor Naugle asked if the Commission could receive a comparison of what other cities were paying, and that information be provided to the Commission so that a decision could be made at the September meeting. Mr. Sharp confirmed.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to defer this item until September 3, 2003, at 6:00 p.m.

Mr. Goodman reiterated that due to their administrative efforts and expenses from March to the present date, he asked if a partial release of funds could be made, at least up to the 5% level, so overhead expenses could be covered.

Commissioner Hutchinson stated she did not have a problem with that. The City Manager agreed.

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

Tripartite Agreement – Performing Arts Center Authority (PACA) and Broward County – Fiscal Responsibilities for Fiscal Year 2003/2004 **(M-12)**

Commissioner Moore stated that he had pulled this item, and stated he was concerned about the Fee Agreement. He stated that he wanted an opportunity to negotiate the fee to a different rate. He stated that the issue he had in mind was in regard to the landscaping. He said that value was approximately \$30,000, and asked what the fee had been for the previous year.

Phil Thornburg, Parks and Recreation, stated that as far as he knew it was for in-kind services, and they were not requested to do any work on the property for the past year.

Commissioner Moore asked if that provision could be removed, and continue with the reimbursement of expenses for the removal of trash. He stated that due to the fact of the City's budget concerns and the possibility they might be reducing some landscape requirements for public property, that this be excluded and that they dispatch the work force to other common areas.

Mark Nerenhausen, President of Performing Arts Center, stated that if they had not been requesting such work, they could consider excluding it, but he would have to talk to the facilities people and check on the matter.

Motion made by Commissioner Moore and seconded by Commissioner Teel that they approve the contract with the exclusion of the maintenance issue.

Commissioner Moore remarked if the information indicated that work had been performed, that they should bring the matter back to the Commission for reconsideration.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, and Mayor Naugle. NAYS: Commissioner Hutchinson.

Commissioner Hutchinson stated that she was in favor of the Tripartite Agreement and did not have a problem with the \$24,000.

Mayor Naugle reiterated that if Mr. Nerenhausen discovered information contrary to what was presented, he should return before the Commission.

**Emergency Purchase – Molloy Brothers, Inc. -
Water Main Repair at N.E. 38 Street and N.E. 6 Avenue**

(M-14)

Commissioner Hutchinson stated that she had pulled this item, and stated that various questions had been raised at her district meeting in regard to the \$8,000 in-house costs. She proceeded to ask for some further clarification.

Mike Bailey, Public Services Department, stated that primarily it was for staff time. Various employees had been called in to answer telephone calls, valves had to be turned, and valves had to be manned while the repairs were taking place.

Commissioner Moore stated he was concerned about the overtime paid to the contractor, and felt that their contract arrangement should not penalize the City because it occurred at an inconvenient time since they were supposed to respond to such situations. He asked why they should be paid overtime since they had no control over when these types of problems occurred.

Mayor Naugle stated that they were reimbursed for the work, and the Federal Government required that their employees be paid overtime.

Hector Castro, City Engineer, stated that this was their annual sewer and storm drainage contract and was designed for jobs that were planned ahead for work during the week. He stated this company had been called in on the weekend and had worked non-stop and were entitled to overtime. He explained the annual contract was not bid as an emergency contract.

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

**Contract Award – F.R. Aleman and Associates,
Inc. – Project 10528 – Annual Point Excavation
(Potholing) and Utility Designation Services**

(M-18)

Greg Jeffries, Craig Smith & Associates, stated that this project had originally been bid on October 9, 2002, and his firm was the lowest responsible bidder. A series of letters were exchanged wherein the second-place bidder, F.R. Aleman and Associates, accused his firm of lacking adequate qualifications to perform the work. He stated they had refuted such accusations, and their bid was complete and free of errors or omissions. He stated that a cashier's check had been provided by his firm in excess of \$30,000 as their bid security, and offered the City a 100% performance surety bond. He stated there had only been 2 bids which were later discarded.

Mr. Jeffries explained that the original bid documents stipulated that the bidder had to have 6 years of potholing experience in Broward County. He stated their company was an engineering and survey firm and had been headquartered, incorporated, and worked in the County since 1980. He stated that they had been performing utility pothole work as part of design engineering for the better part of their tenure. He stated that the City, at the demand of the second-place bidder, asked them to back up their experience with contracts for potholing work. He explained they had begun contracting separately for such work since 2001, and were unable to provide written support for 6 years of contract experience, but had provided resumes of their personnel and some of them had worked previously for the second-place bidder firm.

Mr. Jeffries stated they strongly objected to the rebidding of the project as it would place their bid numbers in a vulnerable position for undercutting in the rebid. The contract rebid removed the 6-year experience requirement, and opted to accept the experience of staff assigned to the project as qualification, which was what they proposed to do initially in the original bid. The rebid also added a requirement for a surety bond and reduced the estimated work quantity by 50%. Again, he stated they had proposed this in the first bid. He explained that the City had done what they had suggested in the first bid. He stated that the City should have awarded the bid to the low bidder in the first go-round and avoid the expense and delay associated with the rebid. As they feared would happen, F.R. Aleman took advantage of the knowledge they gained knowing his firm's bid numbers and seriously undercut their prices. He stated that he had copies of all correspondence that took place between the two bids, and proceeded to submit it to the Commission.

Mr. Jeffries advised the City that if this project was awarded to F.R. Aleman, his firm would have no choice but to seek immediate injunctive relief and pursue vigorously all legal remedies that would be available in this instance.

Commissioner Moore asked what their first bid had been. Mr. Jeffries stated it was \$612,176, and F.R. Aleman's first bid had been \$623,000. He stated his firm's second bid was \$257,000 due to the fact that the work was being cut by 50%.

Tim Ashmore, WaterWorks 2011, stated it was correct that the experience requirements had been adjusted after the first bid since a number of legitimate questions had been raised, and rather than offer something with a "cloud over it," they felt it was in the best interest of the City to rebid it. They also had a better feel for the quantity of work that would be done during the course of the year, and a significant adjustment had been made. He further stated that they had also deleted an element of work that was insufficiently specified and not appropriate to include in the bid. He stated that the surety bond had only been offered after discussions with both parties regarding the City's concerns had taken place. He explained they felt the best way to provide equal opportunity for all bidders on a level playing field was to rebid the project. He stated they encouraged more open competition, and they had received 5 bids on the rebid.

Commissioner Moore asked if they could have met the requirements by reducing the first bid to 50% of the proposed project, as had been done in the second bid. Mr. Ashmore replied that they had adjusted the quantity based on the work from the prior year, the original estimate might have been high. He explained it was best to bid close to the amount of work that was anticipated and more fair to the bidders involved.

George Platt, attorney for F.R. Aleman, stated that the City had formally rejected the previous bids, and significant material modifications had been made to the bid specifications. Originally, the other company was not qualified in terms of meeting the minimum requirements set forth in the bid specifications, and this time they had met them without objection from this company. He further stated that a requirement had been included for a bond, which was important in any contract. He stated that in the rebid there was a provision that stated that anyone who had a problem in the pre-bid mode had to raise the point 10 days prior to the bid reopening. He stated that to the best of their knowledge, they had not submitted any objections in writing. Mr. Platt stated that there were open, competitive bids, and F.R. Aleman was the low bidder. He stated money in the City was important at this time, and this was an opportunity for them to save money. He urged the Commission to approve staff's recommendation and award the contract to the low responsible bidder who was F.R. Aleman.

Mr. Jeffries stated that they had filed a written objection within the 10 days and had addressed a letter to Mr. Ashmore objecting to the rebid, and also had asked various other questions regarding the contract documents. He

further stated that they were the lowest and responsible contractor in the first bid, and were asking to be awarded the contract.

Mayor Naugle remarked that the City had rejected the first bids and attempted to be fair in the matter. More accurate information was supplied in the contract, and the recommended bidder was the lowest. He felt everything appeared to be legitimate.

Motion made by Commissioner Hutchinson to approve this item.

Commissioner Moore asked staff why the first bid had been placed with a 6-year minimum requirement for this type of work. Mr. Ashmore explained that he could only speculate that it was due to the anticipated volume of work in connection with the Waterworks Program. He stated that he had reviewed the file regarding documentation, but did not find any. He explained that was one of the reasons they felt it was appropriate to adjust that experience requirement.

Commissioner Moore reiterated that he did not like this situation, and asked if an RFP would be put out and individuals respond within 30 days, how would that affect the Waterworks Program. Mr. Ashmore replied there were a number of projects in the planning and design stage, and this exploratory work was very important to the completion of those plans that were on a particular schedule. He stated there would be a "crimp" because when they did it as an annual contract, there was a significant volume of work and the unit prices came in lower than if they did it in small scale increments. Commissioner Moore reiterated that he was not requesting it be done in small scale increments, but that the entire project be put out for another rebid.

The City Manager stated that he did not think anything good would come out of another rebid, and felt it would cause substantial delays in the project.

Mayor Naugle stated it would possibly encourage other bidders who ranked second or third in other projects to make the same type of argument. He stated that it appeared the best course of action had been taken.

Commissioner Moore stated there were several ways to handle this matter, and he felt another avenue could have been taken.

Commissioner Teel seconded the previous motion. Roll call showed: YEAS: Commissioners Teel, Trantalis, Hutchinson, and Mayor Naugle. NAYS: Commissioner Moore.

**Consultant Competitive Negotiation Act (CCNA) - (M-19)
Authorization to Negotiate with Top-Ranked Firm
Of Counsilman/Hunsaker and Associates for
Project 10648 – Fort Lauderdale Aquatic Center**

Commissioner Moore stated that he wanted to understand the fact that they were going to do the selection for the designer of the pool.

Wayne Jessup, City Architect, explained that they were to be the designer of the pool, and not the entire facility. Commissioner Moore asked if the RFP requested a designer. Mr. Jessup replied that it was specifically requesting an aquatic designer who had the expertise to design a competitive world-class pool system. Commissioner Moore asked if this was the best way to approach the matter. Mr. Jessup proceeded to explain what they were attempting to do in this matter.

Mr. Jessup stated that the eventual intent was for an international architectural design competition for the design of a new facility. He stated the most critical part of the project would be the design of the pools, and the specific expertise necessary for such design. He continued stating if that was left to the architects who were competing to pick a pool designer as part of their team, they might or might not get the best pool designer or one who would meet the standards set by staff at the center. Therefore, they could guarantee that they would be getting the best expertise for the pools to meet the competitive standards they wanted. In addition, they were bringing the pool designers on board ahead of time who would help them to write the RFP that would go out for the architectural competition in an attempt to make sure that proper parameters were included within the RFP to properly house the pools.

Mr. Jessup reiterated that this contract was only for the pool designer who would help prepare the design criteria for the competition. After the competition, the winner would be requested to hire the designer as part of their team in order to make sure there would be a first-class pool, plus a world-class piece of architecture.

Commissioner Hutchinson stated that he had mentioned that the architects would be “requested” to hire the consultant, and emphasized that it would be part of their contract to do so. She stated if they were going to spend the time to choose an individual to design the pool, she assumed they would automatically be part of the team.

Mr. Jessup stated that was their intent.

Greg Kisela, Assistant City Manager, stated he wanted to clarify the intent which was to team the aquatic consultant with the architect. He stated once

they proceeded forward, there might be reasons that cannot be accomplished, but if that was the case, the matter would be brought back to the Commission.

Commissioner Hutchinson asked if a cost had been arrived at yet. Mr. Kisela stated they had some rough estimates. Mr. Jessup stated they would negotiate a fee for the individual to develop the design criteria package. Commissioner Hutchinson asked if they were coming back to the Commission with the scope of services and costs. Mr. Jessup confirmed.

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

**Contract Award – S A Consultants, LLC – Project 10401 - (M-21)
Fire Station No. 3 (2801 S.W. 4 Avenue) Renovations**

Commissioner Moore asked what was happening in this matter, and asked if an individual had bid on alternates 1 and 3, and they were carving out alternative 1. Commissioner Hutchinson reiterated that the memo had not been very clear.

Hector Castro, City Engineer, stated that they had bid multiple options for the renovation of Fire Station No. 3. He further stated that the first alternative was to add doors to the existing kitchen cabinets which was a minor improvement at the cost of about \$1300. The second alternative was for a different type of door feature which was very expensive. The third alternative was to replace the asphalt in the driveway with concrete. Unfortunately, in the bid specifications they had listed that the City could select a combination of alternatives, but the one combination not listed was alternate 1 and 3. Their intent was to award the base bid for alternate 3 and return and do about a \$1300 change order adding the kitchen cabinets.

Commissioner Hutchinson stated she wanted to approve that, but was alternative 3 in the base bid of \$213,500. Mr. Castro confirmed.

Motion made by Commissioner Hutchinson to approve alternates 1 and 3.

Commissioner Moore stated that staff could not continue to give such reports which made no sense, and then the Commission approved them. He felt this was happening too often and they needed to be more professional. Commissioner Hutchinson agreed, but stated this was the second time this item had come before the Commission, and the station was in dire need of repair. She remarked it was a mess. Commissioner Moore reiterated that he felt there could be problems.

Mr. Castro stated he agreed and apologized, and took full responsibility and had been in negotiations all week, but should have reviewed the matter better.

Commissioner Teel seconded the previously made motion. Roll call showed:
YEAS: Commissioners Teel, Trantalis, Hutchinson, and Mayor Naugle.
NAYS: Commissioner Moore

Amendment No. 3 to Task Order No. 16724.41 - (M-28)
Keith and Schnars, P.A. – Project 10507 – Professional
Services for Additional Engineering Design Services for
The River Run/Flamingo/Oak River (Septic Area)
Sanitary Sewer Improvement Project

Commissioner Hutchinson stated she had pulled this item, and stated it was originally slated for one pump station and now they were saying it needed an additional five, and she was concerned that they did not plan for them originally.

Paul Bohlander, Assistant Utilities Services Director, stated that the original task order and design was a planning level design, and had been taken from the master plan but not based on any actual survey information. The consultant had determined that the planning level design included in the master plan upon, which the original project estimate and original task order had been developed, was not feasible due to the depths of cut which would be required. He explained that on the preliminary plan where the pump station was located, the elevation was high. He explained further that the 20' cuts were expensive and difficult to construct. He stated this needed to be done so the project could be properly completed. He stated there would be some efficiencies realized with the construction of these additional stations.

Mayor Naugle asked if that would result in less dewatering and less pump noise. Mr. Bohlander confirmed.

Commissioner Hutchinson stated that since they would be constructing 6 stations would it mean when they went to do the ones not done by the County, they would ultimately be able to hook into these stations. Mr. Bohlander stated it was his expectation to bring that issue back to the Commission regarding the recent annexed areas in September or October. He explained the stations were actually located in those areas. He stated that this amendment provided for the most efficient plan for sewerage the recent annexed areas also.

Motion made by Commissioner Hutchinson to approve this item.

Commissioner Moore stated that he wanted the Commission to read the last sentence on the report which stated as follows and which he had brought up in connection with the garage item: "While the addition of pumping station adds to the design and capital cost, as well as some degree of additional maintenance and operational costs...." He stated that when they decided to do something, it was written up and done, but when the Commission chose to do something they were told about costs and why things should not be done. He reiterated this happened over and over again, and he was tired of it because when they, as a policy board, took a position, their desires were not met.

Commissioner Moore seconded the previously made motion. Roll call showed: YEAS: Commissioners Teel, Trantalis, Hutchinson, and Mayor Naugle. NAYS: Commissioner Moore.

Contract Award – Astaldi Construction Corporation (M-30)
Project 10515 – Lauderdale Manors Utilities
Improvements, Phase 2

Commissioner Hutchinson stated that she had pulled this item and realized it was not part of her area, but she had heard that a lot of complaints had been raised, and she wanted a comfort level in this matter. She advised that she did not like the low bidder process, and was uncomfortable that Astaldi was going back in to do Phase 2.

Paul Bohlander, Assistant Utilities Services Director, stated that to a certain extent they were committed to the competitive low bid process. He stated there had been problems with this corporation in regard to other projects, particularly early in the projects. He stated they had worked through those problems and felt that they were doing a better job. He realized it had been an ongoing struggle, but they feel they had reached a point that they were now responsive and productive and were making good progress on the projects. He stated they would have a hard time justifying not awarding them as the low bidder.

Commissioner Hutchinson stated they had a long way to go on the WaterWorks 2011 project, and felt they needed to reassess the low bid process so they could get a better product for the money being spent. She stated she was not going to support this contractor.

Commissioner Moore stated that they had a better chance to get this contractor to play by the rules due to the amount of money this contract involved. He felt that most of the problems had been worked on by staff and the company. He stated he was not a particular advocate of this company, but when they met with everyone the errors had been corrected. He recommended that the Commission support this company in this phase

because they had improved their operations. He felt part of the problem was due to their endeavors to “beat deadlines” which caused many disruptions to the areas.

Dennis Ulmer, resident of Lauderdale Manors, stated there had initially been problems, but the contractor had been responsive and staff had also helped, along with the Commission’s support. He stated the contractor was more responsive and he believed this had been a learning experience for everyone involved.

Mayor Naugle stated that he had talked to Marsha Goldsby who was also concerned, and he had come to the conclusion that this company was now “broken in” and had been made aware of the City’s expectations. He stated that he felt the next phase would move more smoothly. He thought it was great that there had been 9 bidders for the job. He further stated that he was in support of this recommendation.

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

232-8906 – Development of Continuation of Operations Plan

(Pur-5)

Commissioner Moore remarked that he had pulled this item, and stated that the rankings showed costs also, and he wanted to know what was the difference that caused staff to choose the highest bidder in this process.

Kirk Buffington, Purchasing Division Manager, stated that Horace McHugh had chaired the evaluation committee and had been present during the discussions and could address this matter better. He stated that some of the other proposers wanted the City to create the teams, and they were only going to come in and teach as opposed to developing the deliverables as required in the scope of the work, and delivering them to the City.

Horace McHugh, Assistant to the City Manager, stated that there were a number of criteria involved. One dealt with the timetable and explained that this was funded by a grant which required that this project be completed by October 1, 2003. He felt that was a major component they had been concerned about.

Commissioner Moore asked if Greenhouse was not able to meet the completion date. Mr. McHugh stated each of them came in with different deliverables at different points, and this one gave a schedule they were more comfortable with for the project. Another component was the experience the companies brought with them. In addition to disaster prep and management,

they had some engineering and architectural qualifications. Mr. McHugh stated that when the grant was received by the City in March, they had to turn around and then do an RFP and still require the respondents to submit the documents and have the project all completed within a 3-month time period.

Commissioner Moore asked once again if Greenhouse was able to meet the circumstances of the contract.

Mr. Buffington stated that according to the documents submitted by Greenhouse, they anticipated a 4 ½ month schedule which would go beyond the October deadline for the grant.

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

MOTIONS

Settlement of General Liability File No. GL 01-827 (M-36)
(Julia Ann Moore)

A motion authorizing the proper City officials to settle General Liability File No. GL 01-827 (Julia Ann Moore).

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel to approve the settlement of File No. GL 01-827 (Julia Ann Moore). Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

Settlement Agreement – Advocating Disability Rights, (M-37)
Inc v. City of Fort Lauderdale

A motion authorizing the proper City officials to execute a settlement agreement with Advocating Disability Rights, Inc. to establish a list of specific facility improvements and program changes in accordance with the federal Americans with Disabilities Act (ADA) to be implemented by the City within specific timeframes.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve the Settlement Agreement with Advocating Disability Rights, Inc. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

Commissioner Hutchinson left the meeting at approximately 7:25 p.m.

PUBLIC HEARINGS

**Temporary Road Closures – N.E. 5 Street and
N.E. 3 Avenue and N.E. 5 Street and North
Andrews Avenue**

(PH-1)

A public hearing to consider a proposal to remove the temporary road closures on N.E. 5 Street, east of N.E. 3 Avenue and west of North Andrews Avenue. Notice of public hearing was published July 3 and 10, 2003.

Peter Partington, Assistant City Engineer, stated that these were Commission initiated road closures in 1997, and were intended as crime discouragement devices for the neighborhood. He stated they were in place temporarily and other temporary closures in other neighborhoods took place in that same time period. He explained that the Flagler Heights Civic Association requested that they stay in place pending overall planning efforts for the neighborhood. He proceeded to show on a map where the closures were located.

Commissioner Hutchinson returned to the meeting at approximately 7:28 p.m.

Mr. Partington stated that earlier this year letters had been received requesting that the City remove the closures. A Friday memo had been prepared and they would remove them, unless there was opposition. Subsequently, other letters were received indicating a desire to keep the closures in place. Therefore, the Commission decided to hold this public hearing. He stated that the closures were intended as a crime discouragement device, and they had not collected any traffic data because they were not traffic devices. He explained that they were not aware of any operational problems caused by these closures. He stated that staff did not have a strong recommendation and suggested that the Commission hear public input, and then decide whether to keep the closures or not.

Carol Tomsey, owner of 2 properties in Flagler Heights, stated that she was concerned how this would impact the neighborhood due to all the construction taking place in the area. She stated they did not have the opportunity to review traffic calming suggestions and asked for some additional time to do so, and that this discussion be tabled until a later date.

Lutz Hofsheinz, representing Flagler 500, stated that he owned properties on NW 5 Street. He further stated that they needed to reopen the streets, and install some different type of calming device such as a round-about for traffic.

Tony Abbate, owner of property in Flagler Heights and resident of Colee Hammock, stated that he was the author of 2 reports pertaining to that neighborhood. One was the Target Improvement Plan that identified the

street closures as a necessary crime deterrent, but pointed out the fact that the aesthetics were detrimental to the future development of the neighborhood and sent a negative message. He further stated that they had been hired to do a master plan for the neighborhood and the infrastructure improvement plan showed that the NE 5 Street corridor should remain opened, but recognized the need for a temporary closure for stabilization of the neighborhood. Based on those studies, the ultimate direction would be to recommend opening the streets. He felt it was not a simple decision as to whether the street reopened or not.

Peter Rog, resident living across from JPI, and stated there was a lot of truck traffic and if the streets were opened it would be very unsafe. He stated there was a lot of dust in the neighborhood due to the construction that was taking place. He recommended that the streets remain closed.

Mayor Naugle stated if there was a bad dust problem, he was to call City Hall daily until something was done. He stated if the problem was not resolved, they should shut them down if necessary.

Brice Lambert, 636 NE 1 Avenue, stated that these closures were supposed to be temporary and there had been dramatic improvements in the neighborhood. He recommended that the streets be reopened.

Jack Malatov, own property at 3rd and 5th to Second Avenue, and stated they were going to build a mixed-use building and wanted these streets opened. He proceeded to show pictures of the proposed building.

Laura Mutti, owner of two properties facing the closure at Andrews Avenue, stated she was also present on behalf of the property owner at the SW corner of the intersection. She continued stating that they were in favor of keeping the streets closed because over the 7 years crime had been reduced and the aesthetics of the neighborhood had been improved. She stated that about 50 other individuals wanted to attend this meeting but were unable due to work or vacations and supported that these closures remain. She reiterated that they had not harmed redevelopment.

Michael Provisano, resident for 20 years, stated the closures should be permanent and felt that speed bumps should also be installed on Second Avenue due to the traffic that will come from the new building at the corner.

Terry Hayes, owner of property at the 400 block of NE 1 Avenue, stated that good quality development was beginning to occur in the neighborhood, and she wanted them to keep the streets closed. She did not feel the problem had been cured entirely. She felt they needed to preserve the quaintness of the area and reiterated that the streets were narrow and could not support an increase in traffic. She stated that a lot of the developers in the area were

pushing for the streets to be reopened. She felt they should wait and leave it up to the individuals who were going to live in those developments. She stated they were greatly lacking green space and possibly that area could be turned into such an alternative. She was in support of leaving the streets closed.

Evelyn VanDermark, representing First Lutheran Church, stated that at their meeting they decided to send a letter to the Commission stating that they desired the streets to be reopened.

Calvin McKenzie, 420 NE 1st Avenue, stated that he wanted the streets reopen and announced that he had a triplex that had back-out parking. He advised that with the streets closed, there was a lot of vehicular traffic on his street and it would increase due to the new developments being constructed.

Edmund Waterman, owner of several parcels of properties in the area, stated that the street closures had not accomplished their objective, and felt it diminished the symptoms but did not fully address the problem.

Michael Ferber, 422 NE 2 Avenue, stated that he was requesting the Commission to remove the barricades on NE 5 Street immediately and with no conditions. He stated the sole rationale for the closure of the streets was an emergency crime fighting tool. He urged the Commission to remove the barricades.

Kevin Lynch, resident at 441 NE 2 Avenue, stated that the streets needed to be reopened, but there was a necessity for a traffic calming device.

Tony Cortolo stated that he owned the property at NE 5 Street and Andrews Avenue, and did not think the streets should remain closed. He felt they needed all the access they could get due to all the new construction taking place in the area.

Rob Larson, owned property at NE 1 Avenue north of the closure, and stated that there was a group in the neighborhood that had been working together for 9 years, and this was an issue which divided the Civic Association. He further stated it was an emotional issue. He stated they were excited about all the new development taking place, but 2 Avenue was very narrow and there were no sidewalks. He suggested that they hold-off for 6 months until further planning was done to replace the present barricades.

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

Commissioner Trantalis stated that the Flagler Heights Civic Association had first brought this proposal to his attention. He stated a request was made to him to have the roads reopened due to the changes taking place in the neighborhood. In reviewing the situation, he stated that he went to the area and it was definitely changing, and the planters were traffic calming devices. He stated the closures were not working at this time and vehicles needed to get in and out of the community. He recommended that the Commission move forward and reopen the roads.

Mayor Naugle stated that the whole area was ready for a streetscape program and it was in the CRA and funds could be available in the future, but it was a definite area for a special assessment district like those which had been done in other parts of the City. He continued stating that possibly it could be a combination of using some CRA monies along with special assessments for streetscape planning. He agreed the streets should be reopened, but asked if the barricades were removed on the west side and the ones on the east side were left, what effect would there be on the neighborhood. He continued stating that a precinct plan was going to be discussed.

Commissioner Trantalis reiterated there was to be a meeting with the CRA tomorrow, and he felt it would be appropriate to discuss this matter. He stated that he felt these types of barriers were no longer appropriate for traffic calming or were they aesthetically pleasing. He felt they needed to look at more appealing alternatives for which monies were available. He believed they needed to consider traffic calming, along with aesthetic modifications, for the many areas in Flagler Heights. He stated the barriers needed to be removed so the developments could have access to the streets. He further stated that by closing off 5 Street, it would stress out the surrounding streets which then had to accommodate the traffic. He believed the streets needed to be reopened in order to absorb all the activity.

Commissioner Hutchinson stated that it was interesting to her that the closures had not been put in as traffic calming devices, but were erected due to Commissioner Smith requesting them for crime reduction purposes. She stated that tonight in their discussions, no one had mentioned crime. She stated that she somewhat agreed with Mayor Naugle's suggestion to close down one street, but leave the other one opened. She stated that she would support opening the streets, but wanted this matter discussed at tomorrow's CRA meeting to see how they could better address this area since they had a tremendous investment in it, and how the City could partner with them.

Commissioner Teel stated that knowing the history of this situation, she felt it was not a good idea to remove the barriers without looking at alternatives. She reiterated once they were removed, it was hard to put them back in place. She stated she agreed with Mayor Naugle's suggestion of removing

the one closest to Federal Highway, which would be a good first step, and yet still control some of the cut-through traffic, but yet giving access to some of the other areas. She stated that she supported looking at other alternatives regarding traffic calming and did offer a deterrent to crime. She agreed the matter should be discussed with the CRA in an attempt to get a more holistic look at the neighborhood.

Motion made by Commissioner Trantalis and seconded by Commissioner Moore to remove the temporary road closures on NE 5 Street and NE 3 Avenue, and NE 5 Street and Andrews Avenue. Roll call showed: YEAS: Commissioners Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: Commissioner Teel.

**Fiscal Year 2003/2004 Federal Department of Housing (PH-2)
And Urban Development (HUD) Annual Action Plan –
Entitlement Programs for Community Development Block
Grants (CDBG); HOME Investment Partnerships Program
(HOME); Emergency Shelter Grant (ESG); and Housing
Opportunities for Persons with Aids (HOPWA)**

A public hearing to consider the submission of the Fiscal Year 2003/2004 Annual Action Plan to HUD in order to continue receiving funding for the following entitlement programs: CDBG, HOME, ESG, and HOPWA. Notice of public hearing was published in *The Sun Sentinel* June 22, 2003 and *The West Side Gazette* June 26, 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

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to approve the submission of the FY 2003/2004 Annual Action Plan to HUD. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None

ORDINANCES

**Rezone RMM-25 to X-P and Site Plan Approval (O-1)
Anthony's Coal Fired Pizza (PZ Case No. 9-ZR-02)**

At the May 21, 2003 Planning and Zoning Board regular meeting, the following application was approved by a vote of 8-1. Ordinance No. C-03-24 was published June 19 and 26, 2003, and approved on first rading July 1, 2003 by a vote of 5-0.

Applicant: Anthony's Coal Fired Pizza
Request: Rezone RMM-25 to X-P with site plan approval
Location: 505 S.E. 22 Street

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-03-24

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RMM-25 to XP THAT INCLUDES SITE PLAN APPROVAL, LOT 21, BLOCK 67, "CROISSANT PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 4, PAGE 28, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE NORTH SIDE OF SOUTHEAST 22ND STREET, WEST OF SOUTHEAST 6TH AVENUE, 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 Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None

**Rezone RML-25 to B-1 – City of Fort Lauderdale
(Konover Property) (PZ Case No. 8-Z-03)**

(O-2)

At the May 21, 2003 Planning and Zoning Board regular meeting, the following application was approved by a vote of 9-0. Ordinance NO. C-03-25 was published June 19 and 26, 2003, and approved on first reading July 1, 2003 by a vote of 5-0.

Applicant: City of Fort Lauderdale
Request: Rezone RML-25 to B-1
Location: North of Broward Boulevard, west of I-95 between N.W. 22 Avenue and N.W. 25 Terrace (also known as the Konover Property)

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-03-25

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RML-25, TO B-1, TRACTS "A" AND "B", "R.E.B. PLAT", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 74, PAGE 43, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE NORTH AND SOUTH SIDES OF NORTHWEST 2ND STREET, BETWEEN NORTHWEST 22ND AVENUE AND NORTHWEST 25TH AVENUE, 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 Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None

Amendment to Section 26-161 – Parking Rates and Hours for On and Off-Street Parking and Reduction Of Parking Fees for Events of Direct Public Benefit to the City

(O-3)

An ordinance relating to parking and amending Section 26-161 titled “Rates and Hours for Off-Street Parking,” of the Code of Ordinances to increase parking rates for certain on and off-street parking, to revise hours of operation of certain parking facilities and to provide for the waiver or reduction of parking fees for organizations holding events of direct public benefit to the City. Ordinance No. C-03-26 was published June 21, 2003, and approved on first reading July 1, 2003 by a vote of 4-1 (Naugle).

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-03-26

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RELATING TO PARKING; AMENDING SECTION 26-161, “RATES AND HOURS FOR OFF-STREET PARKING,” OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO INCREASE PARKING RATES FOR CERTAIN ON AND OFF-STREET PARKING, TO REVISE HOURS OF OPERATION OF CERTAIN PARKING FACILITIES AND TO PROVIDE FOR THE WAIVER OF REDUCTION OF PARKING FEES FOR ORGANIZATIONS HOLDING EVENTS OF DIRECT PUBLIC BENEFIT TO THE CITY OF FORT LAUDERDALE.

Which ordinance was read by title only.

Mayor Naugle stated that he had voted “no” at the last meeting because he felt this should be phased. He stated he was also concerned that in the areas where the rates were being increased, businesses who used the meters had little notice of the increase (even though there was no requirement) and input had not been received from organizations or residential areas that may be impacted more. He stated that he did support some sort of increase. He continued stating that these increases could also bring forth opposition to the parking fund, and there could be an increase in customer dissatisfaction or loss of business for the merchants.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, and Hutchinson, NAYS: Mayor Naugle.

**Amendment to Chapter 20 – Eligibility of Employees (O-4)
In the General Employees Retirement System (GERS) –
Removal of Age Restriction**

An ordinance amending Chapter 20, Division 2 of the Code of Ordinances respecting the GERS by amending Section 20-107 creating new definitions and modifying existing definitions permitting participation in the plan for employees of defined affiliated agencies of the City; amending Section 20-108 eliminating age as a criteria for participation; adopting a new section 20-108.1 creating optional participation for members in a City-sponsored defined contribution plan and establishing terms and conditions therefor; and amending Section 20-110 permitting uninterrupted period of employment with the City and affiliated agencies to count toward vesting for certain employees. Ordinance No. C-03-27 was published July 5, 2003, and approved on first reading July 1, 2003 by a vote of 5-0.

Commissioner Moore introduced the following ordinance on second reading, **as revised:**

ORDINANCE C-03-27

AN ORDINANCE AMENDING CHAPTER 20, DIVISION 2, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA RESPECTING THE GENERAL EMPLOYEES' RETIREMENT SYSTEM BY AMENDING SECTION 20-107 CREATING NEW DEFINITIONS AND MODIFYING EXISTING DEFINITIONS PERMITTING PARTICIPATION IN THE PLAN FOR EMPLOYEES OF DEFINED AFFILIATED AGENCIES OF THE CITY OF FORT LAUDERDALE; AMENDING SECTION 20-108 ELIMINATING AGE AS A CRITERIA FOR PARTICIPATION; ADOPTING A NEW SECTION 20-108.1 CREATING OPTIONAL PARTICIPATION FOR MEMBERS IN A CITY SPONSORED DEFINED CONTRIBUTION PLAN AND ESTABLISHING TERMS AND CONDITIONS THEREFOR; AND AMENDING SECTION 20-110 PERMITTING UNINTERRUPTED PERIOD OF EMPLOYMENT WITH THE CITY OF AFFILIATED AGENCIES TO COUNT TOWARD VESTING FOR CERTAIN EMPLOYEES.

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

Amendment to the Pay Plan**(O-5)**

An ordinance amending the Pay Plan of the City to provide for the creation of a new class and deletion of classes, all in Schedule I. Notice of proposed ordinance was published June 21, 2003. On July 1, 2003, first reading was deferred to July 15, 2003 by a vote of 5-0.

Commissioner Moore introduced the following ordinance on first reading, **as revised**:

ORDINANCE NO. C-03-28

AN ORDINANCE AMENDING THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR THE CREATION OF A NEW CLASS, AND THE DELETION OF CLASSES, 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.

RESOLUTIONS

Tentative Annual Budget for Fiscal Year 2003/2004**(R-1)**

A resolution accepting the City Manager's Budget Message for Fiscal Year 2003/2004; and further authorizing the City Manager to compute a proposed millage rate for the City of Fort Lauderdale and the Sunrise Key Neighborhood Improvement District, and to advise the Broward County Property Appraiser of such proposed millage rates. (Also see Item I-A on the Conference Agenda).

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to defer consideration of this item to Tuesday, July 22, 2003 at 6:00 p.m. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

Maintenance Memorandum of Agreement (MOA) - (R-2)
Florida Department of Transportation (FDOT) –
Landscaping and Irrigation Improvements – State
Road 5 (Federal Highway/U.S.1) – Commercial Boulevard
To N.E. 65 Street

A resolution authorizing the proper City officials to execute an MOA with FDOT for maintenance of the landscaping on State Road 5 (Federal Highway/U.S.1) from Commercial Boulevard to N.E. 65 Street.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-120

A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF FORT LAUDERDALE, FLORIDA,
AUTHORIZING THE PROPER CITY OFFICIALS TO
ENTER INTO A MAINTENANCE MEMORANDUM
OF AGREEMENT WITH FLORIDA DEPARTMENT
OF TRANSPORTATION (FDOT) FOR LANDSCAPING
AND IRRIGATION IMPROVEMENTS TO STATE
ROAD 5 (US-1) FROM COMMERCIAL BOULEVARD
TO NE 65TH STREET

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

Grant Application – Florida Department of Environmental (R-3)
Protection (DEP), Florida Recreation Development
Assistance Program (FRDAP) – Development of Riverland Park

A resolution authorizing the proper City officials to apply for and accept a grant in the amount of \$200,000 from DEP, FRDAP for the development of recreational amenities at Riverland Park.

Commissioner Trantalis left the meeting at approximately 8:08 p.m.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-121

A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING
THE PROPER CITY OFFICIALS TO APPLY FOR AND
ACCEPT A GRANT IN THE AMOUNT OF \$200,000.00 (TWO

HUNDRED THOUSAND DOLLARS) FROM THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) FOR THE DEVELOPMENT OF RECREATIONAL AMENITIES AT RIVERLAND PARK.

Which resolution was read by title only.

Commissioner Hutchinson asked if this was new money or part of the monies which had been moved around.

Greg Kisela, Assistant City Manager, stated that it had been in the original funding plan.

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

Site Plan Level IV Approval/IOA – Royal Atlantic LLC (R-4)
(PZ Case No. 135-R-02)

At the April 23, 2003 Planning and Zoning Board regular meeting, the following application was **denied** by a vote of 3-6. On June 17, 2003, this item was deferred for consideration to July 15, 2003 by a vote of 5-0. (Also see Item R-5 on this Agenda)

Applicant: Royal Atlantic LLC
Request: Site plan approval/IOA
Location: 435 Bayshore Drive

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to defer consideration of this item to Wednesday, September 3, 2003 at 6:00 p.m. Roll call showed: YEAS: Commissioners Teel, Moore, Hutchinson, and Mayor Naugle. NAYS: None

Plat Approval for “Royal Atlantic” Plat – Royal Atlantic LLC (PZ Case No. 31-P-02) (R-5)

At the April 23, 2003 Planning and Zoning Board regular meeting, the following application was approved by a vote of 9-0. On June 17, 2003, this item was deferred for consideration to July 15, 2003 by a vote of 5-0. (Also see Item R-4 on this Agenda).

Applicant: Royal Atlantic LLC
Request: Plat approval for “Royal Atlantic” Plat
Location: 435 Bayshore Drive

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel to defer consideration of this item to Wednesday, September 3, 2003 at 6:00 p.m. Roll call showed: YEAS: Commissioners Teel, Moore, Hutchinson, and Mayor Naugle. NAYS: None

No Objection to Amendment to Plat Note – “6601 Corporation” – First Citizen’s Bank (PZ Case No. 7-P-03) (R-6)

A resolution stating no objection to amendment to plat note on the following application:

Applicant: First Citizen’s Bank
Request: Plat note amendment
Location: Northwest corner of N.E. 65 Street and North Federal Highway

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-122

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA EXPRESSING NO OBJECTION TO A CHANGE TO A NOTE ON A PLAT KNOWN AS “6601 CORPORATION”.

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

Utility Easements – Florida Power and Light (FPL) - Bahia Mar Resort Expansion, Phase 4 (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 (Phase 4).

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-123

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

**Preliminary Fire-Rescue Special Assessment
for Fiscal Year 2003/2004**

(R-8)

A resolution providing for the preliminary Fire-Rescue special assessment for Fiscal Year 2003/2004 and establishing a new maximum rate for future fiscal years. (On July 1, 2003, this item was deferred for consideration to July 15, 2003).

Commissionr Trantalis returned to the meeting at approximately 8:13 p.m.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-124

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF FORT LAUDERDALE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2003; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

Demolition of Buildings**(R-9)**

At its meeting of June 19, 2003, the Unsafe Structures and Housing Appeals Board recommended the City demolish the property at **524 N.W. 16 Avenue** and assess it with all appropriate costs; and at its meeting of July 17, 2003, and contingent upon the recommendation to demolish, the City will demolish the property at **1401 N.W. 2 Street** and assess it with all the appropriate costs.

524 N.W. 16 Avenue

Marian Currington, owner, stated that she had received the letter but had not acted upon it. She advised that her husband had died and after receiving the letter, she had contacted a contractor to assist her.

John Smith, Building Official, stated that he had spoken with Tressler Young and the permit had not yet been applied for the removal of the roof, and had just received the contract. He reiterated that the house was unsafe.

Commissioner Moore asked how long it would take for them to receive the permit. Mr. Smith stated that the contractor could get a partial demolition permit within 5 days, but the architect would not have the plans complete for about 30 days. Then, the plans would be submitted which would take 4-6 weeks to get through the process, and then the work would have to be done.

Commissioner Trantalis asked when the letter had first been sent to the owner advising them of the City's intent to demolish the property.

Susan Batchelder, Community Inspections, stated that notices of hearing were mailed out on May 2, 2003, and the property had been posted on June 2, 2003.

Commissioner Trantalis asked when this property had first been brought to the department's attention. Ms. Batchelder stated that this case had begun in 2002 and there had been problems with service to the property owner. She advised that the photographs in front of the Commission of the property were current.

Commissioner Trantalis asked why nothing had been done to the property to maintain it. Marian Currington stated that she and her husband had been divorced and he normally took care of the property. Now, she had to take care of the matter and advised the property had been in both of their names.

Mayor Naugle asked if financing was available in order to do the repairs to the house. Ms. Currington stated she was going to do the best she could. Commissioner Moore asked if a mortgage presently existed on the property. Ms. Currington replied in the affirmative. Commissioner Moore stated that it would probably take about \$50,000 to renovate the property. Ms. Currington stated she

had been told by the contractor that it would probably cost about \$30,000 to bring the house up to Code.

Commissioner Moore stated that he wanted to make a recommendation that if there was no action by September 3, 2003 at the property, then the Commission would recommend that this property be demolished.

Ms. Batchelder announced that she was not aware of any fines on the property.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that if the work was not started on the subject property by September 3, 2003, the Commission would recommend demolition of the property. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

1401 NW 2 Street

Alex Rios, owner, stated that they were attempting to sell the property and asked if the request for demolition could be waived.

Vince Moyer stated that the developer buying the property would demolish the subject property. He asked if the Code violations could be removed so they could sell the property to the developer.

Motion made by Commissioner Moore to demolish the property, and the fines not be waived.

Mr. Moyer asked if the violations could be waived, not the fines. Mr. Rios stated that if the developer did not purchase the property, then they would demolish it and begin building themselves.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to demolish the property.

RESOLUTION NO. 03-125

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

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

(M-38)

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

1. 1018-1028 N.W. 6 Street (CE00091717, CE01031148, CE00091718) – William & Electa Cone - \$12,958.75

William Cone, owner, stated they were here to deal with the lien settlement, but also were requesting that the lien be waived. He advised that his family had been residents of the community for over 40 years and money had been invested in this property for over 30 years. He stated it was one of the better properties on Sistrunk and his parents had fought to keep it that way. He stated that the property had been brought into compliance, but possibly not as quickly as it should have been. He advised further that he was now going to manage the property.

Motion made by Commissioner Moore to reduce the fine from the settlement of \$12,958.75 to 50% of that amount.

John Simmons, Assistant Director Community Inspections, stated that would take care of the City's costs in regard to the property.

Mayor Naugle stated that he was going to pass the gavel and second the motion. He felt the individuals had contributed a lot to the City, and even though some of the violations were serious and caused problems, he felt it was due to the situation of not being able to manage the property correctly.

Roll call showed: YEAS: Commissioners Teel, Moore, and Mayor Naugle.
NAYS: Commissioners Trantalis and Hutchinson.

2. 825 N.W. 10 Terrace

Sidney Calloway, attorney on behalf of Angela Marengelli, stated that information had been supplied to staff in regard to what they hoped would shed light on their belief that the property had been in compliance even though the inspectors had not been to the site, which would affect the overall computation of the fines. He further stated that they believed the correct amount of the fines were \$36,000.

Mr. Calloway proceeded to cite various violations listed on the property.

Mr. Calloway remarked that the property manager had been arrested by City officials which separated them from fully cooperating with the City. He

reiterated that they had done the work and submitted documentation to verify that it had been done.

Mayor Naugle asked how the arrest had been resolved. Mr. Calloway stated the arrest had laid out about 14 violations. He added that there was a no contest plea and the judge had withheld adjudication. Mayor Naugle added that it was his opinion that staff had been very generous in reducing the fine as they had done.

Commissioner Moore apologized for his outburst at the previous meeting. He stated that staff and he had been to the property, and visually he felt there had been drug trafficking taking place at the site. He asked if there had been any drug arrests at the site.

Bruce Roberts, Chief of Police, stated that in 2003 there had been 2 warnings for possession of narcotics, and 4 for drugs at the site. In 2002, there had been 1 for a buy and another one for notification of drugs at the site. In 2001 there had been 2 buys at the site. Over the past 3 years there had been 162 calls for service at the property, and the largest number had been for disturbances, then narcotics, and various other violations.

Mr. Calloway stated that the present owners had acquired the property in April or May of 2000.

Commissioner Moore remarked that there was a cage on the sidewalk with a snake in it and felt that was very dangerous to the children at the site.

Michael Comastro stated there were 2 children living at the site, and stated that the person who owned the snake was being evicted.

Nevis Waring stated that the person who owned the dog was very careful and the children didn't bother either the snake or the dog. He did not feel the situation was dangerous.

Commissioner Moore remarked that he had no problem regarding pets, but felt that a snake was a "wild animal," and didn't belong at the property. He felt the owners were derelict in the management of the property.

Mr. Calloway remarked that he was deathly afraid of snakes, but there was no law against having such an animal at the site. Commissioner Moore stated he too had checked into the matter and received the same information, but he stated there had been a "For Sale" sign on the cage. He was operating a business in a non-commercial area, and was breaking the law.

Mr. Simmons stated they had been to the subject property on Friday. He stated that he had been shown various construction time sheets for work that

had been done, and some of the contractors on the list were not shown as licensed contractors. He stated that he went through the bills, but since there were 48 cases in the history of this property, he was not sure what they were paying for because the items were not clearly specified.

Commissioner Trantalis stated that in hearing counsel's presentation, it was clear that there had been failure to discuss the vermin at the property, poor maintenance of the site, and the lack of sincerity on the part of the owners. He stated there had been 48 code enforcement cases on the property since 1989, and 15 cases with the present owners since May, 2000. He felt they were being asked to accept that a certain level of disgust was acceptable in certain areas, and he did not agree. He stated the City was making great strides to improve various neighborhoods. Therefore, he was not in favor of accepting the settlement being offered.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to accept the full amount of \$214,450. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that if a check was not submitted within 10 days that the City would proceed to institute foreclosure proceedings on the subject property. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

**Voting Delegates for the Florida League
of Cities Annual Conference – August 14 – 16, 2003**

OB

Commissioner Hutchinson inquired as to who would be the delegate and stated that she would be unable to attend.

Commissioner Moore stated that he would be attending.

Mayor Naugle remarked that he would be attending and agreed to be the delegate.

Commissioner Moore stated that he would be the alternate.

**City Commission Request for Review – Site Plan
Level II – Pavilion, Ltd. (DRC Case No. 19-R-03)**

OB

A motion setting a date of Wednesday, September 3, 2003 to review the application filed by Pavilion, Ltd. for approval of a Site Plan Level II as follows:

Applicant: Pavilion, Ltd.
 Request: Site plan level II approval
 Location: One North Federal Highway

Mayor Naugle remarked that he had just received this information on Monday and wanted to set up a public hearing for September 3, 2003 so the request could be considered.

Motion made by Commissioner Moore and seconded by Commissioner Teel that a public hearing be held on Wednesday, September 3, 2003 at 6:00 p.m.

Mayor Naugle stated that he wanted to discuss the layout of the parking lot and see what the applicant had planned.

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

Advisory Board/Committee Appointments

OB

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

Aviation Advisory Board	Dr. Lee Alexander Mildred Hightower
Code Advisory Committee	Jeffrey DeMontmorency
Local Law Enforcement Block Grant Advisory Board	Chief Bruce Roberts Dr. Joseph Molita Carol Lee Ortman Monica Hofheinz Sandi Johnson

Commissioner Hutchinson introduced a written resolution entitled:

RESOLUTION NO. 03-126

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.

City Commission Reports

13th Street BCIP

Commissioner Trantalis stated that there was still approximately \$300,000 that had not yet gone towards improvements for 13th Street, and asked if that could be looked into.

The City Manager stated that they could provide information as to what was first on tap for that expenditure.

Greg Kisela, Assistant City Manager, stated that was regarding Phase II of the 13th Street improvements, and was under design and should be out to bid and awarded in the September/October time frame. The monies were still available.

Riverland Park

Commissioner Moore stated that due to the movement of money some of it was moved from the Community Development Block Grant dollars, and reminded everyone that those funds had to be expended by a certain date. He stated there were many individuals who needed that money and they could not afford to lose \$1 of those funds. He urged management to spend the money as required.

Greg Kisela, Assistant City Manager, stated that a date regarding the Riverland Park improvements would be supplied to the Commission.

There being no further business to come before the Commission, the meeting was recessed to July 22, 2003 at 6:00 p.m.

JIM NAUGLE
MAYOR

ATTEST:

LUCY KISELA
CITY CLERK