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FORT LAUDERDALE CITY COMMISSION  
DECEMBER 21, 2004**

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**MINUTES OF A REGULAR MEETING  
CITY COMMISSION  
FORT LAUDERDALE, FLORIDA  
DECEMBER 21, 2004**

Meeting was called to order at 6:00 p.m. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Christine Teel  
Vice Mayor Dean J. Trantalis  
Commissioner Cindi Hutchinson  
Commissioner Carlton B. Moore (Arrived 6:05 p.m.)  
Mayor Jim Naugle

Absent: None

Also Present: City Manager George Gretsas  
City Attorney Harry A. Stewart  
City Clerk Jonda K. Joseph  
Sergeant At Arms Sergeant Robert Borowsic, I

Invocation was offered by Reverend Alex Shanks, Christ Church United Methodist, 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).**

Vice Mayor Trantalis referred to Item R-7 approved at the December 7, 2004 Regular Meeting regarding Site Plan for 4<sup>th</sup> Avenue Xposed Development – 700 NE 4 Avenue - Downtown Regional Activity Center – Application of Cindy Wallick. He did not have sufficient time to review the project and did not discuss it with the petitioner. He felt that significant improvements could be made. He did not want to delay the project, but under the new guidelines, he hoped the architecture could be improved. He wanted to reconsider it.

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson to reconsider Item R-7 approved at the December 7, 2004 Regular Meeting regarding Site Plan for 4<sup>th</sup> Avenue Xposed Development – 700 NE 4 Avenue Downtown Regional Activity Center – Application of Cindy Wallick. Roll call showed: YEAS: Commissioners Hutchinson and Teel, Vice Mayor Trantalis, Commissioner Moore and Mayor Naugle. NAYS: None.

Mayor Naugle asked what the next step to be taken was.

The City Attorney said a time and place should be set to hear the matter.

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson to hear the matter of Xposed Development on January 18, 2005 at 6:00 p.m. Roll call showed: YEAS: Commissioners Hutchinson and Teel, Vice Mayor Trantalis, Commissioner Moore and Mayor Naugle. NAYS: None.

**Motion** made by Commissioner Hutchinson and seconded by Commissioner Teel that the minutes and agenda for the December 7, 2004 Conference Meeting, and the December 7, 2004 Regular Meeting be approved. Roll call showed: YEAS: Commissioners Hutchinson and Teel, Vice Mayor Trantalis, Commissioner Moore and Mayor Naugle. NAYS: None.

**Presentations**

**OB**

1. Expression of Sympathy

Mayor Naugle and the City Commission offered an Expression of Sympathy to the family of Arne B. Carlson.

**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 – Dr. Martin Luther King, Jr. Parade & Festival**

**(M-1)**

A motion authorizing and approving the execution of an Event Agreement with the Dr. Martin Luther King, Jr. Celebration Committee, Inc. to indemnify, protect, and hold harmless the City from any liability in connection with the Dr. Martin Luther King, Jr. Parade and Festival to be held on Monday, January 17, 2005, 7 a.m. – 8 p.m.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 04-1558 from City Manager.

**Event Agreement – Celebrate Jesus**

**(M-2)**

A motion authorizing and approving the execution of an Event Agreement with Christ Church United Methodist, Inc. to indemnify, protect and hold harmless the City from any liability in connection with Celebrate Jesus, to be held on Church grounds at Christ Church Park on Saturday, February 12, 2005, 10 a.m. – 3 p.m.; and authorizing closing of the following City streets: NE 24 Terrace from NE 49 St. to NE 23 Avenue, and the alley that runs through Christ Church Park from NE 24 Terrace to the parking garage on the west side of the park, 6 p.m. Friday, February 11 to Saturday, February 12.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1693 from City Manager.

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**Event Agreement – Mission Festival** (M-3)

A motion authorizing and approving the execution of an Event Agreement with First Presbyterian Church of Fort Lauderdale, Florida, Inc. to indemnify, protect and hold harmless the City from any liability in connection with the Mission Festival, to be held at the Church on Sunday, January 23, 2005, 7:30 a.m. – 1 p.m.; and authorizing closing of Tarpon Drive from Tarpon Terrace to Brickell Avenue, 10 a.m. Saturday, January 22 to noon on Monday, January 24.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1694 from City Manager.

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**Event Agreement – Elbo Room New Year's Eve Block Party** (M-4)

A motion authorizing and approving the execution of an Event Agreement with the Boys Clubs of Broward County, Inc. to indemnify, protect and hold harmless the City from any liability in connection with the Elbo Room New Year's Eve Block Party, to be held on East Las Olas Boulevard near A-1-A at 3 p.m.; Friday, December 31, 2004 until 2 a.m., Saturday, January 1, 2005; and authorizing closing of East Las Olas Boulevard from Fort Lauderdale Beach Boulevard (northbound A-1-A) to Seabreeze Boulevard (southbound A-1-A) from noon on Friday, December 31, 2004 to 10 a.m. on Saturday, January 1, 2005.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1692 from City Manager.

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**Event Agreement – International Swimming Hall of Fame Ocean Mile Swim** (M-5)

A motion authorizing and approving the execution of 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 International Swimming Hall of Fame Ocean Mile Swim, at Fort Lauderdale Beach, on Saturday, January 1, 2005, 9:30 a.m. – 11 a.m.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1559 from City Manager.

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**Event Agreement – Tarpon New Year's Eve** (M-6)

A motion authorizing and approving the execution of an Event Agreement with the Old Town Riverwalk Merchants Association, Inc. to indemnify, protect, and hold harmless the City from any liability in connection with Tarpon New Year's Eve, to be held at Tarpon Bend Food and Tackle, 200 SW 2 Street, at 8 p.m., Friday, December 31, 2004 until 2

a.m., Saturday, January 1, 2005; and authorizing closing SW 2 Avenue from SW 2 Street to the alley behind Tarpon Bend from 7 p.m. on Friday, December 31, 2004, to 4 a.m. on Saturday, January 1, 2005.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1695 from City Manager.

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**2005 Air & Sea Show – April 29 through May 1** (M-7)

A motion approving the 2005 Air & Sea Show dates of April 29, 2005 through May 1, 2005.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1684 from City Manager.

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**Task Order No. 04-10 – Hazen and Sawyer, P.C. - \$204,275** (M-8)

A motion authorizing the proper City Officials to execute Task Order No. 04-10 with Hazen and Sawyer, P.C. in the amount of \$204,275, for engineering services associated with the Central New River Area Large Water Main River Crossings – Project 10814.

**Funds:** See Memo.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1626 from City Manager.

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**Contract Award – Paramount Engineering, Inc. - \$5,941** (M-9)  
**Lauderdale Harbor/Rio Vista Entranceway Marker**

A motion authorizing the proper City Officials to execute an agreement with Paramount Engineering, Inc. in the amount of \$5,941, for the Lauderdale Harbor/Rio Vista Entranceway Marker – Project 10864.

**Funds:** See Bid Tab

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1641 from City Manager.

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**Contract Award – MBR Construction, Inc. - \$45,070** (M-10)  
**Dillard Park Neighborhood Improvements**

A motion authorizing the proper City Officials to execute an agreement with MBR Construction, Inc. in the amount of \$45,070, for the Dillard Park Neighborhood Improvements – Project 10780.

**Funds:** See Bid Tab.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1637 from City Manager.

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**Task Order No. 43, Amendment No. 1 – Camp, Dresser and McKee, Inc. – Equipment Replacement & Immediate Needs** (M-11)  
**G.T. Lohmeyer Wastewater Treatment Plant 2005-2007**

A motion authorizing the proper City Officials to execute Amendment No. 1 to Task Order No. 43 with Camp, Dresser and McKee, Inc. for equipment replacement and immediate needs at G.T. Lohmeyer Wastewater Treatment Plant 2005-2007 at no net additional cost due to a corresponding decrease in the supplemental services allowance – Project P10767.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1704 from City Manager.

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**Rejection of Bids – Facility Security Fence Project** (M-12)  
**Central Maintenance Shops, Fiveash Water Treatment Plant and G.T. Lohmeyer Wastewater Treatment Plant**

A motion authorizing the proper City Officials to reject all bids received on October 13, 2004 for construction of security fencing at Central Maintenance Shops, Fiveash Water Treatment Plant and G.T. Lohmeyer Wastewater Treatment Plant – Project 10529.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1575 from City Manager.

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**Change Order No. 1 – Widell Associates, Inc. - \$115,750.22** (M-13)  
**G.T. Lohmeyer Flow Control, Biosolids, Chlorine & Architectural Rehabilitation and Adding 30 Working Days**

A motion authorizing the proper City Officials to execute Change Order No. 1 with Widell Associates, Inc. in the amount of \$115,750.22 to Project 10541B for G.T. Lohmeyer Wastewater Treatment Plant, including the addition of 30 working days to the construction period, 10 of which related to Hurricanes Frances and Jeanne.

**Funds:** See Memo.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1631 from City Manager.

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**Change Order No. 2 – Seldin Construction Co., Inc. - \$18,207** (M-14)  
**War Memorial Auditorium Equipment Replacement & Maintenance Measures and Adding 9 Days**

A motion authorizing the proper City Officials to execute Change Order No. 2 with Seldin Construction Co., Inc. in the amount of \$18,207 for additional work associated with the



War Memorial Auditorium Equipment Replacement and Maintenance Measures, Project 10423, including the addition of 9 days to the contract.

**Funds:** See Change Order.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 04-1643 from City Manager.

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**Change Order No. 3 – Astaldi Construction Corporation (M-15)**  
**Lauderdale Manors Utilities Improvement Project, Phase I**  
**And Adding 116 Non-Compensable Working Days**

A motion authorizing the proper City Officials to execute Change Order No. 3 with Astaldi Construction Corporation for a net credit of \$1,626.01, for contract quantity adjustments and additional work incurred in conjunction with the project, including the addition of 116 non-compensable working days to the construction period.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 04-1629 from City Manager.

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**Change Order No. 4 – John Rohrer Contracting Company - \$110,862 (M-16)**  
**City Park Garage Planter/Barrier Wall Rehabilitation Phase IB**

A motion authorizing the proper City Officials to execute Change Order No. 4 with John Rohrer Contracting Company in the amount of \$110,862 for additional work associated with the City Park Garage Planter/Barrier Wall Rehabilitation Phase IB-Project 10707.

**Funds:** See Change Order.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 04-1646 from City Manager.

---

**Neighborhood Capital Improvement Program and Business (M-17)**  
**Capital Improvement Program Funding Re-Allocation**

A motion approving the funding re-allocation of \$40,000 from Neighborhood Capital Improvement Program (P00411.331) and \$20,000 from Business Capital Improvement Program (P00441.331) as presented for Fiscal Year 2004-2005 to Operating Account PBS040202, Sub-Object 3299 to meet administrative and marketing needs.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 04-1640 from City Manager.

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**Boys and Girls Club of Broward County – Advertising Convenience (M-18)**  
**Bench Program – Amended Agreement**

A motion authorizing the proper City Officials to execute an amendment to the City agreement with the Boys and Girls Club of Broward County, making adjustments to fees paid to the City, providing for future renewals and extending the term of the agreement to December 31, 2009.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1716 from City Manager.

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**Closure of Sidewalk – Cortez and Poinsetta Streets (M-19)**  
**Revocable License Agreement – The Las Olas Beach Club**

A motion authorizing the proper City Officials to execute a Revocable License Agreement with The Las Olas Beach Club for closure of the sidewalk along Cortez and Poinsetta Streets immediately west of State Road A-1-A during the construction period.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1734 from City Manager.

---

**Construction of Irregularly Shaped Dock – 2 Hendricks Isle (M-20)**  
**Revocable License Agreement – Las Olas Apartments Co-Op**

A motion authorizing the proper City Officials to execute a Revocable License Agreement with Las Olas Apartments Co-Op for construction of an irregularly shaped dock at 2 Hendricks Isle.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1711 from City Manager.

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**Easement, License, Development, Operations and Maintenance (M-21)**  
**Agreement – Las Olas River House – One Las Olas, Ltd.**

A motion authorizing the proper City Officials to execute an Easement, License, Development, Operations and Maintenance Agreement with One Las Olas, Ltd. Relative to Las Olas River House and providing for conveyance of easement rights to the City, providing public pedestrian use as part of the Riverwalk linear park system.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1526 from City Manager.

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**Pedestrian Overpass Agreement – Brickell Garage and (M-22)**  
**McCrary’s Building – Halmos Properties, Inc. and Stiles Corporation**

A motion authorizing the proper City Officials to execute an agreement with Halmos Properties, Inc. and Stiles Corporation, for construction, operation, use, maintenance, repair and reconstruction of a pedestrian overpass bridge over the alley running between Las Olas Boulevard and SW 2 Street.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1647 from City Manager.

---

**Temporary Sanitary Sewer Services Agreement (M-23)**  
**The Mac River Village – 812 SW 2 Street**

A motion authorizing the proper City Officials to execute a temporary sanitary sewer agreement with The Mac River Village, LLC town home development for temporary sewer service until sewer service to the Sailboat Bend neighborhood is completed and certified.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1730 from City Manager.

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**Extension of Revocable License Agreement – Bus Staging (M-24)**  
**For Diana Exhibit – Museum of Art**

A motion authorizing the proper City Officials to execute an extension to the revocable license agreement with the Museum of Art for bus staging on the Southside School property in connection with the Diana Exhibit from December 31, 2004 to February 6, 2005.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1732 from City Manager.

---

**Roadway Improvement and Beautification Agreements - (M-25)**  
**Broward County and Ocean Park S.C., LLC –**  
**625 South Andrews Avenue**

A motion authorizing the proper City Officials to execute a roadway improvement agreement and beautification agreement for a one-story retail building proposed at 625 South Andrews Avenue by Ocean Park S.C., LLC.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1213 from City Manager.

---

**Equine Lease Agreement – Wilton Manors Police Department (M-26)**

A motion authorizing the proper City Officials to execute a Lease Agreement with Elizabeth Gribbon, Assistant Chief, City of Wilton Manors, for 25% usage of American Quarter Horse, known as Brisco, by the City's Mounted Unit.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1568 from City Manager.

---

**Public Access Defibrillator Program – Broward County EMS (M-27)**  
**Grant Program – Grant Acceptance - \$22,230**

A motion authorizing the acceptance of Broward County EMS grant in the amount of \$22,230 in support of the City's Public Access Defibrillator Program, and authorizing the proper City Officials to execute all necessary documents.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1498 from City Manager.

---

**Fort Lauderdale Historical Society – Appropriation of (M-28)**  
**\$100,000 Grant**

A motion authorizing the appropriation and donation of a \$100,000 grant to the Fort Lauderdale Historical Society for planned improvements to City-owned buildings leased by the Historical Society, including construction of a pavilion and plaza and installation of site lighting.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1715 from City Manager.

---

**Contract Award – Lanzo Construction Co. - \$576,481.21 (M-29)**  
**Water and Sewer Improvements – Jacob's Landing/River**  
**Oaks Neighborhood – SW 121 Street, SW 12 Terrace and**  
**SW 21 Court**

A motion approving the waiver of formal bidding requirements and award of contract to Lanzo Construction Co. in the amount of \$576,481.21 for water and sewer improvements at Jacob's Landing project in the River Oaks neighborhood – Project 10705B.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1625 from City Manager.

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**Community Development Block Grant Public Services and (M-30)**  
**Housing Opportunities for Persons with Aids**  
**Participation Agreements – 2004/2005 Program Year**

A motion authorizing the proper City Officials to execute the Community Development Block Grant Public Services and Housing Opportunities for Persons with Aids Participation Agreements for providers awarded funds for 2005-2005 program year through the yearly application and RFP process.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 04-1345 from City Manager.

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<b>PURCHASING AGENDA</b>
--------------------------

**552-9110 – Contract for Investment Manager Services****(Pur-1)**

A five-year contract for investment manager services is being presented for approval by the Finance Department.

Vendor: MBIA Asset Management Group  
Delaware  
PFM Asset Management LLC  
Harrisburg, PA

Amount: \$ 81,996.00 (estimated annual)

Bids Solicited/Rec'd: 91/15

Exhibits: Memorandum No. 04-1699 from City Manager.

The Procurement Services Department reviewed this item and recommends awarding a dual contract to the first and second ranked proposers.

**State – Pen Tablets for Emergency Medical Personnel****(Pur-2)**

An agreement to purchase ruggedized pen tablets for emergency medical personnel is being presented for approval by the Fire-Rescue Department

Vendor: ProSys Information System  
Tallahassee, FL

Amount: \$ 76,398.00

Bids Solicited/Rec'd: N/A

Exhibits: Memorandum No. 04-1702 from City Manager.

The Procurement Services Department recommends approving purchase from the Florida State contract.

**Proprietary – Grants Locator System Software****(Pur-3)**

An agreement to purchase a subscription for grants locator system software is being presented for approval by the various departments.

Vendor: eCivis  
Washington, DC

Amount: \$ 15,500.00

Bids Solicited/Rec'd: N/A

Exhibits: Memorandum No. 04-1703 from City Manager.

The Procurement Services Department has reviewed this item and recommends approving the proprietary purchase.

**Proprietary – Support Services for HP Servers****(Pur-4)**

A one-year renewal of hardware and software support services for HP servers is being presented for approval by the Information Technology Department.

Vendor: Hewlett-Packard Company  
Palo Alto, CA  
Amount: \$ 42,806.00 (estimated)  
Bids Solicited/Rec'd: N/A  
Exhibits: Memorandum No. 04-1691 from City Manager.

The Procurement Services Department reviewed this item and recommends awarding the proprietary purchase.

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**242-9092 – Reject Bids and Re-Bid****(Pur-5)**

Reject all bids and re-bid with revised specifications for a show mobile is being presented for approval by the Procurement Services Department.

Bids Solicited/Rec'd: 71/3 with 1 no bid  
Exhibits: Memorandum No. 04-1708 from City Manager.

The Procurement Services Department recommends rejecting all bids and re-bid.

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**432-8904 – Additional Security Guard Services****(Pur-6)**

An agreement to purchase additional security guard services is being presented for approval by the Public Works Department.

Vendor: Sereca Security Corp. (WBE)  
Miami, FL  
Amount: \$ 31,711.68 (estimated)  
Bids Solicited/Rec'd: N/A  
Exhibits: Memorandum No. 04-1645 from City Manager.

The Procurement Services Department reviewed this item and recommends approving increase for additional services.

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**Proprietary – Flak Jackets****(Pur-7)**

An agreement to purchase 500 flak jackets is being presented for approval by the Police Department.

Vendor: RockGardn Sports  
Camarillo, CA  
Amount: \$ 52,975.00  
Bids Solicited/Rec'd: N/A  
Exhibits: Memorandum No. 04-1701 from City Manager.

The Procurement Services Department reviewed this item and recommends approving the sole source purchase.

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**Proprietary – Impeller and Wear Ring****(Pur-8)**

An agreement to purchase an impeller and wear ring is being presented for approval by the Public Works Department.

Vendor: Sanders Company  
Stuart, FL  
Amount: \$ 12,729.00  
Bids Solicited/Rec'd: N/A  
Exhibits: Memorandum No. 04-1700 from City Manager.

The Procurement Services Department reviewed this item and recommends awarding the proprietary purchase.

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**Proprietary – Pumps and Parts****(Pur-9)**

An agreement to purchase pumps and parts is being presented for approval by the Public Works Department.

Vendor: Hudson Pump & Equipment Assoc., Inc.  
Lakeland, FL  
ABS Pumps, Inc.  
Sanford, FL  
Amount: \$ 95,000.00 (estimated)  
Bids Solicited/Rec'd: N/A  
Exhibit: Memorandum No. 04-1709 from City Manager.

The Procurement Services Department reviewed this item and recommends awarding the proprietary purchase.

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**452-9113 – Hand Held Meter Readers****(Pur-10)**

The purchase of hand held meter readers is being presented for approval by the Public Works Department.

Vendor:	Northrop Grumman Information Tech., Inc. Herndon, VA
Amount:	\$ 39,820.00
Bids Solicited/Rec'd:	54/7 with 1 no bid
Exhibits:	Memorandum No. 04-1687 from City Manager.

The Procurement Services Department reviewed this item and recommends awarding to the first ranked proposer.

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

**Motion** made by Commissioner Hutchinson and seconded by Commissioner Moore that Consent Agenda Item Nos. M-15, M-19, M-26, and Pur-6 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 Hutchinson and Teel, Vice Mayor Trantalis, Commissioner Moore and Mayor Naugle. NAYS: None.

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**Change Order No. 3 – Astaldi Construction Corporation  
Lauderdale Manors Utilities Improvement Project,  
Phase I and Adding 116 Non-Compensable Working Days**

**(M-15)**

Commissioner Moore asked if improvements are going to be made to the swales.

Paul Bohlander, Assistant Utilities Service Director, said that under Phase I, the restoration will be to a condition as good as existed prior to construction. Under a subsequent contract the area could be enhanced.

Commissioner Moore asked that an evaluation be deployed because the community is getting improvements and their quality of life is being disrupted. Consequently he wanted to make sure the area is upgraded and that things are not just being returned to their prior condition.

Commissioner Teel said one of her concerns with this project is that they not run out of money. She felt they should be mindful of where the monies come from for extras.

Commissioner Moore said he is asking this to be a separate item of discussion

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



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**Closure of Sidewalk – Cortez and Poinsetta Streets  
Revocable License Agreement – The Las Olas Beach Club**

**(M-19)**

Vice Mayor Trantalis said he pulled this item because he is receiving phone calls from individuals living on the beach regarding the closure of streets that are used daily by the residents. He asked if staff could provide some explanation of the matter. He said if this is to create a precedent in connection with new construction, then he did not think this is the appropriate way to address the situation.

Mayor Naugle said that buildings are built elsewhere and streets were not vacated, and if such construction could not be done without doing this, then possibly such large buildings should not be constructed in the area.

Peter Partington, City Engineer, said it is not unprecedented that streets are closed for construction staging purposes. He further said if the roads were not closed, the applicant could say construction would be delayed. If this was a landlocked site, such things would be taken into account. Portions of Cortez and Poinsetta Streets impacted by this closure would not be used for construction staging purposes, but for access to the site.

Vice Mayor Trantalis said he was trying to lessen the impact of this construction for residents and tourists alike.

The City Manager wanted to remove this item from the agenda for further review.

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson to table the item until January 4, 2005 at 6:00 p.m. Roll call showed: YEAS: Commissioners Hutchinson and Teel, Vice Mayor Trantalis, Commissioner Moore and Mayor Naugle. NAYS: None.

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**Equine Lease Agreement – Wilton Manors Police Department**

**(M-26)**

Vice Mayor Trantalis said it was his understanding that the horses work a 40-hour week, and 10 hours are being given to Wilton Manors.

Mayor Naugle asked how many horses are at Wilton Manors.

Bruce Roberts, Chief of Police, said that Wilton Manors has one horse used by the Assistant Chief, and they want to lease 25% of the time as a spare horse for expansion purposes.

Commissioner Teel asked who would be responsible for the veterinarian bills. Chief Roberts said the lease is specific that the owner would be responsible for all maintenance. The City of Fort Lauderdale would only provide room and feed.

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

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**432-8904 – Additional Security Guard Services****(Pur-6)**

Vice Mayor Trantalis said he pulled this item due to questions raised at his pre-agenda meeting as to why security services are being hired, when the City's police could provide services for such a detail.

Tom Terrell, Maintenance Manager, said these services cost \$9 per hour versus a police detail at about \$30 per hour.

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

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**Right of Way Administration – Conversion of Landscaped Medians to Parking Areas or Travel Lanes****(O-2)**

Mayor Naugle said there is a request (Poinciana Park Civic Association) that this item be deferred until January 18, 2005.

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson to defer Agenda Item O-2 until January 18, 2005 at 6:00 p.m.

Commissioner Hutchinson said she did not want this deferred again after January 18<sup>th</sup> and therefore, the neighborhood should meet and discuss the issue.

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

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**Settlement – Estate of Raymond Sterling, Jr.  
Case File No. L-03-200 - \$500,000****(M-31)**

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson to authorize settlement of Case L-03-200, the Estate of Raymond Sterling, Jr. v. City in the amount of \$500,000. Roll call showed: YEAS: Commissioners Hutchinson and Teel, Vice Mayor Trantalis, Commissioner Moore and Mayor Naugle. NAYS: None.

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**Subordination of Mortgage Exception Request – Beulah West  
City Owner Occupied Rehabilitation Program****(M-32)**

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson to approve a subordination of mortgage exception for Beulah West and authorizing the proper City Officials to execute all documents necessary to close the transaction. Roll call showed: YEAS: Commissioners Hutchinson and Teel, Vice Mayor Trantalis, Commissioner Moore and Mayor Naugle. NAYS: None.

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**PUBLIC HEARINGS**

**Rezoning to Regional Activity Center – Arts and Sciences (PH-1)  
District – 400 SW 2<sup>nd</sup> Street – New River Trading Post -  
8-Z-04**

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

Commissioner Hutchinson introduced the ordinance on first reading.

ORDINANCE NO. C-04-65

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM H-1 TO RAC-AS, PARCEL “A” OF THE “BAREFOOT MAILMAN”, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 152, PAGE 32 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED SOUTH OF SW 2<sup>ND</sup> STREET, EAST OF SW 4<sup>TH</sup> AVENUE AND NORTH OF THE NEW RIVER, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE “A” ATTACHED THERETO TO INCLUDE SUCH LANDS.

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

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**Rezoning to Community Business – 3500 West Davie (PH-2)  
Boulevard – Publix Supermarket – 6-ZR-04  
Commercial Flexibility and Site Plan Approval**

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

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-04-66

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RS-8 TO CB, INCLUDING THE ALLOCATION OF FLEXIBILITY UNITS AND SITE PLAN APPROVAL, A PORTION OF THE WEST 475.00 FEET OF THE NORTH HALF (N ½) OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF THE

NORTHWEST QUARTER (NW ¼) OF SECTION 18, TOWNSHIP 50 SOUTH, RANGE 42 EAST, LYING SOUTH OF DAVIE BOULEVARD AND EAST OF SOUTHWEST 36<sup>TH</sup> AVENUE AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS AND APPROVING A SITE PLAN FOR A GROCERY STORE AT 3429 AND 3500 WEST DAVIE BOULEVARD, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

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**Noise Management Plan – South Florida Regional (PH-3)  
Transportation Authority – Florida East Coast Rail Corridor**

Mayor Naugle said this is listed as the FEC; it should be Tri-Rail or CSX.

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

Peter Partington, City Engineer, said this is a continuation of a hearing which began on November 16, 2004, whereby the Commission is to consider a resolution to approve a noise management plan for large public transportation projects in accordance with Section 17-14 of the City's Code of Ordinances, allowing work to be done outside of normal working hours. He said the main issue is how the noise from the construction, particularly at night, could be monitored and how enforcement would be addressed. There is correspondence with the contractor of the project, along with a revised Noise Monitoring Plan, whereby the contractor is reluctant to enter into an arrangement where financial penalties would be imposed for exceeding noise levels. The noise monitoring proposal has been modified so the noise would be monitored at two locations with two different types of equipment. One location for monitoring would be 50' west of the construction activity, and the other at the nearest point of residential properties. Printouts from the monitoring machines would be available to the City. The City would also use their own noise monitoring equipment to check the noise level information submitted by the contractor.

Mr. Partington further said that enforcement of the plan is that after the 3<sup>rd</sup> transgression, and following one written warning, the City would instruct that work be stopped. He said the contractor has accepted such terms. Staff recommends approving the resolution to accept the submitted Noise Management Plan, and that it be monitored in the manner outlined in staff's memorandum.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-227

A RESOLUTION OF THE CITY COMMISSION OF THE CITY  
OF FORT LAUDERDALE, FLORIDA, MAKING CERTAIN FINDINGS

OF FACT AND APPROVING THE NOISE MANAGEMENT PLAN SUBMITTED BY THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY/TRI-RAIL AND WASHINGTON GROUP INTERNATIONAL IN CONNECTION WITH CONSTRUCTION OF A DOUBLE TRACK FOR THE FLORIDA EAST COAST RAIL CORRIDOR INCLUDING A FIXED SPAN BRIDGE OVER THE SOUTH FORK OF THE NEW RIVER BEGINNING APPROXIMATELY AT STATE ROAD 84 AND EXTENDING JUST NORTH OF DAVIE BOULEVARD PURSUANT TO SECTION 17-14 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, WHICH PLAN ESTABLISHES PROJECT SPECIFIC NOISE REGULATIONS THAT WILL APPLY INSTEAD OF CITY REGULATIONS.

Which resolution was read by title only. Roll call showed: YEAS: Commissioner Teel, Vice Mayor Trantalis, and Commissioner Moore. NAYS: Commissioner Hutchinson and Mayor Naugle.

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<b>ORDINANCES</b>
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**Amendment to Code – Special Magistrates** **(O-1)**  
**Local Government Enforcement Board Act**

Commissioner Hutchinson introduced the following ordinance:

ORDINANCE NO. C-04-63

AN ORDINANCE AMENDING CHAPTER 5, ENTITLED “ALCOHOLIC BEVERAGES,” CHAPTER 11, ENTITLED “CODE ENFORCEMENT”, CHAPTER 25, ENTITLED “STREETS AND SIDEWALKS,” OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR THE REDESIGNATION OF THE SPECIAL MASTER AS THE SPECIAL MAGISTRATE, BY REPLACING EACH OCCURRENCE OF THE PHRASE “SPECIAL MASTER” WITH THE PHRASE “SPECIAL MAGISTRATE;” PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

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

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**Rezoning to Regional Activity Center – Arts and Sciences** **(PH-1)**  
**District – 400 SW 2<sup>nd</sup> Street – New River Trading Post – 8-Z-04**

Mayor Naugle said that the following ordinance considered earlier needed to be read into the record. The ordinance was read by title only.

ORDINANCE NO. C-04-65

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM H-1 TO RAC-AS, PARCEL "A" OF "THE BAREFOOT MAILMAN," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 152, PAGE 32 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED SOUTH OF S.W. 2<sup>ND</sup> STREET, EAST OF SOUTHWEST 4<sup>TH</sup> AVENUE AND NORTH OF THE NEW RIVER, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

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**Right of Way Administration – Conversion of Landscaped Medians to Parking Areas or Travel Lanes (O-2)**

This item was deferred. See Page 15.

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**Minimum Required Side Yard Setback – Bermuda-Riviera Neighborhood – Amendment to ULDR, Section 47-5.31 – RS-8 District – 11-T-04 (O-3)**

Commissioner Hutchinson introduced the following ordinance on first reading:

ORDINANCE NO. C-04-67

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-5.31, TABLE OF DIMENSIONAL REQUIREMENTS FOR THE RS-8 DISTRICT, TO INCREASE THE MINIMUM SIDE YARD REQUIREMENT FOR PROPERTIES ZONED RS-8 AND GENERALLY LOCATED ON THE NORTH BY THE LOTS LOCATED ALONG THE NORTH SIDE OF N.E. 42<sup>ND</sup> COURT, ON THE SOUTH BY THE LOTS LOCATED ALONG THE SOUTH SIDE OF N.E. 37<sup>TH</sup> STREET, ON THE WEST BY THE INTRACOASTAL WATERWAY AND ON THE EAST BY N.E. 34<sup>TH</sup> AVENUE.

Which ordinance was read by title only.

Commissioner Teel said this has been in the works for a number of years. It is a great success story.

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

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**RESOLUTIONS**

**Acquisition and Development of Conservation Land Site -  
Wilkin Property – Interlocal Agreement – Broward County - \$44,000**

**(R-1)**

Commissioner Hutchinson introduced the following resolution:

RESOLUTION 04-228

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH BROWARD COUNTY FOR THE ACQUISITION OF CONSERVATION LAND SITE CL-142B (WILKIN PROPERTY), COMMITTING TO FUND THE SITE DEVELOPMENT WITHIN THE CITY'S FIVE-YEAR CAPITAL IMPROVEMENT PLAN, AND APPROVING THE APPROPRIATION AND TRANSFER OF \$44,000 OF PARK IMPACT FEES TO THE SAILBOAT BEND PRESERVE PROJECT.

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

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**Vacation of Public Utility Easement – 1911 SE 23 Avenue  
William and Belinda Murray – Case 14-M-04**

**(R-2)**

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 04-229

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THE SOUTH 1.00 FOOT OF THE WEST 23.00 FEET OF THE EAST 48.00 FEET OF THE PLATTED UTILITY EASEMENT LYING OVER AND ACROSS THE NORTH 6.00 FEET OF LOT 4, BLOCK 5, "HARBOUR HEIGHTS ADDITION," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 35, PAGE 21 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ALONG THE NORTH SIDE OF PROPERTY LOCATED AT 1911 SOUTHEAST 23<sup>RD</sup> AVENUE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

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**Plat Approval – Publix Supermarket  
3500 Davie Boulevard – 9-P-04**

**(R-3)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-230

A RESOLUTION OF THE CITY COMMISSION OF THE CITY  
OF FORT LAUDERDALE, FLORIDA, APPROVING A PLAT  
KNOWN AS “3500 DAVIE BLVD. PLAT.”

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

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**Plat Approval – Bronwyn Batiste – 3-P-04  
668 NE 14 Court**

**(R-4)**

Mayor Naugle said the exhibit to this item was advertised, but it does not match the plat information provided in the back-up material. He asked if this item should be tabled. Also, the two westerly lots are missing on the plat.

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

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**Plat Approval – P.D.K. – 16-P-03  
1870 West State Road 84**

**(R-5)**

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 04-231

A RESOLUTION OF THE CITY COMMISSION OF THE  
CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A  
PLAT KNOWN AS “P.D.K. PLAT.”

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

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**Site Plan Review – Allocation of 117 Dwelling Units  
The Strada 315 – 315 NE 3 Avenue – 132-R-04**

**(R-6)**

Commissioner Moore introduced the following resolution:



A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A DEVELOPMENT PLAN AND ALLOCATION OF POST 2003 DWELLING UNITS TO DEVELOP A PROJECT CONSISTING OF MULTI-FAMILY RESIDENTIAL UNITS, GROUND LEVEL RETAIL AND PARKING STRUCTURE LOCATED AT 315 N.E. 3<sup>RD</sup> AVENUE, FORT LAUDERDALE, FLORIDA, IN A RAC-CC ZONING DISTRICT.

Which resolution was read by title only.

Vice Mayor Trantalis said this project is a great contribution to the Downtown Plan, but refinement is needed in various areas.

**Motion** made by Vice Mayor Trantalis and seconded by Commissioner Hutchinson to defer this item until January 4, 2005 at 6:00 p.m.

Donald Hall, attorney representing the applicant, said the utilities would be placed underground, and he believed the design issues were addressed in accordance with the recommendations made by staff and others.

Commissioner Hutchinson asked if the power lines would be buried on 3<sup>rd</sup> Avenue and 4<sup>th</sup> Street. Mr. Hall indicated yes, and added that landscaping would be provided. Staff agreed.

Vice Mayor Trantalis said this looks like a building sitting on top of a garage, and he thought the thinking was to get away from such a look. He felt the building had great potential and the design could be modified to enhance the Downtown scene at street level.

Mr. Hall said the building meets the design guidelines. Modifications have been made.

Vice Mayor Trantalis said that the recommendations made during various meetings were not addressed. It appears that nothing was really changed. The element is inadequate in regard to what the City wants to accomplish for the Downtown. The building appears to be perched on top of a garage instead of being an integral component.

**ALL INDIVIDUALS WISHING TO SPEAK ON THIS MATTER WERE SWORN IN.**

Commissioner Moore said the project meets the development guidelines. He asked if the developer would meet with the District Commissioner in regard to this project.

Mr. Yates said one of the requirements of the near Downtown area in connection with the tower is a requirement for a shoulder setback. Therefore, they integrated the base of the tower and then transitioned the tower element.

Commissioner Moore again asked if the developer would meet with the District Commissioner.

Mr. Hall said this is the building they want to build, but he would meet with the District Commissioner, even though he did not see any reason to do so. Commissioner Moore said the respect of the District Commissioner would be gained.

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

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<p style="text-align: center;"><b>CITIZEN PRESENTATIONS</b></p>
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**1. Robert Weiss – 1029 NE 63 Street Property.**

Robert Weiss said he is being evicted by his landlord and being attacked civilly and criminally. On January 6, 2005 he is scheduled to go before Judge Zack. The civil matter concerns the Unsafe Structures Board. He is making corrections to bring his trailer up to Code. The landlord is causing problems and stopping him from bringing the property into compliance. He wanted the eviction process to stop so he could continue bringing the property into compliance.

Vice Mayor Trantalis asked what the Commission is capable of doing this evening in regard to this matter.

Mayor Naugle said that at the last Commission meeting, a date was set for the property to come into compliance, otherwise it was to be demolished.

The City Attorney said the Unsafe Structure Board deemed this property unsafe. Several meetings ago, the Commission authorized monies for the structure's demolition. Mr. Weiss asked for additional time to obtain permits, but no permits have been issued.

Vice Mayor Trantalis asked if Mr. Weiss is evicted, could the City could move forward with the demolition. The City Attorney confirmed yes, and stated they actually could proceed anyway.

Commissioner Teel asked staff if permits were granted could the property be rehabilitated at this point in time.

Ms. Valerie Bohlander, Director of Building, said the addition to the trailer would have to be demolished and then the trailer could be recertified, but she felt this was not a likely thing to happen due to new requirements imposed by the State.

Commissioner Teel asked Assistant City Manager Kathleen Gunn if she had provided Mr. Weiss with a list of social service agencies in the County, such as the Family Success Center, to assist him.

Ms. Dunn said she had notified Fred Murray, Broward County Social Services, regarding Mr. Weiss and Mr. Murray sent out a case worker. She said that also a representative from the Department of Veterans and Elderly Affairs contacted him and referred him to the Legal Aid Society for assistance regarding his eviction.

Commissioner Teel said Mr. Weiss was offered assistance regarding securing housing. She was concerned about his safety in the trailer. She felt the structure should be demolished for safety reasons since it is beyond rehabilitation.

Mr. Weiss further said that he did work on the trailer and would gladly continue to rehabilitate it. He felt the landlord was "throwing a monkey wrench" into his efforts. He wanted the eviction process stopped so he could bring the property into compliance.

Mayor Naugle said the Commission is not going to take any further action in regard to this matter. The City would move forward with the demolition. He said that Mr. Weiss needed to contact the County for assistance.

Mr. Weiss said he spent a lot of time and money in bringing the trailer into compliance.

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**Site Plan Review – Allocation of 36 Dwelling Units (R-7)**  
**411 Brickell – 411 NW First Avenue – 107-R-04**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-233

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A DEVELOPMENT PLAN AND ALLOCATION OF POST 2003 DWELLING UNITS TO DEVELOP A PROJECT CONSISTING OF RESIDENTIAL UNITS, RETAIL/OFFICE SPACE AND PARKING LOT LOCATED AT 411 N.W. FIRST AVENUE, FORT LAUDERDALE, FLORIDA IN A RAC-UV ZONING DISTRICT.

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

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**Joinder and Consent to Assignment (R-8)**  
**Of Amended and Restated Lease Agreement – City Hall Parking Garage**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-226

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, REPEALING PORTIONS OF RESOLUTION NO. 04-225 AND AMENDING PORTIONS OF RESOLUTION NO. 04-225 TO PROVIDE AUTHORIZATION FOR THE PROPER CITY OFFICIALS TO EXECUTE A JOINDER AND CONSENT TO AN ASSIGNMENT AND ASSUMPTION OF LEASE (DESCRIBED BELOW) FROM RSP II BARNETT BANK PLAZA, LTD., A FLORIDA LIMITED PARTNERSHIP, AS ASSIGNOR, TO

DBSI ST TOWER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS ASSIGNEE, WITH DBSI HOUSING, INC., AN IDAHO CORPORATION SERVING AS GUARANTOR UNDER THE LEASE, SUBJECT TO CERTAIN TERMS AND CONDITIONS; PROVIDING THE AUTHORITY FOR THE PROPER CITY OFFICIALS TO EXECUTE A SERIES OF JOINDERS AND CONSENTS TO A SERIES OF SUBSEQUENT ASSIGNMENTS OF LEASE AND ASSUMPTION AGREEMENTS FROM DBSI ST TOWER, LLC, AS ASSIGNOR, TO A GROUP OF TENANTS IN COMMON, AS ASSIGNEES, SUBJECT TO CERTAIN TERMS AND CONDITIONS; AND FURTHER PROVIDING FOR DELEGATION OF THE CITY MANAGER'S AUTHORITY TO EXECUTE JOINDERS AND CONSENTS HEREUNDER TO EITHER OF THE ASSISTANT CITY MANAGERS IN THE EVENT OF THE UNAVAILABILITY OR ABSENCE OF THE CITY MANAGER FROM THE CITY.

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

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**Fort Lauderdale Executive Airport – Interlocal Agreement  
Acquisition, Construction, Renovation, Expansion, Improvement,  
Equipping – G.M. Holland, Trustee, Sheltair Aviation  
Facilities, Inc.**

**(R-9)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-234

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AND DELIVER AN INTERLOCAL AGREEMENT WITH THE JACKSONVILLE ECONOMIC DEVELOPMENT COMMISSION (THE "JEDC") RELATING TO THE ISSUANCE BY THE JEDC OF ITS SPECIAL FACILITY AIRPORT REVENUE BONDS (HOLLAND SHELTAIR AVIATION GROUP PROJECT), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$9,610,000, SUCH BONDS TO BE ISSUED FOR THE PURPOSE OF PROVIDING FUNDS TO THE JEDC TO MAKE A LOAN OR LOANS TO G.M. HOLLAND, TRUSTEE, SHELTAIR AVIATION FACILITIES, INC. AND/OR SHELTAIR EXECUTIVE SOUTH, INC., TO FINANCE ALL OR A PART OF THE COSTS OF THE ACQUISITION, CONSTRUCTION, RENOVATION, EXPANSION, IMPROVEMENT AND EQUIPPING OF CERTAIN GENERAL AVIATION FACILITIES AT FORT LAUDERDALE EXECUTIVE AIRPORT, IN THE CITY OF FORT LAUDERDALE, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

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

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**Fort Lauderdale Executive Airport – Amended and Restated Lease Agreement and Termination of Existing Lease Agreement – Sheltair Aviation Facilities, Inc. (R-10)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-235

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AMENDED AND RESTATED LEASE AGREEMENT AND TERMINATE THE EXISTING LEASE AGREEMENT PERTAINING TO PARCEL 22 AT FORT LAUDERDALE EXECUTIVE AIRPORT.

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

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**Fort Lauderdale Executive Airport – Amended and Restated Lease Agreement and Termination of Existing Lease Agreement – Gerald M. Holland (R-11)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-236

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AMENDED AND RESTATED LEASE AGREEMENT AND TERMINATE THE EXISTING LEASE AGREEMENT PERTAINING TO PARCEL 4 AT FORT LAUDERDALE EXECUTIVE AIRPORT.

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

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**Fort Lauderdale Executive Airport – Amended and Restated Lease Agreement and Termination of Existing Lease Agreement – Gerald M. Holland (R-12)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-237

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AMENDED AND RESTATED LEASE AGREEMENT AND TERMINATE THE EXISTING LEASE AGREEMENT PERTAINING TO PARCEL 5 AT FORT LAUDERDALE EXECUTIVE AIRPORT.

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

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**Fort Lauderdale Executive Airport – Amended and Restated Lease Agreement and Termination of Existing Lease Agreement – Sheltair Aviation Facilities, Inc. (R-13)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-238

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AMENDED AND RESTATED LEASE AGREEMENT AND TERMINATE THE EXISTING LEASE AGREEMENT PERTAINING TO PARCEL O AT FORT LAUDERDALE EXECUTIVE AIRPORT.

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

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**State of Florida Qualified Target Industry Program - Citrix Systems, Inc. (R-14)**

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 04-239

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RECOMMENDING THAT CITRIX SYSTEMS, INC. BE APPROVED BY THE STATE OF FLORIDA AS A QUALIFIED TARGET INDUSTRY BUSINESS, AND STATING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR THE TARGET INDUSTRY BUSINESS

EXIST, MADE PURSUANT TO THE REQUIREMENTS OF THE  
STATE OF FLORIDA QUALIFIED TARGET INDUSTRY PROGRAM.

Which resolution was read by title only.

Commissioner Moore said that he requested additional information from this employer, and they have not provided it. Therefore, he did not want the Commission to support this item since the firm will not reveal what it does with respect to diversity within their departments. He said he has heard great things about this entity, and therefore, was disappointed in the fact that the group did not respond to his request.

Commissioner Hutchinson asked why the firm did not respond to Commissioner Moore's request.

Mayor Naugle said there was no requirement that such breakdown information be provided, and in the future if such information is going to be requested, then discussion should be held regarding the matter. He said if Fort Lauderdale wants to be the only City requesting such information, the matter could be considered at a future date. If this City places too many restrictions on companies, they will not choose to locate here and the economy would suffer. A more prudent way to address this issue is for the State to impose such a requirement on companies.

Commissioner Moore said nothing in his request deals with quotas. He is only requesting factual information regarding their employment. It is important that the community request such information in order to know for whom the City is utilizing public dollars. It could be a measuring stick as to what would happen when they receive job credits for companies and they do not have an affirmative process to allow individuals to seek employment in the affirmative. In dealing with public dollars, there is a standard regarding releasing information. He was also concerned that a representative of the company is not present at this meeting.

Commissioner Teel said this company has been in the community for a long time and is a good corporate citizen, and is offering to bring in 130 additional jobs with average salaries of \$60,000. She felt there is a commitment on the part of the company to let all individuals apply for the jobs and be in a competitive market. She believed this item should be approved tonight, and the information requested could be requested of future applicants. She did not think it would be fair or wise to "pull the rug" from under this company at this time.

Commissioner Hutchinson said she was disappointed that the company did not supply the requested information, but the process started and the company adhered to it. Changes could be made to the process for future applicants.

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

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**Advisory Board/Committee Appointments**

**(OB)**

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

General Employees Retirement Board of Trustees	John Tomlinson
Police and Fire Retirement Board of Trustees	Romney Rogers
Citizens Review Board	Fenel Antoine Linda Shallenberger Stephen C. Muffler Roosevelt Walters James Fling
Community Appearance Board	Steve Hillberg Marnie Canavan John Barranco Patrick McTigue Ayisha Gordon John Brennan Frank Vincent Reilly Jennifer Kanser Marilyn Mammano Bill Hahne George Henderson Dan Remy Les Hollingsworth
Economic Development Advisory Board	Cort A. Neimark Gwen Watson Lisa Zelch Tim Schiavone
Education Advisory Board	Pam Brown
Fire Rescue Facilities Bond Issue Blue Ribbon Committee	Thornie Jarrett Norman W. Thabit
Parks, Recreation & Beaches Advisory Board	Mark Hartman

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-240

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



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

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**Sunrise Intracoastal Neighborhood Security District** (OB)

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 04-241

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING DIRECTORS TO THE BOARD OF DIRECTORS OF THE SUNRISE INTRACOASTAL NEIGHBORHOOD SECURITY DISTRICT AND PROVIDING FOR TERMS OF OFFICE THEREFOR.

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

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**Appointment of Commission Assistants** (OB)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-242

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR THE MAYOR AND CITY COMMISSION'S APPOINTMENT AND SUPERVISION OF COMMISSION ASSISTANTS.

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

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There being no other matters to come before the Commission, the meeting was adjourned at 7:15 P.M.

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Jim Naugle  
Mayor

ATTEST:

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Jonda K. Joseph  
City Clerk