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FORT LAUDERDALE CITY COMMISSION
JANUARY 4, 2005**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
JANUARY 4, 2005**

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 Carlton B. Moore (Arrived 6:05 p.m.)
Commissioner Cindi Hutchinson
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 Frank Sebregandio

Invocation was offered by Dr. Diane Mann, Senior Pastor, Fourth Avenue Church of God, 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 Moore that the minutes and agenda be approved. Roll call showed: YEAS: Commissioners Teel, Moore and Hutchinson, Vice Mayor Trantalis, and Mayor Naugle. NAYS: None.

Presentations

OB

1. 2004 Annual Recycling Incentive Grant Awards

Commissioner Teel recognized the recipients of the 2004 Annual Recycling Incentive Grant Awards as follows:

Lakeridge	\$ 420.00
Lauderdale Manors	\$ 660.00
Coral Ridge	\$ 780.00
Sunset	\$1320.00
The Landings	\$1320.00
Coral Ridge Isles	\$1500.00
Victoria Park	\$1560.00

Croissant Park	\$2760.00
Harbordale	\$2820.00
South Middle River	\$3240.00
Tarpon River	\$3600.00

2. Smoke Detector

Commissioner Hutchinson demonstrated the proper way to test a smoke detector.

3. Outstanding City Employees

Phil Thornburg, Director of Parks and Recreation, honored Larry Smith, Landscape Installation Foreman as Employee of the Month for January, 2005. He worked for the City for 45 years and is going to retire at the end of January, 2005.

Assistant Chief Ortenzo, Police Department, honored Officers Lou Alvarez and Brian Kaplan as Officers of the Month for December, 2004. He said they were working on an off-duty detail when they were approached by an individual offering anonymous information regarding a 1997 homicide which occurred in Honduras. A sexual predator shot a child in the head and fled the country. Information was supplied regarding the predator's escape to Pompano Beach, Florida, including his name and age. Investigation began and the various governmental agencies were contacted. Efforts were coordinated and on October 1, 2004, the culprit was arrested.

Assistant Chief Ortenzo said the department also wanted to honor PSA Wanda Sappington and Fingerprint Expert Carl Ciatolla as the Civilian Employees of the Month for December, 2004. He said they lifted fingerprints and assisted in arresting an individual for burglary and abduction.

Assistant Chief Ortenzo presented Life Saving Awardw for December, 2004 to Officers Mike Graside and Nina Justice for saving an individual from committing suicide on the train tracks.

Assistant Chief Ortenzo also presented Life Saving Awardw to Officers Robbie Blish, Joe Jenna, and Jim Hancock for their response to an emergency call involving a Lt. on the City's Fire Department who was assisting a swimmer in trouble.

Sale of Surplus Property – Northwest Corner of SW 16 Court and SW 17 Street (R-2)

Mayor Naugle said that this item was pulled from tonight's agenda by the City Manager.

**Vacate Portion of Non-Vehicular Access Line – Case 19-P-04 (R-6)
NW 31 Avenue & Commercial Boulevard**

Mayor Naugle said that this item was pulled from tonight's agenda by the applicant.

Vacate Portion of Non-Vehicular Access Line – Case 21-P-04 (R-7)
East Side of NW 31 Avenue, North of Commercial Boulevard

Mayor Naugle said that this item was pulled from tonight's agenda by the applicant.

Broward County Boat Facility Siting Plan (R-5)

Mayor Naugle said that this item was pulled from tonight's agenda by the City Manager.

Site Plan Review – Marbella Place – Case 13-R-04 (R-10)
501, 519, 527 N. Birch Road – 37 Unit Multi-Family Building

Mayor Naugle said the developer requested to have this item deferred from tonight's agenda.

Motion made by Vice Mayor Trantalis and seconded by Commissioner Moore to defer R-10 until February 1, 2005 at 6:00 p.m. Roll call showed: YEAS: Commissioner Teel, Vice Mayor Trantalis, Commissioners Moore and Hutchinson, and Mayor Naugle. NAYS: None.

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 – Riverwalk A & E District Arts & Crafts Festival (M-1)

A motion authorizing and approving the execution of an Event Agreement with Broken Mold to indemnify, protect, and hold harmless the City from any liability in connection with the Riverwalk A & E District Arts & Crafts Festival, to be held at Huizenga Plaza and at Las Olas Riverfront on Saturday and Sunday, January 29 and 30, 2005, 10 a.m. – 5 p.m.; and further authorizing the closing of East Las Olas Boulevard, from Andrews Avenue to SE 1 Avenue, from 9 a.m., January 28, 2005 to 8 p.m., January 30, 2005.

Recommend: Motion to approve.
Exhibit: Memo No. 05-010 from City Manager.

Event Agreement – 2nd Annual Rotary 5K Run/Fitness Walk**(M-2)**

A motion authorizing and approving the execution of an Event Agreement with the Rotary Club of Fort Lauderdale, Florida, Inc. to indemnify, protect and hold harmless the City from any liability in connection with the 2nd Annual Rotary 5K Run/Fitness Walk to be held Saturday, February 5, 2005, 6 a.m. – 10:30 a.m.; and further authorizing the closing of the route from 7 a.m. to 8:30 a.m.; beginning at Huizenga Plaza and proceeding east on East Las Olas Boulevard to SE 3 Avenue; south to SE 6 Street; east to East Avenue to North Rio Vista Boulevard; east and south around the curve to SE 9 Street; west to SE 9 Avenue; north to North Rio Vista Boulevard; west to East Avenue; south to SE 6 Street; west to SE 3 Avenue; north to East Las Olas Boulevard; and west to return to the finish line at Huizenga Plaza.

Recommend: Motion to approve.

Exhibit: Memo No. 05-011 from City Manager.

Event Agreement – Eagle/Super Bowl Celebration**(M-3)**

A motion authorizing and approving the execution of an Event Agreement with the North Beach Square Neighborhood Association, Inc. to indemnify, protect and hold harmless the City from any liability in connection with the Eagle/Super Bowl Celebration to be held Sunday, February 6, 2005, 12 noon to 12 midnight; and further authorizing the closing of Sunrise Lane from NE 9 Street to the north end of the Parrot Lounge, from 8 a.m. to 12 midnight on February 6, 2005.

Recommend: Motion to approve.

Exhibit: Memo No. 05-009 from City Manager.

**Rejection of Bid & Contract Award – HyPower, Inc. - \$953,996.30
Executive Airport Fiber Optic Communications Systems****(M-4)**

A motion authorizing the proper City Officials to reject the low bid submitted by Future Works Communications, Inc. of Jacksonville, Florida, and execute an agreement with HyPower, Inc. of Fort Lauderdale, Florida, in the amount of \$953,996.30, for the installation of a fiber optic communications system at Fort Lauderdale Executive Airport.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 05-019 from City Manager.

De-Obligation of Florida Department of Law Enforcement Grant Funds For Prevention of Life Project and Appropriation Of Grant – Project Ecstasy and Project New Start (M-5)

A motion approving (1) de-obligation of \$33,925 in Florida Department of Law Enforcement Grant Funds; (2) appropriation of \$7,925 as revenue & authorize its transfer to the Project Ecstasy program; (3) appropriation of \$6,000 as revenue & authorize its transfer to the Project New Start program; (4) amendment to the program agreement with 7th Avenue Recovery for Project New Start program; and (5) transfer \$3,360 from City General Fund FD001 to Fund 129, all effective November 15, 2004.

Funds: See Memo
Recommend: Motion to approve.
Exhibit: Memo No. 04-1719 from City Manager.

Contract Award – Concentrate Disposal Well Construction - \$5,308,710 Peele Dixie Water Treatment Plant – Youngquist Brothers, Inc. – Project 10454 (M-6)

A motion authorizing the proper City Officials to execute a contract with Youngquist Brothers, Inc. in the amount of \$5,308,710 for construction of a concentrate disposal well at the Peele Dixie Water Treatment Plant.

Funds: See Memo
Recommend: Motion to approve.
Exhibit: Memo No. 05-038 from City Manager.

Comprehensive Emergency Operations Plan for All Hazard Homeland Security Interlocal Agreement with Broward County (M-7)

A motion accepting the Broward County Comprehensive Emergency Operations Plan for All Hazard Homeland Security and authorizing the proper City Officials to execute the Interlocal Agreement with Broward County.

Recommend: Motion to approve.
Exhibit: Memo No. 05-028 from City Manager.

Joint Stipulation Agreement – Sanitary Sewer Connection Fee for Amerisuites 17th Street Causeway, LLC - \$36,447 (M-8)

A motion authorizing the proper City Officials to execute a Joint Stipulation Agreement with 17th Street Causeway, LLC, reducing their sanitary sewer connection fee for 1851 SE 10 Avenue to \$36,447, payable over thirty-six months at no interest.

Recommend: Motion to approve.

Exhibit: Memo No. 05-036 from City Manager.

Revocable License – TRG&S Las Olas Beach Club, Ltd. (M-9)
Close Sidewalk on Poinsettia and Cortez Streets
And Close Westbound Travel Lane of Poinsettia Street

A motion to defer until January 18, 2005, the consideration of a revocable license with TRG&S Las Olas Beach Club, Ltd. To close the sidewalk on Poinsettia and Cortez Streets, immediately west of State Road A1A and to close the westbound travel lane of Poinsettia Street.

Recommend: Motion to approve.
Exhibit: Memo No. 05-058 from City Manager.

Change Order No. 3 – United Engineering Corporation - (M-10)
\$115,600 – 24 Inch Forcemain – SW 4 Avenue – Project 10171

A motion authorizing the proper City Officials to execute Change Order No. 3 with United Engineering Corporation in the amount of \$115,600 to resolve an outstanding claim related to delays encountered during construction of a sanitary sewer forcemain on SW 4 Avenue, from SW 5 Street to SW 19 Street.

Funds: Water and Wastewater Master Plan CIP
Recommend: Motion to approve.
Exhibit: Memo No. 05-002 from City Manager.

Change Order No. 8 – Astaldi Construction Corporation - (M-11)
\$56,000 – Asphalt Driveway Restoration – Progresso Sanitary
Sewer Improvements

A motion authorizing the proper City Officials to execute Change Order No. 8 with Astaldi Construction Corporation in the amount of \$56,000 for additional asphalt driveway restoration in the Progresso Sanitary Sewer Improvements Project 9766B.

Funds: Water and Wastewater Master Plan CIP
Recommend: Motion to approve.
Exhibit: Memo No. 05-034 from City Manager.

Change Order No. 2 – Florida Design Contractors - \$29,743.86 (M-12)
Fiveash Wellfield Abandonment & Relocation Phase II – Project 10532
& Adding 223 Non-Compensable Working Days

A motion authorizing the proper City Officials to executive Change Order No. 2 with Florida Design Contractors in the amount of \$29,743.86 for contract quantity adjustments and additional costs, and adding 223 non-compensable working days to the period of construction.

Funds: Water and Wastewater Master Plan CIP
Recommend: Motion to approve.
Exhibit: Memo No. 05-035 from City Manager.

Amendment – Licensed Plumber Annual Contract (M-13)
A-1 Underground Services No. 532-8907 – WaterWorks 2011 -
Lauderdale Manors

A motion authorizing an increase in the total amount of Contract 532-8907, Licensed Plumber Annual Contract with A-1 Underground Services, from \$40,000 to \$96,000 and to add two items necessary to complete the connections of auxiliary house drains to new sewers in Lauderdale Manors Phase I, WaterWorks 2011.

Recommend: Motion to approve.
Exhibit: Memo No. 05-040 from City Manager.

First Amendment – Amended & Restated Lease Agreement (M-14)
Bryan Homes, Inc. – River House Restaurant

A motion authorizing the proper City Officials to execute the First Amendment to the Amended and Restated Lease Agreement with Bryan Homes, Inc. (River House Restaurant) providing for four, five-year options to renew the lease until the year 2032.

Recommend: Motion to approve.
Exhibit: Memo No. 05-050 from City Manager.

PURCHASING AGENDA

442-9083 – Cancellation & Re-Award of Flexible Couplings**(Pur-1)**

Cancellation and re-award of a one-year contract for flexible couplings is being presented for approval by the Public Works Department.

Vendor: Ferguson Enterprises, Inc.
Pompano Beach, FL
Amount: \$ 24,226.00 (estimated)
Bids Solicited/Rec'd: 62/5 with 1 no bid
Exhibits: Memorandum No. 05-032 from City Manager.

The Procurement Services Department reviewed this item and recommends canceling and re-awarding the contract.

Proprietary – Training Services for Police Recruits**(Pur-2)**

An agreement to purchase training services for police recruits is being presented for approval by the Police Department.

Vendor: Broward Community College
Davie, FL
Amount: \$ 120,195.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 05-005 from City Manager.

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

State – Outboard Engines**(Pur-3)**

An agreement to purchase twelve (12) outboard engines is being presented for approval by the Police Department.

Vendor: Bombardier Recreational Products, Inc.
Sturpevante, WI
Amount: \$ 108,392.38
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 05-012 from City Manager.

The Procurement Services Department reviewed this item and recommends approving the purchase from the Florida State Contract.

39 Vehicles and Technology for 19 Vehicles**(Pur-4)**

An agreement to purchase thirty-nine (39) vehicles and technology for nineteen (19) vehicles is being presented for approval by the Police Department.

Vendor:	Duval Ford Jacksonville, FL
	Garber Chevrolet Green Cover Springs, FL
	Prosys Tallahassee, FL
	Motorola Schaumburg, IL
	Don Reid Ford Maitland, FL
	Intergraph Public Safety Madison, AL
	Radio IP Montreal, Quebec
	Tessco Hunt Valley, MD
	Gould Publications, Inc. Longwood, FL
Amount:	\$ 1,001,715.41
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 05-027 from City Manager.

The Procurement Services Department recommends approving from the Florida Sheriff's Association Contract, Florida State Contracts and proprietary purchases authorizing the transfer of line of credit funds in the amount of \$804,000 from Fleet Service Vehicle Rental (PAR030101-6416) and \$198,000 from Police Department Computer Equipment (POL020401-6404).

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

Motion made by Vice Mayor Trantalis and seconded by Commissioner Hutchinson that Consent Agenda Item Nos. M-13 and M-14 be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended.

The City Clerk said the \$56,000 funding in Item M-13 for the proposed contract amendment for sewer service connection was identified and budgeted in the Community Development Block Grant Emergency Repair Program line item. She said the Commission memo incorrectly identifies the funding being budgeted in the CDBG connection fee line item. She said further the clarification does not change the recommended approval for the contract amendment.

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

Mayor Naugle said that an additional presentation would be made by Albert Carbon, Director of Public Works.

Albert Carbon, Director of Public Works, said Fred Smith and Bill Cooke are being presented STAR Awards for the month of January for superior recognition as the best electrician and diesel technician in the City. After Hurricane Charlie, they assisted in recovery work in Punta Gorda.

Amendment – Licensed Plumber Annual Contract (M-13)
A-1 Underground Services No. 532-8907 –
WaterWorks 2011 – Lauderdale Manors

Commissioner Moore asked if the original RFP did not contain all the listed requirements.

Kirk Buffington, Procurement Services, said the original bid was for sewer connections through the CDBG Program for houses being rehabilitated under the CDBG Block Grants.

Albert Carbon, Director of Public Works, said the specific additional items are connections needed to clean out insulation in the houses. Unit prices were not contained in the original bid. Only one bid was received.

Motion made by Commissioner Hutchinson and seconded by Vice Mayor Trantalis to approve the item as presented. Roll call showed: YEAS: Commissioner Teel, Vice Mayor Trantalis, Commissioner Hutchinson and Mayor Naugle. NAYS: Commissioner Moore.

First Amendment – Amended & Restated Lease Agreement (M-14)
Bryan Homes, Inc. – River House Restaurant

Commissioner Moore asked how much is the City's increase for the lease payment.

Victor Volpe, Real Estate Officer, said there is no rent increase.

Commissioner Moore asked why the recommendation is being made for an extension if no increase is involved. There should be a percentage increase. He asked what the present percentage is that is being shared.

Mr. Volpe said it is revenue based, and the lowest rent is \$108,000 per year.

Commissioner Moore asked what percentage of gross sales is received by the City under the contract.

Tim Petrilla, representing the River House Restaurant, said the percentage of gross sales is a base of 4% that escalated to 8%. Currently there is a base rent of \$108,000, and a percentage base over and above that rent equated to about \$70,000 last year.

Commissioner Moore said there should have been further negotiations regarding the increase. He asked the Commission to consider this before an extension is granted.

Ed Udvardy, Public Works, said it was not considered since the Property and Right-of-Way Committee felt that, due to an escalation of dollars over the course of the lease, the City will continue to receive increased revenue. The tenant felt the need for the new roof and was willing to accept that cost, and therefore, the cost of the roof offset other negotiations.

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel to approve the item as presented. Roll call showed: YEAS: Commissioner Teel, Vice Mayor Trantalis, Commissioner Hutchinson, and Mayor Naugle. NAYS: Commissioner Moore.

ORDINANCES

Rezoning to Regional Activity Center – Arts and Sciences District – 400 SW 2nd Street – New River Trading Post – 8-Z-04

(O-1)

Vice Mayor Trantalis introduced the following ordinance on second 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 S.W. 2ND STREET, EAST OF SOUTHWEST 4TH 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: Commissioner Teel, Vice Mayor Trantalis, Commissioners Moore and Hutchinson, and Mayor Naugle. NAYS: None.

**Rezoning to Community Business
3500 West Davie Boulevard – Publix Supermarket**

(O-2)

6-ZR-04 – Commercial Flexibility and Site Plan Approval

Commissioner Hutchinson introduced the following ordinance on second 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 36TH 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: Commissioner Teel, Vice Mayor Trantalis, Commissioners Moore and Hutchinson, and Mayor Naugle. NAYS: None.

RESOLUTIONS

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

(R-1)

Commissioner Moore introduced the following resolution:

RESOLUTION 05-03

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A PLAT KNOWN AS “BRONWYN BATISTE PLAT.”

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

**Sale of Surplus Property – Northwest Corner of
SW 16 Court and SW 17 Street**

(R-2)

Mayor Naugle said that this item was removed from tonight’s agenda.

**Appeal of Planning & Zoning Board Decision -
Pat Patel/MaCabi Cigars – 1221 East Las Olas Boulevard –
Case 60-R-04**

(R-3)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-04

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, REGARDING THE APPEAL OF THE PLANNING AND ZONING BOARD'S ACTION DENYING AN APPLICATION FOR A PARKING REDUCTION (PZ CASE NO. 60-R-04), MAKING CERTAIN FINDINGS AND SETTING A PUBLIC HEARING TO CONSIDER THE APPEAL BEFORE THE CITY COMMISSION AT 6:00 P.M. ON FEBRUARY 1, 2005.

Which resolution was read by title only.

ALL INDIVIDUALS WISHING TO SPEAK ON THIS MATTER WERE SWORN IN

Don Morris, Planning and Zoning Services, said the applicant is appealing the Planning and Zoning Board's denial of an application for a parking reduction at 1221 E. Las Olas Boulevard. Mr. Morris said that all pertinent documents were submitted to the City Commission.

Dick Coker, attorney representing the applicant, said a parking reduction was created by the Unified Land Development Regulations, under Section 47-20.3, subject to various standards. He said in this case the standards for approval were detailed. This was an expensive process costing the applicant over \$50,000. The City considered this a retail use with 3 parking spaces grandfathered in. In order to use this space for inside cigar smoking and wine and beer tasting 11 parking spaces are required. Two years ago there was a question regarding how to determine the 700' radius in the parking analysis. The study was done according to City regulations and approved by various City departments. The Planning and Zoning Board did not agree with the standards and how parking reductions were determined. The neighborhood also objected to the parking reduction because there was an impact to the neighborhood.

Mr. Coker further said that the Code's standards were not addressed by the neighborhood or the Planning and Zoning Board. The evidence demonstrates that there are 30-59 available parking spaces in the area. The applicant is requesting the Commission schedule this matter for a public hearing so evidence could be presented showing there are parking spaces available over and above the 8 required spaces for such use.

Richard Mancuso, Beverly Heights, said he is in support of the Colee Hammock neighborhood and noted that Colee Hammock is not present this evening. His neighborhood, Beverly Heights, has supported Colee Hammock's opposition to parking

reductions over the last several years. They were not notified of this hearing. If a hearing is to be scheduled, he asked if it could be deferred so all interested parties could be present.

Mayor Naugle said he reviewed the information from the Planning and Zoning Board regarding their vote, rejecting the reduction. He asked that the Commission to uphold the Board's decision.

Commissioner Hutchinson agreed and said nothing new could be brought to the table to change the outcome of the Board's vote. Therefore, she was in support of upholding the decision made by the Planning and Zoning Board.

Motion made by Commissioner Hutchinson and seconded by Vice Mayor Trantalis to uphold the decision made by the Planning and Zoning Board in regard to Case 60-R-04.

Vice Mayor Trantalis said this is a complicated matter because the issue relates to the entire Las Olas area. He said that the area does not want to be inundated with traffic and their quality of life diminished. Retail establishments in the area could not be successful if they rely only on residents living within three blocks of their stores. Rental for the area is between \$35 and \$45 per square foot. Many of the area establishments are being squeezed and unable to do business due to parking problems. He said the City needs to redefine the zoning regulations to address such problems in those areas.

Mayor Naugle said other areas provide parking for their customers. If all retail stores in this area become clubs, then there would be a more severe parking problem, and there would be too many of these types of businesses in the area. The area needs a balance of businesses and restaurants. Business owners need to try harder and get parking, and not take the "cheap" way out and convert a retail use. If the owner could not afford the rent, another business might be able to and come in and take over. Otherwise, the place will be vacant, forcing the landlord to lower the rent.

Vice Mayor Trantalis said the City needs to encourage a stronger economy. Businesses in the area cannot find parking. He asked what is the alternative available. Mayor Naugle said the businesses need to find a location with adequate parking, or adopt a business plan not involving alcohol on the premises.

Commissioner Moore said this is a situation of whether facts were properly presented to the Planning and Zoning Board, and everything else is personal opinion. He suggested the Commission move forward with the issue listed on the agenda.

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

Commissioner Hutchinson said that the parking issue needs to be discussed at a Commission Conference meeting.

Vice Mayor Trantalis said if the area is booming, the businesses should not suffer due to infrastructure not being in place.

Commissioner Hutchinson wanted to know how many parking reductions were granted for the area in the past, and how many times the same spaces were counted.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-04

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, REGARDING THE APPEAL OF THE PLANNING AND ZONING BOARD'S ACTION DENYING AN APPLICATION FOR A PARKING REDUCTION (PZ CASE NO. 60-R-04), MAKING CERTAIN FINDINGS AND SETTING A PUBLIC HEARING TO CONSIDER THE APPEAL BEFORE THE CITY COMMISSION AT 6:00 P.M. ON FEBRUARY 1, 2005.

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.

Florida Legislature – Assistance to Hurricane Victims (R-4)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-05

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, COMMENDING THE FLORIDA STATE LEGISLATURE FOR THEIR ACTIONS TO ASSIST VICTIMS OF THE 2004 HURRICANES.

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

Broward County Boat Facility Siting Plan (R-5)

Mayor Naugle said that this item was removed from tonight's agenda.

Vacate Portion of Non-Vehicular Access Line - Case 19-P-04 – NW 31 Avenue & Commercial Boulevard (R-6)

Mayor Naugle said that this item was removed from tonight's agenda.

Vacate Portion of Non-Vehicular Access Line - (R-7)

**Case 21-P-04 – East Side of NW 31 Avenue, North
Of Commercial Boulevard**

Mayor Naugle said that this item was removed from tonight's agenda.

City Attorney – Performance Review

(R-8)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-01

A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR AN
INCREASE IN THE COMPENSATION PAID TO CITY ATTORNEY,
HARRY A. STEWART.

Which resolution was read by title only.

Commissioner Moore said that the increase being considered is 4.37%.

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

Motion made by Commissioner Moore and seconded by Vice Mayor Trantalis to
approve a 2.5% increase in the compensation paid to the City Attorney, Harry A.
Stewart. Roll call showed: YEAS: Commissioner Teel, Vice Mayor Trantalis,
Commissioners Moore and Hutchinson. NAYS: Mayor Naugle.

City Clerk – Performance Review

(R-9)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-02

A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR AN
INCREASE IN THE COMPENSATION PAID TO CITY CLERK,
JONDA K. JOSEPH.

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

**Site Plan Review – Marbella Place – Case 13-R-04
501, 519, 527 N. Birch Road – 37 Unit Multi-Family Building**

(R-10)

Mayor Naugle said that this item was pulled from tonight's agenda.

Site Plan Review – 400 SW 2nd Street – Case 74-R-04 (R-11)
New River Trading Post Development LLC – Mixed Use Redevelopment

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-08

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A DEVELOPMENT PERMIT FOR THE DEVELOPMENT OF A MIXED USE PROJECT CONSISTING OF A MARITIME MUSEUM, LIVE/WORK STUDIOS, RETAIL AND OFFICE SPACE, LOCATED ON S.W. 2ND STREET AND S.W. 5TH AVENUE, FORT LAUDERDALE, FLORIDA IN A RAC-AS ZONING DISTRICT AS A SITE PLAN LEVEL IV DEVELOPMENT.

Which resolution was read by title only.

Mayor Naugle said that he had been to the site. Commissioner Hutchinson said she had been to the site and had spoken with the owners. Vice Mayor Trantalis said he had been to the site.

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

Site Plan Review – Allocation of 117 Dwelling Units (R-12)
The Strada 315 – 315 NE 3 Avenue – 132-R-04

Vice Mayor Trantalis introduced the following resolution:

RESOLUTION NO. 05-09

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. 3RD AVENUE, FORT LAUDERDALE, FLORIDA IN A RAC-CC ZONING DISTRICT.

Which resolution was read by title only.

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

Donald Hall, attorney for the applicant, said they met with the City and believed all concerns were addressed as mentioned by Vice Mayor Trantalis.

Jeryl Yates showed the site plan and the existing conditions which would be installed underground.

Vice Mayor Trantalis asked for the differences to be explained in detail.

Mr. Yates said discussions were held with the Vice Mayor regarding upgraded pedestrian amenities. He said there is to be a continuous covered pedestrian walkway going from one right-of-way to another.

Vice Mayor Trantalis asked if windows were added to the street level. Mr. Yates confirmed yes and said that additional landscaping was also included. Vice Mayor Trantalis thanked staff for taking a more aggressive role in this matter. He said the parking garage on the north now has balconies added.

Commissioner Teel disclosed that she had met with the applicants.

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

Sistrunk Boulevard Revitalization

(R-13)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-10

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, URGING THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TO TRANSFER JURISDICTION OF SISTRUNK BOULEVARD (N.E./N.W.6TH STREET) FROM FEDERAL HIGHWAY (US1) TO THE CORPORATE CITY LIMITS AT N.W. 24TH AVENUE TO THE CITY OF FORT LAUDERDALE IN ORDER TO ASSIST IN THE REVITALIZATION OF THE SISTRUNK BOULEVARD CORRIDOR.

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

**Table of Dimensional Requirements for the RS-8 District
ULDR – Section 47-5.31**

(OB)

Commissioner Moore introduced the following ordinance on second 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. 42ND COURT, ON THE SOUTH BY THE LOTS LOCATED ALONG THE

SOUTH SIDE OF N.E. 37TH STREET, ON THE WEST BY THE INTRACOASTAL WATERWAY AND ON THE EAST BY N.E. 34TH AVENUE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioner Teel, Vice Mayor Trantalis, Commissioners Moore and 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:

Audit Advisory Board	Mark Burnam Harry Sweeney Kevin Blair Norman Thabit
Board of Adjustment	Scott Strawbridge
Code Enforcement Board	Patricia Hale John Phillips Rixon Rafter Jan Sheppard Sam Mitchell
Downtown Development Authority	Gale Butler Jack Loos
Fire Rescue Bond Committee	Patrick McTigue Doug Ruth Mary Graham Don Bastedo Diane MaGee Shula Allan A. Kozich Lydia Manning
Insurance Advisory Board	Christopher Prestera Randall Swenson Ted Hess Mark Schwartz Joseph Cobo

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-11

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

There being no other matters to come before the Commission, the meeting was adjourned at 7:05 P.M.

Jim Naugle
Mayor

ATTEST:

Jonda K. Joseph
City Clerk