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FORT LAUDERDALE CITY COMMISSION
MARCH 1, 2005**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
MARCH 1, 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 Cindi Hutchinson
Commissioner Carlton Moore (arrived at approximately 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 Quintin Waters

Invocation was offered by the City Clerk, followed by the recitation of the Pledge of Allegiance.

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

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel that the minutes of the January 18, 2005 Special Meeting, February 1, 2005 Workshop, and February 15, 2005 Conference and Regular Meetings and agenda be approved. Roll call showed: YEAS: Commissioners Hutchinson and Teel, Vice Mayor Trantalis and Mayor Naugle. NAYS: None.

Presentations

OB

1. Broward Quilt Expo

Commissioner Hutchinson and the City Commission issued a proclamation declaring the month of March, 2005 as Broward Quilt Expo Month in the City of Fort Lauderdale. This award is being presented to Sally Bolen representing the four guilds of Broward County.

Sally Bolen thanked the Commission for the award and said that "Blankets warm the body, but quilts warm the soul."

2. Colorectal Cancer Awareness

Commissioner Moore and the City Commission issued a proclamation declaring the month of March, 2005, as Colorectal Cancer Awareness Month in the City of Fort Lauderdale.

Shelley Beck, American Cancer Society, thanked the Commission for the recognition and reminded everyone to have these examinations.

3. Surveyors' Week

Vice Mayor Trantalis and the City Commission issued a proclamation declaring March 13-19, 2005 as Surveyors' Week in the City of Fort Lauderdale. The award is being presented to Tony Irvine, City Surveyor, who thanked the Commission for the recognition. He said that this evening Scott Reed, President of the Broward County Chapter of Surveyors, and Carl Arbrickson, member of the group, are present and he will present the proclamation to them for safekeeping.

4. Outstanding Employees

Bruce Roberts, Chief of Police, said the Department is honoring Officer Jorge Maura as Police Officer of the Month for January, 2005, who assisted a citizen as his bicycle was being stolen. Officer Maura was off duty but pursued the suspect, apprehended him, and returned the victim's bicycle within minutes of the occurrence.

Chief Roberts further said the Department is also honoring Sergeant John Eaves as Officer of the Month for March, 2005. Sgt. Eaves, on his own initiative, checked a business which had been victimized by multiple burglaries, and upon arrival found two suspects in the process of burglarizing the business. With quick and effective response, the suspects were apprehended and the business suffered no further loss.

Chief Roberts then honored the District Two Tactical Unit with a 2004 Unit Citation for an outstanding combined effort throughout 2004 for investigating and bringing closure to multiple cases making over 100 arrests of burglary, robbery, felony, narcotics and homicide suspects.

Albert Carbon, Director of Public Works, honored the Star Award Winners for March, 2005: Francisco Santos, Willie Holcombe and George Woolweaver. He said that on the evening of Monday, January 24, 2005, Crew #6123 was working near NW 26 Terrace and NW 18 Court in Fort Lauderdale, and a driver was "cut-off" by another vehicle making the car jump the sidewalk and become airborne. The car came to rest in an empty lot about 75' from the street. The employees offered assistance to the driver while calling to the Public Works Dispatcher requesting an officer and ambulance be sent to the scene of the accident.

5. Recognition of Parking Meter Mechanic/Parking and Fleet Services Department

Vice Mayor Trantalis and John Hoelzle, Director Parking and Fleet Services, along with the City Commission, honored Joe Nagy, Parking Meter Mechanic, who represented employee dedication, perseverance, and creativity in connection with the Meter

Management Software Program. He said he developed the system into a productive tool for the City.

6. Recognition of Airport Manager

Commissioner Teel and the City Commission recognized Clara Bennett, Airport Manager, who has been named 2004 General Aviation Airport Manager of the Year by the Federal Aviation Administration. She said that Ms. Bennett has made a difference for the residents in District I.

Bruce Larkin, Director of Business Enterprises, said this Airport is one of the most successful general aviation airports in the US, and is the home to many businesses creating over 4,000 jobs for the area, while providing a \$400 Million impact per year. He said Ms. Bennett has been with the Airport for over 12 years, and since 2002 has been the Airport Manager. He said Mr. Dean Stringer, Manager of the FAA Airport District Office in Orlando, is present this evening to present an award to Ms. Bennett.

Dean Stringer said he is representing the Southern Region of their office this evening and is presenting Ms. Bennett with the 2004 General Aviation Airport Manager of the Year Award. He said further that Ms. Bennett has increased runway surface safety by reducing the number of runway incidents, improving partnerships with the Airport and communities, managed a runway completion project within 10 days, increased Airport revenue through the management of non-aviation business leases, and maintaining a strong partnership with the FAA. He said this is the 8th busiest general aviation airport in the Country.

Clara Bennett thanked the Commission and the FAA for the award. She said this award is a reflection of the support of the entire City and their work with the Airport. She said she owed any accolades she received to the efforts of many individuals who worked at the Airport.

7. Smoke Detector

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

8. Recognition of Chris Barton

Commissioner Hutchinson and the City Commission recognized Chris Barton, Planning and Zoning, for his outstanding work and professionalism at the City for over 11 years.

Chris Barton thanked the City and said he is leaving to work at Kimley Horn & Associates, and urged the City to build the best City it can.

**Historic Designation – 401 NW 7 Avenue -
HPB Case 22-H-04**

(PH-1)

Commissioner Moore advised everyone that this item is being removed from tonight's agenda at the request of the applicant.

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.

Agreement – School Board of Broward County**(M-1)****Use of School Buses for Recreational Programs and Events**

A motion authorizing the proper City officials to execute an agreement with the School Board of Broward County for the use of their school buses for programs and events. The term of this agreement will be May 1, 2005 through April 30, 2006.

Recommend: Motion to approve.
Exhibit: CAR 05-172

Event Agreement – St. Patrick’s Day Celebration at Maguire’s Hill 16 – 535 North Andrews Avenue**(M-2)**

A motion authorizing execution of an Event Agreement with Cillarda Inc. to indemnify, protect and hold harmless the City from any liability relating to St. Patrick’s Day Celebration at Maguire’s Hill 16, on March 16, 2005, 8 PM – 12 Midnight & March 17, 2005, 7 AM to 12 Midnight; and authorizing closing of alley running parallel to Andrews Avenue behind Maguire’s Hill between the property lines.

Recommend: Motion to approve.
Exhibit: CAR 05-174

Event Agreement – 17th Street Causeway Bridge Run**(M-3)**

A motion authorizing execution of an Event Agreement with Hospice Care of Southeast Florida, Inc. to indemnify, protect and hold harmless the City from any liability relating to the 17th Street Causeway Bridge Run, to be held Saturday, April 9, 2005, 6:30 – 11 AM

Recommend: Motion to approve.
Exhibit: CAR 05-179

Event Agreement – St. Patty’s Day Spring Break Fest**(M-4)**

A motion authorizing execution of an Event Agreement with Make-A-Wish Foundation of Southern Florida, Inc. to indemnify, protect and hold harmless the City from liability relating to St. Patty’s Day Spring Break Fest, to be held on Thursday, March 17, 2005, 11AM – 7 PM at Fort Lauderdale’s South Beach.

Recommend: Motion to approve.

Exhibit: CAR 05-185

Event Agreement – Great Strides**(M-5)**

A motion authorizing execution of an Event Agreement with Cystic Fibrosis Foundation, Inc. to indemnify, protect and hold harmless the City from any liability relating to Great Strides, to be held Saturday, April 2, 2005, at 7:30 AM – 11:30 AM at Las Olas Riverfront and downtown sidewalks.

Recommend: Motion to approve.

Exhibit: CAR 05-154

Event Agreement – St. Patraick’s Day Street Party**(M-6)**

A motion authorizing execution of an Event Agreement with Old Town at Riverwalk Merchants Association, Inc. to indemnify, protect and hold harmless the City from any liability relating to St. Patrick’s Day Street Party, to be held Thursday, March 17, 2005, 4PM – 12 midnight; and authorizing closing of a portion of SW 2 Street, from 2 PM, March 17 to 4 AM, March 18.

Recommend: Motion to approve.

Exhibit: CAR 05-159

Event Agreement – Las Olas Wine and Food Festival**(M-7)**

A motion authorizing execution of an Event Agreement with American Lung Association of Florida, Inc., South Area, to indemnify, protect and hold harmless the City from any liability relating to the Las Olas Wine and Food Festival to be held Thursday, March 10, 2005, 7-9 PM; and authorizing closing of East Las Olas Boulevard, SE 6 Avenue to SE 11 Avenue and certain side streets, from 12 noon – 12 midnight.

Recommend: Motion to approve.

Exhibit: CAR 05-151

Event Agreement – Plywood Regatta**(M-8)**

A motion authorizing execution of an Event Agreement with Marine Industries Association of Florida, Inc. to indemnify, protect and hold harmless the City from any liability relating to the Plywood Regatta to be held at DC Alexander Park and the Fort Lauderdale Beach on Saturday and Sunday, April 16 and 17, 2005, 8 AM – 6 PM.

Recommend: Motion to approve.
Exhibit: CAR 05-155

Assignment of Lease Shop Nos. 108/112 City Park Mall**(M-9)**

A motion approving the assignment of the lease from Verrazano's Pizzeria, Inc. to Bella Pizza, LLC for Shop Nos. 108/112 located at the City Park Mall.

Recommend: Motion to approve.
Exhibit: CAR 05-166

**NCIP Maintenance Program – Contract Award -
Paramount Engineering, Inc. - \$21,611
Poinsettia Heights and South Middle River****(M-10)**

A motion authorizing the proper City Officials to award and execute a contract with Paramount Engineering, Inc. in the amount of \$21,611 for NCIP Maintenance Program Projects – Poinsettia Heights (Project 10617.331) and South Middle River (Project 10862.331).

Recommend: Motion to approve.
Exhibit: CAR 05-180

**Change Order No. 2 – Widell Associates, Inc. - \$51,072
G.T. Lohmeyer – Sludge Stabilization & Conveyance System
& Extending Contract****(M-11)**

A motion to approve Change Order No. 2 with Widell Associates, Inc. f/k/a Widell, Inc. in the amount of \$51,072 for additional work and the addition of 7 non-compensable calendar days to the period of construction – G.T. Lohmeyer Wastewater Treatment Plant, Flow Control, Biosolids, Chlorine and Architectural Rehabilitation – Package B, Project 10541.

Recommend: Motion to approve.
Exhibit: CAR 05-182
Change Order

Change Order No. 2 – Arazoza Brothers Corporation - (M-12)
\$21,038.65 – I-95 and Sunrise Boulevard Interchange
Landscaping – Project 10660

A motion authorizing the proper City Officials to execute Change Order No. 2 with Arazoza Brothers Corporation in the amount of \$21,038.65 for additional work related to the I-95 and Sunrise Boulevard Interchange Landscaping Project 10660.

Recommend: Motion to approve.
Exhibit: CAR 05-186

Contract Award – Transit Grant Administration Services (M-13)
The Goodman Corporation - \$80,000

A motion to award contract to Goodman Corporation, Inc. in the amount of \$80,000 for work associated with the administration of Federal Transit Administration grants.

Recommend: Motion to approve.
Exhibit: CAR 05-191

Settlement of Worker Compensation Claim No. (M-14)
WC-03-11717 – Scott Holland - \$49,000

A motion authorizing settlement of Worker Compensation Claim No. WC-03-11717 (Scott Holland) in the amount of \$49,000.

Recommend: Motion to approve.
Exhibit: CAR 05-175

Funds Transfer – Purchase of Police Field Force (M-15)

A motion authorizing transfer of funds for purchase of uniforms and equipment to be used by the Police Department specifically designed to withstand potentially dangerous encounters.

Recommend: Motion to approve.
Exhibit: CAR 05-178

PURCHASING AGENDA

592-8108 – Enhancements of Cyborg Payroll System **(Pur-1)**

Purchase of Proprietary enhancements to the Hewitt/Cyborg Payroll System.

Recommend: Approve proprietary purchase.

Vendor: Hewitt Associates, LLC
Lincolnshire, IL

Exhibit: CAR 05-147

Proprietary – Parkeon Multi-space Meters, City Boat Ramp Facilities **(Pur-2)**

Replacement of obsolete and malfunctioning Schlumberger meters in Marine Facilities lots (George English and 15th Street Boat Ramp)

Recommend: Staff recommends City Commission approval to purchase Four (4) Parkeon multi-space pay-and-display meters from Parking's Retained Earnings.

Vendor: Bytewise Solutions, Inc. (MBE)
Opa Locka, FL

Exhibit: CAR 05-133

Broward Fire Academy Registration Fee **(Pur-3)**

Annual registration fee and certification training.

Vendor: The School Board of Broward County, FL
Fort Lauderdale, FL

Exhibit: CAR 05-144

State – Purchase of Five Chevrolet Cobalt Sedans **(Pur-4)**

Purchase of five (5) additional Chevrolet Cobalt Sedans for Building Services.

Recommend: Approval to purchase five (5) additional Chevrolet Cobalt Sedans from the Florida Sheriff's Contract with transfer of Funds.

Vendor: Barber Chevrolet-Buick-Pontiac-GMC Truck, Inc.
Green Cove Springs, FL

Exhibit: CAR 05-145

**Two-Year Contract Extension for Overhead Door
Maintenance Services**

(Pur-5)

A motion to approve a two-year contract extension to Above All Garage Door for the maintenance of overhead doors on a unit pricing, as needed, basis.

Recommend: A motion to approve.

Vendor: Above All Garage Door of South Florida, Inc.
Hialeah Gardens, FL

Exhibit: CAR 05-153

252-9160 – Purchase of 14 Scott Airpacks

(Pur-6)

The recommended purchase of fourteen new Scott Airpacks to replace the equipment lost in the fire at Fire-Rescue Support Services on September 20, 2005.

Recommend: We recommend City Commission approval to purchase Fourteen complete Scott breathing apparatus from Pro-Am Safety, Inc. for the total of \$59,742.90 from FIR030101-6499.

Vendor: Pro-Am Safety, Inc.
Plant City, FL

Exhibit: CAR 05-135

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

Motion made by Commissioner Hutchinson and seconded by Vice Mayor Trantalis that Consent Agenda Item No. M-13 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 Moore, Hutchinson, Teel, Vice Mayor Trantalis, and Mayor Naugle. NAYS: None.

**Contract Award – Transit Grant Administration Services
The Goodman Corporation - \$80,000**

(M-13)

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

PUBLIC HEARINGS

Historic Designation – 401 NW 7 Avenue (PH-1)
HPB Case 22-H-04

At the January 3, 2005 Historic Preservation Board meeting, the application was recommended for approval (8-1). This item was deferred from the February 15, 2005 agenda.

This item is being deferred to an unspecified time.

Vacate Right-of-Way – Portion of NW 2nd Street (PH-2)
Case 12-P-04

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

Commissioner Moore introduced the following ordinance on 1st reading:

ORDINANCE NO. C-05-04

AN ORDINANCE VACATING, ABANDONING AND CLOSING ALL OF NORTHWEST 2ND STREET AS SHOWN ON "THE R.E.B. PLAT," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 74, PAGE 43 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED WEST OF NORTHWEST 22ND AVENUE AND EAST OF NORTHWEST 25TH AVENUE, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

ORDINANCES

Amendment to the Pay Plan (O-1)

Commissioner Moore introduced the following ordinance:

ORDINANCE NO. C-05-05

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

Which ordinance was read by title only.

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

Rezone from Boulevard Business (B-1) to General Business (B-2) (O-2)
Allocation of Commercial Flex & Approval of Site Plan –
Case No. 9-ZR-04

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

Commissioner Moore introduced the following ordinance:

ORDINANCE NO. C-05-06

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM B-1 TO B-2 WITH THE ALLOCATION OF COMMERCIAL FLEXIBILITY AND DEVELOPMENT PLAN APPROVAL, ALL OF THAT PORTION OF PARCEL "A," "EVERGLADES TERMINAL CO. SUB," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 68, PAGE 38, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING WEST OF THE SOUTHERLY EXTENSION OF THE EAST LINE OF PARCEL "B" OF SAID PLAT, LOCATED AT THE NORTHEAST INTERSECTION OF MIAMI ROAD AND STATE ROAD NO. 84, AND INCLUDING DEVELOPMENT PLAN APPROVAL FOR A SELF-STORAGE FACILITY ON THE PROPERTY TO BE REZONED AND THE INDUSTRIAL ZONED PROPERTY ABUTTING THE PROPERTY TO BE REZONED, 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 Moore, Hutchinson, Teel, Vice Mayor Trantalis, and Mayor Naugle. NAYS: None.

CITIZEN PRESENTATION

Wayne Alexander – Martin Luther King, Jr. – Celebration Committee

Wayne Alexander, Co-Chair Martin Luther King, Jr. Celebration Committee, said he is here this evening to thank the City and the Commission for their support of this event. He said this Committee is fortunate to have several corporate partners, such as Wachovia Bank, North Broward Hospital District, J. M. Family Enterprises, and Florida Power and Light Company.

Mr. Alexander said this is a not-for-profit organization and their mission is to celebrate and promote the ideals and vision of Dr. King through celebration, advocacy and education. He said that funding is from corporate sponsors and grants. He further said that the committee is responsible for this event in the City for the last two years, and this year more than 90 different groups participated in the event which was held in conjunction with the opening of Joseph C. Carter Park. He said the event did attract more than 12,000 individuals, and they were proud of the progress made in institutionalizing this event. He said they were also proud of the students who volunteered for this event. He said this group and the community is charged with not only celebrating this holiday, but to provide educational programs and tools to solve differences and teach the students that regardless of race, creed, religion or color, everyone is special and equal and everyone has a contribution to make to the society, nation and City.

Mr. Alexander further said that this committee also sponsored an annual student essay contest, an MLK Gala Celebration at the Broward Center for Performing Arts, and a Memorial Service on the anniversary of the assassination of Dr. King at the African-American Research Library. He said that conflict resolution workshops were also held this year at the parks for students.

Mr. Alexander said they were seeking the City's guidance and support for a "King Holiday Celebration" within this City celebrating the community's rich diversity, humanity, and enriching the lives of the youth. He asked for the Commission's support for a budget allocation of \$15,000 for the 2006 celebration.

Commissioner Moore said that Fort Lauderdale was the first municipal entity to celebrate the MLK holiday. He said it took 3,000 individuals marching on City Hall to make this happen, and he is proud of the City to be a leader for such an entity. He thanked the Committee for their hard work in making the day a memorable one.

RESOLUTIONS

Florida Department of Transportation Joint Participation Agreement – Sistrunk Boulevard/NE 6 Street Streetscape and Enhancement Project - \$48,000 **(R-1)**

Commissioner Moore introduced the following resolution:

RESOLUTION 05-33

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A JOINT PARTICIPATION AGREEMENT (JPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO RECEIVE GRANT FUNDING FOR INSTALLATION OF BUS SHELTERS, STREET LIGHTING AND OTHER ENHANCEMENTS ALONG SISTRUNK BOULEVARD AND AUTHORIZING TRANSFER OF GRANT FUND TO THE FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY TO CONSTRUCT THE PROJECT.

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

Bond and Disclosure Counsel – Fire Rescue Facilities Bond Issue **(R-2)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-34

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING ALBERT DEL CASTILLO OF THE LAW FIRM OF SQUIRE, SANDERS & DEMPSEY L.L.P. TO ACT AS BOND COUNSEL AND STEVEN BULLOCK OF THE LAW FIRM OF STEVEN BULLOCK, P.A. TO ACT AS DISCLOSURE COUNSEL TO THE CITY OF FORT LAUDERDALE, FLORIDA, IN CONNECTION WITH THE FIRE-RESCUE FACILITIES.

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

**Lease Agreement – Florida Department of Transportation
Sidewalk Cafes – Northbound A-1-A Right-of-Way****(R-3)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-35

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, REQUESTING THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") TO TEMPORARILY SURPLUS (LEASE) PROPERTY TO THE CITY OF FORT LAUDERDALE TO BE UTILIZED FOR THE PUBLIC PURPOSE OF PROVIDING PERMITTING FOR SIDEWALK CAFES ON STATE ROAD A-1-A; SUCH PROPERTY BEING IDENTIFIED IN THE LEGAL DESCRIPTION AND SKETCH ATTACHED TO THIS RESOLUTION LABELED AS EXHIBIT "A", AND AUTHORIZING EXECUTION BY THE PROPER CITY OFFICIALS OF A LEASE AGREEMENT WITH FDOT PERMITTING FOR SIDEWALK CAFES ON STATE ROAD A-1-A.

Which resolution was read by title only.

Commissioner Teel said that over the last few years the "table creeping" problem is increasing, and she hoped at this time steps will be taken to place some type of indication, besides the coins on the sidewalk, to take control of the situation. She said this is out of the spirit as to what the right-of-way is to be used for, and they needed to consider the safety of all pedestrians. She felt she would not be able to support this item unless such measures will be taken. She said it is the City's responsibility to make sure this is enforced.

The City Manager said the Police Department is presently working with the business owners to bring the establishments back into compliance. He said if the medallions were not working, then they will attempt to put another system into place. He felt the matter will be under control very shortly.

Commissioner Moore said it is a privilege to be permitted to use public walkways, and it is not a right. He felt if 3 violations were given to an establishment, then such right should be revoked and no public hearings held since the privilege is being abused. He suggested such language be included in the resolution.

Mayor Naugle said this agreement is between the City and FDOT.

The City Manager said he wanted the opportunity to bring the businesses into compliance before a "three strikes you're out" provision is put into place.

Commissioner Moore said the Commission is giving such owners a privilege, and he is in favor of an "olive branch" being extended to the businesses, but then the right being revoked if three violations occur.

The City Manager said further that there has been a certain amount of laissez faire regarding such regulations and part of that is due to code officers not working at night and the police being focused on other matters. He suggested that they see how the warning system works, and if problems occur, then stronger action will be taken.

Commissioner Moore said he disagreed and requested that this matter be placed on the Commission’s next Conference Agenda for discussion purposes. He felt manpower should not be used to keep such establishments in check.

The City Attorney said this matter is provided for in an ordinance and permits renewed annually. He said they will prepare an amendment to the ordinance authorizing the “three strikes you’re out” proposal, and this could be the mechanism to hold such a discussion.

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

Challenge Grant Program Agreement – Broward County (R-4)
\$442,763 – Construction of George English Park Recreation Center

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-36

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 UNDER THE 2000 SAFE PARKS AND LAND PRESERVATION BOND PROGRAM TO ACCEPT A CHALLENGE GRANT IN THE AMOUNT OF \$442,763 FOR ASSISTANCE WITH THE CONSTRUCTION OF THE GEORGE ENGLISH PARK RECREATION CENTER.

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

Advisory Board/Committee Appointments (OB)

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

- | | |
|---|--------------------|
| Cemeteries Board of Trustees | Connie Christensen |
| Community Services Board | William Dandy |
| Education Advisory Board | Jack Law |
| Parks, Recreation & Beaches
Advisory Board | Ron Perkins |

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-37

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

Vice Mayor Trantalis asked if the Commission Agenda could be returned to the previous type size. The City Clerk confirmed that will be done.

There being no other matters to come before the Commission, the meeting was adjourned at 6:55 P.M.

Jim Naugle
Mayor

ATTEST:

Jonda K. Joseph
City Clerk