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FORT LAUDERDALE CITY COMMISSION  
MARCH 15, 2005**

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**MINUTES OF A REGULAR MEETING  
CITY COMMISSION  
FORT LAUDERDALE, FLORIDA  
MARCH 15, 2005**

Meeting was called to order at 6:03 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 at 6:07 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 Tom McCarthy

Invocation was offered by Dr. Aryn Rojiani, Shia Ismaili Muslim Community, followed by the recitation of the Pledge of Allegiance.

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

**Motion** made by Vice Mayor Trantalis and seconded by Commissioner Teel that the minutes of the March 1, 2005 Conference and Regular Meetings and agenda be approved. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Teel, Vice Mayor Trantalis and Mayor Naugle. NAYS: None.

**Presentations**

**OB**

1. "WOW" Award – District II

Vice Mayor Trantalis and the City Commission recognized the Community Appearance Board's "WOW" Award for District II. The award is being presented to Jim Duran and Jason Smith of 1900 NE 20<sup>th</sup> Avenue, Poinsettia Heights. They purchased the home and made extensive improvements.

2. Energy Awareness Day

Commissioner Teel and the City Commission issued a proclamation declaring March 22, 2005 as Energy Awareness Day. The Utility Advisory Committee will host the first Energy Roundtable entitled "Renewable Energy and Energy Conservation You Can Use

Now," to be held on Tuesday, March 22, 2005 at the Broward County Main Library Auditorium. Experts will address a wide-range of subjects.

Bunney Brenneman, Utility Advisory Committee Chair, thanked the Commission for their leadership and the positions they have taken regarding the build-out in the City of Fort Lauderdale. She said it is important to educate all residents of the City regarding renewable energy and energy conservation.

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**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.

**Fiscal Year 2004-2005 Budget Amendment No. 2  
Revisions Relating to City-Wide Department Reorganization**

**(M-1)**

A motion approving revisions to the Fiscal Year 2004-2005 adopted budget as a result of the City-wide department reorganization.

**Recommend:** Motion to approve.  
**Exhibit:** Commission Agenda Report 05-0254

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**Event Agreement –Walk America**

**(M-2)**

A motion authorizing and approving execution of an Event Agreement with March of Dimes Birth Defects Foundation for Walk America, to be held Saturday, April 16, 2005, 7 AM – 3PM; & authorizing closing of noted City streets in walk route from 8:30 to 10:30 AM; Sunrise Lane from Sunrise Boulevard to NE 9 Street, and NE 9 Street from Sunrise Lane to A-1-A.

**Recommend:** Motion to approve.  
**Exhibit:** Commission Agenda Report 05-0240

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**Event Agreement –16<sup>th</sup> Annual Multiple Sclerosis Walk****(M-3)**

A motion authorizing and approving execution of an Event Agreement with the National Multiple Sclerosis Society for the 16<sup>th</sup> Annual MS Walk, to be held at George English Park and beach area sidewalks on Sunday, April 3, 2005 from 7:30 AM to 2:30 PM.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0241

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**Event Agreement – Ocean Fest Dive & Adventure Sports Expo****(M-4)**

A motion authorizing and approving execution of an Event Agreement with the Greater Fort Lauderdale Chamber of Commerce for Ocean Fest Dive and Adventure Sports Expo, to be held at South Beach Friday, April 15, 5-10 PM, Saturday, April 16, 10 AM – 10 PM, and Sunday, April 17, 2005, 10 AM – 5 PM.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0242

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**Event Agreement – Healthy Awareness Day****(M-5)**

A motion authorizing and approving the execution of an Event Agreement with Community Health Care Center One, Inc. d/b/a AIDS Project Florida for Healthy Awareness Day, to be held at Huizenga Plaza, Saturday, April 23, 2005, 9 AM – 4 PM; and authorizing closing of eastbound curb lane of East Las Olas Boulevard from Andrews Avenue to SE 1 Avenue, 7 AM – 7 PM on April 23, 2005.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0244

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**Event Agreement – Rio Vista Home and Garden Tour 2005****(M-6)**

A motion authorizing and approving execution of an Event Agreement with the Rio Vista Civic Association for the Rio Vista Home and Garden Tour 2005, to be held Saturday, April 9, 2005, 11 AM – 4 PM, in the Rio Vista neighborhood; and authorizing closing of North Rio Vista Boulevard from SE 9 Avenue to the cul-de-sac over the tunnel, 10 AM – 5 PM.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0245

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**Event Agreement – Imperial Point 5K Race For All Ages****(M-7)**

A motion authorizing and approving execution of an Event Agreement with North Broward Hospital District for the Imperial Point 5K Race For All Ages, to be held Saturday, April 2, 2005, 6 AM – 11 AM at Imperial Point Medical Center and neighborhood streets; and further authorizing closing of various City streets along the route, 7 AM – 9:30 AM

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0246

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**Amendment – Air & Sea Show Event Agreement - Pro Series, Inc. – Additional Merchandising****(M-8)**

A motion authorizing the proper City officials to execute an amendment to the Air and Sea Show Event Agreement with Pro Series, Inc. to allow additional merchandising at City-approved locations, with the stipulation that the City would receive 50% of all profits for the 2005 show.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0253

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**Temporary Street Closures – NE 32 Avenue & NE 34 Street Revocable License – Il Lugano Condominium****(M-9)**

A motion authorizing the proper City officials to execute a Revocable License with Il Lugano, L.L.C. to allow temporary street closures at NE 32 Avenue and NE 34 Street, in connection with construction of Il Lugano Condominium development at 3333 NE 32 Avenue.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-0194

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**NatureScape Irrigation Service – Broward Mobile Irrigation Lab Agreement with Broward County – 5-Year Program - \$26,790****(M-10)**

A motion authorizing the proper City Officials to execute an agreement with Broward County and authorizing an expense of \$26,790 over a 5-year period to participate in NatureScape Irrigation Water Conservation Program developed by the South Florida Water Management District.

**Recommend:** Motion to approve.

**Exhibit:** Commission Agenda Report 05-196

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**Contract Award – Intercounty Engineering Inc. - \$1,697,000 (M-11)**  
**Five Submersible Pump Stations – Group I**

A motion authorizing the proper City Officials to execute a contract with Intercounty Engineering Inc. for the rehabilitation of five submersible pump stations at a cost of \$1,697,000 – Project 10488.

**Recommend:** Motion to approve.  
**Exhibit:** Commission Agenda Report 05-0221

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**Change Order No. 2 – Widell Associates, Inc. - \$256,855.94 (M-12)**  
**G.T. Lohmeyer Screening System & Conveyer**

A motion authorizing Change Order No. 2 with Widell Associates, Inc. f/k/a Widell, Inc. in the amount of \$256,855.94 for additional work and the addition of 80 non-compensable calendar days to the period of construction – Project 10541C.

**Recommend:** Motion to approve.  
**Exhibit:** Commission Agenda Report 05-0202

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**Contract Award – Weekley Asphalt Paving, Inc. - \$289,576 (M-13)**  
**NE/NW 13<sup>th</sup> Street Roadway Improvements – Phase 2**

A motion authorizing the proper City officials to award and execute a contract with Weekley Asphalt Paving, Inc. in the amount of \$289,576 for the NE/NW 13<sup>th</sup> Street Roadway Improvements, Phase 2, from Powerline Road to Federal Highway.

**Recommend:** Motion to approve.  
**Exhibit:** Commission Agenda Report 05-0247

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**Transportation Improvements “3 Plus 2” Plan - \$124,761.80 (M-14)**  
**Task Order – The Urban Group – Northbound Lane to Seabreeze Blvd.**

A motion authorizing the proper City officials to execute a Task Order with The Urban Group in the amount of \$124,761.80 for right-of-way appraisal fees relating to addition of northbound lane to Seabreeze Boulevard – Fort Lauderdale Beach “3 plus 2” Plan – Project 10088.

**Recommend:** Motion to approve.  
**Exhibit:** Commission Agenda Report 05-0258

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**Agreement – Broward County 2004-2005 Tenant Voucher Program – Use of Home Investment Partnership Program Funds - HUD** **(M-15)**

A motion authorizing the proper City officials to execute an Agreement with Broward County to use HOME funds received from the U.S. Department of Housing and Urban Development for the County 2004-2005 Tenant Voucher Program.

**Recommend:** Motion to approve.  
**Exhibit:** Commission Agenda Report 05-0168

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**Electronic Mail Upgrade - \$21,960** **(M-16)**  
**Police Department - Accreditation**

A motion authorizing appropriation of funds and purchase of e-mail upgrade and execution of corresponding agreement incorporating applicable terms of State of Florida Contract #973-561-04-2 and appropriate terms for the City relating to accreditation standards.

**Recommend:** Motion to approve.  
**Exhibit:** Commission Agenda Report 05-0259

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**PURCHASING AGENDA**

**452-9149 – Two-Year Contract for Polymer** **(Pur-1)**

A motion to approve the purchase of polymer for wastewater sludge from Polydyne, Inc., in the estimated amount of \$560,000 for the two-year agreement.

**Recommend:** Motion to approve

**Vendor:** Polydyne, Inc.  
 Riceboro, GA

**Amount:** \$560,000.00 (estimated two-year total)

**Bids Solicited/Rec'd:** 15/3

**Exhibit:** Commission Agenda Report 05-0226

The Procurement Services Department recommends awarding to the low responsive and responsible bidder.

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**001-01-205 Contract for Microfilming Services****(Pur-2)**

33mm and 16mm Microfilming Services Contract

Recommend: Approval

Vendor: Lason Systems, Inc.  
Troy, MI

Amount: \$90,000.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 05-0227

The Procurement Services Department recommends awarding from the City of Miami contract with transfer of funds.

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**Proprietary – Police Technology Maintenance  
Computer Network****(Pur-3)**

Maintenance support for the Police Department's computer network.

Recommend: Approve purchase

Vendor: Unisys Corporation  
Blue Bell, PA

Amount: \$68,801.04

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 05-0230

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

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**352-9135 – Reject & Re-Bid July 4<sup>th</sup> Fireworks Display****(Pur-4)**

Rejection and re-bid of the 4<sup>th</sup> of July Fireworks display is being presented for approval by the Parks and Recreation Department.

Vendor: Fireworks by Grucci, Inc.  
Brookhaven, NY

Bids Solicited/Rec'd: 10/1

Exhibit: Commission Agenda Report 05-0238

The Procurement Services Department recommends rejecting of one bid received from Fireworks by Grucci, Inc.

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**State – Carpet for War Memorial Auditorium****(Pur-5)**

Purchase of carpet for War Memorial Auditorium.

Vendor: Shaw Industries, Inc.  
Hollywood, FL  
Amount: \$31,821.96  
Bids Solicited/Rec'd: N/A  
Exhibit: Commission Agenda Report 05-0192

The Procurement Services Department recommends awarding the purchase from the Florida State Contract.

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**342-8972 – Home Community Housing Development  
Organization Funds****(Pur-6)**

Award of 2004-2005 HOME Community Housing Development Organization (CHDO) Funds.

Recommend: Staff recommends Commission approval to accept the recommendation of the Selection Committee to award the HOME CHDO set aside award of \$321,500 to Fort Lauderdale CDC and \$264,051 to Housing Enterprises of Fort Lauderdale

Vendor: Fort Lauderdale Community Development Corporation for  
\$321,500 Housing Enterprises of Fort Lauderdale, Florida,  
Inc., for \$264,051  
Amount: \$585,551.00  
Bids Solicited/Rec'd: 43/4  
Exhibit: Commission Agenda Report 05-0215

The Procurement Services Department has reviewed this item and agrees with the recommendation.

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**Proprietary – Electronic Parking Meter Mechanisms****(Pur-7)**

The Parking and Fleet Services Department requests Commission approval for the purchase of 855 electronic parking meter mechanisms.

Recommend: Staff recommends City Commission approval for the proprietary purchase of these meter mechanisms from Duncan Parking Technologies, Inc.

Vendor: Duncan Parking Technologies, Inc.  
Harrison, AR

Amount: \$158,742.53

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 05-0232

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

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**252-9122 – Three-Year Contract for Citation Payment Processing****(Pur-8)**

Award of contract pursuant to RFP-252-9122 to Law Enforcement Systems, Inc. for citation payment processing, registered owner searches, and printing/ mailing of customer notices.

Recommend: Staff recommends award of a three-year comprehensive citation processing contract with three one-year extensions to Law Enforcement Systems, Inc. for a fee of 7.5% of citation payment revenue collected.

Vendor: Law Enforcement Systems, Inc.  
Long Island City, NY

Amount: 7.5% Fee (Approx. \$120,000 based on 1.6M collected)

Bids Solicited/Rec'd: 147/6

Exhibit: Commission Agenda Report 05-0203

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

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**452-9162 – Contract for Fire Alarm Inspection and Repair****(Pur-9)**

A motion to approve a two-year contract, with a provision for three one-year renewals, in the amount of \$39,300 to Quality Communications Fire and Security, Inc., for the annual test and certification of fire alarm systems and repairs.

Recommend: A motion to approve.

Vendor: Quality Communications Fire & Security, Inc.  
Fort Lauderdale, FL

Amount: \$39,300.00 (estimated annual total)

Bids Solicited/Rec'd: 47/3

Exhibit: Commission Agenda Report 05-0225

The Procurement Services Department recommends awarding to the low responsive and responsible bidder.

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

**Motion** made by Commissioner Teel and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-12, M-14, and Pur-4 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, Teel, Vice Mayor Trantalis, and Mayor Naugle. NAYS: None.

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**Change Order No. 2 – Widell Associates, Inc. - \$256,855.94**  
**G.T. Lohmeyer Screening System & Conveyer**

**(M-12)**

Vice Mayor Trantalis said that he is pulling this item at the request of constituents in his district. He asked for some further explanation.

Paul Bohlander, Assistant City Engineer, said that the current contract called for the installation of three auger monsters which screen the waste stream at the head waters and remove solids and debris. Operations is very impressed with the equipment that has been installed thus far under the contract. The original plan was to maintain one of the older screens, but Operations is concerned about maintaining the two systems at the same time. As a result, Operations requested they look into installing an additional auger monster and take the original equipment out of service at this time. The contract provided a very attractive price. The equipment is very expensive, but the price compared to what it would cost to replace the auger monster down the road, was very competitive. He said the replacement was budgeted in the program, but budgeted further down the road.

Mr. Bohlander said they were looking to move the replacement of the existing screen forward in the program under this contract because they believe there are several advantages in doing this.

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

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**Transportation Improvements “3 Plus 2” Plan - \$124,761.80 (M-14)**  
**Task Order – The Urban Group – Northbound Lane to**  
**Seabreeze Blvd.**

Vice Mayor Trantalis said that he pulled this item, and asked if the appraisal fee was the amount budgeted when the grant was received.

Peter Partington, City Engineer, said the money was set aside by the Department of Transportation for the original “4 plus 2” Plan which is now the “3 plus 2” Plan. Vice Mayor Trantalis asked if the amount is consistent with the appropriation anticipated at the time of the grant application. Mr. Partington said that it is difficult to look back and see how the money was split out, but he felt it was in line with the value of the property involved in this process. Vice Mayor Trantalis said he is concerned that they do not exceed the money needed for the completion of the project by going beyond what was budgeted. He asked if there would be enough money in the overall project, if this amount is paid for the appraisal fees. Mr. Partington said that the appraisal fees would be paid out of the monies set aside by the Department of Transportation. He further said that at some point in time, staff will return with an update regarding the finances for this project. He said he could not stand here tonight and say that all funding is in place and locked down for 100% of this project. He said that is consistent with what the Commission had been told at their conference meeting two weeks ago. Vice Mayor Trantalis asked if this expense would push them over the top. Mr. Partington said it would not.

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

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**352-9135 – Reject & Re-Bid July 4<sup>th</sup> Fireworks Display (Pur-4)**

Vice Mayor Trantalis noted that only one bid was received and the City did not like the bid. He asked what made staff feel that a better response would be received since it appeared there was no one out there competing for the City’s invitation.

Kirk Buffington, Procurement Services Director, said that it is not so much that the City did not like the answer, but they were very expensive and about 30% over the original budgeted amount. Also, there were some concerns prior to the opening day for the responses in regard to permitting issues for the barge. One bidder refused to bid due to the permitting issues. Staff believes those issues were now resolved, and if re-bid, they might get 2-3 responses.

Vice Mayor Trantalis asked if there were no other responses, would the City be stuck with the one bid.

Mr. Buffington said that they would not be stuck because, according to the ordinance, since there is only one bid, negotiations could be conducted. Staff believes they could do better at this point in time.

Vice Mayor Trantalis said that last year the fireworks display occurred due to private funds. He asked why that is not being done this year. Mr. Buffington said he believed that is going to be done.

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

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<b>MOTIONS</b>
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**Appeal – Historic Preservation Board Denial – Certificate of Appropriateness – Burr Randall Dawsey, Townhomes at Waverly Road – 12-H-04** **(M-17)**

James Cromar, Planning and Zoning, said the applicant originally submitted a request February 7, 2005, for Certificates of Appropriateness for Demolition for existing structures on the site, and the construction of six townhouse units. The Historic Preservation Board denied both requests for Certificates of Appropriateness by a vote of 1-8. On February 14, 2005 the applicant submitted a letter to the City Clerk, requesting an appeal to the City Commission. He said the Commission has the opportunity to determine if there was a departure from the essential requirements of law and the proceedings appealed, or if competent substantial evidence did not exist to support the decision of the Historic Preservation Board. If the Commission determines that either of the conditions have been met, they can then set a date for a De Novo Hearing. Due to Code requirements, the earliest the hearing could occur would be April 19, 2005.

Mayor Naugle asked the Commission if they wanted to set the hearing for April 19, 2005. Commissioner Hutchinson responded yes.

Vice Mayor Trantalis asked if there is any information that could be provided to show that the requirements for a De Novo Hearing have been met.

The City Attorney said that would be decided by this board.

Mayor Naugle asked if the Commission felt this matter deserved a hearing. Commissioner Moore said that he would support a hearing. Vice Mayor Trantalis agreed also.

Commissioner Moore introduced the following resolution setting de novo hearing:

RESOLUTION NO. 05-38

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, REGARDING THE APPEAL OF THE HISTORIC PRESERVATION BOARD'S DECISION IN CASE 12-H-04, WHICH WAS A DENIAL OF THE APPLICANT'S REQUESTS FOR A CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION AND A CERTIFICATE OF APPROPRIATENESS FOR NEW CONSTRUCTION, MAKING CERTAIN FINDINGS, AND SETTING A PUBLIC HEARING TO CONSIDER THE APPEAL BEFORE THE CITY COMMISSION AT 6:00 P.M. ON APRIL 19, 2005.

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

**PUBLIC HEARINGS**

**701-705 SE 24 St – Rezone – Boulevard Business to (PH-1)  
General Business Allocation of Commercial Flexibility  
& Site Plan Approval – 9-Z-04**

An ordinance rezoning property at 701-705 SE 24 Street from B-1 to B-2 with allocation of commercial flexibility and development plan approval.

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

Commissioner Hutchinson introduced the following ordinance on 2<sup>nd</sup> reading:

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.

**Program Amendment – 04-05 Action Plan - HUD (PH-2)**  
**Consolidated Plan Restoring Previous Funding Level –**  
**Broward House - \$64,061**

**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.

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson, restoring \$64,061 funding to Broward House previously designated for Mount Olive Development Corporation, and so amending the 2004-2005 Annual Action Plan of the U.S. Department of Housing and Urban Development’s Consolidated Plan for HOPWA funds. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Teel, Vice Mayor Trantalis and Mayor Naugle. NAYS: None.

**RESOLUTIONS**

**Special Magistrate Appointments (R-1)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-39

A RESOLUTION OF THE CITY COMMISSION OF THE CITY  
OF FORT LAUDERDALE, FLORIDA, APPOINTING JUDGE JOHN  
GAUDIOSI, JUDGE FLOYD V. HULL, MEAH ROTHMAN TELL, ESQ.,  
AND JUDGE ZEBEDEE W. WRIGHT AS SPECIAL MAGISTRATES FOR  
THE CITY OF FORT LAUDERDALE.

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

**Adoption of Revised Broward County Local Mitigation Strategy (R-2)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-40



A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADOPTING BROWARD COUNTY'S REVISED LOCAL MITIGATION STRATEGY AND TO REFLECT THE CITY'S SPECIFIC ROLE IN IMPLEMENTING THE STRATEGY.

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

**Grant Application – Florida Inland Navigation District Waterways (R-3)  
As New River Floating Day Dockage Pilot Program – 330 SW 2<sup>nd</sup> Street**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-41

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR A GRANT UNDER THE FLORIDA INLAND NAVIGATION DISTRICT (FIND) FOR IMPROVEMENTS TO THE NEW RIVER/RIVERWALK AREA; AND FURTHER AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL DOCUMENTS TO ACCEPT SUCH GRANT FUNDS.

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

**Construction Loan Agreement – Start Revolving Fund - (R-4)  
\$7,256,416 – Water & Wastewater Capital Improvement Program**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-42

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCE; PROVIDING FOR CONFLICTS; SEVERABILITY AND AN EFFECTIVE DATE.

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

**Financing Five Pumper Trucks & One Aerial Ladder Truck - (R-5)  
\$2,854,000 – Suntrust Master Lease Program**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-43

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE USE OF THE SUNTRUST LEASING CORPORATION MASTER LEASE FINANCE PROGRAM TO FINANCE THE PURCHASE OF FIVE PUMPER TRUCKS AND ONE AERIAL LADDER TRUCK.

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

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**Financing Police Vehicles & Ancillary Equipment - \$1,002,000 (R-6)  
Suntrust Master Lease Program**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-45

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE USE OF THE SUNTRUST LEASING CORPORATION MASTER LEASE FINANCE PROGRAM TO FINANCE THE PURCHASE OF 39 POLICE VEHICLES AND ANCILLARY EQUIPMENT.

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

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**Executive Airport – Assignment of Lease & Amended/Restated (R-7)  
Lease - Ben-Air, Inc. to Ross Southern Properties – Parcel 2A**

Commissioner Moore introduced resolution (1):

RESOLUTION NO. 05-46

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONSENT TO ASSIGNMENT OF LEASE AGREEMENT FROM BEN-AIR, INC., TO ROSS SOUTHERN PROPERTIES, LLC, PERTAINING TO PARCEL 2A AT FORT LAUDERDALE EXECUTIVE AIRPORT.

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

Commissioner Moore introduced resolution (2):

RESOLUTION NO. 05-47

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING CITY OFFICIALS TO ENTER INTO AN AMENDED AND RESTATED LEASE AGREEMENT AND TERMINATE THE EXISTING LEASE AGREEMENT WITH ROSS SOUTHERN PROPERTIES, LLC PERTAINING TO PARCEL 2A AT FORT LAUDERDALE EXECUTIVE AIRPORT.

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

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**Plat Approval – Park View Lofts – 1317 NE 7 Avenue -  
Case 8-P-04**

**(R-8)**

Commissioner Moore introduced the following resolution:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA APPROVING A PLAT KNOWN AS "PARK VIEW LOFTS."

Which resolution was read by title only.

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

Mayor Naugle asked how many units per acre is the proposed development and would it be noted on the plat.

Michael Ciesielski, Planning and Zoning, said the notation on the plat is 90 multi-family units, and 8,500 sq. ft. maximum for commercial use. It would be about 49.5 units per gross acre. Mayor Naugle asked how large was the parcel. Mr. Ciesielski said the parcel is 65,056 sq. ft. Mayor Naugle asked if it is about 60 units per acre. Mr. Ciesielski confirmed that as correct.

Mayor Naugle referred to recent discussion about South Andrews and flex units in residential neighborhoods. He felt that 60 units to the acre is very dense. He compared it to the Galt Ocean Mile. He asked if this is what the community really wanted.

Mayor Naugle asked if other apartment complexes in the neighborhood are 25 units per acre. Mr. Ciesielski confirmed that they are. Mayor Naugle asked about the height of the building. Commissioner Hutchinson said that the back-up material says the building would be eight stories. Mr. Ciesielski said the height of the building will be 84' 4". Mayor Naugle asked if there are any other buildings in the area approaching that height. Mr.

Ciesielski said there were none to the best of his knowledge. He believed the highest building in the area at this time is two stories.

Mayor Naugle said that such projects seem out of place for the area and would overwhelm it. He was glad there is new development and quality housing for the community. It appears residents are in support of the project because it would raise property values. But such density outside of the central business district seems to break down. .

Commissioner Moore agreed with the Mayor's comments regarding density, but he did not hear any outcry from the community regarding this project. He said if "it isn't broken, let's not fix it." He said it appears the community feels the density permits the type of development they want at this location, which could be due to the present development at the site and the residents want a change from the blight that presently exists. He has not heard any outcries from the neighborhood. It is his assumption that the neighborhood is in acceptance of the project.

Greg Brewton, Deputy Planning and Zoning Director, understood the concerns being raised. He further said that the site plan for this project will come before the City Commission in the future. If the Commission has concerns, this matter could travel along with the site plan. The issues raised are site plan issues. The development, regarding density, will play out as it relates to the site plan, and how it has been interpreted in terms of the number of units and density. He said they gross the density designed by land use to interpret gross acreage and density. He said such issues could be brought up at that time. Mayor Naugle explained he is raising these concerns now because there is a request for a note on the face of the plat. Hearing the Mayor's comments, Mr. Brewton thought it would be proper to bring this forward with the site plan.

Robert Lochrie, attorney on behalf of the applicant, said that staff recommended that the plat be reviewed with the site plan and rezoning. He said they would not object to the plat being deferred so that it could be considered with the other two processes. He expected that to happen within the next 30-60 days.

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson to defer this matter for 60 days. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Teel, Vice Mayor Trantalis and Mayor Naugle. NAYS: None.

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**Site Plan Level IV Review – Brickell Heights – 307 NW 1 Avenue - (R-9)**  
**Allocation of 356 Post 2003 Dwelling Units –**  
**Downtown RAC –136-R-04**

The applicant submitted a letter requesting deferral to April 5, 2005.

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson to defer this matter until April 19, 2005 at 6:00 p.m. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Teel, Vice Mayor Trantalis, and Mayor Naugle. NAYS: None.

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**Bridge View at Sailboat Bend Plat Approval – 16-P-04  
425 SW 11<sup>th</sup> Avenue**

**(R-10)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-48

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA APPROVING A PLAT KNOWN AS "BRIDGEVIEW AT SAILBOAT BEND."

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

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**Appointing Special Counsel for Eminent Domain  
Seabreeze Boulevard 3 Plus 2 Project**

**(R-11)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-49

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING SAMUEL S. GOREN OF THE LAW FIRM OF GOREN, CHEROF, DOODY & EZROL, P.A. AS SPECIAL COUNSEL FOR REPRESENTATION OF THE CITY IN EMINENT DOMAIN AND ASSOCIATES LEGAL PROCEEDINGS PERTAINING TO ACQUISITION OF RIGHT-OF-WAY ALONG SEABREEZE BOULEVARD FROM BAHIA MAR TO LAS OLAS BOULEVARD IN THE CITY OF FORT LAUDERDALE.

Which resolution was read by title only.

Mayor Naugle asked if this firm was retained by the City in regard to the 1986 bond issue / A-1-A condemnation.

The City Attorney said that he did not know. He said that he spoke with three different firms and received quotes from them. He did not check who had done previous work with the City. They have not done any work for the City since he has been with the City.

Mayor Naugle said that before he voted on this, he wanted to know if this was that firm. If it is the same firm, it is his recollection that the City was not pleased with their work. He said he could be wrong, but wanted to know before voting.

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

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**Code Enforcement Liens – Delegation of Authority to City  
Manager to Settle and Release**

**(R-12)**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-50

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DELEGATING TO THE CITY MANAGER THE AUTHORITY TO SETTLE AND RELEASE CERTAIN CODE ENFORCEMENT LIENS AND DELEGATING TO THE CITY MANAGER THE AUTHORITY TO EXECUTE ADMINISTRATIVE RELEASES OF CERTAIN RECORDED LIENS.

Which resolution was read by title only.

Commissioner Teel said that she agreed with the concept, but some things concerned her. She did not want them to get into the situation where the fines would be reduced down to staff's costs. She further said that one of their goals in this effort should be for compliance and for the fines to be settled as quickly as possible. In working out the settlement if there is an outstanding fine for 4 months, perhaps a 25% discount could be applied. Therefore, there could be some sort of guide established. She said the amount would be plus staff's costs and the amount could increase per length of the lien, capping out for 2 years at 85%. As part of the reporting process to the Commission, she wanted to see how they were doing with active outstanding Code infractions and fines so they would not get to the point where there is a long list of individuals being fined for 4 years or more.

Commissioner Teel said that in regard to water bills, she did not understand why the service has not been shut off if the bill was overdue in excess of 4 years. She hoped the City would be aggressive in collecting the fines.

Commissioner Hutchinson said she is encouraged by the resolution, and glad that it is being taken away out of the politics of the dais. She did not want to limit the hands of the City Manager. If such cases come back before her, the amount would be 100%. She said that she will watch how this moves through the process, and if she sees fines being accepted at the 15% or 20% level, she would be discouraged. She said habitual offenders need to be treated harshly.

Mayor Naugle said if this process did not work out, the delegation could be rescinded.

Commissioner Hutchinson said that this would be on a call-up.

Commissioner Moore said that the discretion of the City Manager is the purpose for doing this. Repeat offenders are harmful to the community, and he hoped management understood these are the individuals they were attempting to target. He said that if a person is trying to bring property into compliance, he wanted the City Manager to use his discretion. He said if the process is not meeting the Commission's expectations, it can be called up. It is not about the money, but about the property conforming to Code.

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

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**Site Plan level IV Review – Marbella Place – 13-R-04  
501, 519, 527 North Birch Road – 32 Unit Multi-Family Building**

**(R-13)**

The applicant submitted a letter requesting deferral to April 5, 2005.

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson to defer this matter until April 5, 2005, at 6:00 P.M. 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:

Board of Adjustment	Gerald Jordan, Alternate
Community Appearance Board	Adam Sanders
Education Advisory Board	Olivia Vargas Elaine Schulze Nancy K. Thomas Alice Hendrickson Betty Shelley Chris W. Carney Leanore N. Deaner Jack Law Frances Payne Pearl Maloney Pamela M. Brown Lincoln Pasteur Beth Gillon Brian Dassler
Marine Advisory Board	John A. Terrill Rick Schulze Eugene Zorovich Geraldine Udell Joseph Hessmann Ryan Campbell Roger McKee Richard K. Duncan Randolph Adams John Baker

Commissioner Hutchinson introduced a written resolution entitled:

RESOLUTION NO. 05-53

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.

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**Organization of American States (OAS)**

**OB**

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-52

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, URGING THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS AND THE GREATER FORT LAUDERDALE CONVENTION AND VISITORS BUREAU TO BEAR THE COST OF SECURITY AND POLICE PROTECTION ASSOCIATED WITH THE UPCOMING THIRTY-FIFTH REGULAR SESSION OF THE GENERAL ASSEMBLY OF THE ORGANIZATION OF AMERICAN STATES SCHEDULED TO TAKE PLACE AT THE GREATER FORT LAUDERDALE BROWARD COUNTY CONVENTION CENTER.

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

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**Broward County Land Purchase  
Intersection of State Road 7 and Riverland Road**

**OB**

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 05-51

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SUPPORTING BROWARD COUNTY'S PURCHASE OF LAND LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF STATE ROAD 7 AND RIVERLAND ROAD FOR PARK PURPOSES UNDER THE SAFE PARKS AND LAND PRESERVATION PROGRAM AND SUPPORTING BROWARD COUNTY'S PAYMENT OF UP TO TEN PERCENT ABOVE THE AVERAGE APPRAISED VALUE OF THE PROPERTY.

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

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

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Jim Naugle  
Mayor

ATTEST:

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Jonda K. Joseph  
City Clerk