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FORT LAUDERDALE CITY COMMISSION
JUNE 7, 2005**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
JUNE 7, 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: Vice Mayor Christine Teel
Commissioner Dean J. Trantalis
Commissioner Carlton B. Moore
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 Larry Miller

Invocation was offered by Pastor Stuart Dugan, First Presbyterian Church, 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 of the May 3, 2005 Conference and Regular Meetings, and the minutes of the May 10, 2005 Special Regular Meeting, and agenda be approved. Roll call showed: YEAS: Vice Mayor Teel, Commissioners Trantalis, Moore and Hutchinson, and Mayor Naugle. NAYS: None.

Commissioner Moore left the meeting at approximately 6:03 p.m. and returned at 6:05 p.m.

Presentations

OB

1. Expression of Sympathy

Commissioner Trantalis, Mayor Naugle and the City Commission offered an expression of sympathy to the family of Greg S. Thornburgh, employee of the City of Fort Lauderdale, Public Works Distribution and Collection.

2. Ironworkers Local 272 Day

Vice Mayor Teel, Mayor Naugle, and the Commission issued a Proclamation designating June 10, 2005, as Ironworkers Local 272 Day in the City of Fort Lauderdale.

Dewey Tyler, Local 272, thanked the City Commission and said they are proud to be located in the City of Fort Lauderdale.

3. Outstanding City Employees

John Hoelzle, Director Parking and Fleet Services, proceeded to honor Paul Ferrara, Parking and Meter Technician, as employee of the month for June.

Albert Carbon, Director of Public Works, proceeded to honor Mary Preece, Administrative Aide, Sanitation Division, who coordinated the 2005 Earth Day Celebration.

Albert Carbon then proceeded to honor Stephen Curmode, Water Plant Operator II at the George T. Lohmeyer Wastewater Treatment Plant, who identified the source of a problem in the water system and discovered a leak in the chemical system.

Bruce Roberts, Chief of Police, proceeded to honor Captain Robert Carter, as Officer of the Month for June, who apprehended armed robbers on the beach several months ago.

Chief Roberts honored Mike Rigg, Civilian Police Employee of the Month for April, for serving as Director of the Martin Luther Celebration Committee, and for his input, ongoing involvement, and support for this celebration.

Chief Roberts continued to honor Craig Richards, Civilian Employee of the Month for May, for upgrading a TCP/IP gateway for the department.

Otis Latin, Chief of Fire-Rescue, proceeded to honor Firefighter Paramedic Derik Armstrong and Firefighter Paramedic Hugh P. Bayne who had been struck in their truck by a civilian, and unmindful of their injuries, assisted the individuals in their car and delivered them to a safe area.

Chief Latin proceeded to honor Lt. Jo-Ann Lorber as Outstanding Employee for the Month of May, who is the recipient of the Outstanding Research Award given by the National Fire Academy for her project entitled "*Drowning – The Silent Killer of Children.*"

Chief Latin proceeded to honor Battalion Chief Robert Hoecherl, who completed the four-year program for Executive Fire Officers designated by the National Fire Academy.

The City Manager said in early January he contacted the Port Authority of New York/New Jersey to request someone to assist the City of Fort Lauderdale as an Interim Finance Director. He proceeded to issue a Proclamation of Thanks to Ray Mannion for his hard work and efforts during the last several months. He said that Friday, June 17, 2005 will be Ray Mannion Day in the City of Fort Lauderdale.

Ray Mannion thanked the City Commission for the honor and said it was an honor to work with the City's Staff.

Commissioner Hutchinson said it was a pleasure working with Mr. Mannion who had provided her with an expanded education during his term of service.

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 – Rally Day

(M-1)

A motion authorizing and approving execution of an Event Agreement with First Presbyterian Church of Fort Lauderdale, Inc. for Rally Day, to be held at the Church on Sunday, September 11, 2005, 8 AM – 1 PM; and authorizing closing of Tarpon Drive from Tarpon Terrace to Brickell Avenue, 10 AM, Saturday, September 10 to 12 PM, Monday, September 12, 2005.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0538

Event Agreement – Viva Broward 2005

(M-2)

A motion authorizing and approving execution of an Event Agreement with El Heraldo de Broward, Inc. for Viva Broward 2005, to be held at Las Olas Riverfront, Riverwalk, and Huizenga Plaza on Saturday, October 22, 2005, 5 PM to 12 AM and Sunday, October 23, 2005, 10 AM to 7 PM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0539

Event Agreement – Old Fashioned Fourth of July**(M-3)**

A motion authorizing and approving execution of an Event Agreement with the Fort Lauderdale Historical Society, Inc. for Old Fashioned Fourth of July, to be held at Old Fort Lauderdale Village on Monday, July 4, 2005, 10 AM – 5 PM; and authorizing closing of specified neighborhood City streets.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0552

Event Agreement – Mayhem at the Museum**(M-4)**

A motion authorizing and approving execution of an Event Agreement with the Museum of Discovery and Science, Inc. for Mayhem at the Museum, to be held at the Museum on Friday and Saturday, July 8 and 9, 2005, 10 AM – 5 PM; and authorizing the closing of SW 2 Street from SW 4 Avenue to SW 5 Avenue for a specified time.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0553

Event Agreement – Prayer Walk**(M-5)**

A motion authorizing and approving execution of an Event Agreement with the New Life Worship Center of Ft. Lauderdale, Inc. for the Prayer Walk, to be held at Provident Park on Saturday, July 16, 2005, from 9:00 AM to 1:00 PM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0555

Event Agreement – Dr. Bobby Jones Gospel**(M-6)**

A motion authorizing and approving execution of an Event Agreement with the Greater Fort Lauderdale Convention and Visitors Bureau, a subsidiary of Broward County, for the Dr. Bobby Jones Gospel, to be held at Esplanade on Sunday, June 12, 2005, from 10:00 AM to 7:30 PM, and Monday and Tuesday, June 13 and 14, 2005, from 3:30 PM to 7:30 PM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0577

Event Agreement – A1A Marathon and Beach Party**(M-7)**

A motion authorizing and approving execution of an Event Agreement with the Greater Fort Lauderdale Convention and Visitors Bureau, a subsidiary of Broward County, for the A1A Marathon and Beach Party, to be held on Saturday, November 12, 2005, 5:30 AM – 10:00 PM, beginning at the Broward County Convention Center and ending at Fort Lauderdale South Beach.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0578

**Second Amendment to Operations Agreement
Arts and Science District Parking Facility****(M-8)**

A motion authorizing the proper City Officials to execute a Second Amendment to the Operations Agreement with the Broward Performing Arts Center Authority and the Downtown Development Authority to clarify division of expenses for the Arts and Science District Parking Facility.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0525

**Lease Agreement – Azorra Properties, Inc.
Marine Facilities Office – 408 South Andrews Avenue****(M-9)**

A motion authorizing the proper City Officials to execute a one-year lease agreement with Azorra Properties, Inc. for the Marine Facilities Office at 408 South Andrews Avenue, for the term of May 1, 2005 through April 30, 2006.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0586

**Budget Public Hearing Dates
Fiscal Year 2005-2006****(M-10)**

A motion setting the City's Fiscal Year 2005-2006 Budget Public Hearing dates – September 7, 2005, at 6 PM and September 20, 2005, at 6 PM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0491

Local Option Gas Tax – Broward County Interlocal Agreement Amendments (M-11)

A motion authorizing the proper City Officials to execute amendments to Interlocal Agreements with Broward County for: I – Local Option Gas Tax, II – Local Option Gas Tax on Motor Fuel for Transit, and III – Additional Local Option Gas Tax on Motor Fuel.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0492

Summer Youth Employment Program (M-12)

A motion authorizing the proper City Officials to execute an agreement with WorkForce One and the Children’s Services Council for a Summer Youth Employment Program.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0504

Seth Feldman, D.O./Medwork 84, Inc. – Medical Testing Pre-Requisite for Assistance to Firefighters Grant Award (M-13)

A motion authorizing expenditure of \$62,006.65 to Seth Feldman, D.O. d/b/a Medwork 84, Inc., from FIR010301, Sub-object 3125, Medical Services for additional costs relating to establishing a base physical exam profile for Fire-Rescue employees required for receipt of Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0482

Change Order 2 – Foster Marine Contractors, Inc. - \$99,532.91 (M-14)
Davie Boulevard Water Main & Adding Days to Construction Period

A motion authorizing Change Order 2 with Foster Marine Contractors, Inc. in the amount of \$99,532.91 for contract quantity adjustments, additional costs, and the addition of 4 non-compensable calendar days to the period of construction – Work Order No. 10553A – Davie Boulevard Water Main Package “A.”

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0502

Change Order 3 – Widell Associates, Inc. - \$92,233 (M-15)
G.T. Lohmeyer Flow Control Package B

A motion authorizing Change Order 3 with Widell Associates, Inc., f/k/a Widell, Inc., in the amount of \$92,233 for Project 10541B-G.T. Lohmeyer Flow Control, Biosolids, Chlorine and Architectural Rehabilitation – Package B – Project 10541B.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0515

Change Order 3 – MBR Construction, Inc. - \$95,467.80 (M-16)
SE/SW 2nd Street Corridor Streetscape Improvements

A motion authorizing Change Order 3 with MBR Construction, Inc. in the amount of \$95,467.80 for SE/SW 2nd Street Corridor Streetscape Improvements – Project 15393.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0516

Change Order 2 – The Poole and Kent Company - \$2,578.45 Credit (M-17)
Fiveash Water Treatment Plant Upgrades

A motion authorizing Change Order 2 with The Poole and Kent Company in the amount of \$2,578.45 (Credit) – Fiveash Water Treatment Plant Upgrades Phase I – Project 10387.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0527

Change Order 3 – Catalfumo Construction, LLC - \$23,893.12 (M-18)
Riverland Park

A motion authorizing Change Order 3 with Catalfumo Construction, LLC d/b/a Seawood Builders in the amount of \$23,893.12, Riverland Park – Project 15245.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0529

Change Order 1 – Weekley Asphalt Paving, Inc. - \$329,980.06 Credit (M-19)
Fort Lauderdale Executive Airport Runway and Taxiway
Hotel Relocation

A motion authorizing the proper City Officials to authorize Change Order 1 (final adjusting) in the amount of \$329,980.06 (credit) with Weekley Asphalt Paving, Inc., for the Executive Airport Runway 8/26 Pavement Rehabilitation and Taxiway Hotel Relocation – Project P10422.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0394

Work Order 10553A-3 – Foster Marine Contractors, Inc. - (M-20)
\$287,601.12 – Davie Boulevard Water Main Improvements

A motion authorizing the proper City Officials to execute Work Order 10553A-3 with Foster Marine Contractors, Inc., in the amount of \$287,601.12 for the construction of water main improvements in the Davie Boulevard Corridor – Project 10859D.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0503

Work Authorization 16724.68, Amendment 2 – Keith and Schnars, PA - (M-21)
\$1,001,960 – Edgewood Sanitary Sewer and Water Main Improvements

A motion authorizing the proper City Officials to execute Amendment 2 to Work Authorization 16724.68 with Keith and Schnars, PA, in the amount of \$1,001,960 for additional utility verification activities and final design for Edgewood Sanitary Sewer and Water Main Improvements (Sewer Area 8).

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0519

**Work Authorization 16724.A1, Amendment 1 – Keith and Schnars, PA – (M-22)
\$290,431 – Water Main Replacement, North Andrews Avenue and
NE 41 Street**

A motion authorizing the proper City Officials to execute Amendment 1 to Work Authorization 16724.A1 in the amount of \$290,431 to Keith and Schnars, PA for the provision of consulting engineering design and surveying services associated with the North Andrews Avenue and N.E. 41st Street 48-inch Water Main Replacement – Project P10875.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0544

**Work Authorization 16724.D1 – Keith and Schnars, PA - \$231,177.50 (M-23)
Harbor Beach Water & Sewer Rehabilitation – Construction
Inspection**

A motion authorizing the proper City Officials to execute Work Authorization 16724.D1 with Keith and Schnars, PA, in the amount of \$231,177.50 for provision of construction inspection (Resident Project Representative) services associated with the construction of water utilities, sanitary sewer and pump station rehabilitation in the Harbor Beach area – Project P10671.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0556

**Task Order 12 – Kimley-Horn and Associates, Inc. - \$23,000 (M-24)
Fort Lauderdale Executive Airport Special Purpose Survey**

A motion authorizing the proper City Officials to execute Task Order 12 with Kimley-Horn and Associates, Inc. in the amount of \$23,000 to perform a Special Purpose Survey of the Fort Lauderdale Executive Airport – Project P10955.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0511

Task Order No. 11 – Kimley-Horn and Associates, Inc. - \$273,615 (M-25)
Fort Lauderdale Executive Airport Runway 13/31 Pavement Rehabilitation

A motion authorizing the proper City Officials to execute Task Order No. 11 with Kimley-Horn and Associates, Inc. in the amount of \$273,615 for design, surveying, and bid assistance services related to the pavement rehabilitation of Runway 13/31 – Project P10632.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0512

Task Order 10 – Kimley-Horn and Associates, Inc. - \$448,978 (M-26)
Fort Lauderdale Executive Airport Taxiway Alpha Relocation

A motion authorizing the proper city Officials to execute Task Order 10 with Kimley-Horn and Associates, Inc., in the amount of \$448,978 for design, surveying, and bid assistance services related to the relocation of Taxiway Alpha at the Fort Lauderdale Executive Airport – Project P10802.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0513

Task Order 34, Amendment 2 – Camp Dresser and McKee, Inc. - (M-27)
\$34,220 – Croissant Park Sanitary Sewer Improvements (Sewer Area 7)

A motion authorizing the proper City Officials to execute Amendment 2 to Task Order 34 with Camp Dresser and McKee, Inc., in the amount of \$34,220 for additional surveying and engineering design of the Croissant Park Sanitary Sewer Improvements (Sewer Area 7) – Project 10679.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0521

Task Order 5 – CMTS Florida, LLC - \$69,800 (M-28)
Jacobs Landing – Utility Construction Inspection Services

A motion authorizing the proper City Officials to execute Task Order 5 with CMTS Florida, LLC, in the amount of \$69,800 for Project No. P10705-B – Jacobs Landing Water and Wastewater System Improvements – Utility Construction Inspection Services – Project P10705-B.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0547

Contract Award – Fast-Dry Courts, Inc. - \$106,410 (M-29)
Resurfacing Tennis Courts at Holiday Park

A motion authorizing the proper City Officials to award and execute a contract with Fast-Dry Courts, Inc., in the amount of \$106,410, for Resurfacing of Twenty-One Tennis Courts at Holiday Park – Project 10952.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0518

Contract Default – PRM Engineering & Contracting, Inc. (M-30)
Project F-2300, Riverwalk Phase II

A motion authorizing the proper City Officials to declare PRM Engineering & Contracting, Inc. in default of their contract for the construction of improvements to Project F-2300, Riverwalk Phase II.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0530

Contract Award – Tenex Enterprises, Inc. - \$59,900 (M-31)
Lake Aire Neighborhood Improvements

A motion authorizing the proper City Officials to award and execute a contract with Tenex Enterprises, Inc. in the amount of \$59,900 for Lake Aire Neighborhood Improvements – Neighborhood Capital Improvement Program – Project 10782.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0562

Contract Award – MGI – Morgan General Mechanical, Inc. - (M-32)
\$2,978,010 – Poinciana Park Water Storage Tank and Pump Station

A motion authorizing the proper City Officials to award and execute a contract with MGI-Morgan General Mechanical, Inc. in the amount of \$2,978,010, for the construction of Project 10417A – Poinciana Park Water Storage Tank and Pump Station.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0561

Ranking and Negotiations – Engineering (M-33)
Testing Laboratory Services

A motion authorizing the proper City Officials to approve the proposed ranking and commencement of negotiations with the two top ranked firms, Nodarse & Associates, Inc. and Williams Earth Sciences, Inc., for Engineering Testing Laboratory Services – Project 10938.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0536

Temporary Sanitary Sewer Agreement – Lennar Homes, Inc. (M-34)
Edgewood Landings – 1600 SW 32 Place

A motion authorizing the proper City Officials to execute a Temporary Sanitary Sewer Agreement with Lennar Homes, Inc., allowing the developer to construct a temporary sanitary sewer system at 1600 SW 32 Place to serve the Edgewood Landings development.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0545

Interlocal Agreement – Broward County Convention (M-35)
Center Shuttle Service

A motion authorizing the proper City Officials to execute an Interlocal Agreement with Broward County for the Convention Center Shuttle Service.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0581

Temporary Use – Fire Rescue Emergency Services Equipment, (M-36)
Vehicles Agreement – Sheriff of Broward County

A motion authorizing the proper City Officials to execute an agreement with Kenneth C. Jenne, II, Sheriff of Broward County, for the temporary use of fire rescue and emergency services equipment and/or vehicles.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0522

Grant Acceptance – Solving the Old with the New - (M-37)
\$435,961 - Police Department

A motion accepting a grant from the Department of Justice in the amount of \$435,961 supporting “SOLVING THE OLD WITH THE NEW” – PROJECT S.O.N. – utilization of commercial DNA testing agencies to help expedite the testing of evidence.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0505

Grant Acceptance - \$50,000 – Florida Violent Crime and Drug (M-38)
Control Council – Police Department

A motion accepting additional Florida Violent Crime and Drug Control Council grant funds in the amount of \$50,000, yielding a new project total of \$100,000; and authorizing the proper City Officials to execute all necessary documents to obtain and disburse any grant funds to the City.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0507

Lease Agreement – 533 NE 13 Street, LLC (M-39)
533 NE 13 Street – Police Department Community Support Division

A motion authorizing the proper City Officials to execute a 5-year lease with 533 NE 13 Street, LLC for June 1, 2005 through September 30, 2010 with two 2-year options, and authorizing payment of an additional \$8,758.32, spread over a period of 12 months for past CPI expenses, for continued use of property at 533 NE 13 Street as the Police Department Community Support Division Office.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0495

Renewal of Lease Agreement – Las Olas Anchorage Corporation (M-40)
Office Space for Office of Professional Standards –
33 NE 2 Street

A motion authorizing the proper City Officials to exercise the three-year lease renewal option and ratification of staff’s notice of intent to exercise the renewal option with Las Olas Anchorage Corporation for the Office of Professional Standards’ office space at 33 NE 2 Street.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0594

New River Trading Post, LTD – Barefoot Mailman (M-41)
Plat Note Amendment and Release of Road Impact
Fee Agreement

A motion amending the plat note for “New River Trading Post” development (old post office site), relating to uses and square footage so they are consistent with the approved site plan, and authorizing release of the Road Impact Fee Agreement with Broward County.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0609

PURCHASING AGENDA

One-Time Approval of 2005-06 Fleet Plan (PUR-1)

Annual approval of the Fleet Plan for fiscal year 2005-06 is being presented for approval by the Parking and Fleet Services Department.

Recommend: Motion to approve.

Amount: \$7,126,690.00 (estimated)

Bids Solicited/Rec’d: N/A

Exhibit: Commission Agenda Report 05-0496

The Procurement Services Department approving the Fleet Plan purchases for fiscal year 2004-05.

542-9011 – Residential Parking Permit Program**(PUR-2)**

A Task Order to perform a “Street Parking Survey” for a residential parking permit program from the existing contract is being presented for approval by the Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Walker Parking Consultants/Engineers, Inc.
Kalamazoo, MI

Amount: \$41,890.00 (estimated)

Bids Solicited/Rec'd: 60/6

Exhibit: Commission Agenda Report 05-0520

The Procurement Services Department recommends approving the task order from existing contract.

Proprietary – Upgrade to Multi-Space Meters**(PUR-3)**

An agreement to upgrade 30 multi-space meters is being presented for approval by the Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Bytewise Solutions, Inc.
Opa Locka, FL

Amount: \$95,850.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 05-0489

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

RFP – 552-9172 –Lockbox Services**(PUR-4)**

A five-year contract for lockbox services for automated processing of mail payments is being presented for approval by the Finance Department.

Recommend: Motion to approve.

Vendor: Intuition Systems, Inc.
Jacksonville, FL

Amount: \$80,223.26 (estimated annual total)

Bids Solicited/Rec'd: 300/4

Exhibit: Commission Agenda Report 05-0506

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

Extension of Credit Card Processing Contract**(PUR-5)**

Approval to extend the current contract for Credit Card Processing Services six months with A First Data/Sun Trust Bank Alliance (Sun Trust Merchant Services, LLC) is being presented for approval by the Finance Department.

Recommend: Motion to approve.

Vendor: SunTrust Merchant Services, LLC
Greenwood Village, CO
Amount: \$67,000.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 05-0524

The Procurement Services Department recommends continuing the existing service arrangement for a six-month period.

512-8438 – Increase Pre-Employment Polygraph Services**(PUR-6)**

A contract increase to provide pre-employment polygraph examination services is being presented for approval by the Police Department.

Recommend: Motion to approve.

Vendor: Deception Control, Inc.
Fort Lauderdale, FL
Amount: \$40,625.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 05-0534

The Procurement Services Department recommends approving the additional expenditures to the existing contract.

752-9073 – Amend Concession Services – Emergency**(PUR-7)**

Authority to amend the cafeteria concession services contract if an emergency is declared is being presented for approval by the Procurement Services Department.

Recommend: Motion to approve.

Vendor: Ultimate Catering, Inc.
Boca Raton, FL
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 05-0528

The Procurement Services Department recommends approving additional services if required.

One-Year Contract for Diesel Fuel

(PUR-8)

One-year contract for the purchase of low and high sulfur tankwagon diesel fuel is being presented for approval by the Procurement Services Department.

Recommend: Motion to approve.

Vendor: BV Oil Company
Miami, FL

Amount: Per Unit Prices

Bids Solicited/Rec'd: 10/6

Exhibit: Commission Agenda Report 05-0558

The Procurement Services Department recommends approval from the SE Florida Governmental Purchasing Cooperative Group Contract.

Three-Year Contract for Unleaded Gasoline

(PUR-9)

Three-year contract for the purchase of unleaded gasoline, transport delivery, is being presented for approval by the Procurement Services Department.

Recommend: Motion to approve.

Vendor: Mansfield Oil Company Streicher Mobile Fueling, Inc.
Gainesville, GA Fort Lauderdale, FL

Amount: per unit price

Bids Solicited/Rec'd: 35/8

Exhibit: Commission Agenda Report 05-0580

The Procurement Services Department recommends approval from the SE Florida Governmental Purchasing Cooperative Group Contract.

752-9147 – One Year Contract Spare Gate Parts

(PUR-10)

A two-year contract to purchase spare parts for the automated gate system and pedestrian gates at the Fort Lauderdale Executive Airport is being presented for approval by the Business Enterprises Department.

Recommend: Motion to approve.

Vendor: Logical Decisions, Inc.
Colleyville, TX

Amount: \$29,088.10 (estimated annual total)

Bids Solicited/Rec'd: 176/7

Exhibit: Commission Agenda Report 05-0488

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

Purchase of Two (2) Vehicles**(PUR-11)**

An agreement to purchase two Ford Escape vehicles to be used by City Engineering Inspectors involved in WaterWorks 2011 projects is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Don Reid Ford, Inc.
Maitland, FL

Amount: \$28,898.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 05-0501

The Procurement Services Department recommends approving purchase from the Florida Sheriff Association Contract.

Proprietary – Hydrotrac Echo Sounder with Software**(PUR-12)**

An agreement to purchase a Hydrotrac Echo Sounde with Hypack MAX Software and Starlink 212L DGPS receiver is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Odom Hydrographic Systems, Inc.
Baton Rouge, LA

Amount: \$23,850.82

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 05-0437

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

Proprietary – Purchase of Column Pipe**(PUR-13)**

An agreement to purchase column pipe for wells at Fiveash Water Treatment Plant is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Carter and Verplank, Inc.
Tampa, FL

Amount: \$17,020.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 05-0485

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

Proprietary – Yeoman Pumps and Parts

(PUR-14)

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

Recommend: Motion to approve.

Vendor: R.C. Beach & Associates, Inc.
Dunedin, FL

Amount: \$40,000.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 05-0472

The Procurement Services Department has reviewed this item and agrees with awarding the proprietary purchase.

Purchase of Smart Zone Radio System Hardware/Software

(PUR-15)

An interlocal agreement with Broward Sheriff's Office to link radio systems together in a SmartZone configuration is being presented for approval by the Information Technology Department.

Recommend: Motion to approve.

Vendor: Motorola, Inc.
Schaumburg, IL

Amount: \$445,222.00 (not to exceed)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 05-0532

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

952-9218 – Swimming Pool Equipment

(PUR-16)

An agreement to purchase swimming pool equipment is being presented for approval by the Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Recreonics, Inc. Recreation Supply Company, Inc.
Bill Fritz Sports Corp. Poolequip.com

Amount: \$58,421.64

Bids Solicited/Rec'd: 453/6

Exhibit: Commission Agenda Report 05-0546

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

752-8951 – Contract Cancellation – Downtown Recreation & Open Space/Urban Design Guidelines & Northwest RAC Public Realm Plan (PUR-17)

An agreement to cancel the contract for the Downtown Recreation & Open Space/Urban Design Guidelines, and the NW Regional Activity Center Public Realm Plan is being presented for approval by the Parks and Recreation Department.

Recommend: Motion to cancel contract.

Vendor: Space Imaging, LLC
Orlando, FL

Amount: N/A

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 05-0301

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

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

Motion made by Commissioner Hutchinson and seconded by Commissioner Trantalis that Consent Agenda Item Nos. M-9, M-11, M-18, M-32, Pur-6, and Pur-7 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 Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

Lease Agreement – Azorra Properties, Inc. Marine Facilities Office – 408 South Andrews Avenue (M-9)

Commissioner Moore said that he pulled this item, and asked, with the extension of this lease, if consideration could be given to work out a relationship for the rehabilitation of the old post office site.

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

Local Option Gas Tax – Broward County Interlocal Agreement Amendments (M-11)

Commissioner Moore said he is opposed to this because the County does not let them do what they want with public roadways.

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

**Change Order 3 – Catalfumo Construction, LLC -
\$23,893,12 – Riverland Park**

(M-18)

Commissioner Moore said he pulled this item and asked what was the amount of the original contract.

Peter Partington, City Engineer, said the original contract was \$5 Million.

Commissioner Moore said a concern was raised regarding the removal of a construction fence before completion of the project. He asked for the fence to be replaced during construction so there are no injuries.

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

**Contract Award – MGI – Morgan General Mechanical, Inc. -
\$2,978,010 – Poinciana Park Water Storage Tank and
Pump Station**

(M-32)

Mayor Naugle said this item is being withdrawn from tonight's agenda. Albert Carbon, Director of Public Works indicated that the bids are being reviewed.

512-8438 – Increase Pre-Employment Polygraph Services

(PUR-6)

Commissioner Moore said he is concerned about this service; he finds it offensive. He asked if this process is necessary because he found it to be biased, and asked what benefit is being offered regarding hiring of individuals using such a process. He requested an explanation from staff at a future point in time.

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

Commissioner Moore asked if a presentation could be made regarding this service at the next Commission Conference Meeting. He did not believe this process should be used.

The City Manager said this process has been reviewed and they are considering its elimination in certain areas. Before a recommendation is made, they want to pursue

their investigation further. Regarding the Police Department, they want to continue the service. He asked if additional time could be provided for further investigation.

Commissioner Moore offered the following amendment regarding this item: To enter into the contract to start, but not utilize the full amount designated for this service.

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

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to enter into the contract, but not to complete the projected dollar amount for the services. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

752-9073 – Amend Concession Services – Emergency (PUR-7)

Kirk Buffington, Director of Procurement Services, advised that this item is also being withdrawn from tonight’s agenda.

ORDINANCES

Vacate Right-of-Way – Rafael Jorge – 31-P-04 (O-1)

Commissioner Hutchinson introduced the following ordinance on 2nd reading:

ORDINANCE NO. C-05-07

AN ORDINANCE VACATING, ABANDONING AND CLOSING THAT PORTION OF THE 15 FOOT ALLEY IN BLOCK 203 “PROGRESSO,” ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; BOUNDED ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF SUNRISE BOULEVARD, A STATE ROAD, SAID RIGHT-OF-WAY LINE BEING 15 FEET SOUTH OF THE NORTH LINE OF SAID BLOCK 203; AND BOUNDED ON THE SOUTH BY THE SOUTH LINE OF SAID BLOCK 203, LOCATED BETWEEN SUNRISE BOULEVARD AND NORTHWEST 9TH STREET, EAST OF NORTHWEST 7TH TERRACE AND WEST OF NORTHWEST 7TH 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 Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

Amendment to Pay Plan (O-2)

Commissioner Hutchinson introduced the following ordinance on first reading:

ORDINANCE NO. C-05-13

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

Which ordinance was read by title only.

Commissioner Trantalis asked if they are adding personnel in excess of what had been agreed to in the budget, or is this a reshuffling of positions.

The City Manager said this is a reshuffling of positions, but there are some monetary issues for next year's budget.

Albert Carbon, Director of Public Works, said that three positions will be reclassified, with an impact of \$32,000. He said that some positions are allocated 100% to the General Fund, but a minimum of 30% of their duties can be offset by what they do for Utilities. The cost can be offset in Utilities. All three positions are accepting greater responsibility. One position will be a recruited position and will move up in class.

The City Manager said this is part of the reorganization plan for the Public Works Department so as to better address some of the construction/management issues.

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

Temporary Closure of Streets, Alleys and Sidewalks

(O-3)

Commissioner Hutchinson introduced the following ordinance on first reading:

ORDINANCE NO. C-05-14

AN ORDINANCE AMENDING CODE SECTION 25.7 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA TO PERMIT THE CLOSURE OF STREETS, ALLEYS AND SIDEWALKS UNDER THE JURISDICTION OF THE CITY TO BE CLOSED BY

ORDER OF THE CITY MANAGER FOR UP TO SEVENTY-TWO HOURS.

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

Commissioner Moore left the meeting at approximately 6:41 p.m.

CITIZEN PRESENTATIONS

Stephen Muffler – Petition to Change Name of Citizen Review Board (CIT-1)

Stephen Muffler, Chairman of the Citizen Review Board, said the Board is requesting a name change to more accurately reflect their responsibility to the citizens of the community. The Board unanimously approved the name change and is requesting that an ordinance be adopted to effect the new name of Citizens Police Review Board.

Mayor Naugle said this item will be brought forward for a first reading at the next Commission meeting. He thanked the Board for all their hard work.

Sue Mercer – Police Brutality, Lack of Ethical Behavior, Misrepresentation of Facts (CIT-2)

Sue Mercer said she wrote a letter to her Senators and Congressmen in the State of Washington. She said her Florida experience has been less than desirable. She felt an atrocious situation occurred when she was falsely arrested in March 29, 2005, regarding an illegal tow of her vehicle. She was mistreated and still has bruises to show for it. She advised she is a retired 60-year old osteopathic physician who came to Florida to help after the hurricanes. Her husband is a Federal Compliance Officer with the EPA.

Dr. Mercer said she has been attempting to meet with the Chief of Police since January. She believed he does not like to speak with citizens. She parked at McDonald's and was attempting to help another individual. The officer at the scene did not listen to her, and she wanted the Commission to be aware of such behavior. She said documentation has been distributed regarding the incident.

Commissioner Trantalis asked if a complaint has been filed with the Citizen Review Board. Ms. Mercer said she filed a complaint with Internal Affairs, but nothing has been done since Dr. Mercer did not provide a taped statement to Internal Affairs.

The City Manager said some of this information is not accurate.

Mayor Naugle said until the matter is resolved at the court level, nothing can be done by the Citizen Review Board.

Dr. Mercer said she is not aware of how this City works. Dr. Mercer stated that she did give a taped statement to Internal Affairs, but she has not heard anything as of this time.

Mayor Naugle asked if the Police Department could explain the process involved in such a situation.

Commissioner Moore returned to the meeting at approximately 6:47 p.m.

Captain Bob Lamberti, Police Department, said Dr. Mercer was arrested on March 29, 2005. The information regarding attempts to contact the Police Department since January appear to be somewhat inaccurate. He said that bruises on her arm have been photographed and a medical release was signed. She was not willing to give a taped statement until she met with her attorney. After Dr. Mercer signed the medical release she then contacted the Police Department and told them not to obtain her medical records because she is attempting to sue the hospital. They are presently in a holding pattern. The Police Department is interested in entertaining her complaint, but she has been unwilling to participate in the process.

Captain Lamberti said the officer involved in the arrest said there was a minimum amount of force necessary at the time of the arrest. He said the accusation would be pursued properly but there appears to be no cooperation on Dr. Mercer's part.

Kenyel Thomas – Issues Related to Risk Management & Police

(CIT-3)

Kenyel Thomas was not present at this meeting.

RESOLUTIONS

**Site Plan Level II Review – Las Olas Properties, Inc. -
300 NE 3 Avenue – Allocation of Post 2003 Dwelling
Units – 163-R-04**

(R-1)

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

Mayor Naugle asked how many units per acre are involved and the floor area ratio.

Wayne Jessup, Planning and Zoning, did not know the floor area ratio, but there are 175 units per acre.

From his perspective, Commissioner Trantalis said this is not the most attractive building, but he will support the project because he believes it will add to the economic prosperity of the downtown.

Mayor Naugle said a letter was received today, stating that 10% of the project is to be priced at or below \$325,000. Commissioner Trantalis believed that was part of the agreement.

Commissioner Hutchinson asked for the letter to be read into the record.

Robert Lochrie summarized the letter (June 6, 2005), stating they have agreed that 10% of the units would be priced at or below \$325,000, and could not be sold for profit or rented for two years. In addition, they also agreed to make a \$250,000 contribution to the City's Affordable Housing Fund.

Commissioner Trantalis thought that 15% was required. Commissioner Moore felt the \$250,000 contribution mitigated the other 5%.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-90

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 MIXED USE DEVELOPMENT LOCATED AT 300 N.E. 3RD AVENUE, FORT LAUDERDALE, FLORIDA IN A RAC-CC ZONING DISTRICT.

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

Site Plan Level IV Review – 435 Bayshore Drive – 50-R-05 (R-2)
Royal Atlantic Development LLC – 34 Unit/10-Story Condominium

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

Vice Mayor Teel asked for further explanation of the side, front and rear setbacks for the area.

Don Morris, Planning and Zoning, said the applicant is requesting reductions in yards. The front yard requirement is 20' and they are requesting 21' 4". If a reduction was not requested, then the requirement for setbacks would be half the height of the building. This does not include the front. The rear yard requirement is 20'. The applicant is requesting 20'8" at the garage level, and 23' 4" at the tower. The side setback being requested is 10' 8" at the garage and the minimum is 10'.

Vice Mayor Teel asked if they built within the ULDR, what would be the rear yard setback. Mr. Morris said it would be 50'. The buildings would be 4' 7" further back than what is required. Above 75', the building is to be setback at 30'. Vice Mayor Teel said this is an area where they have missed the boat in redeveloping the Intracoastal area. A concrete canyon is fast approaching. The buildings are not providing for landscaping, air and sunlight which are amenities important for neighborhood compatibility. She believed they are going to regret jamming such buildings along the Intracoastal. She would not support this project because it is not right for the neighborhood.

Debbie Orshefsky, representing the Applicant, said this site was considered on November 18, 2003 for site plan approval and denied by the Commission. What was presented to the Commission was a 12-story building with 37 units at the widest portion of the Intracoastal. It is about 700' at this juncture with a wide expanse of the waterway. They worked with the adjacent residential neighbors, along with the businesses and hotels across the street. They had support from the immediate neighbors for the 12-story building. The evening of November 18th, they were advised by the Central Beach Alliance and the District Commissioner that they could not support a 12-story building, but could support 10-stories. At the time when the property was purchased, zoning

permitted a 15-story building, and then zoning in progress to 12 stories took place and things changed. The concept of going to a 10-story building was unacceptable to the Applicant. The approval was denied and the Applicant has been working through the appeal process. Recently the Applicant decided to move on with the 10-story project. She said they went through the complete review process by the Development Review Committee and the Planning and Zoning Board then approved the project by a 6-2 vote. The Central Beach Alliance (CBA) approves the project as proposed. The neighbors approve.

Ms. Orshefsky continued, one of the key components originally presented in November, 2003, was that the property was burdened by a sea of asphalt. She said there are four roads coming together.

In response to Mayor Naugle, Ms. Orshefsky indicated that Casa Glamaretta was demolished before the Applicant purchased this site. In working with the standards adopted by the Commission, that is the EDSA plan for the beach, they are proposing right-of-way improvements which will have positive effects on the area, including traffic calming, a better pedestrian environment, and create urban pocket parks. The asphalt area is now a pocket park. The plan has been reviewed conceptually by the Engineering Division. In response to Mayor Naugle's question about existing trees in the area, Ms. Orshefsky indicated that there is pretty much nothing in the area at present. She felt this would be a good addition to Bayshore Drive. The project meets the alternative standards for setbacks provided in the Code. If one pursues the half-the-height of the building, the process would not include coming before the Commission. If they choose to go with the alternative standard as described by Mr. Morris, then the Applicant has to come before the Commission for evaluation. She urged the Commission to support this project.

Commissioner Trantalis asked if improvements are to be made to three other areas of the beach as originally planned. Ms. Orshefsky said that was discussed previously, but it is not being pursued due to spending 1 ½ years in litigation. Commissioner Trantalis was sympathetic to Vice Mayor Teel's concerns. The ULDR requirements attempt to establish certain types of buildings for a neighborhood that keeps the height low, but he believed Site Plan Level IV provides for special circumstances. It is an opportunity to provide something special for the neighborhood. The question is what is special about the building, and what is it doing for the neighborhood to justify the burden being placed on the neighborhood. Neighborhood compatibility, streetscape improvements, and architectural design are the criteria to be considered. It was his understanding that the CBA approved the project based on the fact that four intersections were to be improved as part of the original deal made in November, 2003. Now, improvements are being narrowed down to just what is in front of the building. Enough is not being done for the neighborhood to justify a Site Plan Level IV reduction. Although the building is architecturally interesting, he felt the burden on the neighborhood is great. He asked if the Applicant is willing to fulfill the original terms of the agreement.

Ms. Orshefsky said the only streetscape improvements described in the last 4-5 months are what has been presented tonight. There was an understanding that this project would improve asphalt area.

Commissioner Trantalis said this is not the same deal agreed to four years ago. Waiting two years enhanced the property value; it did not detract from it.

Ms. Orshefsky said the original agreement showed crosswalks to the main streets, but intersections were not being proposed. They will work with staff to incorporate the original crosswalks.

Commissioner Trantalis felt the neighborhood deserves more than table scraps. They deserve a 5-star level building. The streetscape master plan was the first step in trying to achieve such a level. He did not think it would be fair to accept something that is far less than what was originally proposed.

Mr. Morris said this proposal was not reviewed at the DRC level. Only the site plan as presented was reviewed. He reviewed the proposal for the first time at the Planning and Zoning Board meeting.

Ms. Orshefsky believed Commissioner Trantalis is confusing this project with another one.

Sadler James, member of the Central Beach Alliance Board, said that previously a park and streetscape improvements were proposed around the corner in the vicinity of the Chatham Motel.. The CBA did not endorse the project in 2003 due to the building height and side yard issues. The Applicant indicated to the CBA that neighbors on each side agreed to the setbacks. The CBA indicated that if the proposal was for 10-stories, and a park with an agreement with the EDSA and the City, they would approve of it.

Ms. Orshefsky said in looking at the 2003 graphic, they proposed crosswalks at Antioch and Riamar. They will do this. The improvements include those in front of the Royal Atlantic also. All of the improvements meet the EDSA guidelines.

Mayor Naugle asked if screens are included for the parking garage. Ms. Orshefsky said it is more of a decorative item. It is an aluminum grill with a liner. It meets lighting standards provided in the Code.

Commissioner Trantalis said that since efforts are being made to mitigate the impact on the beach, and the support of the CBA, he would support the project.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-91

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A DEVELOPMENT PERMIT FOR THE CONSTRUCTION OF A MULTI-FAMILY BUILDING AND APPROVAL OF YARD MODIFICATIONS ON PROPERTY LOCATED AT 435 BAYSHORE DRIVE IN FORT LAUDERDALE, FLORIDA IN AN IOA ZONING DISTRICT AS A SITE PLAN LEVEL IV DEVELOPMENT.

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

**Site Plan Level II Review – The Mill – 7-Story/34 Units -
410 NW 1st Avenue – Allocation of Post 2003 Dwelling
Units – 25-R-05**

(R-3)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-92

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A DEVELOPMENT PLAN WITH THE ALLOCATION OF POST 2003 DWELLING UNITS TO DEVELOP A MULTI-FAMILY DEVELOPMENT LOCATED AT 410 N.W. 1ST AVENUE, FORT LAUDERDALE, FLORIDA IN A RAC-UV ZONING DISTRICT.

Which resolution was read by title only.

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

Robert Lochrie, attorney for the applicant, said this is a 34-unit project adjacent to the Avenue Lofts project to the south on the east side of 1st Avenue. He said the building consists of 7 stories and is 83' in height.

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

**Appeal of Planning and Zoning Board Decision -
Parking Reduction – Bonefish Grill –
6282 North Federal Highway – 141-R-04**

(R-4)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-93

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A PARKING REDUCITON ON PROPERTY LOCATED AT 6282 NORTH FEDERAL HIGHWAY IN FORT LAUDERDALE, FLORIDA.

Which resolution was read by title only.

Mayor Naugle said the Commission is to decide on whether to introduce a motion to uphold the decision of the Planning and Zoning Board, or to hold a public hearing.

Vice Mayor Teel said there are two issues to be considered. One is the hours of operation, and the other is the parking reduction. She said that she is not comfortable with the parking reduction of 22%.

Commissioner Hutchinson left the meeting at approximately 7:32 p.m. and returned at 7:34 p.m.

Barbara Hall, representing the Applicant, said she would prefer the Commission consider the item this evening.

Commissioner Moore understood that the item on tonight's agenda is to request a date for the hearing.

Ms. Hall said this applicant has a permit contingency in their lease and their expiration date is June 15, 2005.

Mayor Naugle asked for the hearing to be held this evening.

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

Ms. Hall said the Planning and Zoning Board decision was tied regarding the parking reduction. A study has been done by Kimley-Horn regarding the parking spaces, and it showed more than 120 spaces available during peak hours. The requirement for the restaurant is 107 spaces. She said concern raised by the Board was in regard to weekday use, and the restaurant was asked to reduce their hours during peak times. The restaurant will only operate at dinner time. The center consists of mostly retail stores, and therefore, the same parking spaces can be used. At peak time, there are about 100 available parking spaces. They are requesting a reduction from the Code requirement of 83 spaces. She indicated that parking spaces could be shared during various hours. A member of their firm went out this evening and counted spaces, and there were 158 available spaces. They want to put the Bonefish Grill at this site without increasing the current parking.

Commissioner Trantalis said the restaurant would require 107 spaces. Ms. Hall confirmed that is correct. Commissioner Trantalis said that studies show at certain given times 150 spaces are available. Ms. Hall confirmed that is correct. At the peak usage of the shopping center, 150 spaces are available, and in the evening there are more than 119 available parking spaces. Commissioner Trantalis asked what reduction is being sought. Ms. Hall said they are requesting a reduction from the Code requirement of 83 spaces. They are not asking to eliminate parking spaces at the Center, only asking for a parking reduction from the Code provisions. The Code recognizes the right to apply for a parking reduction based on two criteria. One is that the uses in the Center have varying peaks, and therefore, use the shopping center parking at various times. Second is that there is shared use of parking spaces. Based on such assumptions, one can apply for a parking reduction which can be done with the submission of a survey certified by a PE, and reviewed by an engineer selected by the City. She said that process was followed, and their engineers concluded that the parking is sufficient for the restaurant. Keith & Schnars reviewed the study and agreed with the results, and determined that on a shared use of parking at varying peaks, and according to the survey, there is sufficient parking at the Center for this restaurant without additional parking.

Commissioner Hutchinson asked if this shopping center also contained Fridays Restaurant. Ms. Hall said Fridays is located at the southern end and use the parking field in that area.

Ms. Hall showed a pictorial view of the parking area and the spaces available at the northern end during the week and on weekends. Commissioner Trantalis asked about other businesses open during the evening hours. She said the only business at the northern portion of the center that is open in the evening is an optical store which has low usage. Commissioner Trantalis asked if that area of the shopping center is dark after 6:00 p.m. Ms. Hall said it is usually dark primarily after 7:00 p.m. She said that dry cleaners and offices are located in that area of the center, and are not uses that have night time demands.

Commissioner Moore asked if the proposed restaurant is to comprise of 6,000 square feet. Ms. Hall confirmed it is slightly under 6,000 square feet. Commissioner Moore asked further if the hours of operation for the restaurant are to be 4:00 p.m. until 10:30 p.m. during the week, and 11:30 p.m. on weekends. Ms. Hall confirmed that is correct. Commissioner Moore asked staff what the difference in parking requirements are for a 4,000 square foot and 6,000 square foot restaurant.

Ella Parker, Planning and Zoning, said 107 spaces are required for a stand-alone restaurant consisting of 6,000 square feet, and a 4,000 square foot restaurant would require about 2/3 of the 107 spaces.

Commissioner Moore said it is based on the desire of the operator of the restaurant to have it consist of 6,000 square feet, which crunches the parking requirement to 107 spaces. It is not about zoning. Ms Hall said this is the prototype size of the restaurant and the space that is available. The Code provides for parking reductions if the Applicant could demonstrate the adequacy of the site. Commissioner Moore said the daytime operations would remain open until 6:00 p.m. He said this site was developed when compact parking spaces were permitted. One time it was thought Americans were going to purchase compact cars, but that has not been the case entirely.

Ms. Hall said there are at least 107 full size spaces right in the vicinity of the proposed restaurant. She proceeded to show a graphic containing the City Code, ITE requirements, ULI parking requirements, and available parking during weekday evenings. She said the available parking exceeds all the other demand figures shown by the chart. On Saturday evening, the situation improves because 179 spaces are available. The Code requires 107 spaces, ITE requires less and so does the ULI .

Commissioner Moore asked what month was used for data in the chart. Ms. Hall said November, 2004.

Mayor Naugle said available spaces are shown for Saturday evening due to retail businesses being closed. Ms. Hall confirmed that is correct. This is the idea behind shared parking that the same space accommodates uses at different times. Mayor Naugle asked what would happen if the retail stores decided to extend their hours. Ms. Hall said that is a possibility, but the results of the study are borne by the ULI charts and provisions as to how shared parking is measured. Retail uses peak between 1-3 p.m. on Saturdays, and restaurants have their peak hours in the evenings. If the restaurant used 107 spaces, there are still 72 spaces available for other uses. There is no lack of parking at the time when the demand would be created, and certainly if they agreed not to be open during lunch hours.

Vice Mayor Teel asked if the Engineering Department had reviewed this proposal.

Tim Welch, Engineering, said the City consulted out the review process to Keith and Schnars, along with the traffic analysis. They are in support of the parking reduction. Vice Mayor Teel asked if the projections made by the Applicant's consultant are accurate. Mr. Welch said that is his understanding. Vice Mayor Teel asked if Mr. Welch had been to the site in regard to viewing the usage.

Peter Partington, City Engineer, said the proposal has been reviewed, and since the individual who did so is not present this evening, he is hesitant to provide the definitive answers to the questions being asked.

Vice Mayor Teel asked about off-site parking for the employees.

Ms. Hall said that in order to find an off-site parking location, one had to determine that the parking is not needed to address the demands of another user, and one had to make sure that all the spaces met Code requirements. Between the time she spoke with the Vice Mayor and tonight's meeting, there had not been the opportunity to address that issue. She was hopeful that the lunch-hour restriction would be sufficient.

Vice Mayor Teel said there is a level of discomfort in regard to over-stretching the parking for the area. The restaurant has a good reputation, and she was sure that many people would like the restaurant to open in the area. There are parking problems throughout the City. This shopping center has times when parking is at a premium. She said it boils down to the comfort level of the Commission as to whether only evening hours would not create a further parking problem. She realized the northern portion is under utilized, but she feels there is a reluctance to grant the requested reduction. She hoped the possibility of off-site parking could be further explored. It is helpful limiting the hours of operation, but she was concerned what the outcome would be if the reduction is granted.

Commissioner Trantalis said the driving factor of the success of the restaurant is not only the quality of the food provided, but gaining access to it. Owners of the property would welcome something to rejuvenate the area. If retailers decided to extend their hours, individuals waiting for tables would probably patronize the establishments, and therefore, they would not be adding to the mix, but creating a multiple use. This is happening on Las Olas. This is a gamble on the part of the Applicant, and therefore, he would support this request.

Motion made by Commissioner Trantalis and seconded by Vice Mayor Teel to approve the parking reduction as presented.

Commissioner Moore said he wants to be supportive of any quality restaurant coming into the City, but he is concerned about parking at this location. If the restaurant opens at 4 p.m., then most of the employees will arrive about 2-3 hours prior to that time. He asked how many employees would be working at the restaurant. Ms. Hall said approximately 24 employees. Commissioner Moore said an office building is located across the street that closes at 5 p.m., and could provide off-site parking for employees. He could not support the reduction as it is now being presented. He did not want the restaurant to go into this location, and then people not be able to find available parking spaces. He was concerned about the compact parking spaces in the area, and found it frustrating to park at this site during certain hours.

Commissioner Hutchinson said she is not going to support this proposal due to the parking problems in the area. The restaurant would be wonderful for the City, but they need appropriate parking. Off-site parking for employees could help alleviate the problem where it would not impact people's quality of life. Therefore, she could not support this request.

Ms. Hall said they have a June 15th deadline, and if the vote is not positive this evening, then she would like the opportunity for another vote to be taken after off-site parking is located.

Commissioner Moore suggested that an extension be provided to the restaurant's lease based on location for off-site parking.

Vice Mayor Teel said she would support this request if off-site parking is provided.

Mayor Naugle asked if the maker of the motion is willing to accept an amendment that the approval be granted subject to obtaining 24 employees parking spaces with an off-street parking agreement. Vice Mayor Teel suggested that an amendment also be made to include the hours of operation from 4 p.m. to 11 p.m.

Ms. Hall asked if the Commission could approve this request subject to providing off-site parking for employees.

Commissioner Trantalis amended the motion as follows:

Motion made by Commissioner Trantalis and seconded by Vice Mayor Teel to approve the parking reduction as presented with the caveat that off-site parking is to be provided for employees, and the hours of operation of the Bonefish Grill would be 4 p.m. to 11 p.m.

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

Appeal of Planning & Zoning Board Decision – Parking Reduction - (R-5)
144-R-04 – William Ader, Jr. – Office/Retail Building –
3020 East Commercial Boulevard

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-94

A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF FORT LAUDERDALE, FLORIDA, APPROVING A PARKING
REDUCTION ON PROPERTY LOCATED AT 3020 EAST
COMMERCIAL BOULEVARD IN FORT LAUDERDALE, FLORIDA.

Which resolution was read by title only.

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

Ron Mastriana, attorney, said the site is 35' x 100' and has been vacant for quite some time. He said Code requires 11 parking spaces for this site. He said within 700' there are 95 parking spaces available during peak hours. He said in the '60's Commercial Boulevard was developed in a way that a dedication was to be given by property owners for parking. He said 50' has been dedicated for parking in front of this area. He proceeded to show an aerial view of the site. He said the Coral Ridge Homeowners Group is in favor of the reduction.

Vice Mayor Teel said the area had small shops, and she did not feel there would be a problem. She said she is in support of the request.

Mayor Naugle asked if the site should be restricted to office or retail use. Vice Mayor Teel agreed. Mr. Mastriana confirmed.

Motion made by Vice Mayor Teel and seconded by Commissioner Moore to approve the request as presented with the caveat that a restaurant would not operate at this site.

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

**Maintenance of Landscape Improvements -
Commercial Boulevard – Memorandum of Agreement –
Florida Department of Transportation**

(R-6)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-95

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR CITY MAINTENANCE OF LANDSCAPING IMPROVEMENTS ALONG STATE ROAD 870 (COMMERCIAL BOULEVARD) FROM NE 19TH AVENUE TO NW 9TH AVENUE (POWERLINE ROAD); PROVIDING FOR CONFLICTS; AND PROVIDING FOR SEVERABILITY.

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

**Plat Approval – Riverside Landings – 3-P-05
1219 SW 5 Court**

(R-7)

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to defer this matter until June 21, 2005 at 6:00 p.m. Roll call showed: YEAS:

Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel and Mayor Naugle.
NAYS: None. (See letter from Applicant, dated June 7, 2005, requesting deferral)

Vacate Easement – 909 Breakers Avenue – 5-M-05 (R-8)
Breakers of Fort Lauderdale Condominium Association, Inc.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-96

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING A UTILITY EASEMENT OVER AND ACROSS THE SOUTH 10 FEET OF THE NORTH 572.5 FEET OF THAT PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 50 SOUTH, RANGE 42 EAST, LYING BETWEEN BREAKERS AVENUE AND NORTH BIRCH ROAD, AS RECORDED IN OFFICIAL RECORD BOOK 2889, PAGE 737, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

Street Name Addition – J.D. Camp Sr. Street (R-9)
SE 2 Street From U.S. 1 to Andrews Avenue

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 05-97

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO PROVIDE THAT THE LENGTH OF 2ND STREET FROM US 1 TO ANDREWS AVENUE SHALL ALSO BE KNOWN AS “J.D. CAMP SR. STREET.”

Which resolution was read by title only.

Commissioner Trantalis asked about policy regarding street naming.

Mayor Naugle said the Commission has been presented support for this proposal. The individual was a pioneer citizen and evidence was presented endorsing this request.

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

Bill Crawford, Past President of the Fort Lauderdale Historical Society, thanked the City for granting this request. He introduced the Camp Family.

Mr. Camp, Jr. thanked the City for this honor and Bill Crawford for his support.

Waiver – Conflict of Interest – Hiring Advisory Board (R-10)
Member as Consultant

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-98

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, WAIVING ANY CONFLICT OF INTEREST OF JAMES CARRAS AS A MEMBER OF THE NORTHWEST-PROGRESSO-FLAGLER HEIGHTS REDEVELOPMENT BOARD PROVIDING CONSULTANT SERVICES TO THE FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY.

Which resolution was read by title only.

The City Manager said that this individual would consult a different board than the one he served on.

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

State of Florida Qualified Target Industry Program – Iowa College (R-11)
Acquisition Corporation D/B/A Kaplan University

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-99

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RECOMMENDING THAT IOWA COLLEGE ACQUISITION CORP. BE APPROVED BY THE STATE OF FLORIDA AS A QUALIFIED TARGET INDUSTRY BUSINESS, AND STATING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR THE TARGET INDUSTRY BUSINESS EXIST, MADE PURSUANT TO THE REQUIREMENTS OF THE STATE OF FLORIDA QUALIFIED TARGET INDUSTRY PROGRAM.

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

Sistrunk Boulevard Streetscape and Urban Design Project (R-12)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-88

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, URGING THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TO RECOGNIZE THE PUBLIC'S STRONG DESIRE FOR THE CITY OF FORT LAUDERDALE TO IMPLEMENT PROPOSED IMPROVEMENTS TO SISTRUNK BOULEVARD IN ORDER TO FACILITATE REDEVELOPMENT IN THE MIDTOWN BUSINESS DISTRICT AND REQUESTING THE BOARD OF COUNTY COMMISSIONERS FOR BROWARD COUNTY TO SCHEDULE A PUBLIC HEARING AT THEIR JUNE 28, 2005 AGENDA TO CONSIDER THE TRANSFER OF JURISDICTION OF SISTRUNK BOULEVARD TO THE CITY.

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

Purchase Assistance & Substantial Rehabilitation Housing Programs Increase of Purchase Price Limits & Assistance Levels

(R-13)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-100

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE 2004-2007 STATE HOUSING INITIATIVE PROGRAM ("SHIP") TO INCREASE THE CURRENT FUNDING ALLOCATION LEVELS PER UNIT OF THE OWNER OCCUPIED REHABILITATION, REPLACEMENT HOUSING, AND PURCHASE ASSISTANCE EXISTING AND NEW CONSTRUCTION STRATEGIES; AND CHANGING THE SUBSTANTIAL REHABILITATION STRATEGY TO THE SUBSTANTIAL REHABILITATION/REPLACEMENT HOUSE STRATEGY.

Which resolution was read by title only.

Mayor Naugle said he is in favor of changing some of the limits, but some of the rehabilitation items are luxurious and costly, and reduces the number of individuals to be assisted through the program. He asked if a figure between \$45,000 and \$145,000 would be more reasonable.

Margarette Hayes, Community Redevelopment Department, said they are trying to combine the substantial rehabilitation and the replacement housing program into one

program. There is a 50% rule and whatever the cap is for rehabilitation that would have to be adhered to.

Commissioner Moore said some of the homes to be rehabilitated needed many improvements from the ground up. He said further that he did not have a problem with substituting materials.

Ms. Hayes further said they only allow 10% of the rehabilitation for general property improvements, and the rest is for code items.

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

**Appeal of Planning and Zoning Board Decision - Parking (OB)
Reduction – Leaf & Vine, Inc./Macabi Cigars –
Case No. 60-R-04**

Mayor Naugle said a deferral is requested until July 19, 2005.

Motion made by Commissioner Trantalis and seconded by Commissioner Hutchinson to defer this item until July 19, 2005 at 6:00 p.m. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, 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	Al Massey Scott Strawbridge Binni Sweeney
Budget Advisory Board	Joseph P. Welsch
Community Appearance Advisory Board	Annette Ross
Community Services Board	Diane Shuster
Historic Preservation Board	Edith Colden Carolyn Dandy
Northwest-Progresso-Flagler Heights Redevelopment Board	William James Cain
Police & Firefighters Retirement Board	Mark Burn Tom Karl Topor
Planning and Zoning Board	Rochelle Golub

Catherine Maus
Mary C. Fertig

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 05-89

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

There being no other matters to come before the Commission, the meeting was
adjourned at 8:20 P.M.

Jim Naugle
Mayor

ATTEST:

Jonda K. Joseph
City Clerk