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FORT LAUDERDALE CITY COMMISSION
OCTOBER 5, 2005**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
October 5, 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 (arrived at 6:05 p.m.)
Commissioner Cindi Hutchinson
Mayor Jim Naugle

Absent: None

Also Present: City Manager George Gretsas
City Attorney Harry A. Stewart
City Clerk Jonda K. Joseph
Sergeant At Arms Sergeant Todd Penney

Invocation was offered by Reverend Father Michael "Happy" Hoyer, Our Lady Queen of Martyrs 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 Trantalis and seconded by Commissioner Hutchinson that the agenda be approved. Roll call showed: YEAS: Vice Mayor Teel, Commissioners Trantalis, Hutchinson, and Mayor Naugle. NAYS: None.

Presentations

OB

1. "WOW" Award/District I

Vice Mayor Teel and the City Commission presented the July "WOW" Award to Mrs. Jill Wall.

2. Crime Prevention Week

Commissioner Trantalis and the City Commission presented a proclamation designation October 16-22, 2005 as "Crime Prevention Week" in the City of Fort Lauderdale, to Police Deputy Chief Robitaille, who said the theme for the week deals with the prevention of auto burglary which is their most prolific crime at this time. Events would be conducted on the beach and at the Coral Ridge Mall.

3. Fire Prevention Week

Commissioner Moore and the City Commission presented a proclamation designating October 9-15, 2005, as "Fire Prevention Week" in the City of Fort Lauderdale.

Fire Chief Steve Kastner reviewed safety tips.

4. National Customer Service Week

Commissioner Hutchinson and the City Commission presented a proclamation designating October 3-7 as "National Customer Service Week" in the City of Fort Lauderdale. She thanked the City's customer service employees for their hard work and efforts.

5. Stranahan High School Hurricane Relief Assistance

Francisco Soravia, Stranahan High School, said they are involved in a hurricane relief effort to assist Hurricane Katrina Victims. He thanked the Commission for supporting their drive and giving them recognition.

6. Outstanding Employees

The City Clerk recognized employees in Information Technology Services who significantly helped in the City Clerk's Office: Linda Catare, Donna Dargis, Scott Wanser, Carl Dixon, and Kevin Kimmel.

Terry Rynard, Parks and Recreation Department, recognized department employees: Mark Almee, Ernie Campezee, Mark Covington, Tom Aides, Ralph LaCarte, Yves Vincent, Wisely Eleadore, and Wan Blancosorta.

Albert Carbon, Director of Public Works, recognized Bill Horton, Survey Party Chief, and Suzette Gant, Engineer Aide.

Chief Robitaille, Police Department, recognized: Captain Kevin Sheehan, Sergeant Randy Pelham, Officer Brandon Diaz, Officer Brian Dodge, Officer Joseph Hanold, Officer James Brad Goyne, Erica Chambers, Christina Szymanski and Harry Blake.

Mayor Naugle said that Item M-26 has been removed from tonight's agenda.

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 – St. Jerome Fall Festival
Closing SW 26 Street****(M-1)**

A motion authorizing and approving execution of an Event Agreement with St. Jerome Catholic Church for the Fall Festival, at 2601 SW 9 Avenue from Wednesday, November 16 to Sunday, November 20, 2005; and authorizing closing of SW 26 Street, from SW 9 Avenue, west ¼ mile, 8 AM Monday, November 14 to 12 PM Monday, November 21, 2005.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1085

**Event Agreement – Our Lady Queen of Martyrs
Fall Carnival Closing SW 11 Court****(M-2)**

A motion authorizing and approving execution of an Event Agreement with Our Lady Queen of Martyrs Church for the Fall Carnival, to be held Thursday, November 10 through Sunday, November 13, 2005; and authorizing closing of SW 11 Court, from SW 27 Avenue to SW 28 Avenue, from 9 AM, Monday, November 7 to 5 PM, Monday, November 14, 2005.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1074

Event Agreement – Las Olas Outdoor Urban Market**(M-3)**

A motion authorizing and approving execution of an Event Agreement with the Las Olas Association, Inc. for the Outdoor Urban Market, to be held Sunday, November 13, 2005 and Sunday, December 11, 2005, 10 AM to 4 PM at 1201 East Las Olas Boulevard – The Chemist Shop parking lot.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1097

Event Agreement – Croissant Park Halloween Party**(M-4)**

A motion authorizing and approving execution of an Event Agreement with the Croissant Park Civic Association for the Halloween Party, to be held Saturday, October 29, 2005 from 4 to 7 PM at the Croissant Park Community Center.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1086

Event Agreement – Corn Toss**(M-5)**

A motion authorizing and approving execution of an Event Agreement with Facing It Together for Corn Toss, to be held Saturday, October 22, 2005, 12 Noon – 5 PM at Virginia Young Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1098

Change Order 3 – Arrow Directional Boring Inc. - \$87,090**(M-6)****Foremain Replacement – SW 4 Avenue**

A motion authorizing Change Order 3 with Arrow Directional Boring Inc., in the net amount of \$87,090 for additional costs incurred during the course of this project and final reconciliation of contract quantities – Project 10171-A.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1077

Change Order 3 – Widell Associates, Inc. - \$18,721.75**(M-7)****G.T. Lohmeyer Screening System and Conveyor – Adding Construction Days**

A motion authorizing Change Order 3 with Widell Associates, Inc., f/k/a Widell, Inc., in the amount of \$18,721.75, for additional work and the addition of 13 non-compensable calendar days to construction period – Project 10541C – G.T. Lohmeyer Screening System and Conveyor – Package C.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1078

Change Order 5 – Widell Associates, Inc. - \$32,448.23**(M-8)****G.T. Lohmeyer Flow Control and Adding Construction Days**

A motion authorizing Change Order 5 with Widell Associates, Inc., f/k/a Widell, Inc., in the amount of \$32,448.23, for additional work and credits, and the addition of 45 non-compensable calendar days to the period of construction – Project 10541B – G.T. Lohmeyer Flow Control, Biosolids, Chlorine and Architectural Rehabilitation – Package B.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1079

Change Order 3 – The Poole and Kent Company - \$73,692
Fiveash Water Treatment Plant Upgrades Phase I**(M-9)**

A motion authorizing Change Order 3 with The Poole and Kent Company, in the net amount of \$73,692, for additional work and a credit due under Project 10387 – Fiveash Water Treatment Plant Upgrades.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1093

Change Order 5 – Catalfumo Construction L.L.C., - \$51,705
Riverland Park**(M-10)**

A motion authorizing Change Order 5 with Catalfumo Construction L.L.C., d/b/a Seawood Builders, in the amount of \$51,705 – Project 15245, Riverland Park.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1035

Change Order 2 – Lanzo Construction Co., Florida -
\$194,603.48 – Shady Banks Basin B**(M-11)**

A motion authorizing Change Order 2 with Lanzo Construction Co., Florida, in the amount of \$194,603.48 associated with tree canopy protection and in conjunction with construction on limited access streets – Work Order 10543B – Shady Banks Basin B.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1082

Change Order 1 – Lanzo Construction Co., Florida
\$27,045.40 – River Oaks Septic Area 6 Phase II –
Jacob’s Landing**(M-12)**

A motion authorizing Change Order 1 with Lanzo Construction Co., Florida, in the amount of \$27,045.40, for unforeseen conditions (rock) encountered at the project site – Project 10705B – River Oaks Septic Area 6 Phase II – Jacob’s Landing Sanitary Sewer, Pump Station and Water Main.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1083

**Amendment 1 – Work Authorization 16724.82 - Keith
And Schnars, P.A. - \$512,395 – Riverland – Woodlands
Sanitary Sewer Improvements – Sewer Area 2** (M-13)

A motion authorizing the proper City Officials to execute Amendment 1 to Work Authorization 16724.82 with Keith and Schnars, P.A., in the amount of \$512,395, consulting engineering services for Riverland – Woodlands Sanitary Sewer Improvements (Sewer Area 2 – East) Final Design Phase – Project 10832.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1080

**Contract Award – Petro Hydro, Inc. - \$1,666,438.50
Progresso Sanitary Sewer Improvements – Phase C** (M-14)

A motion authorizing the proper City Officials to award and execute a contract with Petro Hydro, Inc., in the amount of \$1,666,438.50 for sewer, water and stormwater improvements – Project 9766C – Progresso Sanitary Sewer, Water Main and Storm Improvements – Phase C.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1102

**Reject Late Bid and Re-Advertise
Annual Contract for Concrete & Paving
Stones Repair** (M-15)

A motion authorizing the proper City Officials to reject late bid received and re-advertise – 2005-2006 Annual Contract for Concrete and Paving Stones Repair – Project 10983.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1103

**Interlocal Agreement – Broward County
Water Quality Monitoring** (M-16)

A motion authorizing the proper City Officials to execute an Interlocal Agreement with Broward County for water quality monitoring required by the Florida Department of Environmental Protection Permit No. FLS 00017 – funding by South Florida Water Management District grant.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1044

Downtown Fort Lauderdale Transportation Management Association – Fiscal Year 2005-2006 Community Transit Services - \$695,775 (M-17)

A motion approving a contribution in the not-to-exceed amount of \$695,775 to the Downtown Fort Lauderdale Transportation Management Association (TMA) for operation of the community transit services in Fiscal Year 2005-2006.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1126

Four School Resource Officers (M-18)

A motion approving Fiscal Year 2005-2006 School Resource Officer budget – appropriating and transferring \$500,128, effective October 1, 2005.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-0966

Contract Award – MBR Construction, Inc. - \$1,143,000 (M-19)
Sunset Memorial Gardens Administration Building

A motion accepting grant, in the amount of \$63,750 from U.S. Department of Justice, Bureau of Justice Assistance for Gang Resistance Education and Training – fifth year of the GREAT program.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1089

Acceptance of Grant – Enhanced Marine Law Enforcement Grant - \$126,392 (M-20)

A motion accepting grant, in the amount of \$126,392 from Broward County for the Fiscal Year 2005-2006 Enhanced Marine Law Enforcement Grant Program – tenth year of EMLEG program.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1099

Disbursement of Funds – Joint Investigation - (M-21)
O.R. Number: 95-172702 - Law Enforcement Trust Fund

A motion authorizing the equitable disbursement of funds in the amount of \$17,661.95, with each of five participating law enforcement agencies to receive \$3,532.39.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1053

Disbursement of Funds – Joint Investigation - (M-22)
O.R. Number: 97-107141 – Law Enforcement Trust Fund

A motion authorizing the equitable disbursement of funds in the amount of \$2,427.34, with each of the five participating law enforcement agencies to receive \$485.46.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1055

Disbursement of Funds/Joint Investigation/ (M-23)
O.R. Number: 98-020631 – Law Enforcement Trust Fund

A motion authorizing the equitable disbursement of funds in the amount of \$11,941.38, with each of the five participating law enforcement agencies to receive \$2,388.27.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1056

Disbursement of Funds – Joint Investigation - (M-24)
O.R. Number: 91-129301 – Law Enforcement Trust Fund

A motion authorizing the equitable disbursement of funds in the amount of \$1,421.82, with each of the five participating law enforcement agencies to receive \$284.36.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1057

Carter Park – Club Carter ROK’N Program (M-25)
Children’s Services Council – Grant – Contract Extension

A motion authorizing the proper City Officials to execute Amendment #002 with the Children’s Services Council of Broward County, which allows a two-month extension of existing Contract #04-2910 through November 30, 2005 for the Club Carter ROK’N Program.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1067

Beach Shuttle Program – Acceptance of Grant - (M-26)
\$1,475,518 – Federal Transit Administration

A motion authorizing the proper City Officials to execute Grant FL-03-0291-00 electronically in Federal Transit Administration TEAM system to secure federal funding in the amount of \$1,475,518 for the beach shuttle program.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1101

Reimbursement Agreement – Baltimore Orioles Limited (M-27)
Partnership – 2004 and 2005 Hurricane Seasons

A motion authorizing the proper City Officials to execute a Reimbursement Agreement with Baltimore Orioles Limited Partnership for release of funds received by the City from the Federal Emergency Management Agency and Florida Department of Community Affairs associated with the 2004 and 2005 hurricane seasons.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1072

Contract Extensions – January, February, March, 2006 (M-28)

A motion authorizing various contract extensions for the period of January through March, 2006, and authorizing the proper City Officials to execute all necessary documents.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1096

Holiday Lights (M-29)

A motion authorizing Greater Fort Lauderdale Chamber of Commerce to contract at its expense with Brandano Displays to install holiday lights on up to seventy-two City maintained light poles on the west side of A1A, between Sunrise Boulevard and the Oasis Café at no cost to the City.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 05-1129

PURCHASING AGENDA

Purchase of Interior – Upgrade – Retrofit Packages for Fire Command Vehicle **(PUR-1)**

A five-year contract for the purchase of approximately twelve interior upgrade/retrofit packages for the Fire-Rescue command vehicles is being presented for approval by the Fire-Rescue Department.

Recommend: Motion to approve.

Vendor: Autolykus Industries, Inc. d/b/a Fastlane Emergency Vehicles
Purcellville, VA

Amount: \$178,882.44 (estimated 5-year total)

Bids Solicited/Rec'd: 316/1

Exhibit: Commission Agenda Report 05-1081

The Procurement Services Department recommends awarding five-year contract to single responsive and responsible bidder.

Fiscal Year 2005-2006 Supplemental Fleet Plan **(PUR-2)**

Annual Supplemental Fleet Plan for FY 2005-2006 is being presented by the Parking and Fleet Services Department for approval.

Recommend: Motion to approve.

Vendor: Various Vendors

Amount: \$419,000.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 05-1069

The Procurement Services Department reviewed this item and recommends approving the supplemental fleet plan.

One-Year Agreement for E-Procurement Web Provider **(PUR-3)**

One-year agreement to provide an e-procurement system is being presented for approval by the Procurement Services Department.

Recommend: Motion to approve.

Vendor: RFP Depot, LLC
Salt Lake City, UT

Amount: \$25,000.00

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 05-1073

The Procurement Services Department reviewed this item and agrees with awarding the one-year agreement.

**352-9185 – Executive Search Firm Services -
City Auditor**

(PUR-4)

Executive search firm services for a City Auditor is being presented for approval by the Procurement Services Department.

Recommend: Motion to approve.

Vendor: Robert E. Slavin, Inc.
Norcross, GA

Amount: \$20,584.00

Bids Solicited/Rec'd: 29/5

Exhibit: Commission Agenda Report 05-1075

The Procurement Services Department recommends awarding to the first ranked proposer.

Proprietary – Laboratory Reagent Colilert

(PUR-5)

Agreement to purchase the laboratory reagent Colilert, used in the testing of drinking water, is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Idexx Laboratories, Inc.
Westbrook, ME

Amount: \$23,000.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 05-1052

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

Purchase of Roots Blower

(PUR-6)

Request for approval to purchase a replacement roots blower used in the lime delivery system is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Baber & Associates, Inc.
d/b/a R.A. Litkenhaus & Associates

Jacksonville, FL
Amount: \$36,618.00
Bids Solicited/Rec'd: 386/1
Exhibit: Commission Agenda Report 05-1068

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

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

Motion made by Commissioner Trantalis and seconded by Commissioner Hutchinson that Consent Agenda Item Nos. M-1 and M-18 be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended.

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

Event Agreement – St. Jerome Fall Festival (M-1)
Closing SW 26 Street

Commissioner Hutchinson said that she has a conflict regarding this matter and would not be voting.

Motion made by Commissioner Trantalis and seconded by Vice Mayor Teel to approve the item as presented. Roll call showed: YEAS: Vice Mayor Teel, Commissioner Trantalis and Mayor Naugle. NAYS: None. A Memorandum of Voting Conflict, dated October 7, 2005, is attached hereto.

Four School Resource Officers (M-18)

Commissioner Trantalis said that he pulled this item because the City has been told that the four officers would cost approximately \$500,000, and that they would be sworn officers. He asked if this was not over kill at the middle and high school levels.

Assistant Chief Bob Montagano, Police Department, said that the program includes a variety of things that the officers would be doing; security is just one part of their presence. They serve as role models, and counsels students. The mission would not be fulfilled by using lesser paid individuals.

Commissioner Trantalis asked how often are classes held by the officers. Assistant Chief Montagano said that the DARE and GREAT programs are on a regular schedule, but other things such as gun safety and general safety issues are done on a less structured basis.

Commissioner Trantalis felt this is a lot of money being spent for four officers to be present at the schools. He had confidence in the PSAs, or possibly a lesser intermediary level of the police force that could be used in this capacity. He understood

there is a reimbursement from confiscated funds, but the monies could be spread out more and accomplish more, and not have to dig into the regular budget.

Assistant Chief Bob Montageno said that the structure of the program makes it important to have the officers in the schools for a variety of reasons. The officers provide a certain presence in the marked units, including a role model and homeland security issues. The PSAs do not provide the same level of authority and influence over the students. The cost includes salaries and vehicles, along with their equipment; everything an office would need.

Commissioner Trantalis was concerned about everything that must be included for a sworn officer. He wanted to see if the same measure of security and protection could be provided with a different level of officer. Tonight the Commission is being told that it could only be accomplished with a full-fledged sworn officer.

Assistant Chief Bob Montageno said that in order to provide the same level of service a sworn officer is necessary. The school resource program is pretty consistent throughout the United States, including staffing by a sworn police officer. Some things could be provided by a lower level employee. There is also some reimbursement from the School Board due to there being a police officer in the school, which he did not think would be provided for a lesser employee. This amount is about \$12,000 out of the total.

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

MOTIONS

**City Commission Request for Review – Courtyards at (MD-30)
Village East Site Plan – 450 NE 5 Street – Case 129-R-04**

Mayor Naugle said that he asked for this call-up. This is a great development for the City, but it has a lot of on-street improvements, including tree grates, landscaping, paver crosswalks, and paver sidewalks. In order to avoid a patchwork of such things in the area, the City needs a maintenance agreement and understanding as to who would replace things as needed, along with maintenance of the area. He said that staff has indicated they would need additional time to work out these issues.

Commissioner Moore did not think that this requires a call-up. He hoped this matter could move forward. Construction costs are rising. These are attainable cost units in an area that is being urged to have development. He did not want to see the project delayed.

Commissioner Hutchinson said the call-up relates to additional parking spaces. She agreed with Commissioner Moore. It came to the Commission before for a review which would have been the opportunity to ask for additional maintenance. As other projects are being built throughout the City, the City is not requesting the same level of maintenance on improvements that are being placed in right-of-ways that this developer would be asked to do.

Mayor Naugle asked who is going to maintain the streets. Commissioner Moore said it is a public right-of-way. Mayor Naugle asked if it is the property owner's responsibility to maintain the swales and the landscaping along the sidewalks.

Albert Carbon, Director of Public Works, said that paved right-of-ways are the City's responsibility; the swale area is the adjacent property owner's responsibility even though it is public right-of-way.

Mayor Naugle asked about the tree grates in the sidewalks, including those across the street that are part of the site plan. Mr. Carbon was not sure as to who would be responsible. Peter Partington, City Engineer, said that typically anything in the swale area is the responsibility of the "frontager", but if it falls within the fabric of the roadway, then the City would be responsible.

Mayor Naugle asked if the person across the street is willing to accept the responsibility and expense, even if it is a different developer. Mr. Partington said that he is not sure.

Mayor Naugle said the property is in the CRA which means that the taxes collected for the improvement of the property would go back into the CRA. Taxpayers would not receive any relief for maintenance. He asked if all of the streets are going to be handled in this manner, or just the ones around this development.

Mr. Partington said that in terms of the structural fabric, this is a developing situation. Developments are coming into the CRA with extensive amounts of additional infrastructure. Policies are evolving regarding the City's maintenance responsibilities and what the developer should be asked upfront in terms of responsibilities. When something is being installed on the opposite side of the road, strictly according to ordinance, the maintenance for it will ultimately go to the "frontager" on the opposite side of the street.

Mayor Naugle concluded the developer will be responsible for the sidewalk and the City will be responsible for the street. If it gets too costly to maintain the pavers, they could always be removed and something else installed.

Mayor Naugle asked if the Commission has any interest in calling this item up. He felt there are a lot of unanswered questions.

Commissioner Trantalis said that there might be a number of questions that would have to be answered, but the only proposal being made by the developer is to request a level of parking to their garage and to increase the number of parking spaces. He asked if there is anything else on the plate regarding this development and the City Attorney advised no.

Commissioner Trantalis said that if other questions arise, then possibly the CRA Board could address them. The only thing on the agenda is the increase in parking. He saw no reason to have a public hearing. Mayor Naugle noted it is listed as a request for review of the site plan and those improvements are included in the site plan. Commissioner Trantalis asked if the site plan has changed other than the increase in parking. Mayor Naugle said that it involves parking because some of the spaces are on-

street parking which are included in the improvements. Apparently, the Commission is comfortable.

Commissioner Hutchinson said that the backup material calls for a motion to set a hearing for a review of proposed addition to the Courtyards. She assumed that the proposed addition is the 53 parking spaces. Mayor Naugle noted it says, City Commission Request for Review – Courtyards at Village East Site Plan.

PUBLIC HEARINGS

**Rezoning and Site Plan Review – Sunrise Boulevard, (PH-1)
NE 11 and 12 Avenues – Altman Development Corporation –
Mixed Use – Case 1-ZPUD-05**

Applicant: Sunrise Investors, LLP c/o Altman Development Corporation
Location: 1015, 1111, 1201 E. Sunrise Blvd; 1017, 1026, 1029 NE 11 Avenue;
1010, 1011, 1020, 1021, 1024 NE 12 Avenue

Commissioner Moore asked if anyone present at tonight’s meeting objects to this development. Hearing none, he concluded there appears support for the project.

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

Rixon Rafter, President Lake Ridge Civic Association, said they have been working with the developer for the last two years, and completely support the development.

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

Commissioner Moore introduced the ordinance on first reading:

ORDINANCE NO. C-05-32

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM B-1 TO PLANNED UNIT DEVELOPMENT (“PUD”), LOTS 18 THROUGH 24, BLOCK 176; LOTS 25 THROUGH 32, BLOCK 174; AND LOTS 9 THROUGH 39, BLOCK 175, “PROGRESSO,” ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; INCLUDING IN SAID LOTS THE “RESUBDIVISION OF A PORTION OF BLOCK 175 PROGRESSO,” ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 55, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AND REZONE

FROM "RMM-25" TO "PUD" LOTS 3 THROUGH 17, BLOCK 176, LOTS 40 THROUGH 44, BLOCK 175 AND LOTS 33 THROUGH 42, BLOCK 174, OF SAID "PROGRESSO," LOCATED ON THE NORTH SIDE OF EAST SUNRISE BOULEVARD, BETWEEN N.E. 10TH AND N.E. 13TH AVENUE, 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: Vice Mayor Teel, Commissioners Trantalis, Moore and Hutchinson, and Mayor Naugle. NAYS: None.

Relief from Zoning for Public Purpose Use Including Site Plan Review – Case 62-R-05 – 1000 SW 27 Avenue – Fire Station #47 (PH-2)

Applicant: City of Fort Lauderdale
 Location: 1000 SW 27th Avenue
 Zoning: Community Facility – House of Worship/School (CF-HS)

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

Commissioner Moore introduced the ordinance on first reading:

ORDINANCE C-05-33

AN ORDINANCE APPROVING A FIRE STATION THAT DOES NOT MEET THE USE, SETBACK, PARKING AND LANDSCAPE REQUIREMENTS IN A CF-HS ZONING DISTRICT, WHICH PUBLIC PURPOSE USE IS LOCATED ON PROPERTY MORE FULLY DESCRIBED AS THAT PORTION OF THE SOUTHEAST ONE QUARTER, OF SECTION 8, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY FLORIDA; BOUNDED ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF SOUTHWEST 10TH STREET, AS SHOWN ON THE PLAT OF "LAST CHANCE VILLAGE," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 27, PAGE 13; AND BOUNDED ON THE EAST AND SOUTH BY PARCEL "A", "RIVERLAND ELEMENTARY," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 148, PAGE 43, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AND BOUNDED ON THE WEST BY SOUTHWEST 27 AVENUE, LOCATED AT THE SOUTHEAST INTERSECTION OF SOUTHWEST 10TH STREET AND SOUTHWEST 27TH AVENUE; AND GRANTING RELIEF FROM THE REQUIREMENTS PURSUANT TO SECTION 47-18.26 OF THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA.

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

ORDINANCES

Firefighters Supplemental Share Plan **(O-1)**

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-05-29

AN ORDINANCE AMENDING CHAPTER 20 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE CREATING A NEW DIVISION 4, ENTITLED "FORT LAUDERDALE FIREFIGHTERS' SUPPLEMENTAL SHARE PLAN" BY CREATING SECTIONS 20-136 THROUGH 20-142; PROVIDING FOR CREATION AND PURPOSE; DEFINITIONS; FUNDING; PARTICIPATION; ALLOCATION AND DISTRIBUTION TO ACCOUNTS; LIMITATIONS ON ALLOCATIONS AND DISTRIBUTIONS; BENEFITS; FORFEITURES; VESTING; PAYMENT OF BENEFITS; DIRECT ROLLOVER OF CERTAIN DISTRIBUTIONS; MISCELLANEOUS PROVISIONS; EFFECTIVE DATE.

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

Amendment to the Pay Plan – Schedule I **(O-2)**

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE C-05-30

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

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

Amendment to the Pay Plan – Schedules I and II **(O-3)**

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE C-05-31

AN ORDINANCE AMENDING THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR MODIFICATIONS IN THE SCHEDULES AND PAY RANGE AMOUNTS FOR UNREPRESENTED SCHEDULE I, SUPERVISORY, PROFESSIONAL, AND MANAGERIAL EMPLOYEES, AND SCHEDULE II, CONFIDENTIAL EMPLOYEES TO PROVIDE FOR A TWO PERCENT COST-OF-LIVING ADJUSTMENT TO BE EFFECTIVE THE PAY PERIOD BEGINNING 10/09/05 AND AN ADDITIONAL ONE PERCENT COST-OF-LIVING ADJUSTMENT TO BE EFFECTIVE THE PAY PERIOD BEGINNING 40/09/06; AMENDING ALL CITATIONS IN SCHEDULE I OF THE CITY'S PAY PLAN THAT REFER TO "SUPERVISORY, PROFESSIONAL AND MANAGERIAL" EMPLOYEES TO "SUPERVISORY, PROFESSIONAL AND MANAGERIAL - P.E.R.C. EXEMPT" EMPLOYEES AND PROVIDING FOR AN EFFECTIVE DATE FOR THE CITATION MODIFICATIONS.

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

Name Change – Citizens Police Review Board (O-4)

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-05-28

AN ORDINANCE AMENDING DIVISION 4, CITIZEN REVIEW BOARD, SECTIONS 2-248, 2-249 AND 2-250 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO CHANGE THE NAME OF THE CITIZEN REVIEW BOARD TO THE CITIZENS' POLICE REVIEW BOARD.

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

CITIZEN PRESENTATION

Chuanwen Wang (CIT-1)

Street Art – Freedom of Expression

Not Present

RESOLUTIONS

Plat Approval – City of Fort Lauderdale (R-1)
Case 10-P-05 – 1000 SW 27 Avenue

Applicant: City of Fort Lauderdale
Location: 1000 SW 27 Avenue
Zoning: Community Facility – House of Worship/School (CF-HS)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-174

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A PLAT KNOWN AS “FIRE STATION NUMBER 47.”

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

Vacate utility Easement – 1533 SW 22 Avenue (R-2)
Welker & Dolliver – Case No. 1-M-05

Applicant: Welker & Dolliver
Location: Lot 1 and Lot 12, Block 6, Flamingo Park Section “C”

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-175

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING ALL OF THE PLATTED 12 FOOT UTILITY EASEMENT LYING ALONG THE COMMON LINE BETWEEN LOTS 1 AND 12, BLOCK 6, “FLAMINGO PARK SECTION C,” ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 38, PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LESS AND EXCEPT THE NORTHERLY 5 FEET; TOGETHER WITH THE SOUTHERLY 1 FOOT OF THE PLATTED UTILITY EASEMENT ACROSS THE NORTHERLY 6 FEET OF SAID LOT 12, LOCATED AT THE SOUTHWEST INTERSECTION OF SOUTHWEST 22ND AVENUE AND SOUTHWEST 15TH STREET, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

**Plat Approval – Altman Development Corporation
Case 9-P-05 – Sunrise Boulevard, NE 11 and 12 Avenues**

(R-3)

Applicant: Sunrise Investors, LLP c/o Altman Development Corporation
Location: 1015, 1111, 1201, 1201 E. Sunrise Blvd; 1017, 1026, 1029 NE 11 Avenue; 1010, 1011, 1020, 1021, 1024 NE 12 Avenue
Zoning: B-1 and RMM-25

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-176

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A PLAT KNOWN AS "SATORI CONDOMINIUM."

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

**Maintenance of Landscape Improvements – Federal Highway
Memorandum of Agreement – Florida Department of Transportation**

(R-4)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-177

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MEMORANDUM OF AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION FOR CITY MAINTENANCE OF LANDSCAPING IMPROVEMENTS TO STATE ROAD 5 (FEDERAL HIGHWAY) FROM SUNRISE BOULEVARD TO OAKLAND PARK BOULEVARD.

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

City Attorney’s Annual Performance Review

(R-5)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-178

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

Which resolution was read by title only.

Commissioner Trantalis asked what increase was being given to the City Attorney. Mayor Naugle said that the increase is 5%.

Commissioner Trantalis said that he believes Mr. Stewart is an able attorney, represents the City nobly and selflessly, and an asset to the City. In respect to other employees who also work nobly, they have received less than a 5% increase. In order to keep the City's policy consistent, he felt that 5% is too much. He suggested 2.5%.

Mayor Naugle said that there is a raise, along with a step increase. Sometimes that equals 5%, along with a 3% raise on top of that until one maxes out. Commissioner Trantalis recalled that police and fire employees received 2% plus 1%. Mayor Naugle noted many also received a step increase.

Commissioner Trantalis asked what was given to the City Manager. The City Manager said that he received somewhere between 7% and 7.5%.

Commissioner Moore said that last year the City Attorney was not given an appropriate increase. He wanted to make up for that this year.

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

City Clerk's Annual Performance Review

(R-6)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-179

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

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

Advisory Board/Committee Appointments

(OB)

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

Parks, Recreation and Beaches
Advisory Board

Robert Payne
Andrew DeGraffenreidt
Shirley Small
Elizabeth Hayes
Timothy Nast
Joe Shover
James B. LaBate

David McNulty
Joann Medalie
Ronald Perkins
Victoria Pristo-Revier
John Rude
Mark E. Hartman
Bob Hoysgaard
Michael A. Natale

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 05-180

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

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

Jim Naugle
Mayor

ATTEST:

Jonda K. Joseph
City Clerk