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FORT LAUDERDALE CITY COMMISSION
MARCH 7, 2006**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
MARCH 7, 2006**

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 Frank Todd Mills

Invocation was offered by Reverend Kati L. Houts of Sunshine Cathedral/Metropolitan Community 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 Moore and seconded by Commissioner Hutchinson that the minutes of the February 21, 2006 Conference and Regular Meetings and the agenda be approved. Roll call showed: YEAS: Commissioners Trantalis, Moore and Hutchinson, Vice Mayor Teel, and Mayor Naugle. NAYS: None.

Presentations

OB

1. "WOW" Award – District III

Commissioner Moore and the City Commission presented the "WOW" Award to Mr. Bradley Hertz who resides at 1000 Park Drive in Melrose Park.

2. Nathaniel Wilkerson – District III

Commissioner Moore and the City Commission presented an award to Nathaniel Wilkerson for his service to the community.

3. Outstanding Employees

John Hoelzle, Director of Parking and Fleet Services, honored Karen VanAssche as employee of the month for February. She is the Administrative Assistant to the Director of Parking and Fleet Services. He thanked her for her hard work and efforts.

Albert Carbon, Director of Public Works, honored Larry Nelson, Municipal Maintenance Worker III, as the Public Works STAR employee for the month of February, for his roadside assistance to an individual who had a tire blown and needed their car jumpstarted.

Otis Latin, Chief of Fire-Rescue, honored Lieutenant James McCrady of the Fort Lauderdale Ocean Rescue as 2005 Florida Beach Patrol Chiefs Association's Lifeguard of the Year. He has been a lifeguard since 1987 and was promoted in 2000.

4. Expression of Sympathy

The Mayor and the City Commission offered an expression of sympathy to the family of Charlotte Law, who was Commissioner Hutchinson's aunt.

5. Marine Industry – Boat Show

Stephanie Toothaker, representing Bahia Mar, Marine Industries Association of Florida, and Yachting Promotions, announced that these three entities entered into a 10-year agreement to keep the International Boat Show in Fort Lauderdale at the Bahia Mar.

Russ Flicker, representing Bahia Mar, said they are happy to be able to retain the International Boat Show in Fort Lauderdale, and they are working together to enhance the property and make the show the best ever.

Kaye Pearson, representing Yachting Promotions, said the show has been at Bahia Mar for 30 years, and now they will be providing the stability of retaining the show for the next 10 years. The show has a \$600 million impact on Fort Lauderdale, and globally for the last 10-12 years. Redevelopment of Bahia Mar will enable them to present the show in an entirely new light.

Frank Herhold, representing the Marine Industries Association of South Florida, congratulated everyone involved. He thanked the City for their constant support because this show has a great impact on the City.

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 – Purdue Varsity Glee Club in Concert (M-1)

A motion authorizing and approving execution of an Event Agreement with Purdue Varsity Glee Club – Purdue Musical Organizations – Purdue University for the Purdue Varsity Glee Club in Concert, to be held Sunday, March 12, 2006, 3-5 PM at Huizenga Plaza.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0304

Event Agreement – Southeast Florida Scottish Festival and Games (M-2)

A motion authorizing and approving execution of an Event Agreement with the Scottish American Society of South Florida, Inc. for Southeast Florida Scottish Festival and Games, to be held on Saturday, April 22, 2006 at the Stadium Festival Grounds.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0306

Event Agreement – Ocean Fest Dive and Adventure Sports Expo (M-3)

A motion authorizing and approving execution of an Event Agreement with the Greater Fort Lauderdale Chamber of Commerce, Inc. for Ocean Fest Dive and Adventure Sports Expo, to be held at South Beach on Friday, April 21, 2006, 5 PM – 10 PM.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0307

Event Agreement – St. Patrick’s Day Celebration And Closing Alley (M-4)

A motion authorizing and approving execution of an Event Agreement with Cilldara Inc. for St. Patrick’s Day Celebration to be held at Maguire’s Hall 16, 535 North Andrews Avenue, on Friday, March 17, 2006, 7 AM – 12 Midnight and authorizing closing of the alley running parallel to Andrews Avenue behind Maguire’s Hill between their property lines.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0308

Event Agreement – St. Patrick’s Day Street Party (M-5)
And Closing SW 2 Street

A motion authorizing and approving execution of an Event Agreement with the Old Town at Riverwalk Merchants Association, Inc. for St. Patrick’s Day Street Party, to be held Friday, March 17, 2006, 2 PM – 12 Midnight and authorizing closing of SW 2 Street.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0314

Event Agreement – St. Patrick’s Street Dance (M-6)
And Closing South New River Drive

A motion authorizing and approving execution of an Event Agreement with Downtowner Saloon, Inc. for St. Patrick’s Street Dance, to be held Friday and Saturday, March 17 and 18, 2006, 12 Noon – 11 PM on South New River Drive and authorizing closing South New River Drive.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0321

Event Agreement – Broward County Fair (M-7)
And Closing NW 55 Street

A motion authorizing and approving execution of an Event Agreement with Broward County Youth Fair, Inc. for the Broward County Fair, to be held from Thursday, November 16, 2006 to Sunday, November 26, 2006, 5 PM – 12 Midnight on weekdays and 12 Noon – 12 Midnight on weekends at the Stadium Festival Grounds; and authorizing closing NW 55 Street from NW 12 Avenue to NW 10 Terrace.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0305

Event Agreement – SFPJNet March and Rally (M-8)

A motion authorizing and approving execution of an Event Agreement with South Florida Peace and Justice Network for SFPJNet March and Rally, to be held Sunday, March 19, 2006, 12 Noon – 6 PM at Welcome Park and along State Road 84.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0315

Event Agreement – Christian Music Festival**(M-9)**

A motion authorizing and approving execution of an Event Agreement with The Carpenter's Home Church, Inc. for the Christian Music Festival to be held on Friday and Saturday, May 26 and 27, 2006, at the Stadium Festival Grounds.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0310

**License Agreement – Ft. Lauderdale Archers, Inc.
Archery At Old Police Firing Range****(M-10)**

A motion authorizing the proper City Officials to execute a one-year license agreement with annual extension options for three years with Ft. Lauderdale Archers, Inc., for use of the old Police Firing Range at 4590 SW 46 Avenue for archery activities.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0253

**Work Order 10678 – Danella Companies, Inc. -
\$1,607,844.13 – General Construction Services –
Sewer Areas 12 and 17****(M-11)**

A motion authorizing the proper City Officials to execute Work Order 10678 to Danella Companies, Inc., in the amount of \$1,607,844.13, for construction of sanitary sewer and water main improvements in Sewer Areas 12 and 17 – Project 10859C.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0281

**Task Order – Hazen and Sawyer - \$27,500
Canal Interconnect Design****(M-12)**

A motion authorizing the proper City Officials to execute a Task Order to Hazen and Sawyer, in the amount of \$27,500, to design an interconnect between the Old Plantation Water Control District Canal and the South Florida Water Management District's C-12 Canal – Project 11115.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0291

American Water Works Association Research Foundation Subscription (M-13)

A motion approving a one-year subscription to American Water Works Association Research Foundation (AWWARF) in the amount of \$36,657.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0276

Change Order 1 – Nicassio Corporation - \$102,000 (M-14)
Wastewater Conveyance – Long-Term Remediation
Sewer Basin A-17

A motion authorizing Change Order 1 to Nicassio Corporation, in the amount of \$102,000, for installation of a cured-in-place pipe liner relating to Wastewater Conveyance System Long-Term Remediation Program Project 5 Sewer Basin A-17 – Project 10968.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0274

Change Order 3 – Insituform Technologies, Inc. - \$34,460 (M-15)
Sanitary Sewer Mainline Emergency Repairs

A motion authorizing Change Order 3 with Insituform Technologies, Inc., in the net amount of \$34,460, including the addition of 30 calendar days for emergency repairs to a sanitary sewer mainline – Wastewater Conveyance System Long-Term Remediation Program Project 4 Sewer Basin B-10 and Annual Sewer Lining Contract – Project 10872.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0275

Change Order 2 – Metro Equipment Service, Inc. - \$37,000 (M-16)
– La Preserve Pump Station and Sailboat Bend
Master Pump Station

A motion authorizing Change Order 2 with Metro Equipment Service, Inc., in the amount of \$37,000, for additional construction associated with La Preserve Pump Station and Sailboat Bend Master Pump Station – Project 10890.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0215

Contract Award – R.J. Heisenbottle Architects, P.A. - (M-17)
\$610,059 – Southside School

A motion authorizing the proper City Officials to award and execute a contract with R. J. Heisenbottle Architects, P.A., in a not-to-exceed amount of \$610,059 plus approved reimburseables not-to-exceed \$30,000 – professional design services for Southside School – Project 10777.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0323

Contract Award – MBR Construction, Inc. - \$632,270 (M-18)
Lincoln Park Improvements

A motion authorizing the proper City Officials to award and execute a contract with MBR Construction, Inc., in the amount of \$632,270, for Lincoln Park Improvements – Project 10950.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0320

Task Order 05-03 – Hazen and Sawyer, P.C. - \$440,715 (M-19)
2006 Water and Wastewater Master Plan Update – Water Element

A motion authorizing the proper City Officials to execute Task Order 05-03 to Hazen and Sawyer, P.C., in the amount of \$440,715, to update the Water Element of the Water and Wastewater Master Plan – Project 10997.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0302

Amendment, Waiver and Reinstatement of Fifty-Year (M-20)
Lease – St. Regis Hotel – Service Entrance

A motion authorizing the proper City Officials to execute an amendment to Lease of City property to St. Regis Hotel development, waiving a technical default, reinstating the Lease and eliminating the requirement that Lessee obtain a Certificate of Occupancy for the St. Regis development within the time previously specified in the Lease.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0348

Contract Award – URS Corporation - \$910,822.14 (M-21)
Construction Management Services – Fire Stations

A motion authorizing the proper City Officials to award and execute a contract with URS Corporation, in a not-to-exceed amount of \$910,822.14, for construction management services – Fire Station 47 and the Executive Airport Fire Station.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0325

Vehicle Tracking System – Law Enforcement Trust (M-22)
Fund - \$5,615

A motion authorizing appropriation of \$5,615 from the Law Enforcement Trust Fund and transfer to General Police Fund Confiscation Account to purchase a vehicle tracking system for use by the Police Department.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0300

Graffiti Reduction Program (M-23)
Community Development Block Grant

A motion authorizing appropriation and transfer of \$2,000 from General Fund to Miscellaneous Grants Fund effective immediately to be used as a cash match in support of the Graffiti Reduction Program.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0313

PURCHASING AGENDA

462-9307 – Solid Waste Management Consultant (PUR-1)

A one-year contract for solid waste management consultant services is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Kessler Consulting, Inc.
Tampa, FL

Amount: per unit prices
 Bids Solicited/Rec'd: 449/6
 Exhibit: Commission Agenda Report 06-0295

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

662-9384 – Purchase of Site Amenities and Light Fixtures – Lincoln Park (PUR-2)

Approval to purchase site amenities and light fixtures for Lincoln Park is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Various Vendors
 Amount: \$220,463.70
 Bids Solicited/Rec'd: 378/6
 Exhibit: Commission Agenda Report 06-0322

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

Proprietary – Engineering Redesign Services and Renovations – Air Conditioning System at Fire Administration Building (PUR-3)

Purchase of engineering redesign services and renovations to the air conditioning system at Fire Administration Building is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: The Trane Company
 Pompano Beach, FL
 Amount: \$29,600.00 (estimated)
 Bids Solicited/Rec'd: N/A
 Exhibit: Commission Agenda Report 06-0290

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

462-9342 – Recycling Collection Services (PUR-4)

Three-year contract for recycling collection services is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Choice Environmental, Inc.
Miami, FL
Amount: per unit prices
Bids Solicited/Rec'd: 93/1
Exhibit: Commission Agenda Report 06-0294

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

Proprietary – Pearpoint Sewer Camera System Parts

(PUR-5)

Purchase of Pearpoint Sewer Camera System Parts is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Pearpoint, Inc.
Thousand Palms, CA
Amount: \$55,000.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 06-0143

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

262-9345 Purchase of Dropside Dump Body

(PUR-6)

Agreement to purchase a dropsied dump body is being presented for approval by the Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Bennett Truck Equipment, LLC
Orlando, FL
Amount: \$14,971.00
Bids Solicited/Rec'd: 222/1
Exhibit: Commission Agenda Report 06-0272

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

State – Purchase of Bunker Gear**(PUR-7)**

Agreement to purchase 40 sets of Morning Pride bunker gear is being presented for approval by the Fire Rescue Department.

Recommend: Motion to approve.

Vendor: Fisher Scientific Company, LLC
Pittsburgh, PA

Amount: \$68,147.60

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-0280

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

752-9227 – Janitorial Services Contract – Marine Facilities**(PUR-8)**

Two-year contract to provide janitorial services for City Marine Facilities is being presented for approval by the Business Enterprises Department.

Recommend: Motion to approve.

Vendor: Capital Professional Cleaning Contractors, Inc. of Florida (WBE)
Huntington Station, NY

Amount: \$32,122.00 (estimated annual total)

Bids Solicited/Rec'd: 338/7

Exhibit: Commission Agenda Report 06-0287

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

662-9364 – Replacement Noritsu Digital Mini-Lab System**(PUR-9)**

Purchase of a replacement Noritsu digital mini-lab system is being presented for approval by the Police Department.

Recommend: Motion to approve.

Vendor: Noritsu American Corporation
Buena Park, CA

Amount: \$127,591.00

Bids Solicited/Rec'd: 144/2

Exhibit: Commission Agenda Report 06-0335

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

962-9326 – Roof Repair/Replacement Services

(PUR-10)

One-year contract for roof repair and replacement services for the emergency repair program is being presented for approval by the Planning and Zoning Department.

Recommend: Motion to approve.

Vendor: Crognale & Assoc. Construction, Inc.
Fort Lauderdale, FL

Amount: per unit prices

Bids Solicited/Rec'd: 114/3

Exhibit: Commission Agenda Report 06-0298

The Procurement Services Department recommends awarding to the next lowest responsive and responsible bidder for a dual award.

562-9394 – Replanting of Galt Ocean Mile Trees

(PUR-11)

Agreement to purchase and plant trees for the Galt Ocean Mile tree project is being presented for approval by the Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Atria Landscape Development Corporation
Pembroke Pines, FL

Amount: \$87,276.00

Bids Solicited/Rec'd: 283/8

Exhibit: Commission Agenda Report 06-0293

The Procurement Services Department recommends awarding to the low responsive and responsible bidder with transfer of funds.

**752-9236 – Americans with Disabilities Act (ADA)
Consultant**

(PUR-12)

Two-year contract for consulting services regarding City compliance with ADA requirements is being presented for approval by the Finance Department.

Recommend: Motion to approve.

Vendor: Bermello, Ajamil & Partners, Inc.
Miami, FL

Amount: \$75,000.00 (estimated)

Bids Solicited/Rec'd: 353/6

Exhibit: Commission Agenda Report 06-0282

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

532-8788 – Addendum to Avmed Health Plan Administrative Services Agreement (PUR-13)

Addendum to Administrative Services Agreement relative to the EPN (HMO) Benefit Plan between AvMed, Inc. d/b/a AvMed Health Plan and City of Fort Lauderdale is being presented for approval by the Finance Department.

Recommend: Motion to approve.

Vendor: Avmed, Inc.
Miami, FL
Amount: \$740,270.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibit: Commission Agenda Report 06-0236

The Procurement Services Department has reviewed this item and recommends approving addendum to the Administrative Services Agreement with Avmed, Inc.

352-9225 – Plan Review Services (PUR-14)

Two-year contract to provide expedited plan review services, to include building, electric, mechanical, plumbing, structural, zoning, landscaping and engineering review is being presented for approval by the Building Services Department.

Recommend: Motion to approve.

Vendor: CSA Southeast, Inc. (MBE)
Miami Lakes, FL
Amount: per RFP prices
Bids Solicited/Rec'd: 60/4
Exhibit: Commission Agenda Report 06-0106

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

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

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item Nos. M-8, Pur-4 and Pur-13 be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended.

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

462-9342 – Recycling Collection Services

(PUR-4)

This item was removed from the Consent Agenda by Mayor Naugle.

Mayor Naugle said that there has been some service problems. He asked if the company representative could address those issues and assure that there will not be problems in the future.

Hans Christiansen, Choice Environmental Services, said they took over the contract about one-year ago. Equipment was upgraded. In the past month the problems, which they anticipated in the last year of the contract, came to a head, issues have been addressed. A plan has been outlined to purchase new equipment and to back-up the existing equipment. Additional staff has also been hired, so that the issues can be immediately addressed.

Commissioner Moore said that there have been homes skipped for pick-up in his district, and it is difficult to get the company to return to those homes when called.

Mr. Christiansen said that they now have a supervisor riding with drivers to ensure that they are aware of their entire route. As part of the plan, for the next 90 days, another supervisor is addressing customer service issues. Problems will be discussed with residents, so mistakes are not repeated.

Commissioner Moore asked if the company is interested in bidding on the contract at the end of this term. Mr. Christiansen confirmed his interest.

Commissioner Hutchinson asked if new vehicles have actually been ordered. Mr. Christiansen said the vehicles have been ordered.

Mayor Naugle asked if the company has considered any technology solutions using global precisioning to alert the company if a street has been missed. Mr. Christiansen said they have looked into various technologies. An annual Waste Expo is coming up in May and they are going to attend.

Mayor Naugle asked if staff has included language in the agreement, providing that if quality slips again, the City would have recourse. Mr. Udvardy confirmed it is included. For the first 90 days, they have established a disincentive contract where rates would be reduced for residential pick-up. It will be monitored for 90 days. If performance is satisfactory, they would then go up to the bid rate, and if not there is another bid the City can put out on the street.

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

532-8788 – Addendum to AvMed Health Plan Administrative Services Agreement**(PUR-13)**

Commissioner Moore said that he removed this item from the Consent Agenda. He asked if there have been any changes since the last Commission meeting.

Kirk Buffington, Procurement Services Director, said that as far as the rate presented as the negotiated rate increase, there has been no change.

Commissioner Moore asked if there is any cost savings. Mr. Buffington said cost savings have occurred that staff was able to bring forward before the item was presented at the last meeting. By delaying implementation of the rate increase for one month, there has been some cost savings.

Commissioner Moore believed that a 5% increase is too high.

Frank Jansen, Vice President of Client Service, AvMed Health Plan, said they made considerable investments to improve and enhance services, such as adding specialist positions, enhanced on-line support tools, and additional services in the area of care management for individuals with chronic diseases.

Commissioner Moore asked if such services were only supplied to Fort Lauderdale. Mr. Jansen said that such services are being supplied to all members of the AvMed Health Plan. Commissioner Moore asked why the City is paying a 5% increase when such services will be provided to all members. Commissioner Moore asked how employees are selected who need assistance for treatment with respect to a continuing disease. With respect to disease management, Mr. Jansen said there are a variety of ways. An individual's primary physician would identify them and refer them to AvMed for services, such as asthmatics and diabetics. Also when claims are submitted, such individuals are identified, and prescription claims also help to identify individuals who need such services.

Commissioner Moore felt that is a good idea. He is in one of those groups, but has not been contacted. He hoped the company would be more aggressive in contacting individuals.

Commissioner Moore still did not feel that a 5% increase is appropriate. He asked Mr. Rhodes why they should concede to such an increase.

Lloyd Rhodes, Rhodes Insurance Group, City Consultant, said that he initially felt the same as Commissioner Moore. In reviewing the components, infrastructure, and investments made by AvMed and looking at the experience since 2003, it appears their investments are paying off. Year to date, there is a 63% overall loss ratio. These types of changes have allowed the City to reduce the employee deduction, continue the rates of the previous year, no benefit reductions since inception of the plan, and accomplish what they have been striving to achieve. He said they also check the marketplace regarding rates, and they are in line even with the 5% increase. Other contracts in place with AvMed are also consistent with what is being proposed. The contract was bid in 2003 on a very competitive and detailed basis, and AvMed had very competitive rates. Part of the negotiations was a no more than 5% cap each year. He preferred a company who invests in their infrastructure and improving medical care costs. The administrative

costs are minimal and competitive with the marketplace. Also, AvMed has agreed to extend for one month. Therefore, he recommends acceptance of the 5% increase.

Commissioner Moore asked when the next bid would take place. Mr. Rhodes said that a time frame has not yet been determined. If it is to be done for 2007, an effective date of January 1, 2007 would be used.

Commissioner Moore believed the 5% increase is too high. He encouraged that the matter be put out for bid.

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.

Event Agreement – SFPJNet March and Rally

(M-8)

Mayor Naugle removed this item from the Consent Agenda. He showed what is being posted throughout the City on public property. It is a criminal act to deface public property. He said he would support this protest even though he felt they would be promoting global terrorism. He asked for the protest to be conducted in a lawful manner and not deface public property.

An individual who did not identify himself stated that this was an unauthorized flyer put out by someone from a group called Answer, and they were told that this flyer does not represent the SFPJNet March.

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.

PUBLIC HEARINGS

Vacation of Portion of Right-of-Way – West Side

(PH-1)

Applicant: Sixth Street Corporation
Location: Portion of right-of-way at southwest intersection of and Abutting NW 7 Avenue and NW 4 Street

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

Commissioner Hutchinson introduced the following ordinance on first reading:

ORDINANCE NO. C-06-06

AN ORDINANCE VACATING, ABANDONING AND CLOSING THAT PORTION OF LOTS 2 AND 3 AND THE NORTH 5 FEET OF THE ABUTTING VACATED ALLEY, BLOCK "A," "SUBDIVISION FOR FORT LAUDERDALE LAND AND DEVELOPMENT CO. BLOCK 6, FORT LAUDERDALE, FLORIDA," ACCORDING TO THE PLAT THEREOF, RECORD IN PLAT BOOK 1, PAGE 57, THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, LYING EAST OF A LINE 60 FEET WEST OF THE CENTERLINE OF NORTHWEST 7TH AVENUE AND NORTH OF A LINE 25 FEET SOUTH OF THE CENTERLINE OF NORTHWEST 4TH STREET AND NORTHEASTERLY OF THE ARC OF A CURVE OF RADIUS 35 FEET, CONNECTING SAID LINES, LOCATED AT THE SOUTHEAST INTERSECTION OF NORTHWEST 7TH AVENUE AND NORTHWEST 4TH STREET, 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.

CITIZEN PRESENTATIONS

Susan Peterson – Mermaid Club For Kids at Aquatics Complex (CIT-1)

Ms. Peterson was not present.

RESOLUTIONS

Vacation of Utility Easement – 2928 and 2924 North Ocean Boulevard – Preste Corporation and Miceal O’Leary - Case 2-M-06 (R-1)

Applicant: Preste Corporation and Miceal O’Leary
Location: Eastern Portion of Lot 1 and 2, Block 23
Lauderdale Beach Extension Unit B

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 06-25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THE 5-FOOT UTILITY EASEMENT OVER THE NORTH 25.00 FEET OF THE EAST 5.00 FEET OF LOT 1, TOGETHER WITH THE EAST 5.00 FEET OF LOT 2, BLOCK 23, "LAUDERDALE BEACH EXTENSION UNIT "B", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 22, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ALONG THE EAST SIDE OF PROPERTY LOCATED AT THE

SOUTHEAST INTERSECTION OF NORTHEAST 30TH STREET AND NORTHEAST 33RD AVENUE, 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.

Vacation of Utility Easement – 2700 and 2710 NE 30 Place (R-2)
Coral Ridge Joint Venture – Case 3-M-06

Applicant: Coral Ridge Joint Venture
Location: Lot 2 and 3, Block 47, Coral Ridge Galt Addition 1

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-26

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT 5-FOOT UTILITY EASEMENT DESCRIBED AS THE SOUTH 5 FEET OF LOTS 2 AND 3, BLOCK 47, "CORAL RIDGE GALT ADDITION NO. 1," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 31, PAGE 37, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE SOUTH SIDE OF NORTHEAST 30TH PLACE, WEST OF BAYVIEW DRIVE AND EAST OF NORTHEAST 26TH TERRACE, 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.

Site Plan Level IV – 740 Bayshore Drive – Case 93-R-05 (R-3)
Peter Buhl – Bayshore Condos – 8 Unit/5 Story

Applicant: Peter Buhl
Zoning: NBRA (North Beach Residential Area)

RESOLUTION NO. 06-27

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING A DEVELOPMENT PERMIT FOR A MULTI-FAMILY DEVELOPMENT AND APPROVAL OF YARD MODIFICATIONS ON PROPERTY LOCATED AT 740 BAYSHORE DRIVE IN FORT LAUDERDALE, FLORIDA, IN A NBRA ZONING DISTRICT AS A SITE PLAN LEVEL IV DEVELOPMENT.

Which resolution was read by title only.

Commissioner Trantalis was concerned about the Commission participating in speculative ventures of individuals who own property here. Discussions were held regarding the applicant's willingness to agree that if this approval is granted, it be specific to this applicant. If the property is sold, the approval would be terminated or extinguished and would not run with the land as to any future purchaser. This would cover both their legal and beneficial interests. He asked if these conditions could be incorporated into the approval.

The City Attorney said this would run contrary to the law regarding land use regulations. He preferred to defer the item and try to find a way to accomplish what is being suggested.

Commissioner Trantalis thought it was done in the Flagler Village area. The City Attorney did not recall.

Mayor Naugle thought this could be done if the City had a financial interest in the property. He asked if this could be done by the applicant voluntarily.

The City Attorney indicated it would have to be subject to a recordable waiver of some type on their part acceptable to the City.

Rene Altamirano, representing the Applicant, said they do not have a problem agreeing to such conditions.

The City Attorney said if the Commission makes the approval subject to a recordable instrument which is going to reserve the City's right to refuse permits in the future to anyone but the owner, he believed it could be done.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that the item be approved as amended and detailed by the City Attorney.

Commissioner Hutchinson understood that the listing shown at the previous meeting would go away because they would only be allowed to sell the property and not the project. Mr. Altamirano confirmed that is correct.

Commissioner Moore left the meeting at approximately 6:42 p.m.

Michael Mueller, Central Beach Alliance, said the Alliance membership chose not to approve the subject project mainly because they feel it would affect various properties in the area. Several properties to the east also back up against the same trees that are part of the park behind it and granting this approval would give opportunity to increase density of those properties as redevelopment occurs. This went to the Planning and Zoning Board before anyone in the community including the Alliance was approached. He asked for that to be changed for future projects. He asked Commissioner Trantalis to vote against this.

Jeff Falkanger, architect for the Applicant, said the Bonnet House which abuts the property, supports both the 5-story project, along with the yard reduction. They would be most directly affected. He further said this quirk in the Code only applies to a side yard

abutting dedicated open space. Therefore, for lots in the middle of the block, it would be their rear yard and not feasible for them.

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

**Site Plan Level IV – 305 South Andrews Avenue - (R-4)
One River Plaza – Patio Deck Canopy – Case 30-R-06**

**Applicant: One River Plaza
Zoning: Regional Activity Center – City Center (RAC-CC)**

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 06-28

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE CONSTRUCTION OF AN AWNING OVER AN EXISTING PATIO AREA LOCATED AT 305 SOUTH ANDREWS AVENUE ADJACENT TO THE NEW RIVER IN FORT LAUDERDALE, FLORIDA, IN A RAC-CC ZONING DISTRICT.

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

**Amendment to Approved Site Plan Level IV - (R-5)
Case 80-R-00 – Trump International Hotel and Tower – 551 Fort Lauderdale Beach Boulevard**

**Applicant: SB Hotel Associates, LLC
Location: 551 Fort Lauderdale Beach Boulevard**

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 06-29

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN AMENDMENT TO AN APPROVED DEVELOPMENT PLAN ON PROPERTY LOCATED AT 551 FORT LAUDERDALE BEACH BOULEVARD IN FORT LAUDERDALE, FLORIDA IN AN ABA ZONING DISTRICT AS A SITE PLAN LEVEL IV DEVELOPMENT.

Which resolution was read by title only.

Commissioner Trantalis said it appears the City has discussed various items of concern with the Applicant, and evidently the issues have been resolved, but he it is important to note them on the record.

Marc LaFerrier, Director of Planning and Zoning, said the site plan submitted had a design that would reduce the public sidewalk to 11-17 feet. Discussions resulted in a design almost the same as approved by the Commission in February, 2005. That design had a sidewalk which approximated about 40' at the north end of A-1-A to about 30' at the south end of A-1-A, with two rows of trees in the plaza area, and steps close to the building. Therefore, that aspect of the project would not be deemed as a substantial change.

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

Mr. LaFerrier said that from the time the Commission approved the project there was a new interpretation from DPEP regarding the finished floor elevation which required it to be about 3' higher than what had previously been approved. This necessitated additional steps to be placed in front of the building. The design submitted had elongated those steps to the extent they were closer to the sidewalk. Now, they will put the steps back inside the colonnade. The sidewalk depth would be the same as previously approved. The sidewalk would be 41' to 35', and 9' and 12' on the two side streets.

Commissioner Trantalis said he would like to see more landscaping in the project. Mr. LaFerrier said there are generous landscaping beds in front of the building. Commissioner Trantalis asked if any landscaping would be placed in the 40' sidewalk. Mr. LaFerrier said there would be two rows of palm trees.

Vice Mayor Teel asked if the project was presented to the Central Beach Alliance.

Ron Mastriana said the project was presented several times to the Central Beach Alliance, but not the modifications since they were minor and thought not to affect the Alliance. Vice Mayor Teel felt that was unfortunate.

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

House Bill 949

(OB)

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 06-31

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO ADOPT HOUSE BILL 949 AND SENATE BILL 1608 THAT WILL PRESERVE CITIES' HOME RULE POWERS TO DETERMINE POLICIES AND REGULATE LAND USE DEVELOPMENT AND VOLUNTARY ANNEXATIONS.

Which resolution was read by title only. 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:

Citizens' Police Review	Alan Stotsky
Utilities Advisory Committee	Geri Udell

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 06-30

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.

Mayor Naugle said that this is the last meeting when this Commission would be convened. He asked Commissioner Trantalis to come to the beginning of the Commission meeting on March 21, 2006 to offer his farewell remarks.

Commissioner Trantalis thanked everyone for a wonderful three years.

Commissioner Moore said that the Department of Transportation has given the City authorization of \$1.4 Million to address the 7th/9th Avenue Connector.

Commissioner Moore said that two individuals from the Law Magnet Program from Fort Lauderdale High School are present at tonight's meeting to see government in action.

There being no other matters to come before the Commission, the meeting was adjourned at 6:57 P.M.

Jim Naugle
Mayor

ATTEST:

Jonda K. Joseph
City Clerk