

**INDEX OF A REGULAR MEETING
FORT LAUDERDALE CITY COMMISSION
APRIL 4, 2006**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
APRIL 4, 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 Charlotte E. Rodstrom
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 Frank Judy Waldman

Invocation was offered by Reverend Phil Roughton, Senior Pastor, Christ Church United Methodist, 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 March 21, 2006 Conference and Regular Meetings and the agenda be approved. Roll call showed: YEAS: Commissioners Moore and Hutchinson, Vice Mayor Teel, Commissioner Rodstrom, and Mayor Naugle. NAYS: None.

Presentations

OB

1. Recycling Incentive Program – Fiscal Year 2005 Awards

Commissioner Hutchinson and the City Commission recognized the homeowner associations who participated in the 2005 Recycling Incentive Award Program. She announced the nine homeowner associations that participated:

Sunset Civic Association	\$ 488.00
Rio Vista Civic Association	\$ 732.00
Lauderdale Manors Homeowners Association	\$ 732.00
Poinsettia Heights Civic Association	\$ 915.00
Coral Ridge Isles	\$ 915.00

Victoria Park	\$1,098.00
The Landings Homeowners Association	\$1,830.00
Tarpon River Civic Association	\$2,379.00
Harbordale Civic Association	\$4,880.00

2. Outstanding City Employees

Tim Edkin, Information Technology Department, presented the Outstanding Employee Award for the month to Troy Bailey, Communications Manager, for his hard work and efforts regarding the SMART Zone Radio System.

Bruce Roberts, Chief Police Department, presented the Officer of the Month Award for April to Officer Michael Muccino for his assistance in aiding BSO DUI Deputy Herbert in arresting a suspect and preventing the suspect from violently attacking and injuring the Deputy.

Chief Roberts presented the Officer of the Month Award for March to Officers Jeffery Jenkins and Kerri Hagerty for their work in assisting in arresting a shooting suspect who had shot and killed three people.

Chief Roberts presented an award to Myrna Alvarez for her work in coordinating the department's workforce compensation documents in connection with work during Hurricanes Rita, Katrina and Wilma.

3. Expression of Sympathy

Mayor Naugle and the City Commission offered an expression of sympathy to the families of Norma Nielson and Margo Flanigan.

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 – Las Olas Wine and Food Festival Closing East Las Olas Blvd.

(M-1)

A motion authorizing and approving execution of an Event Agreement with the American Lung Association of Florida, Inc. for Las Olas Wine and Food Festival to be held Thursday, May 11, 2006, 5 PM – 9 PM; and authorizing the closing of East Las Olas Boulevard.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0487

Event Agreement – So Fly For Spring Break (M-2)

A motion authorizing and approving execution of an Event Agreement with Sweet Productions, Inc. for So Fly For Spring Break, to be held Saturday, April 15, 2006, 2 PM – 12 Midnight at the Stadium Festival Grounds.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0406

Event Agreement – Good Friday Worship and Baptismal Service (M-3)

A motion authorizing and approving execution of an Event Agreement with First Baptist Church of Ft. Lauderdale, Inc. for Good Friday Worship and Baptismal Service to be held Friday, April 14, 2006, 6 PM – 7:30 PM at South Beach.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0488

Event Agreement – Sailing to the Tropics (M-4)

A motion authorizing and approving execution of an Event Agreement with Southeastern Conference Association of Seventh Day Adventists, Inc. for Sailing to the Tropics, to be held on Sunday, May 21, 2006, 10 AM – 10 PM at the Stadium Festival Site.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0489

Event Agreement – Hospice Regatta Clambake Closing SW 4 Avenue (M-5)

A motion authorizing and approving execution of an Event Agreement with HospiceCare of Southeast Florida, Inc. for Hospice Regatta 2006 Clambake to be held at the Esplanade on Saturday, May 20, 2006. 6:30 PM – 11 PM; and authorizing closing of SW 4 Avenue, from SW 2 Street to the cul-de-sac at Riverwalk.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0490

Disbursement of Funds/Joint Investigation/O.R. No. 05-33800 (M-6)
Law Enforcement Trust Fund

A motion authorizing the equitable disbursement of funds in the amount of \$1,230.75 with each of the thirteen participating law enforcement agencies to receive \$94.67.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0439

Disbursement of Funds/Joint Investigation/O.R. No. 04-114095 (M-7)
Law Enforcement Trust Fund

A motion authorizing the equitable disbursement of funds in the amount of \$78,728.87 with each of the thirteen participating law enforcement agencies to receive \$6,056.06.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0437

Disbursement of Funds/Joint Investigation/O.R. No. 04-133183 (M-8)
Law Enforcement Trust Fund

A motion authorizing the equitable disbursement of funds in the amount of \$6,059.06 with each of the thirteen participating law enforcement agencies to receive \$466.08.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0438

Disbursement of Funds/Joint Investigation/O.R. No. 05-62120 (M-9)
Law Enforcement Trust Fund

A motion authorizing the equitable disbursement of funds in the amount of \$2,054.89 with each of the thirteen participating law enforcement agencies to receive \$158.06.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0440

Disbursement of Funds/Joint Investigation/O.R. No. 05-68917 (M-10)
Law Enforcement Trust Fund

A motion authorizing the equitable disbursement of funds in the amount of \$1,072.34 with each of the thirteen participating law enforcement agencies to receive \$82.48.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0442

Disbursement of Funds/Joint Investigation/O.R. No. 05-87921 (M-11)
Law Enforcement Trust Fund

A motion authorizing the equitable disbursement of funds in the amount of \$2,739.86 with each of the thirteen participating law enforcement agencies to receive \$210.75

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0443

Disbursement of Funds/Joint Investigation/O.R. No. 05-118339 (M-12)
Law Enforcement Trust Fund

A motion authorizing the equitable disbursement of funds in the amount of \$35,929.83 with each of the twelve participating law enforcement agencies to receive \$2,994.15.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0444

Amendment 1 To Task Order 9 – CMTS Florida, LLC - \$17,268.57 (M-13)
Inspection Services – Peele-Dixie Concentrate Forcemain

A motion authorizing the proper City Officials to execute Amendment 1 to Task Order 9 with CMTS Florida, LLC in the amount of \$17,268.57, for utility construction inspection services – Sanitary Sewer and Water Main Improvements – Peele-Dixie Concentrate Forcemain – project 10656.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0500

Amendment 1 To Task Order 8 – CMTS Florida, LLC - \$25,902.86 (M-14)
Inspection Services – Water & Wastewater Improvements –
Sailboat Bend Basin A

A motion authorizing the proper City Officials to execute Amendment 1 to Task Order 8 with CMTS Florida, LLC in the amount of \$25,902.86, for utility construction inspection services – Water and Wastewater Improvements – Sailboat Bend Basin A – Project 10542A.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0496

Amendment 1 To Task Order 3 – CMTS Florida, LLC - \$79,365.57 (M-15)
Inspection Services – Water & Wastewater Improvements –
Shady Banks Basin B

A motion authorizing the proper City Officials to execute Amendment 1 to Task Order 3 with CMTS Florida, LLC in the amount of \$79,365.57, for utility construction inspection services – Water and Wastewater Improvements – Shady Banks Basin B – Project 10543B.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0491

Amendment 1 To Task Order 5 – CMTS Florida, LLC - \$85,151.29 (M-16)
Inspection Services – Sanitary & Water Main Improvements
Jacobs Landing

A motion authorizing the proper City Officials to execute Amendment 1 to Task Order 5 with CMTS Florida, LLC in the amount of \$85,151.29 for utility construction inspection services – Sanitary and Water Main Improvements – Jacobs Landing – Project 10705B.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0494

Amendment 1 To Task Order 5 – CMTS Florida, LLC - \$25,902.86 (M-17)
Inspection Services – Water & Wastewater Improvements –
Sewer Area 4 Basin D

A motion authorizing the proper City Officials to execute Amendment 1 to Task Order 7 with CMTS Florida, LLC in the amount of \$25,902.86 for utility construction inspection services – Water and Wastewater Improvements – Sewer Area 4 Basin D – Project 10507D.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0495

Funding Application – 2006 Bulletproof Vest Partnership Program (M-18)
U S Department of Justice

A motion authorizing the proper City Officials to apply for funds from U.S. Department of Justice – 2006 Bulletproof Vest Partnership Program and designating the Public Safety Manager to electronically sign all necessary documents on behalf of the Mayor.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0478

Broward Beautiful Greenshade Grant Application - \$15,000 (M-19)
Sunset Memorial Gardens and Lauderdale Memorial Park Cemeteries

A motion authorizing the proper City Officials to apply for Broward Beautiful Greenshade Grant in the amount of \$15,000, and to execute all necessary documents and accept grant funds – planting of trees in newly developed section of Sunset Memorial Gardens and replacement of trees destroyed by 2004 and 2005 hurricanes.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0441

Grant Application – 2006 Assistance To Firefighters Grant (M-20)
Program – U S Department of Homeland Security

A motion authorizing the proper City Officials to apply for 2006 Assistance to Firefighters Grant from U.S. Department of Homeland Security – vehicle exhaust extraction system and designating the Public Safety Manager to electronically sign all necessary documents on behalf of the Mayor.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0479

Trolley Vehicles – Beach – Downtown Shuttle Services - (M-21)
\$600,000 Federal Transit Administration Grant

A motion authorizing staff to draw up to \$600,000 from Federal Transit Administration grant for purchase of three trolley vehicles for Beach – Downtown Shuttle Services.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0507

Acceptance of Grant – Stormwater Infrastructure River (M-22)
Oaks and Edgewood – Florida Department of Environmental
Protection - \$500,000

A motion authorizing the proper City Officials to accept a grant from Florida Department of Environmental Protection in the amount of \$500,000 with matching funds from the Stormwater Fund – stormwater infrastructure – River Oaks and Edgewood neighborhoods.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0463

Task Order 11 – CMTS Florida, LLC - \$135,166.01 (M-23)
Sunrise Key and Sunrise Intracoastal Infrastructure –
Inspection Services

A motion authorizing the proper City Officials to execute Task Order 11 with CMTS Florida, LLC. In the amount of \$135,166.01 for utility construction inspection services – Sunrise Key and Sunrise Intracoastal Infrastructure Improvements – Project 106798.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0458

Task Order 12 – CMTS Florida, LLC - \$164,473.76 (M-24)
Progresso Sanitary Sewer Improvements – Phase C
Inspection Services

A motion authorizing the proper City Officials to execute Task Order 12 with CMTS Florida, LLC. In the amount of \$164,473.76 for utility construction inspection services – Progresso Sanitary Sewer, Water Main, and Storm Improvements – Phase C – Project 9766C.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0474

Task Order 10 – CMTS Florida, LLC - \$178,647.47 (M-25)
Sewer Areas 12 and 17 – Inspection Services

A motion authorizing the proper City Officials to execute Task Order 10 with CMTS Florida, LLC. In the amount of \$178,647.47 for utility construction inspection services associated with Sewer Areas 12 and 17 – Project 10678.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0476

Task Order 3 – Evans Environmental & Geological and Science (M-26)
Management, LLC – Underground Storage Tank Compliance –
\$113,346

A motion authorizing the proper City Officials to execute Task Order 3 with Evans Environmental & Geological Science and Management, LLC in the amount of \$113,346 for Underground Storage Tank Compliance Services – Project 11118.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0477

Amendment 2 – Task Order 10 – Camp, Dresser & McKee Inc. - (M-27)
\$116,418 – Equipment Replacement – G.T. Lohmeyer Wastewater
Treatment Plant

A motion authorizing the proper City Officials to execute Amendment 2 to Task Order 10 with Camp, Dresser & McKee Inc. in the amount of \$116,418, for additional services required during construction of improvements at G.T. Lohmeyer Wastewater Treatment Plant – Project 10541.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0481

Amendment 1 – Task Order 2 – CMTS Florida, LLC - \$37,145.29 (M-28)
Inspection Services – River Run, Flamingo Park,
Oak River, Sewer Area 4

A motion authorizing the proper City Officials to execute Amendment 1 to Task Order 2 with CMTS Florida, LLC in the amount of \$37,145.29, for utility construction inspection services – Sanitary and Water Main Improvements in the River Run, Flamingo Park, Oak River, Sewer Area 4 – Basin F – Project 10507F.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0485

Change Order 1 – MGI-Morgan General Mechanical Group, Inc. - \$97,600 (M-29)
Poinciana Park Water Storage Tank and Pump Station

A motion authorizing Change Order 1 with MGI-Morgan General Mechanical Group, Inc. in the net amount of \$97,600, for additional work and quantity decreases – Poinciana Park Water Storage Tank and Pump Station – Project 10417A.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0472

Beach – Downtown Shuttle Services – Federal Transit Administration (M-30)
Grant – Downtown Development Authority – Matching Funds –
Extension

A motion authorizing a six-month extension to City's agreement with Downtown Development Authority concerning matching funds in the amount of \$375,000 for Federal Transit Administration grant – Beach – Downtown Shuttle.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0505

Temporary Sanitary Sewer Agreement – Kymberly Wyant and (M-31)
Michael Dubb – Two-Family Dwelling – 480 SW 18 Court

A motion authorizing the proper City Officials to execute a temporary sanitary sewer agreement with Kymberly Wyant and Michael Dubb, as Tenants in Common, to provide wastewater service for a two-family dwelling to be located at 480 SW 18 Court.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0420

Auditor Services for Fiscal Years 2006-2010 – Performing Arts (M-32)
Center Authority – Caballero & Castellanos, P.L.

A motion authorizing the proper City Officials to execute an agreement with Broward County, Performing Arts Center Authority and Caballero & Castellanos, P.L. – auditor services – Performing Arts Center Authority's records for Fiscal Years 2006 through 2010.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0461

Billboards – Agreement With Clear Channel Outdoor, Inc. (M-33)

A motion authorizing the proper City Officials to execute an agreement with Clear Channel Outdoor, Inc. for removal and relocation of existing billboards.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0501

Contract Extensions – July, August, September 2006 (M-34)

A motion authorizing extensions of contracts as set forth in the attached list of contracts that expire during the period of July through September, 2006, and authorizing the proper City Officials to execute all necessary documents.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0482

Greater Fort Lauderdale Sister Cities International - \$19,000 Funding Allocation (M-35)

A motion authorizing the proper City Officials to execute an agreement with Greater Fort Lauderdale Sister Cities International, Inc. to allow payment of a previously authorized fiscal year 2005-2006 funding allocation in the amount of \$19,000.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0426

PURCHASING AGENDA

962-9385 – Lot Maintenance Services

(PUR-1)

One-year contract for lot maintenance services is being presented for approval by the Planning & Zoning Department.

Recommend: Motion to approve.
Vendor: C & M Landscaping, Inc. (MBE)
Fort Lauderdale, FL
Amount: per unit prices
Bids Solicited/Rec'd: 354/10
Exhibit: Commission Agenda Report 06-0512

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

552-9097 Contract Extension – Employee Voluntary Benefit Services

(PUR-2)

Request to waive formal bidding requirements and authorize extension of current contract for employee voluntary benefit services is being presented for approval by the Finance Department.

Recommend: Motion to approve.
Vendor: Colonial Life & Accident Insurance Company
Columbia, SC
Amount: N/A
Bids Solicited/Rec'd: 614/3
Exhibit: Commission Agenda Report 06-0462

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

Proprietary – Payroll System Upgrade

(PUR-3)

An agreement to purchase upgrade and enhancements to the Payroll – Human Resources computer application is being presented for approval by the Information Technology Services Department.

Recommend: Motion to approve.

Vendor: Hewitt Associates, LLC
Lincolnshire, IL

Amount: \$51,600.00 (estimated – not to exceed)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-0469

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

662-9357 – Outboard Motors and Boat Maintenance

(PUR-4)

One-year contract to perform maintenance, repair and rigging on existing outboard motors and water craft is being presented for approval by the Police Department.

Recommend: Motion to approve.

Vendor: U.S. Recreational Alliance, Inc. d/b/a Coastline Marine
Pompano Beach, FL.

Amount: \$45,000.00 (estimated)

Bids Solicited/Rec'd: 135/2

Exhibit: Commission Agenda Report 06-0449

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

**Equipment for Osswald Park & Appropriation
Of Funding****(PUR-5)**

Approval to subcontract to Intuition Systems for citation payment processing, providing registered owner searches and printing and mailing of customer courtesy and late notices is being presented for approval by the Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Intuition System, Inc.
Jacksonville, FL

Amount: N/A

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-0454

The Procurement Services Department has reviewed this item and recommends approving the subcontract agreement.

**552-9097 Contract Extension – Employee Voluntary Benefit
Services****(PUR-2)**

Mayor Naugle announced that this item was removed from tonight's agenda.

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-2 and M-21 be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended.

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

Event Agreement – So Fly For Spring Break**(M-2)**

Vice Mayor Teel said she pulled this item, and asked if more information could be provided regarding this event, including the security plan to be put in place.

Phil Thornburg, Director of Parks and Recreation, said the event is a concert to be held at Fort Lauderdale Stadium on April 15, 2006, beginning at 3 p.m. The music would end at 11:30 p.m. Meetings have been held with the Police Department and a security plan was prepared.

Vice Mayor Teel asked if the security plan was accepted by the promoter. Mr. Thornburg said the plan was approved by the promoter in connection with the police and private

security to be provided by the promoter. Discussion is still taking place regarding using BSO or the Florida Highway Patrol to assist at the event.

Vice Mayor Teel asked how many people are expected to attend the festival. Mr. Thornburg said the exact number is not known, but they are hoping to have about 5,000 to 10,000. In response to Vice Mayor Teel's question concerning location, he said that the site for the event is the area to the east of the stadium, and parking would be around Lockhart Stadium.

Vice Mayor Teel asked the Police Department to elaborate on the security plan.

Major Mary Negrey, Police District I, said there is a staggered plan in place for police officer security, consisting of 50 sworn officers who will begin arriving at 1:00 p.m., along with 70 service aides to assist with traffic. She said that four supervisors would be present, along with one captain. Based on past experience, they recommended 113 private event security from the promoter. This number is based on a crowd size of no more than 10,000. They feel the staffing will be adequate. The Police Department will notify surrounding jurisdictions and ask them to be prepared to provide on-duty resources if necessary. They would also draw from on-duty resources.

Vice Mayor Teel asked if alcohol is going to be served at this event. Mr. Thornburg said that no alcohol would be served at the event, security personnel will prohibit alcohol from being brought in through the gate.

Vice Mayor Teel said residents are concerned that this event is being held on Easter weekend, and she asked about the noise that would be generated from the music. Mr. Thornburg could not say how loud the music would be; the concert will be Hip-Hop Rap music.

Motion made by Vice Mayor Teel and seconded by Commissioner Hutchinson to approve the item as presented.

Commissioner Moore asked if the promoter is willing to end the music by 11:00 p.m.

Kandice James, Sweet Productions, Promoter, said they do not know what technical or weather conditions could arise that day, and therefore, she cannot commit to stopping the music by 11 p.m. because she also has to meet contract requirements of the performers. She added that Reggae music would also be played.

Vice Mayor Teel felt this is an unfortunate time for this event, and therefore, she was not in support of this item.

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

Trolley Vehicles – Beach – Downtown Shuttle Services - \$600,000 (M-21)
Federal Transit Administration Grant

Yves Deloge, 2846 NW 55 Avenue, said that he is in support of this item, but there are traffic problems on Andrews, and he suggests that the trolleys run one-way.

Peter Partington, City Engineer, said that this item only addresses the purchase of three trolleys. He believed that Mr. Deloge is referring to the route operated by the City Cruiser which runs on Andrews and Third Avenues. Staff will take his recommendation under advisement.

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

MOTIONS

**City Commission Request For Review – Lofts on Las Olas -
Case 77-R-05 - Northwest Corner – East Las Olas Boulevard
And SE 15 Avenue**

(MD-36)

Commissioner Hutchinson said that all speakers on this item are to speak to the merits of the call-up provision, and not the merits of the project.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore that a public hearing be held on May 16, 2006 at 6:00 p.m. regarding this matter.

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

Courtney Crush, representing the Applicant, said that tonight the focus is placed on Code Section 47-26A.2, which provides standards as to when the City Commission would and should review a decision of the Planning and Zoning Board. She read as follows: "The ULDR provides that the City Commission may adopt a motion to set a hearing for review of the application if it is found that the new project is in an area that due to the characteristics of the project and the surrounding area requires additional review in order to ensure that development standards and criteria have been met and to ensure that the area surrounding the development is protected from the impacts of the development." Ms. Crush said that it appears the review is being broken down into two primary categories. First, it is to be determined whether this area is special that additional review would be warranted. In looking at the process, the application was filed about one year ago; it went through the City's Development Review Committee; meetings were held with staff; was presented to the Planning and Zoning Board twice (November, 2005 and March 15, 2006) and was approved by a vote of 5-4. This is a site plan level three review. Due to the nature of the request, the Planning and Zoning Board was acting as a decision-making body. The specific request involved placing mixed-use at the site, and in order to do so, 30 flexibility units are required to be allocated to the property. Therefore, the Applicant has to file and comply with the requirements for a conditional use application. All review found that requirements had been met, and that no adverse impacts would occur at the site.

Ms. Crush said the second part of the call-up provision is to ensure that the area surrounding the development is protected from the impacts of the development. A

thorough, clear and open discourse took place on any adverse impacts would occur on the surrounding neighborhoods. It was not concluded whether there would be any negative impacts which would require additional action or warrant a call-up by the Commission to ensure that those impacts would be mitigated to protect the surrounding areas. The Commission tonight is to determine whether the development standards were correctly applied by staff and the Planning and Zoning Board. She noted that the Planning & Zoning Board is appointed by the Commission with knowledge of their capabilities. They sit as the Local Planning Agency. They took a great deal of time over several months to apply development criteria, have a full discussion with public input and made a finding that this project met the City's Unified Land Development Regulations. She asked that the Commission uphold the Planning and Zoning Board's decision.

Commissioner Hutchinson felt she has the right to call up this item on the issue of neighborhood compatibility. Staff did not agree that the project met neighborhood compatibility. She referred to Staff's memo 77-R-05 from the Planning and Zoning meeting: "The current proposal is not compatible in regard to height, length, mass, and scale in relation to the established character along Las Olas Boulevard and the surrounding Coolee Hammock neighborhood. When traveling along Las Olas Boulevard, the two buildings appear as one continuous box-like mass, and are an abrupt change from the adjacent buildings as can be seen on Applicant's renderings of the project superimposed on a photograph....In addition, the project is not compatible with the surrounding primarily single-family and lower scale multi-family neighborhood in Coolee Hammock and does not promote a gradual transition from neighboring properties to the neighborhood."

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

PUBLIC HEARINGS

Housing Opportunities For Persons With AIDS "HOPWA" Grant Program Amendment – Emergency Direct Financial Assistance For Utilities (PH-1)

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

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

Application For Dock Waiver of Distance Limitations**(PH-2)****3333 NE 32 Avenue – Il Lugano, LLC****Applicant: Il Lugano, LLC****Location: 3333 NE 32 Avenue**

Jamie Hart, Supervisor of Marine Facilities, said the application is for 11 mooring pilings which extend 40' into the Intracoastal Waterway to accommodate vessel docking for 10 vessels. The only new information not provided to the Commission is that the site is zoned Central Business District, which allows a vessel docking limitation of 10' from the adjoining property lines. The Applicant complies with that requirement and allows for a 16' clearance on the north side, and approximately 35' on the south. The Submerged Land Lease expired on April 13th, and a new lease has been executed with the same special conditions which would now expire on April 13, 2010.

Tyler Chappell of Chappell Group, representing the Applicant, said this application is for 11 dolphin pilings along the Intracoastal Waterway which extend 15' beyond the 25' requirement, putting the pilings 40' from the wet face of the seawall. The Applicant was previously approved for 10 slips at the site, and therefore, is only reconfiguring. The Applicant applied to the US Army Corps of Engineers, the South Florida Water Management District and Broward County Environmental Protection Department who all issued permits. He presented an aerial photograph of the site. The southern portion of the property is 625' from the bridge, and 878' to the north. He presented a photograph of the Florida Princess which has a boat beam of 35', putting it approximately 40' from the wet face of the seawall. He also showed a blow-up of the lease which is 50' from the wet face of the seawall, and he showed the proposed five finger piers. The pilings are labeled D-S; their distance from the lease line is 10' inside the lease and 40' from the seawall.

Charles Schaeffer, 3233 NE 34th Street, said that when attending the meeting where this project was approved 6-4, one of the voting members was in favor of it based on the belief that boats are good for the City. Another member was concerned about increasing the variation from 25' to 40', which would open the flood gates for many other similar applications, and so he voted no. Mr. Schaeffer also shared that concern.

Judge Callahan, 3301 NE 32nd Avenue, said if this Applicant is permitted to go 40' to the west and the other side go 40' to the east, then only gondolas would be able to go down the middle of the Intracoastal. Section 47-19.3 authorizes the Commission to waive the limitation based on a finding of extraordinary circumstances. He has not heard anything about any extraordinary circumstance in this situation. Manatees gather in the area, and yachts line to go under the bridge to the Intracoastal. He agrees that there will be many more similar applications if this is approved.

Commissioner Moore left the meeting at approximately 6:45 p.m.

Joan Shorr, 3233 NE 34th Street, Coral Ridge Towers, said this is a sad story because this point is one of high congestion on the Intracoastal, and therefore, she believed there will be navigational dangers and it would be setting a bad precedent. She urged the Commission not to vote in favor of this request.

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

Diane Cuilla, 3233 NE 34th Street, Coral Ridge Towers, said they live in a serene and beautiful atmosphere, and therefore, asked the City not to turn the area into a commercial situation. She said the Applicant is only interested in the profit they will make from this venture.

Rick Peterson, 3301 NE 32nd Avenue, opposed the request. He felt this would impact their lifestyle in terms of traffic. Compatibility is important and should be addressed.

Dorothy Crowley, 3233 NE 34th Street, did not remember adjacent property even having one boat slip, so this is a new venture. Safety of the area is very important. There are many manatees in the area and may be the only peaceful place along the Intracoastal. Boats have to do a lot of maneuvering and often they are partying. Everyone is concerned about safety. She felt the extra moorings are not necessary. Once something is destroyed, it is lost. She was concerned about additional requests in the area. She urged the Commission to consider this request very carefully.

Roger Jordan, 3233 NE 34th Street, Coral Ridge Towers, said everyone should consider the manatees in the area, and that the view would be gone. Safety issues should be considered. He urged the Commission not to vote in favor of this request.

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

Vice Mayor Teel had the same concerns. She has seen the waterway changes over the years. As the waivers come forward, extraordinary circumstances appear to be that the water is shallow at the seawall. This is not extraordinary; it is typical of what occurs in this City. It appears these waivers are being rubber-stamped, and therefore, the Marine Advisory Board is not really necessary. This issue should be considered very carefully. If this waiver is granted, there would be a ripple effect, and eventually there would be wall-to-wall boats. There is a need for boat docks in the City, but they need to be found in more appropriate places. She did not believe the Intracoastal is an appropriate place for concentrated boat dockage. She mentioned the issue of wakes. There could be boats of at least 50'. She was also concerned about property rights. They have a Submerged Land Lease, but they have reasonable use of the area with pilings at 25' according to Code. The Intracoastal is an important asset that needs to be protected. She did not support the request.

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 06-42

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DENYING THE REQUEST TO WAIVE THE LIMITATIONS OF SECTION 47-19.3.B OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW IL LUGANO, LLC, A FLORIDA LIMITED LIABILITY, TO CONSTRUCT AND MAINTAIN ELEVEN (11) MOORING PILINGS THAT EXTEND FROM THE PROPERTY LINE INTO THE INTRACOASTAL WATERWAY A DISTANCE NOT TO EXCEED 40 FEET FOR THE PROPERTY

LOCATED AT 3333 N.E. 32ND AVENUE SUCH PROPERTY BEING MORE PARTICULARLY DESCRIBED BELOW.

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

ORDINANCES

Regulating Confinement and Tethering of Certain Animals – Amending Code – New Section 6-35 **(O-1)**

Mayor Naugle said that an e-mail was received from the Broward County Animal Advisory Board, stating that they are going to discuss this issue at their May meeting. He asked the Commission if they want to defer this matter until June.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to defer the second reading of this matter to June 6, 2006 at 6:00 p.m. Roll call showed: YEAS: Commissioners Moore and Hutchinson, Vice Mayor Teel, Commissioner Rodstrom, and Mayor Naugle. NAYS: None.

Vacation of Portion of Right-of-Way – West Side of NW 7 Avenue – Sixth Street Corporation – Case 14-P-05 **(O-2)**

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

Commissioner Moore introduced the following ordinance on second 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, RECORDED 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 OUSTHEAST 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 Moore and Hutchinson, Vice Mayor Teel, Commissioner Rodstrom, and Mayor Naugle. NAYS: None.

Parking of Vehicles on Swales – Amending Code – New (O-3)
Section 26-145 – Two Wheels On, Two Wheels Off

Commissioner Moore introduced the following ordinance on the second reading:

ORDINANCE NO. C-06-08

AN ORDINANCE AMENDING CHAPTER 26, "TRAFFIC," OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO CREATE SECTION 26-145, "PARKING OF VEHICLES ON SWALES;" PROVIDING FOR REGULATION OF MOTOR VEHICLE PARKING ON OR OVER SWALES IN THE PUBLIC RIGHTS-OF-WAY WITHIN SWALE RESTRICTED AREAS DESIGNATED WITHIN THE CITY OF FORT LAUDERDALE.

Which ordinance was read by title only.

Commissioner Hutchinson did not support the item even though she understands where the ordinance is attempting to get them, but believes that the process should be first be established. She was concerned about enforcement. There is no process in place, explaining how the neighborhoods can opt into the program.

Commissioner Moore favored tabling until further input could be provided.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that this matter be deferred to June 6, 2006 at 6:00 p.m.

Commissioner Hutchinson wanted the Code Division and Police Department to explain how the ordinance would be enforced, and the process for neighborhoods to opt in.

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

Expedited Plan Review Fees – Amending Code, Sections (O-4)
9-46 and 98-48

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-06-09

AN ORDINANCE AMENDING CHAPTER 9, BUILDINGS AND CONSTRUCTION, ARTICLE II, PERMITS AND INSPECTIONS, DIVISION 2, FEES, SECTION 46, REFUNDABILITY OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY CREATING AN ADMINISTRATIVE REVIEW PROCESS FOR

REQUESTS FOR REFUND OR CREDIT AGAINST FUTURE PAYMENTS OF BUILDING PERMIT FEES AND FEES FOR EXPEDITED PLAN REVIEW SERVICE; PROVIDING FOR REVIEW BY THE DIRECTOR OF BUILDING DEPARTMENT IN CONSULTATION WITH THE CITY ATTORNEY, PROVIDING FOR REFUNDS OR CREDITS; PROVIDING FOR APPEAL, CREATING AN EXCLUSIVE PROCEDURE FOR CLAIM SEEKING REFUND OR CREDIT; TIME FOR COMMENDING ACTION FOR REFUND, AND AMENDING CHAPTER 9, BUILDINGS AND CONSTRUCTION, ARTICLE II, PERMITS AND INSPECTIONS, DIVISION 2, FEES, SECTION 48, GENERAL PERMIT FEES, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY PROVIDING USER FEES FOR AN EXPEDITED PLAN REVIEW SERVICE; AND PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

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

CITIZEN PRESENTATIONS

Genia Ellis – Volunteer Services**(CIT-1)**

Genia Ellis provided an update of volunteer services for the City during the past 12 months. A presentation was made of various projects participated in by volunteer residents. Neighborhood services encompass such things as the neighborhood recognition program, and the Citizens Volunteer Corps. Volunteer services was put in place in 2003 as an addendum to staff during the budget crunch. They do things that are not usually budgeted and augment services when needed.

Ms. Ellis showed a list of nine projects that were accomplished during the last year in all districts. They also support the police and fire departments. Ad hoc committees were formed and various jobs done at City Hall to assist in running the government. There was an enormous effort this past year in supporting the City during the hurricanes. She showed the dollars of sweat equity based on \$10 per hour and pointed out it could be used when calculating matches in applying for grants.

Commissioner Moore left the meeting at approximately 7:05 p.m.

Ms. Ellis further showed a list of projects anticipated for the upcoming year, some of which are recurring, such as fertilizing palms on Riverwalk and the graffiti issue. She said they would continue to support the City and reminded everyone of the upcoming Florida Neighborhood Conference.

Commissioner Moore returned to the meeting at approximately 7:06 p.m.

Ms. Ellis said they hope the new Vice Mayor would be as successful as Vice Mayor Teel.

Ms. Ellis said the next CVC project would be held in May, painting the Fort Lauderdale Women’s Club’s interior.

Commissioner Rodstrom noted that she asked the City Manager to develop a policy regarding office space, equipment and staff used by volunteer services. Since the time she made the request to the City Manager, office space was cleared out by the volunteers. All e-mails and files were deleted from City computers which obviously they did not want the public to see, and therefore, she felt there should be a policy in place.

Commissioner Hutchinson said that information actually cannot be deleted in the City because it is a matter of public record. She asked for a confirmation on her statement.

Tim Edkin, Director of Information Technology Services, confirmed that is correct. Although the information was physically deleted from the computers, there is back-up available.

RESOLUTIONS

Appointment of Vice Mayor

(R-1)

Motion made by Commissioner Moore and seconded by Vice Mayor Teel to appoint Cindi Hutchinson as the Vice Mayor of the City of Fort Lauderdale.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-43

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DESIGNATING A VICE-MAYOR FOR A ONE-YEAR TERM IN ACCORDANCE WITH SECTION 3.05 OF THE CITY CHARTER.

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

Amendment to Site Plan – Eclipse (Formerly Brickell Heights) – Case 136-R-04

(R-2)

Applicant: Brickell Heights, LLC
Location: 307 NW 1 Avenue
Zoning: Downtown Regional Activity Center – City Center District (RAC-CC)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-44

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN AMENDMENT TO A DEVELOPMENT PLAN THAT ALLOCATED POST 2003 DWELLING UNITS TO DEVELOP RESIDENTIAL UNITS, RETAIL AND ENCLOSED PARKING STRUCTURE, LOCATED AT 307 N.W. 1ST AVENUE, FORT LAUDERDALE, FLORIDA IN A RAC-CC ZONING DISTRICT.

Which resolution was read by title only.

ALL INDIVIDUALS SPEAKING ON THIS MATTER WERE SWORN IN.

Commissioner Moore asked if motorcycles would be permitted past the first floor of the garage due to noise.

Robert Lochrie, representing the Applicant, agreed to prohibit motorcycles beyond the garage first floor.

Commissioner Moore said that discussion also took place regarding ingress and egress to the garage. Mr. Lochrie said the former proposal had two ingress and egress points onto 4th, but there would only be one point. Commissioner Moore said with such modifications, he was in support.

Commissioner Rodstrom asked how many bedrooms in a dwelling unit.

Mr. Lochrie said there are to be 283 dwelling units, and there are a mix of one, two and three bedrooms.

Commissioner Rodstrom asked if there would be sufficient parking available for residents and guests. Mr. Lochrie said they provided parking for the retail and restaurant uses, and looked at models of other types of residential projects occupied in the City and other jurisdictions to determine the parking demand for this facility. It is less than what would be required in a typical suburban residential neighborhood, but meets minimum standards of an urban environment. He believed there is sufficient parking for the residents, as well as retail and restaurant uses.

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

Wingate Landfill Closure - \$100,000 – Increase Scope of Services – Troutman Sanders, LLP

(R-3)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-45

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING RESOLUTION NO. 03-92 PROVIDING FOR ADDITIONAL SERVICES, PROVIDING FOR HOURLY RATES AND A MAXIMUM AMOUNT OF COMPENSATION TO BE PAID

TO SPECIAL COUNSEL, TROUTMAN SANDERS, LLP, TO REPRESENT THE CITY IN ENVIRONMENTAL ISSUES RELATED TO THE WINGATE LANDFILL AND INCINERATOR SUPERFUND SITE.

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

Peele Dixie Wellfield Contamination - \$65,000 (R-4)
Troutman Sanders, LLP – Increase Scope of Services

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-46

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING RESOLUTIONS 93-129, 98-81, 01-148, AND 04-178 IN ORDER TO INCREASE THE TOTAL AMOUNT OF FEES AUTHORIZED TO BE PAID TO SPECIAL COUNSEL, TROUTMAN SANDERS, LLP, IN CONNECTION WITH THE PEELE DIXIE WELLFIELD SITE.

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

Disposition of Surplus Property – 746 NW 11 Avenue (R-5)

Ginny 101 NE 3rd Avenue, Growth Management Group, representing Linden Apartments, said explained what they went through to have the property designated as surplus. Linden Apartments would like to use this as open space. It has been an eye sore and problem property for the City. A drug operation is occurring on it now. There are abandoned vehicles. Trash and garbage are dumped there. Linden Apartments wants to take it over, landscape it and have it as a space for these adjacent apartments. She asked that the City reduce the bid. They feel the appraisal is completely unrealistic because the comps were for lots that could be development whereas this lot cannot be developed; it is only 20' long. If the City stays with a minimum bid of \$27,000, they will probably not bid on it. Linden Apartments would keep it clean and put it back onto the tax rolls. Linden Apartments is for low income occupants who are not getting any subsidy.

Commissioner Moore said the action of the Commission this evening would not guarantee the opportunity for any one individual to acquire the property, but would put it out giving the public the opportunity to acquire the site. He believed the property must be offered at the appraisal amount.

Mayor Naugle believed the amount quoted equals \$11 per square foot which seems like a good buy.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-47

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING CERTAIN PROPERTY DESCRIBED BELOW, NOT NEEDED FOR PUBLIC USE PURSUANT TO CITY CHARTER SECTION 8.04 AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE CITY THAT SUCH PROEPRTY BE OFFERED FOR SALE.

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

Sovereign Submerged Lands Easement Acceptance (R-6)
Davie Boulevard 24-Inch Water Main

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-48

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE ACCEPTANCE AND EXECUTION BY THE MAYOR ON BEHALF OF THE CITY, A SOVEREIGN SUBMERGED LANDS EASEMENT BETWEEN THE CITY OF FORT LAUDERDALE AND BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, PERTAINING TO THE INSTALLATION OF A LARGE WATER TRANSMISSION MAIN UNDER THE SOUTH FORK OF THE NEW RIVER AT DAVID BOULEVARD; ALSO KNOWN AS ENGINEERING PROJECT 10553.

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

Agreement – Fort Lauderdale Country Club, Inc. (R-7)
Peele-Dixie Wellfield Area – Reserved Easement Areas

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-49

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS, PURSUANT TO SECTION 8.04(f) OF THE CHARTER OF THE CITY OF FORT LAUDERDALE, TO CONVEY TO FORT LAUDERDALE COUNTRY CLUB, INC. CERTAIN RESERVATIONS AND

EASEMENTS DESCRIBED AND SHOWN ON THE "AMENDED PLAT OF PORTION OF LAUDERDALE GOLF AND COUNTRY CLUB" IN EXCHANGE FOR THE CONVEYANCE OF WATER AND UTILITY EASEMENTS SUBJECT TO CERTAIN TERMS AND CONDITIONS AND FURTHER AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT AND SUCH INSTRUMENTS AS ARE NECESSARY TO EFFECTUATE THE EXCHANGE.

Which resolution was read by title only.

Mayor Naugle understood that this property is in fee simple. He asked how many acres exist and how many would be placed in easements if this change is authorized.

Albert Carbon, Director of Public Works, said there are currently 57 acres, and after the conversion, there would be 36 acres.

Commissioner Moore left the meeting at approximately 7:21 p.m. and returned at approximately 7:22 p.m.

Mayor Naugle said the change would make the property an easement and it would no longer be fee simple. If the property is no longer needed for a wellfield in the future and if the City owned the property in fee simple, then there would still be property rights, but if the property is an easement, it would revert back to the property owner at that time. He felt they are giving up something of value.

The City Attorney said the only time the property could revert back would be if the City abandons the easement; it would not happen on its own accord. Due to the nature of the plat, before the property was sold, the reservations and deed maintaining the reservation areas, such areas could only be used for water mains in any event. The property is presently owned in fee simple, but the fee simple is somewhat restricted because the City sold the land and reserved those areas for a specific purpose. It is not a totally unrestricted fee simple title.

Commissioner Rodstrom said that she would abstain from voting on this matter due to a conflict of interest.

In looking at this in a spirit of cooperation and attempting to resolve the matter to everyone's benefit, Commissioner Teel felt this is the right course of action. She supported the item. She has been reassured by the City Attorney's Office that the City would not be in any legal jeopardy and the City gains some benefit with relocating some of the facilities now.

Mayor Naugle was not comfortable that this is being done in the right way.

Roll call showed: YEAS: Commissioner Moore, Vice Mayor Hutchinson, and Commissioner Teel. NAYS: Mayor Naugle. Commissioner Rodstrom abstained from voting. A memorandum of voting conflict is attached hereto.

Project Acceptance and Approval of Special Assessment Roll Modification

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-50

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DETERMINING THAT THE HARBOR BEACH ENTRANCEWAY BEAUTIFICATION IMPROVEMENTS; PROJECT 9425 ARE COMPLETE AND ACCEPTED.

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

Creation of Audit Selection Committee – Annual Financial Audit (R-9)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-51

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CREATING AN ADVISORY COMMITTEE TO BE KNOWN AS THE AUDIT SELECTION COMMITTEE; TO ASSIST THE CITY COMMISSION IN SELECTING AN EXTERNAL AUDITOR IN ACCORDANCE WITH SECTION 218.391, FLORIDA STATUTES; PROVIDING FOR MEMBERSHIP QUALIFICATIONS; LENGTH OF TERM AND THE PURPOSE AND DUTIES OF THE COMMITTEE.

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

Harbordale Park – Open Space 92 – Interlocal Agreement - Broward County (R-10)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-52

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS, INCLUDING AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY, FOR THE ACQUISITION, IMPROVEMENT, ENHANCEMENT, OPERATION AND MANAGEMENT OF OPEN SPACE SITE OS-92 (HARBORDALE PARK), AND PROVIDING THAT THE OBLIGATIONS

SET FORTH WITHIN THE CONCEPTUAL PARK/RESOURCE MANAGEMENT PLAN WILL BE INCLUDED WITHIN THE CITY'S FIVE-YEAR CAPITAL IMPROVEMENT PLAN.

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

**NE 6 Street – Sistrunk Boulevard Streetscape Enhancement
Project – Federal Way to NW 24 Avenue**

(R-11)

Commissioner Moore said that based upon newspaper articles and letters that have surfaced in City Hall, there appears to be a possibility that this Commission may change its position regarding the narrowing of Sistrunk Boulevard. Before discussion of Item R-11 ensues, he wanted to know if the majority of this Commission is willing to consider changing its position.

Commissioner Moore referred to the number of years and hundreds of community input meetings, Engineering Division as well as Traffic Planning Division input. He noted that it is more than moving cars, this is a redevelopment plan initiated for this area of the CRA. He asked if there is consensus as to whether this dialogue is necessary. He believed the Commission should continue on their course of action.

Vice Mayor Hutchinson said she has no intention or reason to change her position regarding this project.

Commissioner Rodstrom wanted to hear both sides since she is new.

Commissioner Teel was sensitive to what has been going on for quite a few years. Information about meetings that took place with the County and staff concerning the traffic plan has not been forwarded to the Commission. She received some information today, another document a couple days ago, Alcee Hastings' letter, dated March 30th just the other day. She wanted to hear all sides especially since there is a new Commissioner onboard. By deferring, there would be more opportunity for everyone to review the new materials that have been distributed. This is an important matter and the Commission should be fully informed before voting.

Vice Mayor Hutchinson left the meeting at approximately 7:31 p.m. and returned to the meeting at approximately 7:34 p.m.

Commissioner Moore said there appears not to be a consensus to continue with what was envisioned without further deliberation, and asked what process would be followed.

Mayor Naugle said that normally a brief presentation would be made by staff, public input, and then the Commission would discuss the matter and ask questions of staff.

Commissioner Moore said the report provided to the Commission today was a reaction to comments made by the County about the City's previous reports.

Alfred Battle, CRA Director, said in 1995 the Northwest-Progresso-Flagler Heights Community Redevelopment Agency was created, and redevelopment of the Sistrunk

corridor was specifically identified as a critical element of the redevelopment strategy for the area. In 2000, the commitment was reaffirmed with the creation of the CRA Strategic Plan which was adopted and established. It was a long term financial commitment specifically identifying the Northeast 6th Street/Sistrunk Boulevard project as one of its core four projects identified. Then, the CRA Board, which is the Commission, directed staff to hire a consultant to develop a design concept to improve this roadway. The consultant engaged, Wallace Roberts & Todd, LLC, to develop a conceptual plan which consisted of a great deal of community input. At that time the two-lane concept was developed through that series of meetings and community input. The County staff advised City staff that the proposed changes would need to be approved by the County Commission since this was a County road or they would have to transfer jurisdiction of the roadway. After a couple of joint meetings between the City and County commissions, there appeared to be an agreement that the City should move forward with the two-lane design concept. Staff continued to move forward with the two-lane design concept. Upon completion of the community meetings and agreement on the conceptual design plan, the City Commission forwarded a road transfer agreement to the County and affirmed the action by Resolution 04-103. The County approved the jurisdiction request pending the completion of a traffic mitigation plan. In response, the City submitted a traffic report to the County, which was prepared as part of the Wallace Roberts & Todd work and in conjunction with work done by the CRA staff. The City study was rejected by the County due to an inadequate work program addressing traffic mitigation, particularly the cut-through traffic assumed to occur as a result of the narrowing and traffic re-routed through the neighborhoods. Then, the County in their efforts to study the narrowing proposal set up a study, which has become to be known as the barricade study. It intended to replicate the proposed City's design. In response to the request for more fully developed traffic mitigation plans, the City hired McMahan Associates to further examine traffic capacity. They were instructed to start after meeting with County staff to determine and agree upon the deliverables. The consultant ran a diversion analysis per instructions by the County, and upon completion, results were forwarded to the City and County officials. The County determined that the McMahan study was flawed due to the modeling methodology. While the McMahan study was being completed, the Florida Department of Transportation expressed support of the City's design and indicated that the proposed narrowing would not have a significant impact on the operation of either Sunrise or Broward boulevards. After receiving the McMahan report, the City Commission passed Resolution 05-88 requesting that the road be transferred to the City and to support the two-lane design. Also in 2005, County and City staff and the City's consultant continued to meet and to run a series of traffic models, one being a diversion model and another requested by the County being a roadway capacity study. Early in 2006, City and County staff meetings were concluded when the City staff received an email from County staff stating that model results were reviewed and they agreed with the results and the traffic volumes identified. In March, 2006, the City received a request from County Commissioner Rodstrom that this issue be placed on tonight's agenda to consider a proposal to redesign the roadway. On March 28th, the County staff also sent the City staff a copy of the modeling results. It was sent to County officials without City staff knowledge. The traffic study provided to the City Commission this morning was a response to that study. McMahan Associates reviewed this County traffic study as well. The committed financial resources to the project are approximately \$12 Million, and \$9 Million of which are already encumbered City/CRA funds, along with \$2.5 Million of Congressional appropriations and \$600,000 from FDOT.

Commissioner Moore asked for those in public who are in support of the narrowing to stand. He also asked if the civic association presidents who worked for the last three years seeking redevelopment of their communities who are in favor of the narrowing to also stand.

Margaret Birch, President of Lake Aire Homeowners Association, asked if Commissioner Rodstrom is eligible to vote on this item. She thought there might be a conflict of interest. The City Attorney said there is no conflict of interest involved. Commissioner Rodstrom confirmed that she does not own any property on Sistrunk Boulevard and is not an officer of any company that owns property on Sistrunk.

Ms. Birch hoped that Sistrunk Boulevard would be revitalized because in the past it was a thriving hub and heart of the City. It has been taken away. She mentioned the black businesses that have been taken away. The plans being discussed during the last few years would provide a positive impact on the community. The street never should have been widened to accommodate commuters. The area has been sacrificed as a thoroughfare and the residents should not be made to suffer for it.

Jennie Brooks, President of Dillard Park Homeowners Association, said they support the plans submitted by Commissioner Moore for the revitalization of the Sistrunk corridor. She said her Association submitted a petition, requesting that Sistrunk Boulevard be narrowed to two lanes because they believe this is needed to provide appropriate parking to ensure success of the businesses to be located on the corridor. They are asking that everyone set aside their personal and political differences and support the District Commissioner's proposed plan, and share in his vision which all of the city could be proud of.

Desorae Giles Smith said she is committed to the Sistrunk area and feels they have compromised enough. I-95 splits the community. The Juvenile Justice Detention Center is located in the neighborhood, along with the 7th Avenue Recovery Center and the Salvation Army Rehabilitation, Salvage and Intake Centers, the Broward County Homeless Assistance Shelter area, Faith Farm Rehab and Salvage, as well as many other junkyards. The trash transfer station was just taken out of the area. The river in the area was used as part of the sewage treatment facility. There is no deep water access to the Intracoastal. She felt they have compromised enough. She ask that the constituents be listened to. The tone set for the neighborhoods should ring true for all neighborhoods. A possible \$1 Million grant from the County, if given, should already be invested in this neighborhood. They already have a section of Sistrunk Boulevard. It used to be a greenway and now it is a weedway. She asked that they fight for neighborhoods that are in other commissioners' neighborhoods. The road from 31st Avenue to Rio Vista Drive is two lanes and it seems to work for them, yet there are direct access points to Broward Boulevard and no one is pushing to make those four lanes. They want their own identity. All of the studies by the City and other agencies support what the City has done. Mediocracy is easy, but excellence is hard. She asked the Commission to vote for Option 1.

Edna Elijah, President of Lauderdale Manors Homeowners Association, said they represent 2,400 residents. They support Commissioner Moore's proposal regarding redevelopment of Sistrunk Boulevard. She commended the Commission for their work in the past. She asked that they give the community what they have asked for.

Judith Greenstein said she owns property in Rio Vista and lives on NE 25th Avenue. She asked the Commission to do the right thing. Commissioner Moore has worked hard on the proposal and knows best for his district.

Richard Russell, 529 NW 22 Avenue, said the City has grown and there has been bad and good. For his grand children, it would be nice to see Sistrunk in another dimension besides the garbage and everything that presently exists in the area. They need to do better in the area. Everyone else is helped; they need just a little help. He hoped the Commission would do the right thing and reminded everyone that God almighty is really in charge and prayers would be answered. Commissioner Moore has worked himself to death. He thanked everyone for listening.

Ray Dettmann, 1900 Miami Road, said he wants to see a change on Sistrunk and believes that Commissioner Moore is proposing the right thing. He urged the Commission to vote in favor of the proposal.

Roosevelt Walters said he has lived here for about 49 years and watched the City grow up and out. Sistrunk was widened to handle traffic, but he did not feel the neighborhood should have to accommodate the traffic. The entire area has died, and they want to go back and allow the people in the area to enjoy a better community through the proposed redevelopment plan being offered and to see some of the good things return to Sistrunk. He wanted it to be a place where people want to go and not simply pass through.

Stan Brown, Director of the Northwest Progresso Flagler Heights Advisory Board, said that this began in 1995. The Board favors the two-lane proposal. Five years ago the four-lane plan was discussed because it was very inviting. As to Las Olas blossoming because additional parking was made available, it should be noted that just prior the Galleria Mall was dieing that retailers wanted another location and there were heavyweight property owners on Las Olas that were in a position to make deals and there was an opportunity to provide parking behind the stores along Las Olas. This does not exist on Sistrunk. Sistrunk has retailers that need assistance. Consultants were hired to see what properties were available in the areas behind Sistrunk where parking might be provided, but there were none. He said the differences in the two communities must be noted. Sistrunk is in the middle of the CRA. Las Olas is in the middle of a residential area with probably the largest buying power in the entire city. He said the proposed plan would provide Sistrunk the opportunity to grow and be successful.

Christopher Pollock, President of the Greater Fort Lauderdale Chamber of Commerce, said they have been working through its minority business committee to address the revitalization of the City's urban neighborhoods. This committee supports the CRA's Strategic Plan which establishes a focus on key geographic areas, creating guidelines and acting as a foundation for redevelopment goals and objectives. The only way Broward County can preserve the quality of life to which the residents are accustomed while accomodating future growth is to ensure that redevelopment of the intercity neighborhoods is handled in a thoughtful and deliberate manner which includes and respects the vision of the existing stakeholders while benefiting the residents of those community. The Sistrunk Corridor Transportation Equity Coalition agreed unanimously that there is a strong need to create a pedestrian friendly approach to this corridor which extends from Federal Highway to the east to the City's limits on the west. A reconfiguration of the major transportation corridor through the Sistrunk business district would be beneficial to the revitalization of the area and improve the quality of life for the

residents. It would certainly enhance economic development. Therefore, the Chamber of Commerce supports and endorses the CRA's NW 6th Street/Sistrunk Boulevard Streetscape and Enhancement Project. He asked that the City support the transfer of jurisdiction of Sistrunk Boulevard to the City.

Alan Levy, 75 Royal Palm Drive, thanked the Commissioners for making this dialogue possible. Years ago this was not a nice place to live, with respect to people of color, but things have improved. He started working on this project seven years ago because the business community wanted the area revitalized. He said things are happening, but the community needs to have a say as should the district commissioner. He asked the traffic problem be solved in another manner. They should be a more inclusive community.

Bill Saunders said that Commissioner Moore has a vision and the project could be the first to bring the northwest portion of the City back to how it previously existed. He did not think one County commissioner could stop the City from doing the right thing.

Laronda Ware, President of Dorsey Riverbend Homeowners Association, said a promise was given to the residents. She said she has always been taught that a man's word is his bond and the community expects the same.

Christine Jones said she is in support of the two-lane redevelopment for Sistrunk Boulevard. Businesses died due to the widening as well as I-95 and individuals moved away. Now there is the opportunity to come back to where they started. She asked that the Commission support Commissioner Moore.

Maria Freeman said she is a business owner and property owner, and Vice President of the Mid-Town Business Association. She further said it is her desire to see Sistrunk Boulevard as a destination point. The area wants their own identity. Parking is an issue in the area. The community wants to be viable; they deserve a chance.

Virgil Niederriter, President of Riverland Homeowners Association, said this area has limped along, and now there is a plan to revitalize the area. The Association supports the proposed revitalization 100%.

John Rodstrom, Broward County Commissioner, said this has been a difficult subject, but everyone wants to see Sistrunk revitalized. He said the County Administrator will support \$1 Million if the road remains open during peak hour traffic. If it is closed to two lanes, 17,000 cars would be diverted through the neighborhoods and onto Sunrise and Broward boulevards. In addition, it is the second heaviest mass transit corridor in the county. Those who ride buses need the opportunity to do so. There are twelve bus stops in one direction and eleven in the other. There would be no provision for bus pull-outs, left-turn lanes, emergency vehicles, and for existing grocery stores to receive deliveries since there are no loading zones.

Commissioners Hutchinson and Moore left the meeting at approximately 8:15 p.m.

The City Attorney left the meeting at approximately 8:16 p.m.

Commissioner Hutchinson returned to the meeting at approximately 8:17 p.m.

County Commissioner Rodstrom said his office received a petition last week regarding the beautification of the corridor and noted it was silent with respect to narrowing of the road. He presented another petition regarding the narrowing of the roadway. Never in the County's history has any major arterial been taken off the trafficways plan and gone from four lanes to two lanes. The County's job is to move traffic and provide access to the downtown, but at the same time they want to protect the neighborhoods. He referred to parking deficiencies, that only 165 spaces will be provided. It will only supply three restaurants of parking. A parking plan will need to be provided.

The City Attorney and Commissioner Moore returned to the meeting at approximately 8:18 p.m..

Lee Billingsley, Deputy Director of Broward County Public Works and Transportation Department, said they reviewed the plans for two-lanes and they are concerned about various issues, which has been shared with City staff. They are concerned about traffic congestion on arterials such as Sunrise and Broward boulevards, and there is no capacity for traffic to be diverted. If Sistrunk is narrowed, the traffic would divert into adjoining neighborhoods, and possibly increase onto NW 4th Street where Walker Elementary School is located. The "barricade study", conducted by the County, showed an increase in that area by 21% in the morning and 47% in the evening. In addition, the design provides for 22 bus stops between Andrews Avenue and 22nd Avenue but no bus pullout bays are being provided. Businesses located on Sistrunk need to receive deliveries, but no loading zones are provided in the design. This will only add to traffic and further divert traffic into the residential areas.

Dick Brossard, Broward County Director of Public Works and Transportation, said he is here to represent history. In 1982 he moved to Florida and began working for the City of Fort Lauderdale as City Engineer and subsequently Public Works Director. A request was made in the mid-'80's by the Las Olas Merchants Association to narrow Las Olas to two lanes, and after evaluation a conclusion was made that narrowing the road from the tunnel to SE 15th Avenue would be detrimental to the beach and the Las Olas Isles area. Therefore, a recommendation was made to provide on-street parking during off-peak hours to satisfy part of the Las Olas Merchants Association's request. The results speak for themselves. Later, monies were provided for revitalization of the northwest area of the City. The residential areas between Broward and Sistrunk now are very different than ten plus years ago. A big concern for residential areas is speeding and cut through traffic. The proposed plan would force traffic into adjoining residential areas to their detriment.

Commissioner Teel asked what are off-peak hours. Mr. Brossard said that weekdays 7-9 a.m. are peak hours, along with 4-6 p.m. which could be adjusted due to location.

Commissioner Teel asked if Sunrise Boulevard lights are synchronized at this time. Mr. Brossard replied yes, but explained that part of the problem is the volume of traffic. Traffic is moving too slow to make the synchronization work. Commissioner Teel referred to the south end of I-95 where U.S. 1 connects and indicated there appears to be effective synchronization because traffic flows efficiently. Mr. Brossard explained the challenge is two-way traffic and unevenly spaced signalization. Commissioner Teel asked if there is any possibility that it could improve. Mr. Brossard indicated that staff is constantly working on it.

Commissioner Charlotte Rodstrom noted there would be twenty hours out of twenty-four hours that there would be on-street parking. Mr. Brossard noted that Saturday and Sunday would be open for on-street parking.

Commissioner Moore noted that while he left the room, he was paying attention to County Commissioner Rodstrom's comments. He noted that there is parking on Sistrunk Boulevard now from 9 a.m. to 3 p.m. and it does not work. Also, there is no ordinance requiring that accessibility be provided from the roadway for trucks making deliveries. Sistrunk has alleyways and side streets where deliveries could be accessed. The Mass Transit Division states that bus stops should be at a minimum of 1,000 to 1,100 feet apart, yet on Sistrunk they are 630 feet and 670 feet apart. Therefore, some of the present stops can be eliminated with the proposed design plan. With the proposed wide sidewalks and lighting, the present rider of a mass transit system would be safer and more comfortable standing on the roadway to receive the mass transit. There are 100% more bus stops than County requirements. With respect to no left turns and traffic going into the neighborhoods, he noted that these people live in the neighborhood and they feel if mitigation issues are addressed to reduce traffic, then they would accept this because they understand the importance of the economic and redevelopment of their neighborhood. He asked the City's consultant to address the traffic volume percentages that were provided this evening and for attention to be paid to the actual number of cars. He also wanted to address the issue of signalization and the technology now available to move the traffic better.

Tom Hall of McMahon Associates, said the 21% increase in traffic on 4th Street was measured without benefit of any traffic calming done in the neighborhood. It was a poorly designed barricade study that did not provide proper advance notification, and did nothing as proposed in the project to reduce traffic within the neighborhood. The 21% is 557 cars per day that calculate to less than one per minute during peak hours. He referred to County Commissioner Rodstrom's reference of 17,000 cars being diverted from Sistrunk, which is 2 ½ times as much traffic found to be diverted by the study conducted in cooperation with County staff. McMahon worked for three months with the County to design a study that they would accept and at the end they agreed it was a good study. It showed roughly 7,500 cars being diverted if the road is narrowed to two-lanes. FDOT has indicated they have no problem with diverting traffic to Sunrise and Broward boulevards, which are State roads. In regard to the comment that there has never been a trafficway reduced to two lanes, he noted that Hollywood Boulevard was taken off the State system and narrowed to two lanes in an effort to redevelop their downtown. As a resident of Hollywood, he was proud of what has happened on Hollywood Boulevard. There is parking on both sides. It has spurred redevelopment. Deliveries could be made from the parallel parking areas, which is frequently done. The situations of vehicle breakdowns or emergencies vehicles exist on Las Olas Boulevard on the weekends and evenings. Everyone has survived and the community has prospered. If Sistrunk is maintained as four-lanes, it guts the redevelopment plan because there is insufficient sidewalk width for pedestrians needed to bring about the new streetscape and pedestrian amenities that bring people to an area. If it remains four lanes, one cannot enact the vision promoted by the City and the community.

Mike Ferber, 422 NE 2nd Avenue, said that a large amount of statistical data has been compiled which was designed that the elected officials could make a good decision regarding the future of this roadway. Something missing is how many pedestrians were struck over the last 25 years and either killed or injured, and how would that compare to

other roadways in the City. He asked also at what time of day did such incidents occur. He suggested that the proponents for maintaining the four lanes on Sistrunk Boulevard have things backwards if in fact the heart of the matter is pedestrian safety. Peak traffic hours are when onstreet parking is needed to slow traffic.

Commissioner Moore left the meeting at approximately 8:39 p.m. and returned at 8:40 p.m.

George Burrows said he is a longtime resident of Fort Lauderdale. The City has progressed over the years, but there is still a distance to go. Black individuals lived between the railroads in the past. He asked the Commission to consider the plan. He commended Commissioner Moore for his work.

Tracye Wilkerson said they are not concerned about the traffic going downtown, but want to regain power in their community. She wants the next generation to see what Sistrunk used to be, and for Sistrunk to be a place where people can be safe going from one business to another. Buses were previously routed along 5th Street. She asked why this cannot be done now. The Bible says if one has no vision, one would perish. Commissioner Moore has a wonderful vision. They are asking that the Commission return life to their neighborhood.

Nathaniel Wilkerson said he is working to help make the area better. They want to redevelop the area. He was concerned that Commissioner Charlotte Rodstrom can separate her connection to County Commissioner John Rodstrom. The County Commissioner has a way of misidentifying their community. He placed barricades on 6th Street from 27th to Andrews Avenue, but failed to take into account the bus stops. There are 17 bus stops from Andrews going west to 31st, and 16 stops from the library on the west going east. Bus lanes were not removed. There was no notification to the residents.

Jessie Adderley, a resident of Dorsey Riverbend, said she is against the narrowing of Sistrunk from four lanes to two lanes. She believed the individuals present do not represent the majority of the people from that area. However, she is in support of the beautification and redevelopment of the corridor. She did not think people should be threatened that the beautification and redevelopment cannot be done if the road is not narrowed.

Mike Payne supported Commissioner Moore and his position on this project. Of the estimated daily 22,000 cars that pass along Sistrunk, most do not live in the area and are only commuters taking away from the area residents' quality of life. Also, there appears to be a conflict of interest since one commissioner is a spouse of another commissioner who is pushing this issue.

Mickey Hinton was concerned that the facts be brought to the people because many issues are involved. There is a lot of traffic in the area due to the One-Stop Shop also being situated in this area. Studies should be done before plans are created. He pointed out that years ago people fought to widen this road. He was concerned there is no Winn Dixie or Publix in the area and particularly mentioned the Avenue of the Arts. He asked how long it will take to accomplish something. He wanted the Commission to come together and solve problems.

Sheryl Dickey, a Sistrunk Boulevard business owner and Chair of the Mid-Town Business Association, said code issues and parking problems have existed on Sistrunk for sometime, but the CRA now exists targeting the area for revitalization, along with a new streetscape. People began returning to the area. The goal was to get black investors to commit to Sistrunk. She along with at least eight others in the audience are doing \$2 million or more projects. She asked the Commission to stay committed because people are reinvesting in the area.

Sam Morrison, 2140 NW 4 Street, said he shares the vision with Commissioner Moore. He moved to the Sweeting Estates because of that vision. It appears actions are taken in this country depriving people of color. Sistrunk is a speedway at the present time, and concern should be given to the residents in the area and their safety. He urged the Commission to support the revitalization of the Sistrunk area as it has been presented.

Gwen Watson said she is a member of the City's Economic Development Board, along with the Board of Directors for the Chamber of Commerce, and chairs the Minority Business Development Committee for the Chamber of Commerce, and serves on the Broward Sheriff's Office Professional Standards Committee. She is the Youth Advisor for the Fort Lauderdale NAACP. In 1968 a man had a dream and if he were alive today he would have a nightmare. The area known as Regal Trace and City View was owned by her parents. They were sold a bill of goods about revitalization. She said she is depressed because Commissioner Moore has been working on this project for so many years. She wondered what would people in the Las Olas neighborhood do if barricades were put out without notice. She asked that the Commission listen to the community.

Bertha Henry, Interim Broward County Administrator, said Broward County wants to see this area redeveloped, and are here to talk about a vision and want to show that they are sensitive to the community's requests. She said obnoxious things have been done to the community, but what happened in the past was done and now people are willing to take a stand. Serious commitments have been made. The County has invested and placed resources in the community. It makes no sense to make investments in such things as the African American Research Library, Franklin Park, Roosevelt community and others yet watch Sistrunk die. There is a serious concern about the potential diverting of traffic onto Sunrise and Broward. FDOT is not concerned about Sunrise and Broward boulevards because they are already over capacity and there is not much that could be done to address it. It is important to say that while they are developing the business corridor, they are also developing the neighborhoods. She did not want the neighborhoods to be destroyed. Perhaps the County is wrong, but it should be clear that the County does care. They have been investing in that neighborhood and have done so for several years. The County will do what is right for the community.

Marsha Ellison, President of the Fort Lauderdale NAACP, said this community has met and planned for something that they want. She noted the Mayor indicated support of the plan to the community on February 23. She hoped he would represent the community accordingly. They are always being told why their areas cannot be as good as others. She asked the Mayor and Commission to keep their word and do what they promised.

Joe Major, 3410 NW 5th Court, was shocked as to what he is hearing in connection with the County's perspective about the central area which is black. Services in the area have been provided by the County, and more has been done during Commissioner Rodstrom's term of office than during any other Commissioner in the County. The

economic system is now functioning and permitting them to live where they want and do things that everyone else is doing. However, the area is deteriorating through a process which is ~~sp?~~ **corrected** gentrification. Some black officials are benefiting from this. This group of people does not reflect the entire black community and should not have full force of what is going to happen. He was concerned about favoritism and encourage the Commission to do the right thing.

John Hill said all comments made have been mind boggling, disturbing, but yet informative. He has a vested interest in the community because his dad was the first black millionaire in this City. They gave the land for the post office, and love the City and want things to happen. He has a lot of invested property on Sistrunk and throughout the City. He said he is a visionary and wants to carry forth the legacy of his father. He said this street should be narrowed.

Commissioner Moore commented that there has been seven years of public input and over 117 meetings on the subject. He worked to create the Northwest Redevelopment Council and began to talk about how to reclaim their community. He could understand how the Interim County Administrator and County Commissioner Rodstrom feel when negative comments are made about a matter where a significant investment was made. He understood that there has been a great deal of investment by the County. But they also understand that municipal governments operate because they are closest to the people, and county governments are regional in nature. State governments are state in nature and so on. Support has been given by all governmental entities on this project. Even the federal government has attended some of the meetings. The African American community does not need a unanimous vote on anything. There are different opinions just like the majority community. If it is being suggested because there are some people who do not agree with the narrowing that it should not be considered, that is really wrong. There is never going to be everybody on a particular side of any issue. When discussing the reclaiming of this community, it was noted that the first thing is to create a disposable income. Individuals were encouraged to return to the urban core of the black community and it was done with great success. People serve on the advisory boards representing their communities.

Commissioner Moore referred to the study and the potential concern about increased traffic on Sunrise and Broward. The County was approached. The most viable idea from the community was presented, that being to place parking on the street. Because of the depth of the land from Sistrunk to the alleyways and the single family homes abutting those alleyways, off-site parking on the rear of the alleyway as is done on Las Olas Boulevard. A garage was considered, but the economists said garages are normally bought with bond money and a need had to be justified. They told the County that parking on the roadway was the only way to obtain stakeholders. The CRA used money and assembled properties along the corridor. With every RFP, people wanted to develop those sites with great success. These people are the children of people who used to work in the stores along Las Olas.

Commissioner Moore noted funding received through the efforts of Congressman Alcee Hastings, Representative Smith and Senator Dawson. The CRA provided funds. The only governmental entity that has not stated this is the appropriate thing to do is the County.

Commissioner Moore further said the County Commission had a Mayor who was willing to place the issue on the agenda so the matter could be expedited so the \$2.5 Million in funding would not be lost. The County Commission sided with the District Commissioner that the matter should not be discussed, unless this Commissioner had a chance to deliberate with them. A letter came from this District Commissioner to City Mayor, but without input and respect, it was a foregone conclusion that this would be discussed. He agreed to have the opportunity for dialogue. He wanted to deal with the issues with which the County Commissioner is concerned. He was concerned that the County Commissioner thinks it is in the community's best interests to allow traffic to proceed through the area and not stop to spend any money in the area, but go elsewhere to spend money or for employment. He noted that the City and County commissions voted to close roadways on the south side of Broward Boulevard because of neighborhood traffic impacts. Yet in his neighborhood, there are four lanes with traffic flowing at 45 miles per hour when the County has stated the roadway is only impacted three hours out of the day. In answer to the question of traffic flowing at important times to kill economic development or economic development, people said they preferred economic development.

Commissioner Moore noted that at the City's request, the County rerouted buses out of the neighborhoods on the south side of Broward Boulevard because residents did not like the congestion. He has been an advocate for public transportation. He sits on the MPO with Commissioner Teel. The reason there is a Service Level S on Sunrise and Broward is because the County handles mass transit but has not addressed a method other than a car to move people. Along Sistrunk, there are 15 westbound and 16 eastbound bus stops. The average distance for the westbound stops are approximately 670', and 630' for the eastbound. In general, bus stops should be spaced between 900' to 1,100'. Part of the streetscape plan is to eliminate some of these bus stops, based on comments of County staff. He discussed fallacies in the traffic patterns of the study. The study suggests roundabouts at 15th Avenue and 4th Street, speed humps from 15th Avenue to 9th Avenue. The speed humps were requested years ago, but not addressed because of the City's financial situation.

Commissioner Moore said that there is another method for delivery trucks to gain access. With designated on-street parking, trucks can pull over and make their deliveries out of the way of flowing traffic. People have to stop now for delivery trucks, which impedes traffic. People have to stop now for the buses also. With the streetscape, this can be moved out of the way. It would give integrity to the mass transit user to have a bench and shade tree. With respect to public safety, he did not think there would be any thought given to designing a roadway without that consideration. A streetscape with wide sidewalks will address pedestrian fear. For the last six years there has been parking on 6th Street from 9 am to 3 pm to try to do what has been recommended by County Commissioner Rodstrom. They found that the speed of traffic is so intense, people will not park in the lane for fear of someone running into it. If there is a concern about the residential impact of traffic flow, one would not want left-turns into the residential areas from Sistrunk. One mitigation issue is to reduce or prevent this. Yet there are left-turns at 9th Avenue, 15th Avenue, 7th Avenue and the major corridor there are left-turns. This is something that could be easily resolved, if there was a will to do rather than a will to say no. With regard to the delay in time in getting through the corridor of 6th, the City showed it would be between 3 and 8 minutes. The County converted those times to seconds. He questioned the willingness of compromise.

Commissioner Moore said the compromise is to narrow the road. They have tried what the County is suggesting for six years without success. The City has \$12.5 Million. Reference to the \$1 Million is not worthy of conversation.

Commissioner Moore referred to a petition of 2,000 signatures and that people were misled. He said advocates for the vision delivered the subject petitions in an attempt to show the government that the community is in support of the project. He noted that Commissioner Charlotte Rodstrom was elected by the voters of the City, and not just by the marriage to County Commissioner John Rodstrom. He knew that they have different opinions, and he hoped it is different in this case. He hoped there would be a unanimous vote to continue with this project.

Commissioner Moore respected that when the Mayor receives a letter from an elected official that he responds. But, he hoped the Mayor would also give such respect to the citizens.

Mayor Naugle said that things are different at the city and county levels. No one is elected at-large in the county. In Fort Lauderdale, the Mayor is elected by all of the people, and then there are four District Commissioners. When projects are presented for the various districts, the Commission attempts to follow the advice of the concerned District Commissioner. His role is to weigh what the District Commissioner desires with how it affects the entire City. Most of the time he supports their proposals. In this case, there is a situation where two Commissioners represent Sistrunk Boulevard. When he received the offer from County Commissioner Rodstrom, he believed it was necessary to place this on the agenda even though he was not comfortable to do it without proper notice to the public. If he had asked Commissioner Moore's opinion, he would have violated the Sunshine Law. He believed he did the right thing.

Commissioner Rodstrom said that Commissioner Moore has served for 17 years and this is her second meeting. She wanted to hear everyone speak so she could educate herself about the issue since it is very important. She commented that she graduated from Stranahan High School. She believes in family and is a neighborhood person, and does not agree about over development which could cause an impact to a neighborhood. She believes that everyone in this room wants the same thing which is revitalization and beautification of Sistrunk. However, the question lies with traffic flow and lane-age. Development approved by the City Commission in the past is responsible for the development of downtown Fort Lauderdale. The traffic will not go away and will only get worse. Sistrunk is a County road and the County has a responsibility to the residents of the entire County to make sure the roads have the ability to handle the transit and traffic flow. The issue tonight is whether the City wants to take over that responsibility. There is a reason why the 13,000 units were not approved; it was because of infrastructure and traffic. Mitigation needed to be done in order to have extra development approved for the downtown area. Regardless of whether the road is narrowed or left alone with certain hours open and closed, there will be revitalization and beautification. If the road is narrowed, there will be traffic going into the neighborhoods. She does not like traffic in the neighborhoods. Efforts have been made to compromises as much as possible, but this Commission has to decide if they want to ask the County for jurisdiction of the road transferred to the City.

Commissioner Moore said there is another method of delivery of traffic to the downtown which was advocated is the connector of 7th and 9th Avenues. The community agreed to

the tearing down of buildings for the connection. It is important to get people to the downtown, but there are different methods and the connector is one method. Another way is to utilize better methods of mass transit. People use cars because lanes are provided. If the opportunity to use a car is not offered, they will find another way to get to the downtown. Everyone agrees that there should be a move of the Tri-Rail to the eastside. The County needs to address regional issues of transportation and not make neighborhood roads as collectors at this volume.

Commissioner Teel said everyone wants the same thing which is to improve their community, and progress is being made. The two lane proposal hit a brick wall at the County Commission. She wanted to see something happen; for it to move forward. said County Commissioner Rodstrom's offer provides an opportunity to talk and iron out some of the problems. She was concerned about the money. She referred to the letter from Congressman Alcee Hastings and indicated they may be looking at a great loss of funding and \$1 Million will not accomplish the goal for Sistrunk. She did not realize that the buses used to run on 5th Street. She asked if it would be helpful to put them back on 5th Street. There might be an opportunity for a parking facility to be built in the west where riders could be gathered and transported more efficiently downtown. The buses seem to be a big problem. She wanted to hear from the consultants who will be doing the CRA Master Plan. If traffic calming was shown in a concise form to the County Commission, it might prove better. She asked if there is a possibility of phasing some of the items discussed this evening. She was not convinced that the entire corridor has to be two lanes. She noted that lanes have been closed for six years to provide parking, but people are not parking there. She was not so sure they will park there unless other changes are made. They need to focus on how to progress with this issue. She believed they would be in a better position if it is deferred and additional efforts made. She wanted this project to move forward so individuals can benefit from the revitalization and safety provided in the corridor. There are a number of valid issues raised.

Commissioner Moore respected Commissioner Teel's concern. He noted that seven years has passed and the County Commissioner is asking that a compromise be made. The County Commission has not yet seen this proposal, even though he has requested it a million times. If Commissioner Teel would support what the neighborhood wants, then it will have its day on the 18th. He is meeting tomorrow morning with Commissioner Rodstrom. The City's consultant has shown ways that the issues can be mitigated. The District County Commissioner promised that if the City Commission agreed to narrowing to two lanes or whatever it chose to do, it would be deliberated on the 18th. The best signal for the City to make is to show that it is supportive of its residents in their redevelopment efforts and will deal with the statistical issues and the movement of traffic, if it is sincere, in a full public meeting with the County Commission. He asked for her support.

With respect to the parking not working, Mayor Naugle said speed is a function of the road design. If the road is narrowed, traffic will go slower. The lanes on Las Olas are narrower than those on Sistrunk and that is why the parking worked on Las Olas. If the City was to ask for release of jurisdiction from the County, and they refused, what happens then.

With respect to the narrowing of lanes, Commissioner Moore said that Sistrunk Boulevard is a straight line from 31st to Andrews Avenue, and Las Olas Boulevard begins to wind after passing the business district. Traffic slows down due to the design,

but that cannot be done on 6th unless buildings are demolished. Mayor Naugle contended that Las Olas in the business district is straight. Commissioner Moore felt that when the City's consultant shows the County how they have attempted to mitigate the County concerns, they will probably acquiesce. If the City Commission changes their mind in this matter, there will not be that chance. The City spent \$1 Million in engineering. Every newspaper, business group and civic group have endorsed the project.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to adopt Resolution Option No. 1 with narrowing the roadway including streetscape improvements, and jurisdiction transfer of the road to the City.

RESOLUTION NO. 06-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CONTINUING TO URGE THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TO TRANSFER JURISDICTION OF SISTRUNK BOULEVARD (NE./NW 6TH STREET) FROM FEDERAL HIGHWAY (US 1) TO THE CORPORATE CITY LIMITS AT NW 24TH AVENUE TO THE CITY OF FORT LAUDERDALE IN ORDER TO ASSIST IN THE REVITALIZATION OF THE SISTRUNK BOULEVARD CORRIDOR.

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

Commissioner Teel felt they need to discuss Option No. 2 and introduced that resolution:

RESOLUTION NO. 06-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SUPPORTING THE PROPOSED COMPROMISE OFFERED BY COMMISSIONER JOHN RODSTROM OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY REGARDING THE SISTRUNK BOULEVARD ROADWAY AND URGING THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TO ACCEPT THE PROPOSED COMPROMISE.

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

Continuation of Item M-2

Mayor Naugle said that he received a request from Kandice James, Sweet Productions, as to whether any of the Commissioners on the prevailing side are interested in reconsidering the item for her special event. Advertising expenses have been incurred and contracts signed with performers.

Motion made by Commissioner Teel and seconded by Commissioner Moore to reconsider Item M-2. Roll call showed: YEAS: Commissioner Moore, Vice Mayor Hutchinson, Commissioner Teel, and Mayor Naugle. NAYS: Commissioner Rodstrom.

Ms. James said that when they submitted their application to the City, they did not choose the date. Three dates had been provided and the City chose the date and the venue. This is the same venue as the Pearl Jam Concert, which is around the airport. Therefore, when they made their request in January, the City made the decision when and where to hold this event. One of the groups that will perform recently received an Academy Award. The artist has been invited to perform in the City of Miami, but not permitted to perform in Fort Lauderdale.

Mayor Naugle asked if anything could be done to provide a better comfort level to the residents.

Commissioner Teel said the application should have been filed earlier, but she was discouraged when the promoter would not agree to end the concert at 11 p.m. instead of 11:30 p.m.

Ms. James said that the Orioles told them they could perform until midnight. She said the time was set by them. She agreed to stop the concert by 11 p.m.

Motion made by Commissioner Moore and seconded by Vice Mayor Hutchinson, approving the event agreement as recommended, provided that the concert would end by 11 p.m. Roll call showed: YEAS: Commissioner Moore, Vice Mayor Hutchinson, Commissioner Teel, and Mayor Naugle. NAYS: Commissioner Rodstrom.

Commissioner Moore left the meeting.

Advisory Board/Committee Appointments (OB)

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

- | | |
|-----------------------|-----------------|
| Civil Service Board | Bob Kauth |
| Marine Advisory Board | Eugene Zorovich |

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 06-53

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

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

There being no other matters to come before the Commission, the meeting was adjourned at 10:15 P.M.

Jim Naugle
Mayor

ATTEST:

Jonda K. Joseph
City Clerk